

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) and 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:	Republic of France
Date of Report:	28 November 2004
Dates of Additional Reports:	25 September 2005
	14 December 2007
	17 August 2015
	24 April 2020
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 2 August 1992	
2	Nuclear Weapons Free Zone/ Protocol(s)	Antarctic Treaty: Deposit 16 September 1960 Treaty of Tlatelolco, Protocols: Protocol I : Deposit 24 August 1992 ; Protocol II : 22 March 1974 Treaty of Rarotonga, Protocols: Deposit 20 September 1996 Treaty of Pelindaba, Protocols: Deposit 20 September 1996 Treaty of Semipalatinsk, Protocol: Deposit 21 November 2014	
3	International Convention for the Suppression of Acts of Nuclear Terrorism	Deposit 11 September 2013	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit 6 September 1991	
5	2005 Amendment to the CPPNM	Deposit 1 February 2013	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit 6 April 1998	
7	Chemical Weapons Convention (CWC)	Deposit 2 March 1995	
8	Biological Weapons Convention (BWC)	Deposit 27 September 1984	
9	Geneva Protocol of 1925	Deposit 10 May 1926	
10	1997 International Convention for the	Deposit 19 August 1999	

	Suppression of Terrorist Bombings		
11	1999 International Convention for the Suppression of the Financing of Terrorism	Deposit 7 January 2002	
12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation	Deposit 9 May 2018	
13	2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf	Deposit 9 May 2018	
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation	Deposit 15 December 2016	
15	Other relevant regional legally binding instruments	Treaty Establishing the European Atomic Energy Commission (EURATOM)	
16	International Atomic Energy Agency (IAEA)	Since 29 July 1957	
17	Directly relevant Arrangements	Wassenaar Arrangement (WA) Australia Group (AG) Zangger Committee (ZC) Nuclear Suppliers Group (NSG) Missile Technology Control Regime (MTCR) Proliferation Security Initiative (PSI) Global Initiative to Combat Nuclear Terrorism (GICNT) Global Partnership against the Spread of Weapons of Mass Destruction The Hague Code of Conduct (HCoC)	
18	Statement on non-provision of WMD and related materials to non-State actors	State reports that “France is firmly committed to the fight against the proliferation of nuclear, chemical and biological weapons and their means of delivery and more generally to the promotion of international peace and security. Accordingly, it could not under any circumstances provide any kind of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use such weapons.”	

19	Membership in relevant international, regional or sub-regional organisations	<p>European Union (EU) Financial Action Task Force (FATF) International Civil Aviation Organization (ICAO) International Maritime Organization (IMO) International Monetary Fund (IMF) INTERPOL North Atlantic Treaty Organization (NATO) Nuclear Energy Agency (NEA) Organisation for Animal Health (OIE) Organization for Security and Cooperation in Europe (OSCE) World Bank Group World Customs Organization (WCO) World Health Organization (WHO)</p>	
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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 / ?				
		N W	C W	B W		N W	C W	B W	Source document	
1	manufacture	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 (Elaboration - accepted for manufacture- under authorization/declaration), L1333-3 (precisions on authorizations)</p> <p>CW: Defense Code, article L2342-3.</p> <p>BW: Defense Code, article L2341-1. Public Health Code, articles L5139-1 and L5139-2</p>	X	X	X	<p>NW/CW/BW: Penal Code, articles 421-1, 421-2, 421-2-1, 421-2-6 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>NW: Defense Code, articles L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p> <p>CW: Defense Code, article. L2342-58, L2342-60, L2342-69, L2353-4.</p> <p>BW: Defense Code, articles L2341-3 and following. Public Health Code, articles 5432-1, L5439-1.</p>	
2	acquire	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-9(I-2) (infringement related to acquire nuclear materials)</p> <p>Penal Code, article 222-52 (acquisition of arms and war materials of category A need an</p>	X	X	X	<p>NW/CW/BW: Penal Code, articles 421-1, 421-2-1, 421-2-6 and 421-3 (as introduce any terrorist activities associated with WMD).</p> <p>NW: Defense Code, article L1333-9(I.2) (penalties related to acquire nuclear materials), L1333-13-7 & 8 (details related to L1333-9)</p> <p>Penal Code, article 421-1 (penalties related to Article 222-52)</p>	

				<p>authorization) in relation with R311-2 related to Category A arms/war materials list, Part I.1.2(7) (nuclear explosive devices)</p> <p>CW: Defense Code, articles. L2342-3</p> <p>BW: Defense Code, article L2341-1. Public Health Code, articles L5139-1 and L5139-2</p>				<p>CW: Defense Code, article. L2342-60, L2342-62, L2342-69.</p> <p>BW: Defense Code, articles L2341-3 and following. Public Health Code, article 5432-1, L5439-1</p>		
3	possess	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 (detention under authorization/declaration), L1333-3 (precisions on authorizations)</p> <p>CW: Defense Code, article L2342-3</p> <p>BW: Defense Code, article L2341-1 Public Health Code, articles L5139-1 and L5139-2</p>	X	X	X	<p>NW/CW/BW: Penal Code, articles 421-1, 421-2-1, 421-2-6 and 421-3 (introduce any terrorist activities associated with WMD)</p> <p>NW: Defense Code, articles L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p> <p>CW: Defense Code, article L2342-60, L2342-69.</p> <p>BW: Defense Code, articles L2341-3 and following. Public Health Code, articles 5432-1, L5439-1</p>	
4	develop	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 (Elaboration -for development- under authorization/declaration), L1333-3 (precisions</p>	X	X	X	<p>NW/CW/BW: Penal Code, articles 421-1, 421-2-1 and 421-3 (introduce any terrorist activities associated with WMD).</p> <p>NW: Defense Code, articles L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p>	

				<p>on authorizations)</p> <p>CW: Defense Code, article L2342-3</p> <p>BW: Defense Code, article L2341-1 Public Health Code, articles L5139-1 and L5139-2</p>				<p>CW: Defense Code, article L2342-60, L2342-69</p> <p>BW: Defense Code, articles L2341-3 and following. Public Health Code, article 5432-1</p>		
5	transport	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 (Transport under authorization/declaration)</p> <p>CW: Defense Code, articles L.2342-1 to L.2342-84</p> <p>BW: Defense Code, article L2341-1 Public Health Code, articles L5139-1 and L5139-2</p>	X	X	X	<p>NW/CW/BW: Penal Code articles 421-1, 421-2-1 and 421-3 (introduce terrorist activities associated with WMD)</p> <p>NW: Defense Code, articles L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p> <p>BW: Defense Code, articles L2341-3 and following Public Health Code, articles 5432-1, L5439-1</p>	
6	transfer	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 (Transfer under authorization/declaration)</p> <p>CW: Defense Code, article L2342-3</p> <p>BW:</p>	X	X	X	<p>NW/CW/BW: Penal Code, articles 421-1, 421-2-1 and 421-3 introduce any terrorist activities associated with WMD)</p> <p>NW: Defense Code, articles L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p> <p>CW: Defense Code, article L2342-60, L2342-62</p> <p>BW:</p>	

					Defense Code, article L2341-1. Public Health Code, articles L5139-1 and L5139-2				Defense Code, article L2341-3 and following. Public Health Code, article 5432-1	
7	use	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 (Use under authorization/declaration)</p> <p>CW: Defense Code, article. L2342-3</p> <p>BW: Public Health Code, articles L5139-1 and L5139-2 Penal Code, articles 421-1, 421-2, 421-2-1 and 421-3 (introduce terrorist activities associated with WMD)</p>	X	X	X	<p>NW/CW/BW: Penal Code articles 421-1, 421-2, 421-2-1, 421-2-6 and 421-3 (introduce terrorist activities associated with WMD)</p> <p>NW: Defense Code, articles L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p> <p>CW: Defense Code, article L2342-57, L2342-69</p> <p>BW: Public Health Code, article 5432-1, L5439-1</p>	
8	attempt to engage in abovementioned activities	X	X	X	<p>NW/CW/BW Penal Code, articles 121-4 and 121-5</p> <p>NW: Defense Code, article L1333-9(III) (attempt related to prohibited activities listed in Article L1333-2 and others)</p> <p>CW: Defense code, article L2342-3</p> <p>BW: Defense Code, article L2341-5</p>	X	X	X	<p>NW/CW/BW Penal Code, articles 121-4 and 121-5, 421-2-6, 421-5</p> <p>NW: Defense Code, articles L1333-9(III) (penalties for attempt), L1333-13-7 & 8 (details related to L1333-9), L1333-13-9 (details on penalties related to "attempt")</p> <p>CW : Defense code, article L2342-72</p> <p>BW: Defense Code, article L2341-5, L5439-2</p>	
9	participate as an accomplice in abovementioned	X	X	X	<p>NW: Defense Code, article L1333-13-3 & 4 (organized gang's infringements related to</p>	X	X	X	<p>NW: Defense Code, articles L1333-13-3 & 4 (penalties for organized gang's infringements</p>	

	activities			<p>prohibited activities listed in article L1333-2 and others)</p> <p>CW: Defense Code, articles L2342-3 and L2342-60</p> <p>BW: Defense Code, article L2341-4</p>			<p>listed in L1333-9), L1333-13-7, 8, 10 & 11 (details related to L1333-13-3 & 4)</p> <p>Penal Code articles 121-6, 121-7, 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD) Penal Code article 126-6 and 121-7 (general disposition on criminal accomplice)</p> <p>CW: Defense Code, article L2342-60. Penal Code articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD) Penal Code article 126-6 and 121-7 (general disposition on criminal accomplice)</p> <p>BW: Defense Code, article L2341-3 and following. Penal Code articles 421-1, 421-2, 421-2-1 and 421-3 (as introduce any terrorist activities associated with WMD) Penal Code article 126-6 and 121-7 (general disposition on criminal accomplice)</p>			
10	assist in abovementioned activities	X	X	X	<p>NW: Defense Code, article L1333-13-2 & 6 (provoke, encourage and incite prohibited activities listed in Article L1333-2 and others)</p> <p>Penal Code article 126-6 and 121-7 (general disposition on criminal accomplice)</p> <p>CW: Defense Code, article L2342-3, L2342-4 and</p>	X	X	X	<p>NW/CW/BW Penal Code articles 421-1, 421-2, 421-2-1, 421-2-6 and 421-3 (as introduce any terrorist activities associated with WMD) Penal Code article 126-6 and 121-7 (general disposition on criminal accomplice)</p> <p>NW: Defense Code, articles L1333-13-2 & 6 (penalties for “provoke, encourage, incite”), L1333-13-7 & 8 (details related to L1333-13-2 & 6), L1333-13-10 & 11 (details on penalties related to L1333-13-6)</p> <p>CW: Defense Code, articles L2342-60 and</p>	

					L2342-60 Penal Code article 126-6 and 121-7 (general disposition on criminal accomplice) BW: Defense Code, article L2341-4 Penal Code article 126-6 and 121-7 (general disposition on criminal accomplice)				L2342-61 BW: Defense Code, articles L2341-3, L2341-5	
11	finance abovementioned activities	X	X	X	NW/CW/BW: Defense code, article L2339-15 NW: Defense Code, article L1333-13-5 (provide financing) Penal Code, article 421-2-2 CW: Penal Code, articles 421-2-2, 121-6, 450-1 and following Defense Code, article L2342-3 BW: Penal Code, articles 421-2-2, 121-6 to 121-7, 450-1 and following. Defense Code, article L2341-2	X	X	X	NW/CW/BW: Penal Code, articles 421-2-2, 121-6, 121-7, 450-1 NW: Defense Code, article L1333-13-5, L1333-13-7 & 8 (details related to L1333-13-5) CW: Defense Code, article L2342-60 BW: Defense Code, article L2341-4	
12	abovementioned activities related to means of delivery ¹	X	X	X	NW/CW/BW: Defense Code, articles L2332-1 to 2332-8-1, L2335-1 to L2335-18, L2339-14 to L2339-18. Domestic Security code, Articles L312-1 and L312-2	X	X	X	NW/CW/BW: Defense Code, articles L2339-14 to L2339-18 CW: Defense code, article L2342-58	

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 ²

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		
		Source document			Source document				
1	Measures to account for production	X	X	X					
				<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 & 3 (Control/measures to account for elaboration), L1333-4 to 8 (details about controls), R1333-11 (Accountability of nuclear materials in relation with R1333-3 about nuclear material elaboration facilities and R1333-8 about nuclear materials nature and quantities that are under control), R1333-12 to 16 (detailed organization for controls)</p> <p>Order of 9 June 2011, as amended, related to physical follow-up and accountability of nuclear materials</p> <p>Order of 31 May 2011, as amended, related to physical follow-up measures, accountability and physical protection of nuclear materials</p> <p>CW: Defense Code, articles L2342-5, L2342-8 to L2342-17 and L2342-18, L2342-22 to L2342-51, L2342-51 to L2342-81</p> <p>BW: Public Health Code, articles L.1413-1 to L1413-16, L 5139-1 to L5139-20, L5311-1 to L5311-3, L5312-1 to L5312-5, L5439-1 to L5439-4 and R5139-1 to R5139-3, R5139-14</p>				<p>NW: Defense Code, articles L1333-4-1 (enforcement/penalties for L1333-4), L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p> <p>CW: Defense Code, articles L2342-68 to L2342-71, L2342-74</p> <p>BW: Public Health Code, articles. L5439-1 to L5439-4</p>	

2	Measures to account for use	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 & 3 (Control/measures to account for use), L1333-4 to 8 (details about controls), R1333-11 (Accountability of nuclear materials in relation with R1333-3 about nuclear material facilities for use and R1333-8 about nuclear materials nature and quantities that are under control), R1333-12 to 16 (detailed organization for controls)</p> <p>Order of 9 June 2011, as amended, related to physical follow-up and accountability of nuclear materials</p> <p>Order of 31 May 2011, as amended, related to physical follow-up measures, accountability and physical protection of nuclear materials</p> <p>CW: Defense Code, articles L2342-5, L2342-8 to L2342-17, L2342-22 to L2342-51 and L2342-51 to L2342-81</p> <p>BW: Public Health Code, articles L.1413-1 to L1413-16, L 5139-1 to L5139-20, L5311-1 to L5311-3, L5312-1 to L5312-5, L5439-1 to L5439-4, and R5139-1 to R5139-3, R5139-14.</p>	X	X	X	<p>NW: Defense Code, articles L1333-4-1 (enforcement/penalties for L1333-4), L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p> <p>CW: Defense Code, articles L2342-68 to L2342-71, L2342-74</p> <p>BW: Public Health Code, article L5439-1 to L5439-4</p>	
3	Measures to account for storage	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 & 3 (Control/measures to account for “detention”), L1333-4 to 8 (details about controls, conditions of “detention”), R1333-11 (Accountability of nuclear materials in relation with R1333-3 about nuclear material “detention” facilities and R1333-8 about nuclear materials nature and quantities that are under control), R1333-12 to 16 (detailed organization for controls)</p> <p>Order of 9 June 2011, as amended, related to</p>	X	X	X	<p>NW: Defense Code, articles L1333-4-1 (enforcement/penalties for L1333-4), L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p>	

				<p>physical follow-up and accountability of nuclear materials</p> <p>Order of 31 May 2011, as amended, related to physical follow-up measures, accountability and physical protection of nuclear materials</p> <p>CW: Defense Code, articles L2342-5, L2342-8 to L2342-17 and L2342-51 to L2342-81</p> <p>BW: Public Health Code, articles L.1413-1 to L1413-16, L 5139-1 to L5139-20, L5311-1 to L5311-3, L5312-1 to L5312-5, L5439-1 to L5439-4 and R5139-1 to R5139-3, R5139-14.</p>				<p>CW: Defense Code, articles L2342-68 to L2342-71, L2342-74</p> <p>BW: Public Health Code, article L5439-1 to L5439-4</p>		
4	Measures to account for transport	X	X	X	<p>NW/CW/BW: Custom code, articles 60 and 61, 61bis</p> <p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 & 3 (Control/measures to account for transport), L1333-4 to 8 (details about controls), R1333-11 (Accountability of nuclear materials in relation with R1333-3 about nuclear material transportation and R1333-8 about nuclear materials nature and quantities that are under control), R1333-12 to 16 (detailed organization for controls), R1333-17 to 19 (additional specific provisions for transportation)</p> <p>Order of 9 June 2011, as amended, related to physical follow-up and accountability of nuclear materials</p>	X	X	X	<p>NW/CW/BW: Transports code, articles L.1252-5 to L1252-12 (penalties for non-authorized transport of dangerous goods), L5242-7 to 13 (penalties related to non-declaration of location and nature of transported dangerous goods by maritime ways) and L5336-17 (penalties related to non-declaration of dangerous goods nature managed in ports)</p> <p>NW: Defense Code, articles L1333-4-1 (enforcement/penalties for L1333-4), L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9)</p>	

				<p>Order of 31 May 2011, as amended, related to physical follow-up measures, accountability and physical protection of nuclear materials</p> <p>Order of 18 August 2010, as amended, related to protection and control of nuclear material transportation</p> <p>Transports Code: articles L1252-5 to L1252-10, L5242-7 to L5242-13 and L5336-17</p> <p>Environmental Code : articles L595-1 to L595-3</p> <p>EEC Directive No. 67-548 of 27 June 1967 amended</p> <p>Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials</p> <p>CW: Transports Code, articles L1252-5 to L1252-12, L5242-7 to L5242-13 and L5336-17. Defense Code, articles L2342-8 to L2342-19 Directive 2012/18/EU of 4 July 2012 Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials Ministerial order of 29 May 2009</p> <p>BW: Public Health Code, articles L 5139-1 to L5139-3 and R5139-1 to R5139-20 Transports Code, articles L1252-5 to L1252-8, L5242-7 to L5242-13 and L5336-17</p>				<p>CW: Transport code, articles L.1252-5 to L1252-12, articles L5242-7 to L5242-13 and L5336-17</p> <p>BW: Transports code, articles L.1252-5 to L1252-12, articles L5242-7 to L5242-13 and L5336-17 Public Health Code, article. L5439-1 to L5439-4</p>		
5	Measures to secure production	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 & 3 (Control/measures to protect for elaboration), L1333-4 to 8 (details about controls), R1333-1 to 10 (protection of nuclear materials against unlawful acts), R1333-11 (Physical survey of nuclear materials in relation with R1333-3</p>	X	X	X	<p>NW: Defense Code, articles L1333-4-1 (enforcement/penalties for L1333-4), L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9), L1333-13-12 (enforcement related to protection of facilities in relation to L1333-2), L1333-13-13 to 18 (details on penalties related to L1333-13-</p>	

				<p>about nuclear material elaboration facilities and R1333-8 about nuclear materials nature and quantities that are under control), R1333-12 to 16 (detailed organization for controls)</p> <p>Order of 10 June 2011 related to physical protection of facilities that handle nuclear materials</p> <p>CW: Directive 2012/18/EU of 4 July 2012. Defense Code, articles L2342-5, L2342-6, L2342-7, L2342-8 to L2342-17 and L2342-51 to L2342-81. Ministerial Order of 10 May 2000.</p> <p>BW: Public Health Code, articles L.1413-1 to L1413-16, articles L 5139-1 to L5139-3, L5311-1 to L5311-3, L5312-1 to L5312-5, L5439-1 to L5439-4, and R5139-1 to R5139-20 Decree 2010-736 of 30 June 2010 introduces biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins Decree of 17 March 2011 on professional qualifications of people authorized to access of especially designed microorganisms and toxins. Labour Code, article R231-63 Order of 16 July 2007 (NOR: MTST0756429A) Ministerial Order of 10 May 2000: inventory of hazardous substances</p>			<p>12)</p> <p>CW: Defense Code, articles. L2342-68 to L2342-71</p> <p>BW: Public Health Code, articles L5439-1 to L5439-4</p>			
6	Measures to secure use	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 & 3 (Control/measures to protect for use), L1333-4 to 8 (details about controls), R1333-1 to 10 (protection of nuclear materials against unlawful acts), R1333-11 (Physical survey of nuclear materials in relation with R1333-3 about nuclear material facilities for use and</p>	X	X	X	<p>NW: Defense Code, articles L1333-4-1 (enforcement/penalties for L1333-4), L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9), L1333-13-12 (enforcement related to protection of facilities in relation to L1333-2), L1333-13-13 to 18 (details on penalties related to L1333-13-12)</p>	

				<p>R1333-8 about nuclear materials nature and quantities that are under control), R1333-12 to 16 (detailed organization for controls)</p> <p>Order of 10 June 2011 related to physical protection of facilities that handle nuclear materials</p> <p>CW: Directive 2012/18/EU of 4 July 2012. Defense Code, L2342-5, L2342-6, L2342-7, L2342-8 to L2342-17 and L2342-51 to L2342-81 Ministerial Order of 10 May 2000</p> <p>BW: Directive 2000/54/EC, incorporated into the Labour Code (art. R231-60 and following), supplemented by the Order of 13 August 1996 Public Health Code, articles L.1413-1 to L1413-16, articles L 5139-1 to L5139-3, L5311-1 to L5311-3, articles L5312-1 to L5312-5, articles L5439-1 to L5439-4, and articles R5139-1 to R5139-20 Decree 2010-736 of 30 June 2010 introduces biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins Order of 16 July 2007 (NOR: MTST0756429A). Ministerial Order of 10 May 2000: inventory of hazardous substances</p>				<p>CW: Defense Code, Arts. L2342-68 to L2342-71</p> <p>BW: Public Health Code, articles L5439-1 to L5439-4</p>		
7	Measures to secure storage	X	X	X	<p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 & 3 (Control/measures to protect for detention), L1333-4 to 8 (details about controls, conditions of detention (L1333-4)), R1333-1 to 10 (protection of nuclear materials against unlawful acts), R1333-11 (Physical survey of nuclear materials in relation with R1333-3 about nuclear material detention facilities and R1333-8 about nuclear materials nature and</p>	X	X	X	<p>NW: Defense Code, articles L1333-4-1 (enforcement/penalties for L1333-4), L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9), L1333-13-12 (enforcement related to protection of facilities in relation to L1333-2), L1333-13-13 to 18 (details on penalties related to L1333-13-12)</p>	

				<p>quantities that are under control), R1333-12 to 16 (detailed organization for controls)</p> <p>Order of 10 June 2011 related to physical protection of facilities that handle nuclear materials</p> <p>CW: Directive 2012/18/EU of 4 July 2012. Defense Code, L2342-5, L2342-6, L2342-7, L2342-8 to L2342-17 and L2342-51 to L2342-81 Ministerial Order of 10 May 2000</p> <p>BW: Directive 2000/54/EC, incorporated into the Labour Code (art. R231-60 and following), supplemented by the Order of 13 August 1996 Public Health Code, articles L.1413-1 to L1413-16, articles L 5139-1 to L5139-3, L5311-1 to L5311-3, articles L5312-1 to L5312-5, articles L5439-1 to L5439-4, and articles R5139-1 to R5139-20 Decree 2010-736 of 30 June 2010 introduces biosecurity and biosafety good practices in the regime of especially designed microorganisms and toxins Order of 16 July 2007 (NOR: MTST0756429A). Ministerial Order of 10 May 2000: inventory of hazardous substances</p>				<p>CW: Defense Code, articles L2342-68 to L2342-71</p> <p>BW: Public Health Code, articles L5439-1 to L5439-4</p>		
8	Measures to secure transport	X	X	X	<p>NW/CW/BW: Custom code, articles 60 and 61, 61bis</p> <p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 & 3 (Control/measures to protect for transport), L1333-4 to 8 (details about controls), R1333-1 to 10 (protection of nuclear materials against unlawful acts), R1333-11 (Physical survey of nuclear materials in relation with R1333-3 about nuclear material transportations and</p>	X	X	X	<p>NW: Defense Code, articles L1333-4-1 (enforcement/penalties for L1333-4), L1333-9, 10, 12 & 13 (penalties related to L1333-2), L1333-13-7 & 8 (details related to L1333-9), L1333-13-12 (enforcement related to protection of facilities in relation to L1333-2), L1333-13-13 to 18 (details on penalties related to L1333-13-12)</p>	

			<p>R1333-8 about nuclear materials nature and quantities that are under control), R1333-12 to 16 (detailed organization for controls), R1333-17 to 19 (additional specific provisions for transportation)</p> <p>Order of 18 August 2010, as amended, related to protection and control of nuclear material transportation</p> <p>Transports Code, articles L1252-5 to L1252-10, articles L5242-7 to L5242-13 and article L5336-17</p> <p>Environmental Code: article L595-1 to L595-3</p> <p>EEC Directive No. 67-548 of 27 June 1967 amended</p> <p>Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials. Ministerial orders of 29 May 2009 amended and of 18 August 2010</p> <p>CW: Transports Code: L1252-5 to L1252-12, articles L5242-7 to L5242-13 and article L5336-17. Defense Code, articles L2342-8 to L2342-19. Directive 2012/18/EU of 4 July 2012. Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials. Ministerial order of 29 May 2009</p> <p>BW: Public Health Code, articles L 5139-1 to L5139-3 and R5139-1 to R5139-20 Transports Code: articles L1252-5 to L1252-8, articles L5242-7 to L5242-13 and article L5336-17 Decree 2010-736 of 30 June 2010 introduce biosecurity and biosafety good practices in the regime of especially designed microorganisms</p>			<p>Transports Code, articles L1252-5 to L1252-8, L5242-7 to L5242-13, L5336-17</p> <p>CW: Transports Code: L1252-5 to L1252-12, articles L5242-7 to L5242-13 and article L5336-17 Defense Code, articles L2342-8 to L2342-19</p> <p>BW: Public Health Code, articles L5439-1 to L5439-4. Transports Code, articles L1252-5 to L1252-8, L5242-7 to L5242-13, L5336-17</p>
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					and toxins Ministerial Order of 10 May 2000: inventory of hazardous substances					
9	Physical protection measures	X	X	X	<p>NW: Defense Code, articles L1332-1 to 7 (protection of facilities of vital importance), R1333-14 (Authorizations for activities are under physical protection requirements), R1333-15 (control of physical protection of installations and means of transportation), R1333-16 (protection of information related to physical protection), L1411-1 to 7 (responsibility of public and private operators over physical protection of facilities), R1332-1 to 42 (regulations over protection of facilities of vital importance)</p> <p>Order of 10 June 2011 related to physical protection of facilities that handle nuclear materials</p> <p>Environment Code, articles L512-1 to L512-21 and articles R512-1 to R512-75 Ministerial Orders of 29 May 2009 and of 10 May 2000. EEC Directive n°67-548 du 27 June 1967 amended</p> <p>CW: Defense Code, articles L 1332-1 to L1332-7, R1332-1 to R1332-42 and articles L2342-57 to L2342-81 European Directive 96/82/EC of 09 December 1996 (SEVESO 2) EEC Directive n°67-548 du 27 June 1967 amended. Environment Code, articles L511-1 to L542-14 Ministerial Order of 10 May 2000: inter alia inventory of all hazardous substances</p>	X	X	X		<p>NW: Penal Code, articles 413-1 to 8 Defense Code, articles L1411-8 to L 1411-10 and L1333-13-12</p> <p>CW: Penal Code, articles 413-1 to 8 Security management policy System of physical and human protection</p>

					<p>BW: Code of Public Health, articles L 5139-1 to L5139-3 and R5139-25 Defense Code: articles L1332-1 to L1332-7 and R1332-1 to R1332-42 Transports Code: L1252-5 to 8, articles L5242-7 to L5242-13 and article L5336-17 Environment Code, articles L511-1 to L542-14 and Decree of 21 September 1977 and Ministerial Order of 10 May 2000: inter alia inventory of all hazardous substances. Law of 5 February 1942 concerning the transportation by railway, road or inland navigation of dangerous or infected materials. Ministerial order of 29 May 2009 European Directive 96/82/EC of 09 December 1996 (SEVESO 2) EEC Directive n°67-548 of 27 June 1967</p>				<p>BW: Public Health Code, articles L5439-1 to L5439-4 Penal Code: articles 413-1 to 8 Security management plan System of physical and human protection</p>	
10	Personnel Reliability	X	X	X	<p>NW: Defense Code, articles R1332-22-1 to 3 (regulation over access authorizations to the facilities of vital importance, administrative inquiries) Interior security Code, articles L114-1 (administrative inquiries) and R114-5 (regulations over administrative inquiries)</p> <p>CW: Defense Code, articles L1332-1 to L1332-7, L1332-2-1, R1332-22-1 to R1332-22-3 L2342-8 to L2342-11</p> <p>BW: Defense Code, article L1332-2-1 and articles R1332-22-1 to R1332-22-3 Public Health Code, articles L5313-1 to L5313-4, L 5139-1 to L5139-3 and R5193-1 to R5139-3</p> <p>Decree 2010-736 of 30 June 2010 introduce biosafety good practices in the regime of especially designed microorganisms and toxins.</p>	X	X	X	<p>NW/CW/BW: Surveillance of personnel</p> <p>CW: Defense code, articles L2342-57 to L2342-81</p> <p>BW: Public Health Code, article L5439-1</p>	

				Decree of 17 March 2011 on professional qualifications of people authorized to access of especially designed microorganisms and toxins					
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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	Acts establishing the National Authority <u>Parliament</u> : Constitution of 4 October 1958 <u>Prime minister</u> : Constitution of 4 October 1958 <u>Ministry in charge of Energy – Nuclear security department</u> : Decree of 9 July 2008, modified by the decree of 31 December 2019 (organization of central administration of the ministry of Ecology, Energy, sustainable development) Atomic Energy Commission, articles L.332-1 à 7 of the Research Code, related to decree 2016-311 of 17 March 2016 and 2018-44 of 26 January 2018 related to the organization of the Commission Regulation (Euratom) 302/2005 of 8 February 2005 related to enforcement of Euratom control of security requirements	
2	Licensing of nuclear installations/entities/ use of materials	Defense Code, articles L1333-2 and L1333-3, R.1333-1 to R.1333-19 and R.1333-70 to R.1333-74 (authorization/declaration and control on import, export, manufacture, possess, transfer, use and transport) Defense Code, articles L1333-4 to L1333-13-1 and R. 1333-76 to D1333-79 (precisions and enforcement) Orders of 3 and 5 August 2011 Order of 3 and 5 August 2011 deal with authorization for activities related to nuclear materials facilities	
3	IAEA Safeguards Agreements	Safeguards Agreement France/ EURATOM/IAEA (INFCIRC/290 /Add.1). Additional Protocol France/ EURATOM/IAEA in force 30 April 2004 France/Euratom/AIEA agreement related to safeguards on misappropriation of nuclear materials and protocol to Small quantity materials (decree 2019-781 of 24 July 2019) The IAEA inspects nuclear and related facilities under safeguards agreements.	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Expressed support to IAEA DG (Letter from Governor for France on 7 January 2004) Order 2012-6 of 5 January 2012	
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security	Expressed support	

	of Radioactive Sources		
6	IAEA Incident and Trafficking Database	Participates in Database Programme since 1995 (incident and traffic databases (ITBD))	
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)	Participates in IAEA assessment missions France hosted two IAEA IPPAS missions, in 2011 and 2018	
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5	Endorsed by France	
9	Other Agreements related to IAEA	Support to the universalization of the statement for strengthening nuclear security (INFCIRC/910) Support to the statement on the mitigation of internal threats (INFCIRC/908)	
10	National legislation and regulations related to nuclear material including CPPNM	Acts No. 89-433 and 89-434 of 30 June 1989 Decree 92-110 of 3 February 1992 Law 2012-1473 of 28 December 2012 (amendment) Decree 2016-1149 of 24 August 2016 Defense Code, articles L1332-1 to L1333-6 and L1333-1 to L1333-14 Penal Code, article 421-1	

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	<p>Decree n. 98-36 dated 16 January 1998 regarding the distribution of administrative skills for the implementation of the Convention of 13 January 1993 on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, Art. 4</p> <p>Defense Code, articles D2342-95 to D2342-97 (inter-ministerial committee for enforcement of CWC and Convention of Paris), D2342-98 (Foreign affairs minister as national authority), D2342-99 (Defense minister for enforcement of CWC on the area of military sites), D2342-100 (Minister of interior security, responsible for collect, transport and storage of chemical ammunitions until sites dismantling and of old chemical weapons), D2342-101 (Minister of Industry, responsible for Convention de Paris for civil infrastructures, except for sites under the competency of Foreign affairs minister, Defense minister, Outre-mer and customs minister), D2342-102 (Minister responsible for Customs, responsible for Convention of Paris related importations and exportations)</p>	
2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials	<p>Defense Code, articles L1332-1 to L1332-7, L1332-2-1, R1332-22-1 to R1332-22-3, L2342-4 (prohibition for conception, building or use of chemical production infrastructure), L2342-5 (declaration to operators), L2342-8 to L2342-11 (related to table 1 chemical materials), L2342-12 to L2342-14 (related to table 2 chemical materials), L2342-15 to L2342-17 (related to table 2 of CWC) and L2342-57 to L2342-81</p> <p>Environment Code, article L512-1 to 512-21 (related to infrastructure under required authorization)</p>	
3	Old or abandoned chemical weapons	<p>Defense Code, articles L2342-5 (declaration to national authority of old chemical weapons), L2342-6 (obligation to neutralize old chemical weapons), L2342-60 and L2342-62 and L2342-66 (related to sanctions), L2342-100 (Minister of interior security is responsible for declaration, collect, transport and storage of old chemical ammunitions)</p>	

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</p> <p>Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials</p>	<p>Defense Code: article L1332-2-1 and articles R1332-22-1 to R1332-22-3.</p> <p>Public Health Code, articles L 5139-1 to L5139-3 and R5139-1 to R5139-3</p> <p>Decree 2010-736 of 30 June 2010 introduce biosafety good practices in the regime of especially designed microorganisms and toxins</p> <p>Decree of 17 March 2011 on professional qualifications of people authorized to access of especially designed microorganisms and toxins</p> <p>Decree of 30 April 2012 on a list of micro-organisms and toxins related to the Public health code, article L5139-1</p> <p>Environment Code, articles L531-3 (related to the High council on biotechnologies), R531-7 to R531-28 (organization of the High council on biotechnologies)</p> <p>Directive 2009/41/CE of 6 May 2009 related to the use of GMO's</p> <p>Public health Code, articles L5139-1 to L5139-3 (authorization by ANSM) and L5311-1 to L5311-5 (related to ANSM mission of ANSM)</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>NW/CW/BW: Council Regulation 2913/1992 (Community Customs Code)</p> <p>Regulation CEE n° 952/2013 of the European Parliament and of the Council of 9 October 2013 (establishment of the Community Custom Code), article 46 "Control of goods/Risk management and customs controls"</p> <p>Ordonnance 2016-1687 of 8 December 2016 related to the Custom Code (Custom border survey)</p> <p>Commission Regulation 2454/1993 (Implementing provisions to the Community Customs Code)</p> <p>EU Regulation no. 648 of 13 April 2005 (Security Amendment)</p> <p>Customs Code, articles 43, 44 and 60 to 66: investigation of violations</p> <p>NW: Decree n° 2018-434 of 4 June 2018 modifying article R.1333-102 of the Code of Public Health (detection of radioactive sources)</p>	X	X	X	<p>NW/CW/BW: Ministries of Justice, of Interior and of Defense are involved</p> <p>National Customs Information and Investigation Department: centralizes and analyses data</p> <p>Custom Code, articles 38, 61bis and 414</p>			

2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	<p>NW/CW/BW: Order 2019-414 of 7 May 2019 modifying Law 94-589 of 15 July 1994 against maritime piracy</p>	X	X	X	<p>NW/CW/BW: Ministries of Justice, of Interior and Defense are involved</p> <p>Sanctions defined by Defense, Penal and Public Health Codes</p> <p>Public Health, article R1333-102</p>
3	Border control detection measures	X	X	X	<p>NW/CW/BW: "Euritrack" project EU Regulation no. 648 of 13 April 2005 (Security Amendment) New Computerised Transit System (NCTS) - Security and Safety Aspects is to be updated in its features as required by Regulation (EC) 648/2005. Replaced by : Regulation CEE n° 952/2013 of the European Parliament and of the Council of 9 October 2013 (establishment of the community custom code)</p>	X	X	X	<p>NW/CW/BW: Scanner equipment, ionscans, radiation detection equipment</p>
4	Control of brokering	X	X	X	<p>NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>European Council 2003/468/ CFSP of 23 June 2003 setting up a control on brokering. European Council 2008/944/ CFSP of 8 December 2008 setting up the rules on control of export related to military technologies and equipment</p> <p>Decree No 2018-1195 of 20 December 2018 Interior security Code, article R311-1 (definition of brokering)</p> <p>Law No 2016-731 of 3 June 2016 against organized crime and terrorism Law No 2018-607 of 13 July 2018 Decree No. 2002-23 of January 2002 amending</p>	X	X	X	<p>NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Each Member State should determine effective, proportionate and dissuasive penalties applicable in the event of breach of the provisions of this regulation) Decree No 2002-23 of January 2002 amending Decree No 95-589 of 6 May 1995</p>

					<p>Decree No. 95-589 of 06 May 1995 Defense Code: articles L2331-1, L2331-2, L2332-1, L2332-11, L2339-2 to L2339-4-1, L2339-5, L233-9 to L2339-18</p> <p>Decree n°2013-700 of 30 July 2013 amended in 2014</p> <p>Defense code, modified by Law No 2011-266 of 14 March 2011 and Law 2013-1168 of 18 December 2013</p>				
5	Export control legislation in place	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>Defense code, modified by law No 2016-731 of 3 June 2016, No 2018-607 of 13 July 2018, Decree No 2018-542 of 29 June 2018 and Decree 2020-68 of 30 January 2020</p> <p>Defense Code, articles L2332-1, L2335-1 to L2332-3, L2335-2 to L2335-16, L2336-1 and L2339-1</p> <p>Order of 2 October 1992 related to procedures of exports and transfer of military goods, arms and ammunitions (means of delivery under category 1 of the Missile Technology Control Regime)</p> <p>Custom code, modified by Law 2011-266 of 14 March 2011 and Order 2016-128 of 10 February 2016</p> <p>Customs Code, art. 38: prohibition of goods the import or export of which is forbidden in any way or subject to restrictions</p> <p>Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the transfer of dual-use goods and technologies as amended by Decree No. 2010-292 of 18 March 2010</p> <p>Order of 13 December 2001 related to export</p>	X	X	X	<p>NW/CW/BW: Interministerial Commission for War equipment - Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG)</p> <p>Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p> <p>Customs Code, articles 38 (Prohibited goods definition), 59septies (procedure related with dual-good use export license), 60, 61bis, 63ter and 64 (Customs agents prerogatives), 414 (penalties against export of prohibited goods), 417, 423, 426 and 428 (definition of smuggling) 427(7) (export without declaration of prohibited goods)</p> <p>Defense Code, articles L2332-1, L2335-1 to L2335-3, L2335-2 to L2335-16, L2336-1 and L2339-1</p>

				<p>control and transfer to European community of dual technologies and dual-use goods</p> <p>NW: Defense Code, articles L1333-1 (Scope of nuclear materials), L1333-2 (Control of exportations) to L1333-13 (precisions related to L1333-2), R1333-3 to 10 (regulations related to L1333-2)</p> <p>CW: Defense code, modified by Decree No 2020-68 of 30 January 2020</p> <p>BW: Public Health Code Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004 related to import/export, possess, acquire and transport of certain agents responsible for infectious diseases, micro-organism, pathogens and toxins</p>				<p>NW: Defense Code, articles L1333-1 to L1333-13. R1333-3 to R1333-10 Defense Code, Articles L1333-13-1 (penalties for export without authorization or unlawfully getting this authorization), L1333-13-4 (details related Article L1333-13-1), L1333-13-7 & 8 (details related to L1333-13-1 & 4)</p>		
6	Licensing provisions and Authority	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>Defense Code, articles L2332-1, L2335-1 to L2335- to L2335-16, L2336-1 and L2339-1</p> <p>Order of 2 October 1992: means of delivery under category 1 of the Missile Technology Control Regime</p> <p>Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the transfer of dual-use goods and technologies as amended by Decree No. 2010-292 of 18 March 2010</p>	X	X	X	<p>NW/CW/BW: Export applications that pose a risk of proliferation of weapons of mass destruction are denied Customs Code, articles 38, 59septies, 60, 61bis, 63ter, 64 and 414 to 429 Intracommunity declarations of trade in goods. Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Service des biens à double usage (SBDU) Dual-use goods Unit: subsidiary to the Direction générale des entreprises (DGE) of the Ministry of Economy.</p>	

			<p>Order of 13 December 2001 related to export control of dual technologies and dual use goods, modified by orders of 27 February 2018 and 20 February 2019.</p> <p>Customs Code, article 38: prohibition of goods the import or export of which is forbidden in any way or subject to restrictions</p> <p>NW: Code of Defense, article R1333-3 (regulations over authorization to export)</p> <p>CW: Public Health Code. Law No. 2004-806 of 9 August 2004 as amended by Law 2009-879 of 21 July 2009 defines regime of authorization for exportation and importation of microorganisms and toxins (including ricin and saxitoxin) Defense code, modified by Decree No 2020-68 of 30 January 2020 Defense Code, articles R2342-20, R2342-25, R2342-26, R2342-28, R2342-29, R2342-30, R2342-32</p> <p>BW: Council regulation (EC) No 1183/2007. Public Health Code Law No. 2004-806 of 9 August 2004 as amended by Law 2009-879 of 21 July 2009 defines regime of authorization for exportation</p>			<p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p> <p>Defense Code, articles L2332-1, L2335-1 to L2335-3, L2335-2 to L2335-16, L2336-1 and L2339-1.</p> <p>NW: <i>Département de la sécurité nucléaire , Service du Haut fonctionnaire de défense et de sécurité of Ministère de la Transition Écologique,</i> (Department for nuclear security, Senior official for defense and security, ministry for an ecological transition) as the ministry in charge of energy, competent authority in charge of the protection of nuclear material, nuclear facilities, transports of nuclear material, and radioactive sources</p>
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					and importation of microorganisms and toxins					
7	Control lists of materials, equipment and technology	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>European Union common list of military equipment covered by common posture 2008/944/CFSP of the European Council</p> <p>Regulation EC n°1232/2011 of 16 November 2011, amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>Regulation EC n°388/2012 of 19 April 2012 Council regulation (EU) No. 1382/2014 of 22 October amending European List of dual use goods and technologies, including the Wassenaar Arrangement, the Missile Technology Control Regime (MTCR), the Nuclear Suppliers' Group (NSG), the Australia Group and the Chemical Weapons Convention (CWC). Decree of 30 April 2014 on selected MOT List</p> <p>Decree No. 2001-1192 of 13 December 2001 on export and import controls and on the transfer of dual-use goods and technologies as amended by Decree No. 2010-294 of 18 March 2010</p> <p>Decree 2017-860 of 9 May 2017 related to import-export control for technologies and dual use goods.</p> <p>Order of 27 June 2012 related to the export control list of military-related goods.</p>	X	X	X	<p>NW/CW/BW: Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p> <p>Customs Code, article 38</p>	

				<p>Defense code, modified by Order No 2016-128 of 10 February 2016 about control lists</p> <p>NW: Defense Code, articles L1333-1, R1333-1</p> <p>CW: Defense Code, articles L2342-13, L2342-8 to L2342-21 Order of 24 April 2002 related to chemical weapons</p> <p>BW: Order of 22 September 2001 related to agents linked to infectious diseases, micro-organisms and toxins</p>					
8	Intangible technology transfers	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. Export covers transmission of software and technologies by electronic media, including by fax, telephone, electronic mail or any other electronic means (articles 2-2-iii)</p> <p>European Union common list of military equipment covered by common posture 2008/944/PESC of the European Council. It covers intangible transfers of software and technologies by electronic medias, telefax and phone.</p> <p>BW: Order of 23 January 2013 related to biological security and safety</p>	X	X	X	<p>NW/CW/BW: Customs Code, article 38 and articles 414 to 429 Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p>
9	Inclusion of means of delivery	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and</p>	X	X	X	<p>NW/CW/BW: Customs Code, articles 61bis and 414 to 429 Ministry of the Economy, Finance and Industry</p>

				<p>transit of dual-use items Regulation EC 1232/2011 of 16 November 2011, article 4-1 Regulation EC 388/2012 of 19 April 2012 Defense Code: articles L2339-14 to L2339-18</p> <p>Order of 27 June 2012 related to the export control list of military-related goods</p> <p>Defense code, modified by Law No 2016-731 of 3 June 2016</p>				<p>— Directorate-General for Customs and Indirect Taxation Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p>		
10	End-user controls	X	X	X	<p>NW/CW/BW: EU Regulation no. 648 of 13 April 2005 (Security Amendment), article 1.14. Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>European Union common list of military equipment covered by common posture 2008/944/CFSP of the European Council</p> <p>Decree No. 2001-1192 of 13 December 2001 on export, import and transfer controls for dual-use goods and technologies as amended by Decree 2010-292 of 18 March 2010 Decree n°2009-37 of 12 January 2009, abrogated by Decree 2020-74 of 31 January 2020 related to SBDU Decree n°2010-294 of 18 March 2010 settling inter-ministerial Commission on dual-use goods Ministerial order of 13 December 2001, modified by the Order of 27 February 2018 related to export control of technologies and dual-use goods</p>	X	X	X	<p>NW/CW/BW: 1. CUF - Certificat d'Utilisation Finale (End User Certificate) 2. CVL - Certificat de verification de livraison (Delivery Certificate)</p> <p>Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p>	
11	Catch all clause	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May</p>	X	X	X	<p>NW/CW/BW: Customs Code, article 38 and articles 61bis,</p>	

					<p>2009 (article 4-4) setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.</p> <p>Ministerial order of 13 December 2001, modified by the Order of 27 February 2018 related to export control of technologies and dual-use goods related to export control of technologies and dual-use goods</p>				<p>414 to 429</p> <p>Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation</p> <p>Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p> <p>Customs Service</p> <p>Customs Code, articles 38, 61bis and 414</p>	
12	Transit control	X	X	X	<p>NW/CW/BW:</p> <p>Customs Code: articles 60, 61bis, 70, 73, 75, 78, 82 and 83</p> <p>Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>European Union common list of military equipment covered by common posture 2008/944/PESC of the European Council</p> <p>EU Regulation 952-2013 of the European Parliament and the Council of 9 October 2013 related to the Custom Code of the Union</p> <p>Ministerial order of 13 December 2001, modified by the Order of 27 February 2018 related to export control of technologies and dual-use goods and by the Order of 20 February 2019 related to procedure of dematerialization on dual use goods exportation authorizations</p>	X	X	X	<p>NW/CW/BW:</p> <p>Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Each Member State should determine effective, proportionate and dissuasive penalties applicable in the event of breach of the provisions of this regulation)</p> <p>Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation</p> <p>Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p>	

					<p>EU Regulation no. 648 of 13 April 2005 (Security Amendment), article 1.14 Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004</p> <p>UE/European Parliament and Council No 952/2013 of 9 October 2013 establishing the Custom code</p> <p>Defense code, modified par Law No 2013-1168 of 18 December 2013</p>				<p>Customs Service</p> <p>Customs Code, articles 38, 61bis and 414</p>	
13	Trans-shipment control	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items European Union common list of military equipment covered by common posture 2008/944/PESC of the European Council</p> <p>EU Regulation 952-2013 of the European Parliament and the Council of 9 October 2013 related to the Custom Code of the Union</p> <p>Ministerial order of 13 December 2001, modified by the Order of 27 February 2018 related to export control of technologies and dual-use goods and by the Order of 20 February 2019 related to procedure of dematerialization on dual use goods exportation authorizations</p> <p>EU Regulation no. 648 of 13 April 2005 (Security Amendment), article 1.14 Order of 22 September 2001 as amended by the Orders of 15 January and 30 July 2004</p> <p>UE/European Parliament and Council No 952/2013 of 9 October 2013 establishing the Custom code</p> <p>Defense code, modified par Law No 2013-1168</p>	X	X	X	<p>NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Each Member State should determine effective, proportionate and dissuasive penalties applicable in the event of breach of the provisions of this regulation)</p> <p>Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p> <p>Customs Service</p> <p>Customs Code, articles 38, 61bis and 414</p>	

					of 18 December 2013				
14	Re-export control	X	X	X	<p>NW/CW/BW: Council regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items European Union common list of military equipment covered by common posture 2008/944/PESC of the European Council</p> <p>UE Regulation 952-2013 of the European Parliament and the Council of 9 October 2013 related to the Custom Code of the Union</p> <p>Ministerial order of 13 December 2001, modified by the Order of 27 February 2018 related to export control of technologies and dual-use goods and by the Order of 20 February 2019 related to procedure of dematerialization on dual use goods exportation authorizations</p> <p>EU Regulation no. 648 of 13 April 2005 (Security Amendment), article 1.14 Defense Code, articles L2342-1 to L2342-84 Customs Code: articles 60, 61bis, 70, 73, 75, 78, 82 et 83 Order of 2 October 1992, means of delivery under category 1 of the Missile Technology Control Regime</p> <p>UE/European Parliament and Council No 952/2013 of 9 October 2013 establishing the Custom code</p> <p>Defense code, modified par Law No 2013-1168 of 18 December 2013</p> <p>CW: Defense code, article L2342-8 related to interdiction of table 1 chemical re-export</p>	X	X	X	<p>NW/CW/BW: Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Each Member State should determine effective, proportionate and dissuasive penalties applicable in the event of breach of the provisions of this regulation)</p> <p>Ministry of the Economy, Finance and Industry — Directorate-General for Customs and Indirect Taxation Ministry of foreign affairs, Service des biens à double-usage (SBDU, Dual-use goods service)</p> <p>Commission interministérielle des biens à double-usage (CIBDU, inter-agency commission for dual-use goods) and Commission interministérielle pour l'étude des exportations de matériels de guerre (CIEEMG, Inter-Agency Commission for the export control of war equipment)</p> <p>Customs Service</p> <p>Customs Code, articles 38, 61bis and 414</p>

15	Control over financing of exports/transhipments that would contribute to proliferation	X	X	X	NW/CW/BW: Monetary and Financial Code, articles L613-1 to L613-33-1 Customs Code: articles 60, 399, 451, 451 bis and 459	X	X	X	NW/CW/BW: Ministry of Economy, Finance and Industry — General Directorate of Customs and Indirect Taxation: financial information unit TRACFIN gathers information to combat these activities. Custom Code, articles 399, 459	
16	Control over services related to exports/transhipments that would contribute to proliferation including transportation	X	X	X	NW/CW/BW: Maritime Ports Code, Chap. III, articles L153-1 and L153-2 Civil Aviation Code, Chap. on goods movement, article L321-7 Code of Transports: articles L1252-1 à L1252-4, L5331-8, L5334-6, L5336-17, L6341-1 to L6341-4 and L6342-1 to L6342-4 Transport code, modified by Ordinance No 2012-289 of 1 March 2012, Ordinance 2016-128 of 10 February 2016, Ordinance No 2016-731 of 3 June 2016	X	X	X	NW/CW/BW: Maritime Ports Code, articles L531-1 – 3 Civil Aviation Code, articles L741-1 – 3 Custom Code, article 61bis as amended by Law No.2011-266 on fighting against proliferation of weapons of mass destruction and means of delivery. Code of transports, articles L5331-8, L5134-6, L5336-17, L6341-1 to L6341-4, L6342-1 to L6342-4	

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

1	Assistance offered

Nuclear field:

In the framework of the Mondial partnership against the proliferation of WMD:

- 131,56 million USD invested between 2002 and 2015 (70% in favour of nuclear projects)
- Securing 2 Alpha-submarine reactor cores (Russia)
- Securing 898 nuclear fuel assemblies (Gremikha base – Russia)
- Securing radioactive sources of 16 RTG (Russia)
- Participation to operational update to the Mayak treatment factory (Russia)
- Participation to building the site dedicated to secure radioactive sources (Vector site - Ukraine)

In the framework of the IAEA:

- Financial extra-contribution to the nuclear security fund (average of 500 000 euros/year)
- Repatriation and securing of radioactive sources of French origin (ongoing actions since 2003)
- Holding of training courses and technical visits in France
- Participation of experts to missions and training courses

In the framework of Interpol:

- Financial support to Interpol (2019 and 2020)
- French experts participation to training courses

In the framework of the Global Initiative against Nuclear terrorism:

- French experts participation to activities related to the Initiative
- Holding and organization of an international workshop in France (2020)

In the framework of 1540 Committee, offers of assistance in the following items:

- Legal: ratification, domestic law
- Radiological: radioactive source securing, infrastructures
- Export control
- Physical protection

Chemical field:

In the framework of the World Partnership against WMD proliferation:

- 131,56 millions USD invested between 2002 and 2015 (14% in favour of chemical projects)

		<ul style="list-style-type: none"> • Participation to chemical ammunitions neutralising in the ex-Soviet area <p>In the framework of the 1540 Committee: Offer of assistance in the following items:</p> <ul style="list-style-type: none"> • Legal: ratification, domestic law • Export control • Physical protection <p><u>Biological field:</u></p> <p>In the framework of the World Partnership against WMD proliferation:</p> <ul style="list-style-type: none"> • 131,56 millions USD invested between 2002 and 2015 (16% in favour of biological projects) • Participation to laboratory physical protection projects in the ex-Soviet area until 2012 • Participation to the pathogen sources neutralization in the ex-Soviet area until 2012 • Assistance to ex-Soviet states in designing security standards until 2012 • Financial support of numerous projects in biosecurity in relation with the WHO unit in Lyon (from 2012) <p>In the framework of the 1540 Committee: Offer of assistance in the following items:</p> <ul style="list-style-type: none"> • Legal: ratification, domestic law • Export control • Physical protection <p><u>Transversal actions:</u></p> <ul style="list-style-type: none"> • Participation to the Proliferation Security Initiative (PSI): cooperation in hindrance efficiency strengthening to proliferation
2	Assistance Point of Contact (for assistance providers only)	<p>French Representative to 1540 Committee (Permanent Mission of France to the United Nations) Ministry of Europe and Foreign Affairs:</p> <ul style="list-style-type: none"> • Nuclear and ballistic: sub-directorate for Disarmament and nuclear non-proliferation • Chemical and biological: sub-directorate for Armaments control and OSCE
3	Assistance requested	
4	Action taken to work with and inform industry	<ul style="list-style-type: none"> • Awareness programmes to companies by the Customs and Interior security services (DGSI), with particular attention to small and medium entrepreneurs • Outreach sessions to chemical industries for CWC requirements by IRSN French Institute • Conference organized by the Ministry of Economy for exporters • Information notices on dual-use goods (frequently updated) • Administrative notification in 2009 to all the ministries about the whole aspects of proliferation • Annual meeting hold by SGDSN (Prime Minister services) about the French Counter-proliferation policy making

5	Action taken to work with and inform the public	Customs services display a large public information on its Internet site.
6	Point of Contact	<p>French Representative to 1540 Committee (Permanent Mission of France to the United Nations) Sub directorate for Disarmament and Nuclear, Ministry of Foreign and European Affairs Ministry of Europe and Foreign Affairs:</p> <ul style="list-style-type: none"> • Nuclear and ballistic: sub-directorate for Disarmament and nuclear non-proliferation • Chemical and biological: sub-directorate for Armaments control and OSCE • 1540 Resolution: Directorate of Strategic Affairs, Security and Disarmament and United Nations Directorate, Political Affairs Department (Point of contact: Eric Tallon – eric.tallon@diplomatie.gouv.fr)
7	Voluntary National Implementation Action Plan (NAP)	Submitted 27 September 2011
8	1540 Committee visits to States	