

## **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 Eswatini**

**Date of Report:**

**Dates of Additional Reports:**

**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 11 December 1969	
2 Nuclear Weapons Free Zone/ Protocol(s)	Pelindaba Treaty: Deposit 17 July 2000	
3 International Convention for the Suppression of Acts of Nuclear Terrorism	Signed 15 September 2005	
4 Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit 17 April 2003	
5 2005 Amendment to the CPPNM	Deposit 28 September 2016	
6 Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit 21 September 2016	
7 Chemical Weapons Convention (CWC)	Deposit 20 November 1996	
8 Biological Weapons Convention (BWC)	Deposit 18 June 1991	
9 Geneva Protocol of 1925	Deposit 23 July 1991	
10 1997 International Convention for the Suppression of Terrorist Bombings	Deposit 4 April 2003	
11 1999 International Convention for the Suppression of the Financing of Terrorism	Deposit 4 April 2003	

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	Deposit 23 November 2010	
15	Other relevant regional legally binding instruments	OAU Convention on the Prevention and Combating of Terrorism, signed: 14 July 1999 Protocol to the OAU Convention on the Prevention and Combating of Terrorism, signed: 7 December 2004 Bamako Convention on the ban of the import into Africa and the control of transboundary movement and management of hazardous wastes within Africa, signed 29 June 1992	
16	International Atomic Energy Agency (IAEA)	Since 15 February 2013	
17	Directly relevant Arrangements		
18	Statement on non-provision of WMD and related materials to non-State actors		
19	Membership in relevant international, regional or sub-regional organisations	African Union (AU) Southern African Development Community (SADC) Common Market for Eastern and Southern Africa (COMESA) Southern African Customs Union (SACU) Eastern and Southern Africa 'Anti-Money' Laundering Group (ESAAMLG) Financial Action Task Force (FATF) World Health Organization (WHO) World Customs Organization (WCO) and Signed WCO SAFE Framework of Standards World Organisation for Animal Health (OIE) International Criminal Police Organization (INTERPOL) World Bank Group International Monetary Fund (IMF) State Party to the 2005 Revised Cotonou Agreement, as revised (ACP member)	

## 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> Suppression of Terrorism Act No. 3 of 2008, as amended by the Suppression of Terrorism (Amendment) Act 11 of 2017, sections 5, 15	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, sections 5, 15		
2	acquire	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, section 16	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, section 16		
3	possess	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, section 5 (weapons making literature), 16 (otherwise keeps)  <b>CW:</b> Arms and Ammunition Act of 1964, articles 2, 11 (noxious liquid or gas)	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, section 5, 16  <b>CW:</b> Arms and Ammunition Act of 1964, article 11 (8)		
4	develop										
5	transport										
6	transfer	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, section 13	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, section 13		
7	use	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, sections 2, 4, 5, 15	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, sections 5, 15		

8	attempt to engage in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, section 21 (attempts to commit)	X	X	X	<b>NW/CW/BW:</b> Suppression of Terrorism Act No. 3 of 2008, as amended, section 21
9	participate as an accomplice in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> The Money Laundering and financing of Terrorism (Prevention) Act of 2011, section 5 Suppression of Terrorism Act No. 3 of 2008, as amended, sections, 16, 18 (conspiracy)	X	X	X	<b>NW/CW/BW:</b> The Money Laundering and financing of Terrorism (Prevention) Act of 2011, Part 10 (Penalties) Suppression of Terrorism Act No. 3 of 2008, as amended, section 18
10	assist in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> The Money Laundering and financing of Terrorism (Prevention) Act of 2011, section 5 Suppression of Terrorism Act No. 3 of 2008, as amended, sections 11-18, 20 (support)	X	X	X	<b>NW/CW/BW:</b> The Money Laundering and financing of Terrorism (Prevention) Act of 2011, Part 10 (Penalties) Suppression of Terrorism Act No. 3 of 2008, as amended, sections 11-18, 20
11	finance abovementioned activities	X	X	X	<b>NW/CW/BW:</b> The Money Laundering and financing of Terrorism (Prevention) Act of 2011, section 5 Suppression of Terrorism Act No. 3 of 2008, as amended sections 6, 7, 8, 9, 10, 16	X	X	X	<b>NW/CW/BW:</b> The Money Laundering and financing of Terrorism (Prevention) Act of 2011, section 5, Part 5 (Financial intelligence Unit), Part 10 (Penalties) Suppression of Terrorism Act No. 3 of 2008, as amended, sections 6, 7, 8, 9, 10, 16
12	abovementioned activities related to means of delivery <sup>1</sup>		X		<b>CW:</b> Arms and Ammunition Act of 1964, articles 2, 11 (weapon of any description designed or adapted for the discharge of a noxious liquid or gas)		X		<b>CW:</b> Arms and Ammunition Act of 1964, article 11(8)

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 / ?			Source document	X / ?			Source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	?	?	<p><b>NW:</b> INFCIRC/227, SQP, Additional Protocol Environment Management Act, No. 5 of 2002, sections 2 (definitions), 37 (regulations), 47 (regulation of waste): Hazardous substance includes radioactive substances</p> <p><b>CW:</b> Environment Management Act, No. 5 of 2002, sections. 2, 37, 47: Hazardous substance includes pesticides, herbicide, biocide and chemical</p> <p><b>BW:</b> Environment Management Act, No.5 of 2002, sections. 2, 37, 47: Hazardous substance includes micro-organisms</p>	?	?	?	<p><b>NW/CW/BW:</b> Environment Management Act, No. 5 of 2002, Part IX (Compliance and Enforcement)</p>	
2	Measures to account for use	X	?	?	<p><b>NW:</b> INFCIRC/227, SQP, Additional Protocol Environment Management Act, No. 5 of 2002, sections 2, 37, 47</p> <p><b>CW:</b> Environment Management Act, No. 5 of 2002, sections 2, 37, 47</p> <p><b>BW:</b></p>	?	?	?	<p><b>NW:</b> Environment Management Act, No. 5 of 2002, Part IX</p> <p><b>CW:</b> Environment Management Act, No. 5 of 2002, Part IX</p> <p><b>BW:</b></p>	

					Environment Management Act, No. 5 of 2002, sections 2, 37, 47 Plant Control Act of 1981, Parts II and III Animal Diseases Act, No.7 of 1965 Stock Diseases (Amendment) regulation of 2007 (notifiable diseases)				Environment Management Act, No. 5 of 2002, Part IX Plant Control Act of 1981, Parts X, XII Animal Diseases Act, No.7 of 1965	
3	Measures to account for storage	X	?	?	<b>NW:</b> INFCIRC/227, SQP, Additional Protocol Environment Management Act, No. 5 of 2002, sections 2, 37, 47  <b>CW/BW:</b> Environment Management Act, No. 5 of 2002, sections 2, 37, 47	?	?	?	<b>NW/CW/BW:</b> Environment Management Act, No. 5 of 2002, Part IX	
4	Measures to account for transport	?	?	?	<b>NW/CW/BW:</b> Environment Management Act, No. 5 of 2002, sections 2, 37, 47	?	?	?	<b>NW/CW/BW:</b> Environment Management Act, No. 5 of 2002, Part IX	
5	Measures to secure production	N A			<b>NW:</b> SQP	N A			<b>NW:</b> SQP	
6	Measures to secure use	N A			<b>NW:</b> SQP	N A			<b>NW:</b> SQP	
7	Measures to secure storage	N A			<b>NW:</b> SQP	N A			<b>NW:</b> SQP	
8	Measures to secure transport									
9	Physical protection measures	N A			<b>NW:</b> SQP	N A			<b>NW:</b> 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	Environment Management Act, No. 5 of 2002, sections 9 (Environment Authority), 11 and Part IX	
3	IAEA Safeguards Agreements	INFCIRC/227, in force 28 July 1975 Amended SQP, in force 23 July 2010 Additional Protocol, in force 8 September 2010	
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	Participates	
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	Revised Supplementary Agreements Concerning the Provision of Technical Assistance by the IAEA (RSA) in force 28 March 2017 African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) - Fifth Extension in force 28 September 2016	
10	National legislation and regulations related to nuclear material including CPPNM		

**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	Ministry of Defence	
2	Licensing/registration of installations/facilities/persons/entities/use/handling of related materials	Environment Management Act, No. 5 of 2002, sections 9 (Environment Authority), 11 & Part IX	
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
<p>1 Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials</p>	<p>Environment Management Act, No. 5 of 2002, sections 9 (Environment Authority), 11 &amp; Part IX                      The Veterinary Public Health Act No. 17 of 2013 (Veterinary Public Health Unit)                      Seeds and Plant Varieties Act of 2000</p>	

**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	<p><b>NW/CW/BW:</b> 2002 Southern African Customs Union (SACU) agreement, as amended on 12 April 2013, Arts. 18-19, 25, and 27 Customs and Excise Act, 1971 Customs and Excise (Amendment) Act, 2001 Import Control Order of 1976</p> <p><b>NW:</b> Environment Management Act, No. 5 of 2002, sections 2, 37, 47: Hazardous substance includes radioactive substances</p> <p><b>CW:</b> Environment Management Act, No. 5 of 2002, sections 2, 37, 47: Hazardous substance includes pesticides, herbicide, biocide and chemical</p> <p><b>BW:</b> Environment Management Act, No. 5 of 2002, sections 2, 37, 47: Hazardous substances includes micro-organisms Plant Control Act of 1981, Arts. 2, 15-19 Animal Disease Act, No. 7 of 1965</p>	X	X	X	<p><b>NW/CW/BW:</b> 2002 Southern African Customs Union (SACU) agreement, as amended, Arts. 18-19, 25, and 27 Customs and Excise Act, 1971 Customs and Excise (Amendment) Act, 2001 Import Control Order of 1976 Customs and Excise Act, Act No. 91 of 1964 of South Africa, as amended, for goods outside SACU</p> <p><b>NW:</b> Environment Management Act, No. 5 of 2002, Part IX</p> <p><b>CW:</b> Environment Management Act, No. 5 of 2002, Part IX</p> <p><b>BW:</b> Environment Management Act, No. 5 of 2002, Part IX Plant Control Act of 1981, Arts. 2, 15-19 Animal Disease Act, No. 7 of 1965</p>			

2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	<p><b>NW/CW/BW:</b> 2002 Southern African Customs Union (SACU) agreement, as amended, Arts. 18-19, 25, 27 and 30 Customs and Excise Act, 1971 Customs and Excise (Amendment) Act, 2001 Import Control Order of 1976 Customs and Excise Act, Act No. 91 of 1964 of South Africa, as amended, for goods outside SACU Environment Management Act, No. 5 of 2002, Part IX Plant Control Act of 1981, Arts. 2, 15-19 Animal Disease Act, No. 7 of 1965</p>	X	X	X	<p><b>NW/CW/BW:</b> Customs Commissioner and Officers Customs and Excise Act, 1971, Part II (duties and powers); Part XI (Penal provisions)</p>
3	Border control detection measures					?	?	?	<p><b>NW/CW/BW:</b> Automated System for Customs data - ASYCUDA++</p>
4	Control of brokering								
5	Export control legislation in place	?	?	?	<p><b>NW/CW/BW:</b> Environment Management Act, No. 5 of 2002, sections 2 and 37  <b>BW:</b> Plant Control Act of 1981, Part V Animal Disease Act, No. 7 of 1965</p>	?	?	?	<p><b>NW/CW/BW:</b> Environment Management Act, No. 5 of 2002, Part IX  <b>BW:</b> Plant Control Act of 1981, section 49 Animal Disease Act, No. 7 of 1965</p>
6	Licensing provisions and Authority	?	?	?	<p><b>NW/CW/BW:</b> Environment Management Act, No. 5 of 2002, sections 9, 10, 12, 37, 43, 60  <b>BW:</b> Plant Control Act of 1981, Parts II &amp; V</p>	?	?	?	<p><b>NW/CW/BW:</b> Environment Authority Environment Management Act, No. 5 of 2002, Part IX  <b>BW:</b> Ministry of Agriculture / Nursery Registration Board Plant Control Act of 1981, section 49</p>
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/CW/BW:</b> 2002 Southern African Customs Union (SACU) agreement, Arts. 24 and 27	X	X	X	<b>NW/CW/BW:</b> 2002 Southern African Customs Union (SACU) agreement, Arts. 24 and 27
13	Trans-shipment control								
14	Re-export control								
15	Control over financing of exports/transshipments that would contribute to proliferation	X	X	X	<b>NW/CW/BW:</b> The Money Laundering and financing of Terrorism (Prevention) Act of 2011, section 5, Part III Suppression of Terrorism Act No. 3 of 2008, as amended, sections 6, 7, 8, 9, 10	X	X	X	<b>NW/CW/BW:</b> The Money Laundering and financing of Terrorism (Prevention) Act of 2011, section 5, Part 3, Part 5 (Financial intelligence Unit), Part 10 (Penalties) Suppression of Terrorism Act No. 3 of 2008, as amended, sections 6, 7, 8, 9, 10
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	