

1540 COMMITTEE MATRIX OF VANUATU

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:

Vanuatu

Date of Report:

22 February 2007

Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 24 August 1995	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Rarotonga, 9 February 1996	
3	Convention for the Suppression of Acts of Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear Material (CPPNM)			

5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 16 September 2005	
7	Chemical Weapons Convention (CWC)	X	Deposit 16 September 2005	
8	Biological Weapons Convention (BWC)	X	Deposit 12 October 1990	
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	<p>State party to 10 of 19 universal legal instruments against terrorism including the following relevant to resolution 1540 (2004):</p> <p>1999 International Convention for the Suppression of the Financing of Terrorism</p> <p>2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation</p> <p>2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf</p> <p>State Party to Waigani Convention (Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Trans-boundary Movement and Management of Hazardous Wastes within the South Pacific Region)</p>	
11	International Atomic Energy Agency (IAEA)	?	2014 (membership has been approved by the IAEA General Conference and will take effect once the State deposits the necessary legal instruments with the IAEA)	
12	Hague Code of Conduct (HCOC)	X	Subscribed 4 December 2002	
13	Other Arrangements	X	PSI: participating state	
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-proliferation			
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reported that it withholds any support to State or non-State actors, attempting to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery	
17	Other ¹	X	<p>Member WCO</p> <p>Member WHO</p> <p>Member OIE</p> <p>Member IMO</p> <p>Member Oceania Customs Organisation</p>	

			Member of PIF Member of Asia/Pacific Group of FATF Member (Cotonou Agreement)	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X	X	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Section 5, (Preparatory act) NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections, 32 (nuclear material- alter) and 33F (make radioactive device) South Pacific Nuclear-Free Zone Treaty (Ratification) Act of 1995 Treaty on the Non-Proliferation of Nuclear Weapons (Ratification) Act of 1995 CW: Firearms Act 1987, Section 8	X	X	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5,32(nuclear material) and 33F: (Preparatory act & alter) Penal Code as amended, Section 73 D NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections, 32 (nuclear material - alter) and 33F (make radioactive device) CW: Firearms Act 1987, Section 40	
2	acquire	X	X	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5 NW: Counter Terrorism and Transnational Organized Crimes Act, as amended, Section 32 Treaty on the Non-Proliferation of Nuclear Weapons (Ratification) Act of 1995 South Pacific Nuclear-Free Zone Treaty (Ratification) Act of 1995	X	X	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5 Penal Code as amended, Section 73 D NW: Counter Terrorism and Transnational Organized Crimes Act, as amended, Section 32	

					CW: Firearms Act 1987, Section 8				CW: Firearms Act 1987, Section 40	
3	possess	X	X	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5 NW: Counter Terrorism and Transnational Organized Crimes Act, as amended, Section 32 and 33F Treaty on the Non-Proliferation of Nuclear Weapons (Ratification) Act of 1995 South Pacific Nuclear-Free Zone Treaty (Ratification) Act of 1995 CW: Firearms Act 1987, Section 8	X	X	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act (Act. No. 29 of 2005), Sections 5 Penal Code as amended, Section 73 D NW: Counter Terrorism and Transnational Organized Crimes Act, as amended, Section 32 and 33F CW: Firearms Act 1987, Section 40	
4	stockpile/store	?	?	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5 and 32	?	?	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5 and 32	
5	develop	?	?	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5 and 32	?	?	?	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5 and 32	
6	transport	X	X	X	NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 31 (nuclear material), 33B CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Section 32B	X	X	X	NW: Counter Terrorism and Transnational Organized Crime Act,, as amended, Sections 31 (nuclear material) Penal Code as amended, Section 73 D CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Section 32B	
7	transfer	X	X	X	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Section 2,	X	X	X	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Section 2,	

				3, 5 and 10 (to be read in conjunction- preparatory action, providing weapons) CW: Firearms Act 1987, Section 8			3, 5 and 10 (to be read in conjunction- preparatory action, providing weapons) Penal Code as amended, Section 73 D CW: Firearms Act 1987, Section 40	
8	use	X	X	X NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 2, 3, 5, 27,32 and 33B&F South Pacific Nuclear-Free Zone Treaty (Ratification) Act of 1995, Section 6: testing Firearms Act No. 7 of 1987, Art. 5 CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 2, 3,5, 27 and 33B	X	X	X NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5, 27, 32 and 33B&F Penal Code as amended, Section 73 D CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 5, 27 and 33B Penal Code as amended, Section 73 D	
9	participate as an accomplice in abovementioned activities	X	X	X NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 7,10 and 10A Penal Code as amended, Section 30 - 33,	X	X	X NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 7, 10 and 10A Penal Code as amended, Section 73 D,	
10	assist in abovementioned activities	X	X	X NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 7, 10 and 10A Penal Code as amended, Section 30 – 34	X	X	X NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 7, 10 and 10A Penal Code as amended, Section 73 D	
11	finance abovementioned activities	X	X	X NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Section 6 Financial Transactions Reporting Act as amended, Section 5 A	X	X	X NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Section 6 Financial Transactions Reporting Act as amended Section 5 A Financial Intelligence Unit- Financial Transactions Reporting Act, as amended, Section 12	

12	abovementioned activities related to means of delivery ²		?		CW: Firearms Act, Section 8		?		CW: Firearms Act, Sections 40	
13	involvement of non-State actors in abovementioned activities	X	X	X	NW/ CW/ BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 3 and 5	X	X	X	NW/CW/BW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 3 and 5 Penal Code (Amendment) Act No.17 of 2003, Section 73 B	
14	Other	X	X	X	NW/CW/BW: United Nations Act 2002	X	X	X	NW/CW/BW: United Nations Act 2002 Penal Code, Section 4: Extraterritorial application if offence abroad as well	

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized ?		National legal framework			Enforcement: civil/criminal penalties and others				Remarks	
		YES			if YES, source document	YES				if YES, source document
		N W	C W	B W*		N W	C W	B W		
1	Measures to account for production	X			NW: INFCIRC/852 and SQP (31 may 2013)					
2	Measures to account for use	X			NW: INFCIRC/852					
3	Measures to account for storage	X			NW: INFCIRC/852					
4	Measures to account for transport									
5	Other measures for accounting		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Section 15		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Section 36	
6	Measures to secure production		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Section 8		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Sections 32 and 36	
7	Measures to secure use		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Section 8		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Sections 32 and 36	
8	Measures to secure storage		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Section 25 and 28		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Sections 32 and 36	
9	Measures to secure transport		?	?	CW/BW: Pesticides Control Act, No. 11 of 1993, Section 8	?	?	?	NW/CW/BW: Ports Act of 1988, Section 17 Shipping Act, Sections 35-36: Applies to IMDG Code	

								CW/BW: Pesticides Control Act, No. 11 of 1993, Sections 32 and 36	
10	Other measures for securing			X	BW: Animal Importation and Quarantine Act No. 7 of 1988, Sections 16-19			X BW: Animal Importation and Quarantine Act No. 7 of 1988, Sections 20	
11	Regulations for physical protection of facilities/materials/ transports								
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials		?	?	CW:BW: Pesticides Control Act, No. 11 of 1993, Section 8-14		?	?	CW:BW: Pesticides Control Act, No. 11 of 1993, Sections 32 and 36
13	Reliability check of personnel								
14	Measures to account for/secure/ physically protect means of delivery								

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, source document	YES	if YES, source document	
1 National regulatory authority					
2 IAEA Safeguards Agreements	X	INFCIRC/852 and SQP (31 may 2013)	X	INFCIRC/852 and SQP (31 may 2013)	
3 IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4 Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5 IAEA Incident and Trafficking Database of Nuclear Materials and other Radioactive Sources					
6 Other Agreements related to IAEA					
7 Additional national legislation/regulations related to nuclear materials including CPPNM					
8 Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	CWC Ratification Act 2005	X	Department of Foreign Affairs, International Cooperation and External Trade	
2	Reporting Schedule I, II and III chemicals to OPCW					
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other	X	United Nations Act 2002	X	United Nations Act 2002	

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials	X	Plant Protection Act No. 14 of 1997	X	Plant Protection Act No. 14 of 1997	
3	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials ? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	NW/CW/BW: Customs Act, No.7 of 2013, as amended, Sections 14, 15, 26-28, 30 and 31 BW: Animal Importation and Quarantine Act No. 7 of 1988, Sections 7-9 Import of Plants Act, Sections 1-3 and 8 Quarantine Act, Section 6 and 23	X	X	X	NW/CW/BW: Customs Act, No. 7 of 2013, as amended, Part 13, Sections 160-178 BW: Import of Plants Act, Sections 7 Quarantine Act, Section 40 Animal Importation and Quarantine Act No. 7 of 1988, Section 20	
2	Technical support of border control measures					?	?	?	NW/CW/ BW: ASYCUDA ++	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology									
4	Enforcement agencies/authorities					X	X	X	NW/CW/BW: Customs Department Police Immigration Service Quarantine Service Air and Sea Port Authorities Combined Law Enforcement Intelligence Team (CLEIT) Pacific Transnational Crime Coordination Centre (PTCCC)	
5	Export control legislation in place	X	?	X	NW/CW/BW Customs Act, No. 7 of 2013, as amended,	X	?	X	NW/CW/BW: Customs Act, No. 7 of 2013, as amended,	

				Sections 61-64, 66-68 NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 31-32 BW: Plant protection Act No. 14 of 1997, Sections 5, 6 and 22				Sections 68 NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 31-32 BW: Plant protection Act No. 14 of 1997, Section 23	
6	Licensing provisions								
7	Individual licensing								
8	General licensing								
9	Exceptions from licensing								
10	Licensing of deemed export/visa								
11	National licensing authority								
12	Interagency review for licenses								
13	Control lists								
14	Updating of lists								
15	Inclusion of technologies								
16	Inclusion of means of delivery								
17	End-user controls								
18	Catch all clause								
19	Intangible transfers								
20	Transit control								
21	Trans-shipment control								

22	Re-export control								
23	Control of providing funds								
24	Control of providing transport services								
25	Control of importation	X	X	X	<p>NW/CW/BW: Customs Act, No. 7 of 2013, as amended, Sections 51-60, 65, 67-69 and 70</p> <p>NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 31-32</p> <p>CW: Firearms Act, Sections 7, 14-19, 22 and 23</p> <p>BW: Animal Importation and Quarantine Act, Sections 2, 16, 18 and 19: (Includes biological products as well as animals) Import of Plants Act, Sections 1-3 and 8</p>	X	X	X	<p>NW/CW/BW: Customs Act, No. 7 of 2013, as amended, Sections 68 and 69</p> <p>NW: Counter Terrorism and Transnational Organized Crime Act, as amended, Sections 31-32</p> <p>CW: Firearms Act, Sections 40</p> <p>BW: Animal Importation and Quarantine Act, Sections 8 – 10 and 20: (Includes biological products as well as animals) Import of Goods (Control) Act, Sections 4-5 Import of Plants Act, Sections 4-7 Quarantine Act, Section 40</p>
26	Extraterritorial applicability	X	X	X	<p>NW/CW/BW: Penal Code, Section 4: Extraterritorial application</p>	X	X	X	<p>NW/CW/BW: Penal Code, Section 4: Extraterritorial application</p>
27	Other	X	X	X	<p>NW/CW/BW: Waigani Convention</p> <p>NW/CW: United Nations Act of 2002</p> <p>NW: South Pacific Nuclear-Free Zone Treaty (Ratification) Act of 1995, Article 4: (Not to supply source material to non-nuclear weapon or nuclear weapon States unless under IAEA safeguards)</p>	X	X	X	<p>NW/ CW/ BW: United Nations Act of 2002</p> <p>NW: Shipping Act, Chapter 53: Dangerous Goods</p>

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	The government of Vanuatu would welcome any technical assistance available to assist it fully implement the requirements of UNSCR 1540, particularly in developing enhanced operational capability within Police and border security agencies and the practical implementation of obligations relating to national control lists.	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	The OPCW-OCO Implementation Support Branch, International Cooperation and Assistance Division, organized dedicated sub-regional training course for customs Legal authorities and representatives of CWC National Authorities from Pacific Island States, including Solomon Islands and Timor Leste , on Technical Aspects of the Transfers' regime of the CWC, at Brisbane, Australia Nadi, Fiji, 30 June- 2 July 2010 20 – 24 May 2014	
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other ⁴			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.