



PERMANENT MISSION OF THE REPUBLIC OF BOTSWANA TO THE UNITED NATIONS

UN/BOT/34/C X (6) P1

April 18, 2008

Excellency and Dear Chairman,

Upon instructions from my Government I have the honour to submit a matrix report regarding Botswana's implementation of the United Nations Security Council Resolution 1540 (2004).

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'S. Outlule'.

Samuel Outlule

AMBASSADOR AND
PERMANENT REPRESENTATIVE

H.E. Mr. Jorge Urbina
Chairman, 1540 Committee
Secretariat
Security Council Subsidiary Organs Branch (SCSOB)
Department of Political Affairs
UN Secretariat Building, Room S-3055
New York

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

State:
Date of Report:
gr rev 0623/08

Botswana

(date)

| Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ? | YES | if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc) | Remarks (Information refers to the page of the English version of the report or an official web site) |
|---|-----|---|--|
| 1 General statement on non-possession of WMD | | | |
| 2 General statement on commitment to disarmament and non-proliferation | | | |
| 3 General statement on non-provision of WMD and related materials to non-State actors | | | |
| 4 Biological Weapons Convention (BWC) | X | Deposit 5 February 1992 | http://disarmament2.un.org/TreatyStatus.nsf |
| 5 Chemical Weapons Convention (CWC) | X | Deposit 31 August 1998 | http://disarmament2.un.org/TreatyStatus.nsf |
| 6 Nuclear Non-Proliferation Treaty (NPT) | X | Deposit 28 April 1969 | http://disarmament2.un.org/TreatyStatus.nsf |

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 and 1673. 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.

| | | | | |
|----|---|---|--|---|
| 7 | Comprehensive Nuclear Test Ban Treaty (CTBT) | X | Deposit 28 October 2002 | http://disarmament2.un.org/TreatyStatus.nsf |
| 8 | Convention on Physical Protection of Nuclear Material (CPPNM) | X | Accession 19 September 2000 | http://www.iaea.org/Publications/Documents/Conventions/cppnm_status.pdf |
| 9 | Hague Code of Conduct (HCOC) | | | |
| 10 | Geneva Protocol of 1925 | | | |
| 11 | International Atomic Energy Agency (IAEA) | X | Since 2002 | http://www.iaea.org/About/Policy/MemberStates |
| 12 | Nuclear Weapons Free Zone/ Protocol(s) | X | Treaty of Pelindaba, ratified 16 June 1999 | http://disarmament2.un.org/TreatyStatus.nsf |
| 13 | Other Conventions/Treaties | X | <p>State Party to 12 International conventions and protocols on counter-terrorism:</p> <p>1963 Convention on Offences and Certain Other Acts Committed On Board Aircraft</p> <p>1970 Convention for the Suppression of Unlawful Seizure of Aircraft</p> <p>1971 Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation</p> <p>1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Agents</p> <p>1978 International Convention against the Taking of Hostages</p> <p>1979 Convention on the Physical Protection of Nuclear Material</p> <p>1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation</p> <p>1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation</p> <p>1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf</p> <p>1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection</p> <p>1997 International Convention for the Suppression of Terrorist Bombings</p> <p>1999 International Convention for the Suppression of the Financing of Terrorism</p> <p>Outer Space Treaty, signed 27 January 1957</p> <p>Sea-Bed Treaty, deposit 10 November 1972</p> | |
| 14 | Other Arrangements | | | |
| 15 | Other | X | Signed Declaration on Implementation of the World Customs Organization (WCO) 2005 Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework) | http://www.wcoomd.org |

OP 2 - Biological Weapons (BW)

State:
Date of Report:

Botswana

(date)

| 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, indicate source document of national Implementation law | YES | if YES, indicate source document | |
| 1 manufacture/produce | Arms and Ammunition Act Chapter 24:01 | section 12 (1) | | | |
| 2 acquire | Arms and Ammunition Act Chapter 24:02 | section 9(5) | | | |
| 3 possess | Arms and Ammunition Act Chapter 24:03 | section 23 (c) | | | |
| 4 stockpile/store | Arms and Ammunition Act Chapter 24:04 | | | | |
| 5 develop | Arms and Ammunition Act Chapter 24:05 | | | | |
| 6 transport | Arms and Ammunition Act Chapter 24:06 | | | | |
| 7 transfer | Arms and Ammunition Act Chapter 24:07 | section 13 (3) | | | |
| 8 use | Arms and Ammunition Act Chapter 24:08 | | | | |
| 9 participate as an accomplice in a.m. activities | | | | | |
| 10 assist in a.m. activities | | | | | |
| 11 finance a.m. activities | | | | | |
| 12 a.m. activities related to means of delivery | | | | | |
| 13 involvement of non-State actors in a.m. activities | | | | | |
| 14 Other | | | | | |

OP 2 - Chemical Weapons (CW)

State:

Botswana

Date of Report:

(Date)

| | 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, indicate source document of national implementation law | YES | If YES, indicate source document | |
| 1 | manufacture/produce | | no | | | As in OP 1 above, there is no national legislation on this aspect. |
| 2 | acquire | | Public Health Act Chapter 63:01 | | section 34 Public Health Act | |
| 3 | possess | | | | | |
| 4 | stockpile/store | | | | | |
| 5 | develop | | | | | |
| 6 | transport | | | | | |
| 7 | transfer | | | | | |
| 8 | use | | Penal Code chapter 08:01 | | | |
| 9 | participate as an accomplice in a.m. activities | | | | | |
| 10 | assist in a.m. activities | | | | | |
| 11 | finance a.m. activities | | | | | |
| 12 | a.m. activities related to means of delivery | | | | | |
| 13 | Involvement of non-State actors in a.m. activities | | | | | |
| 14 | Other | | | | | |

OP 2 - Nuclear Weapons (NW)

State:
Date of Report:

Botswana

(date)

| | 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, indicate source document of national implementation law | Y E S | If YES, indicate source document | |
| 1 | manufacture/produce | | | | | As in OP 1 above. |
| 2 | acquire | | | | | |
| 3 | possess | | | | | |
| 4 | stockpile/store | | | | | |
| 5 | develop | | | | | |
| 6 | transport | | | | | |
| 7 | transfer | | | | | |
| 8 | use | | | | | |
| 9 | participate as an accomplice in a.m. activities | | | | | |
| 10 | assist in a.m. activities | | | | | |
| 11 | finance a.m. activities | | | | | |
| 12 | a.m. activities related to means of delivery | | | | | |
| 13 | Involvement of non-State actors in a.m. activities | | | | | |
| 14 | Other | | | | | |

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BOTSWANA MISSION

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

State:
Date of Report:

Botswana

(date)

| | 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, indicate source document | YES | If YES, indicate source document | |
| 1 | Measures to account for production | X | Radiation Protection Act No. 22 of 2006 - resident with the Ministry of Communications, Science and Technology. | | | Established National Security and participates in activities relating to BW in Africa. |
| 2 | Measures to account for use | | | | | |
| 3 | Measures to account for storage | | Arms and Ammunition Act | | section 19(4) | |
| 4 | Measures to account for transport | | | | | |
| 5 | Other measures for accounting | | | | | |
| 6 | Measures to secure production | | | | | |
| 7 | Measures to secure use | | | | | |
| 8 | Measures to secure storage | | | | | |
| 9 | Measures to secure transport | | | | | |
| 10 | Other measures for securing | | | | | |
| 11 | Regulations for physical protection of facilities/materials/ transports | | | | | |
| 12 | Licensing/registration of facilities/persons handling biological materials | | | | | |
| 13 | Reliability check of personnel | | | | | |
| 14 | Measures to account for/secure/ physically protect means of delivery | | | | | |
| 15 | Regulations for genetic engineering work | | | | | |
| 16 | Other legislation/ regulations related to safety and security of biological materials | | | | | |
| 17 | Other | | | | Established National Anti-terrorism Committee | http://www.un.org/Docs/sc/committees/1373/b.htm |

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

State:
Date of Report:

Botswana

(date)

| | 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, indicate source document | YES | If YES, indicate source document | |
| 1 | Measures to account for production | | Radiation Protection Act No. 22 of 2006 - reviewed with the Ministry of Communications, Science and Technology. | | | Participates in nuclear security and participates in activities relating to IAEA in Africa. |
| 2 | Measures to account for use | | | | | |
| 3 | Measures to account for storage | | | | | |
| 4 | Measures to account for transport | | | | | |
| 5 | Other measures for accounting | | | | | |
| 6 | Measures to secure production | | | | | |
| 7 | Measures to secure use | | | | | |
| 8 | Measures to secure storage | | | | | |
| 9 | Measures to secure transport | | | | | |
| 10 | Other measures for securing | | | | | |
| 11 | Regulations for physical protection of facilities/materials/ transports | | | | | |
| 12 | Licensing of chemical installations/entities/use of materials | | | | | |
| 13 | Reliability check of personnel | | | | | |
| 14 | Measures to account for/secure/ physically protect means of delivery | | | | | |
| 15 | National CWC authority | X | Inter-Ministerial Committee for the Implementation of the Chemical Weapons Convention, Office of the President | | | http://www.opcw.org/docs/directory/section4.pdf |
| 16 | Reporting Schedule I, II and III chemicals to OPCW | | | | | |
| 17 | Account for, secure or physically protect old chemical weapons | | | | | |
| 18 | Other legislation/ regulations controlling chemical materials | | | | | |
| 19 | Other | | | Established National Anti-terrorism Committee | | http://www.un.org/Docs/sc/committees/1373/b.htm |

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

State:
Date of Report:

Botswana

{date}

| 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, indicate source document | YES | If YES, indicate source document | |
| 1 Measures to account for production | | Radioactive Protection Act No. 22 of 2008 - reviewed with the Ministry of Communications, Science and Technology. | | | Directorate of Nuclear Security and participates in activities relating to BORN in Africa. |
| 2 Measures to account for use | | | | | |
| 3 Measures to account for storage | | | | | |
| 4 Measures to account for transport | | | | | |
| 5 Other measures for accounting | | | | | |
| 6 Measures to secure production | | | | | |
| 7 Measures to secure use | | | | | |
| 8 Measures to secure storage | | | | | |
| 9 Measures to secure transport | | | | | |
| 10 Other measures for securing | | | | | |
| 11 Regulations for physical protection of facilities/materials/ transports | | | | | |
| 12 Licensing of nuclear installations/entities/use of materials | | | | | |
| 13 Reliability check of personnel | | | | | |
| 14 Measures to account for/secure/ physically protect means of delivery | | | | | |
| 15 National regulatory authority | | | | | |
| 16 IAEA Safeguards Agreements | X | 1. Safeguards Agreement in force 24 August 2006 2. Additional Protocol in force 24 August 2008 | | | http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf |
| 17 IAEA Code of Conduct on Safety and Security of Radioactive Sources | | | | | |
| 18 IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources | | | | | |
| 19 Other Agreements related to IAEA | | | | | |
| 20 Additional national legislation/regulations related to nuclear materials including CPPNM | | | | | |
| 21 Other | | | | Established National Anti-terrorism Committee | http://www.un.org/Docs/sc/committees/1373/b.htm |

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

State:
Date of Report:

Botswana

{date}

| | Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ? | National legal framework | | Enforcement: civil/criminal penalties, and measures of implementation, etc | | Remarks |
|----|--|--------------------------|---|--|--|---|
| | | YES | If YES, indicate source document | YES | If YES, indicate source document | |
| 1 | Border control | X | Customs and Excise Duty Act, 1970 and the Immigration Act, 1986 | X | 1. Department of Customs and Excise 2. National Anti-terrorism Committee 3. Department of Immigration & Citizenship | http://www.un.org/Docs/sc/committees/1373/b.htm |
| 2 | Technical support of border control measures | | | | | |
| 3 | Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology | | | | | |
| 4 | Enforcement agencies/authorities | | Botswana Unified Revenue Service (Customs & Excise Division) | X | 1. Department of Customs and Excise, 2. Department of Immigration & Citizenship, 3. National Anti-terrorism Committee, 4. National Intelligence Bureau | http://www.un.org/Docs/sc/committees/1373/b.htm |
| 5 | Export control legislation in place | | As on 1 above | | 1. Department of Customs and Excise Service (CUSTOMS & EXCISE DIVISION) | |
| 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 | | As on 1 above | Establishment of ... SERVICE (CUSTOMS & EXCISE DIVISION) | |
| 21 | Trans-shipment control | | As on 1 above | Establishment of ... SERVICE (CUSTOMS & EXCISE DIVISION) | |
| 22 | Re-export control | | As on 1 above | Establishment of ... SERVICE (CUSTOMS & EXCISE DIVISION) | |
| 23 | Control of providing funds | | | 7 Proceeds of Serious Crimes Act, 1990 | http://www.unodc.org/unodc/en/legal_library/bw/legal_library_1994-09-12_1994-44.html |
| 24 | Control of providing transport services | | As on 1 above | | |
| 25 | Control of Importation | | As on 1 above | | |
| 26 | Extraterritorial applicability | | | X 1. Mutual Assistance in Criminality Act 2. Extradition Act, 1990 | http://www.un.org/Docs/sc/committees/t373b.htm |
| 27 | Other | | | | |

| | | | | | | |
|----|---|--|---------------|---|---|---|
| 22 | Re-export control | | As on 1 above | 7 | Proceeds of Serious Crimes Act, 1990 | http://www.unodc.org/unodc/en/legal_library/bw/legal_library_1994-09-12_1994-44.html |
| 23 | Control of providing funds | | | | | |
| 24 | Control of providing transport services | | As on 1 above | | | |
| 25 | Control of Importation | | As on 1 above | | | |
| 26 | Extraterritorial applicability | | | X | 1. Mutual Assistance In Criminality Act 2. Extradition Act, 1990 | http://www.un.org/Docs/sc/committees/1373/b.htm |
| 27 | Other | | | | | |

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

State:

Botswana

Date of Report:

(date)

| | Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ? | National legal framework | | Enforcement: civil/criminal penalties, and measures of implementation, etc | | Remarks |
|----|--|--------------------------|---|--|---|---|
| | | YES | IF YES, indicate source document | YES | IF YES, indicate source document | |
| 1 | Border control | X | Customs and Excise Duty Act, 1970 and the Immigration Act, 1966 | X | 1. Department of Customs and Excise 2. National Anti-terrorism Committee 3. Department of immigration and Citizenship | http://www.un.org/Docs/sc/committees/1373/b.htm |
| 2 | Technical support of border control measures | | Training on identification of fraudulent documents | | Department of Immigration and Citizenship | |
| 3 | Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology | | | | | |
| 4 | Enforcement agencies/authorities | | Botswana United Revenue Service (Customs & Excise Division) | X | 1. Department of Customs and Excise 2. National Anti-terrorism Committee 3. Department of Immigration & Citizenship | http://www.un.org/Docs/sc/committees/1373/b.htm |
| 5 | Export control legislation in place | | As on 1 above | | Botswana United Revenue Service (Customs & Excise Division) | |
| 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 | | As on 1 above | Directorate of Customs & Excise Service (CUSTOMS & EXCISE DIVISION) | |
| 21 | Trans-shipment control | | As on 1 above | Directorate of Customs & Excise Service (CUSTOMS & EXCISE DIVISION) | |
| 22 | Re-export control | | As on 1 above | Directorate of Customs & Excise Service (CUSTOMS & EXCISE DIVISION) | |
| 23 | Control of providing funds | | | 7 Proceeds of Serious Crimes Act, 1990, as amended 2000 | http://www.unodc.org/unodc/en/legal_library/bw/legal_library_1994-09-12_1994-44.html |
| 24 | Control of providing transport services | | | | |
| 25 | Control of importation | | | | |
| 26 | Extraterritorial applicability | | | X 1. Mutual Assistance in Criminality Act 2. Extradition Act, 1990 | http://www.un.org/Docs/sc/committees/1373/b.htm |
| 27 | Other | | | | |

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

State:
Date of Report:

Botswana

{date}

| 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 | WCO Columbus programme, phase 1 - Needs assessment (diagnostic), completed | http://www.wcoomd.org/MemberMap/WorldMap.asp |
| 5 | Assistance in place (bilateral/plurilateral/multilateral) | | | |
| 6 | Information for industry | | | |
| 7 | Information for the public | | | |

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