

## **APPROVED 1540 COMMITTEE MATRIX**

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), 1977 (2011), 2055 (2012) and 2325 (2016). 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.

Matrix entries are only indicators of fact and not indicators of the degree of compliance under resolution 1540 (2004) and its successor resolutions. Thus:

An “X” in any data field signifies only that the 1540 Committee considers that a State has taken the steps required, and/or has provided specific references to the applicable legal basis or executive behaviour as evidence of such steps. An “X” against any data field does not necessarily signify that a State has met in full its 1540 obligations for that data field.

A “?” in any data field signifies that the references to legislative or other measures may not be directly relevant or are incomplete.

A “NA” (Not Applicable) in any data field signifies that the data field is not applicable to that State where through legally binding instruments States specified that they do not possess related materials or facilities.

A blank in any data field signifies that there is insufficient information available to enter an “X” or “?” against a particular data field.

**State:** **Kingdom of Bhutan**

**Date of Report:** **19 August 2009**

**Dates of Additional Reports:** **19 March 2013**

**Date of Approval:** **9 December 2020**

## I. OP 1 and related matters from OP 5, OP 8 (a), (b), (c) and OP10

Adherence to legally binding instruments, membership of organisations, participation in arrangements and statements made.		Relevant information (i.e. signing, deposit of instrument of 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)	Deposit 23 May 1985	
2	Nuclear Weapons Free Zone/ Protocol(s)		
3	International 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)		
7	Chemical Weapons Convention (CWC)	Deposit 18 August 2005	
8	Biological Weapons Convention (BWC)	Deposit 8 June 1978	
9	Geneva Protocol of 1925	Deposit 19 February 1979	
10	1997 International Convention for the Suppression of Terrorist Bombings		
11	1999 International Convention for the Suppression of the Financing of Terrorism	Deposit 22 March 2004	

12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation		
13	2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf		
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation		
15	Other relevant regional legally binding instruments	SAARC Convention on Suppression of Terrorism and the Additional Protocol to the Convention	
16	International Atomic Energy Agency (IAEA)		
17	Directly relevant Arrangements		
18	Statement on non-provision of WMD and related materials to non-State actors	State reports that it is strongly opposed to providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.	
19	Membership in relevant international, regional or sub-regional organisations	SAARC World Customs Organization (WCO) INTERPOL World Health Organization (WHO) World Organisation for Animal Health (OIE) Financial Action Task Force – Asia/Pacific Group (FATF/APG)	

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

National legislation which prohibits persons or entities to engage in one of the following activities and its enforcement		National legal framework					Enforcement and civil/criminal penalties			Remarks
		X / ?			Source document of national implementation law	X / ?			Source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture	X	X	X	<b>NW/CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25 Read in conjunction with Section 29 of Civil and Criminal Procedure Code  <b>NW:</b> NPT ratification Law  <b>CW:</b> CWC ratification Law  <b>BW:</b> BWC ratification Law	X	X	X	<b>NW/CW/BW:</b> Penal Code, Chapter 3, Art. 7; chapter 32, Arts. 478 and 479 (without a proper licence - Life imprisonment for producing weapons of mass destruction)	
2	acquire	X	X	X	<b>NW/CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25, Read in conjunction with Section 29 of Civil and Criminal Procedure Code  <b>NW:</b> NPT ratification Law  <b>CW:</b> CWC ratification Law  <b>BW:</b> BWC ratification Law	X	X	X	<b>NW/CW/BW:</b> Penal Code, chapter 32, Art. 482	
3	possess		X	X	<b>CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25,	X	X	X	<b>NW/CW/BW:</b> Penal Code, chapter 32, Art. 480	

				<p>Read in conjunction with Section 29 of Civil and Criminal Procedure Code</p> <p><b>CW:</b> CWC ratification Law</p> <p><b>BW:</b> BWC ratification Law</p>					
4	develop		X	X	<p><b>CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25, Read in conjunction with Section 29 of Civil and Criminal Procedure Code</p> <p><b>CW:</b> CWC ratification Law</p> <p><b>BW:</b> BWC ratification Law</p>				
5	transport								
6	transfer		X	X	<p><b>CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25, Read in conjunction with Section 29 of Civil and Criminal Procedure Code</p> <p><b>CW:</b> CWC ratification Law</p> <p><b>BW:</b> BWC ratification Law</p>		X	<p><b>CW:</b> Penal Code, chapter 32, Art. 506 {As amended by Penal Code (Amendment) Act of Bhutan 2011}</p>	
7	use	X	X	X	<p><b>NW/CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25, Read in conjunction with Section 29 of Civil and Criminal Procedure Code</p> <p>International Convention for the Suppression of Terrorist Bombing, Art. 2 (only terrorist intent)</p>		X	<p><b>NW:</b> Penal Code, chapter 32, Art. 486</p>	

				<p><b>CW:</b> CWC ratification Law</p> <p><b>BW:</b> BWC ratification Law</p>				<p><b>CW:</b> Penal Code, chapter 32, Arts. 486 and 506 {As amended by Penal Code (Amendment) Act of Bhutan 2011}</p> <p><b>BW:</b> Penal Code, chapter 32, Arts. 480 and 486</p>	
8	attempt to engage in abovementioned activities								
9	participate as an accomplice in abovementioned activities	X	X	X	<p><b>NW/CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25, Read in conjunction with Section 29 of Civil and Criminal Procedure Code International Convention for the Suppression of Terrorist Bombing, Art. 2 (only terrorist intent)</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, Arts. 64 and 65</p>
10	assist in abovementioned activities	X	X	X	<p><b>NW/CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25, Read in conjunction with Section 29 of Civil and Criminal Procedure Code International Convention for the Suppression of Terrorist Bombing, Art. 2 (only terrorist intent)</p> <p><b>CW:</b> CWC ratification Law</p> <p><b>BW:</b> BWC ratification Law</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, Art. 125</p>
11	finance abovementioned activities	X	X	X	<p><b>NW/CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25, Read in conjunction with Section 29 of Civil and Criminal Procedure Code International Convention for the Suppression of Terrorist Bombing, Art. 2 (only terrorist intent) International Convention for the Suppression of the Financing of Terrorism (only related to the art. 2 of the International Convention for</p>				

				the Suppression of Terrorist Bombing)				
12	abovementioned activities related to means of delivery <sup>1</sup>		X	X	<b>CW/BW:</b> Constitution of 18 July 2008, Art. 10, para. 25, Read in conjunction with Section 29 of Civil and Criminal Procedure Code  <b>CW:</b> CWC ratification Law  <b>BW:</b> BWC ratification Law			

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

**III. OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials <sup>2</sup>**

Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials		National legal and/or regulatory framework			Enforcement and civil/criminal penalties			Remarks		
		X / ?			X / ?					
		N W	C W	B W *	N W	C W	B W			
1	Measures to account for production	X	?	?	NW/CW/BW: National Environment Protection Act, 2007, Art. 55 (No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed under national and international instruments).  NW: INFCIRC/371 and SQP	?	?	?	NW/CW/BW: National Environment Protection Act, 2007, Arts: 100-104	
2	Measures to account for use	X	?	?	NW/CW/BW: National Environment Protection Act, 2007, Art. 55 (No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed under national and international instruments).  NW: INFCIRC/371 and SQP	?	?	?	NW/CW/BW: National Environment Protection Act, 2007, Arts: 100-104	
3	Measures to account for storage	X	?	?	NW/CW/BW: National Environment Protection Act, 2007, Art. 55 (No person shall handle or cause to be handled any hazardous substance except in accordance with such procedure and after complying with such safeguards as may be prescribed under national and international instruments).	?	?	?	NW/CW/BW: National Environment Protection Act, 2007, Arts: 100-104	

					<b>NW:</b> INFCIRC/371 and SQP					
4	Measures to account for transport									
5	Measures to secure production	N A			<b>NW:</b> INFCIRC/371 and SQP	N A			<b>NW:</b> INFCIRC/371 and SQP	
6	Measures to secure use	N A			<b>NW:</b> INFCIRC/371 and SQP	N A			<b>NW:</b> INFCIRC/371 and SQP	
7	Measures to secure storage	N A			<b>NW:</b> INFCIRC/371 and SQP	N A			<b>NW:</b> INFCIRC/371 and SQP	
8	Measures to secure transport									
9	Physical protection measures	N A			<b>NW:</b> INFCIRC/371 and SQP	N A			<b>NW:</b> INFCIRC/371 and SQP	
10	Personnel Reliability									

2. 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))

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

Measures to establish domestic controls to prevent the proliferation of NW, and their means of delivery; controls over related materials		Source document	Remarks
1	National regulatory authority		
2	Licensing of nuclear installations/entities/ use of materials		
3	IAEA Safeguards Agreements	Safeguards Agreement (INFCIRC/371) and SQP, in force 24 October 1989	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources		
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources		
6	IAEA Incident and Trafficking Database		
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)		
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5		
9	Other Agreements related to IAEA		

10	National legislation and regulations related to nuclear material including CPPNM		
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**V. OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)**

Measures to establish domestic controls to prevent the proliferation of CW, and their means of delivery; controls over related materials		Source document	Remarks
1	National CWC authority	National Authority, Legal and Treaties Division, Department of Multilateral Affairs Ministry of Foreign Affairs Royal Government of Bhutan	
2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials		
3	Old or abandoned chemical weapons		

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

Measures to establish domestic controls to prevent the proliferation of BW, their means of delivery; controls over related materials		Source document	Remarks
1	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials		

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

Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery including related materials		National legal framework				Enforcement and civil/criminal penalties				Remarks
		X /?			Source document	X /?			Source document	
		N W	C W	B W		N W	C W	B W		
1	Border control to detect, deter, prevent and combat illicit trafficking	X	X	X	<b>NW/BW/CW:</b> Customs Act 2017, Sections 50-51, 53, 58, 63-75 Customs Rules and Regulations 2017,	X	X	X	<b>NW/CW/BW:</b> Customs Act 2017, Chapters 18 (Inspection, investigation, search, detention, seizure, confiscation and summon) and 19 (Offences)	
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	<b>NW/CW/BW:</b> Customs Act 2017, Chapter 18 (Inspection, investigation, search, detention, seizure, confiscation and summon)	X	X	X	<b>NW/CW/BW:</b> Customs Act 2017, Chapter 18 (Inspection, investigation, search, detention, seizure, confiscation and summon) The Department of Revenue and Customs Royal Bhutan Police	
3	Border control detection measures									
4	Control of brokering									
5	Export control legislation in place	?	?	?	<b>NW/BW/CW:</b> Customs Act 2017, Section 27 Customs Rules and Regulations 2017, Chapter 6, Sections 113-114	?	?	?	<b>NW/BW/CW:</b> Penal Code, chapter 19, Article 279 Customs and Excise Act of the Kingdom of Bhutan, 2000, as amended by Sales Tax, Customs and Excise (Amendment) Act 2012, General Provisions, Chapter 4 Fines and Penalties Section 16	
6	Licensing provisions and Authority									
7	Control lists of materials, equipment and technology									

8	Intangible technology transfers									
9	Inclusion of means of delivery									
10	End-user controls									
11	Catch all clause									
12	Transit control	X	X	X	<b>NW/BW/CW:</b> Customs Act 2017, Sections 58, 92-93					
13	Trans-shipment control									
14	Re-export control	?	?	?	<b>NW/BW/CW:</b> Customs Act 2017, Sections 58, 62,					
15	Control over financing of exports/transshipments that would contribute to proliferation									
16	Control over services related to exports/transshipments that would contribute to proliferation including transportation									

**VIII. OP 7 and 8 (d) - Assistance, Work with and inform Industry and Public, and other Information**

1	Assistance offered	
2	Assistance Point of Contact (for assistance providers only)	
3	Assistance requested	
4	Action taken to work with and inform industry	
5	Action taken to work with and inform the public	
6	Point of Contact	
7	Voluntary National Implementation Action Plan (NAP)	
8	1540 Committee visits to States	