

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:	Republic of Namibia
Date of Report:	26 October 2004
Dates of Additional Reports:	27 April 2006
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 October 1992	
2	Nuclear Weapons Free Zone/ Protocol(s)	Treaty of Pelindaba, deposit 1 March 2012	
3	International Convention for the Suppression of Acts of Nuclear Terrorism	Deposit 2 September 2016	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit 2 October 2002	
5	2005 Amendment to the CPPNM	Deposit 16 August 2017	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit 29 June 2001	
7	Chemical Weapons Convention (CWC)	Deposit 24 November 1995	
8	Biological Weapons Convention (BWC)		
9	Geneva Protocol of 1925		
10	1997 International Convention for the Suppression of Terrorist Bombings	Deposit 2 September 2016	
11	1999 International Convention for the Suppression of the Financing of Terrorism	Deposit 18 October 2012	

12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation		
13	2005 Protocol to the Protocol to the Convention for the suppression of acts against the safety of fixed platforms located on the continental shelf		
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation		
15	Other relevant regional legally binding instruments	OAU Convention on the Prevention and Combating of Terrorism, deposit: 17 October 2012	
16	International Atomic Energy Agency (IAEA)	Since 17 February 1983	
17	Directly relevant Arrangements		
18	Statement on non-provision of WMD and related materials to non-State actors	State stated that it “fully subscribes to the principles of nuclear disarmament, non-proliferation and peaceful application of nuclear science and technology” and that it “does not produce weapons of mass destruction and therefore cannot provide material support to States or non-State actors to produce or obtain such weapons”.	
19	Membership in relevant international, regional or sub-regional organisations	African Union (AU) Southern African Development Community (SADC) Southern African Customs Union (SACU) Eastern and Southern Africa 'Anti-Money' Laundering Group (ESAAMLG) Egmont Group of Financial Intelligence Units International Maritime Organisation (IMO) World Health Organisation (WHO) World Customs Organisation (WCO) and Signed WCO Declaration on implementation of Framework of Standards to secure and facilitate global trade (SAFE Framework of Standards) World Organisation for Animal Health (OIE) International Criminal Police Organization (INTERPOL) International Monetary Fund (IMF) World Bank Group 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	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3 (offence of proliferation and funding of proliferation activity: manufacture)	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3 (penalty)	
2	acquire	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3 (acquisition)	X	X	X	NWCW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3	
3	possess	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3 (possession)	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3	
4	develop	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3 (development)	X	X	X	NWCW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3	
5	transport	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3 (transport)	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3	
6	transfer	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3 (transfer)	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3	
7	use	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and	

				Proliferation Activities Act No. 4 of 2014, section 3 (use)			Proliferation Activities Act No. 4 of 2014, section 3		
8	attempt to engage in abovementioned activities	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 8 (attempts by internationally protected person); 9 (attempted offence against fixed platforms); 14 (attempted proliferation or terrorist funding); 19 & 20 (attempted proliferation or terrorist activity); 59 (attempts to commit)	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 59 (penalty same sentence as offence)
9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 12 (participate in terrorist or proliferation activities), 59 (conspires; aids, abets, facilitates, supports or counsels)	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 12, 59 (penalties)
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 12, 59	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 12, 59
11	finance abovementioned activities	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 3, 4 Prevention of Organised Crime Act No. 29 of 2004 (money laundering), section 1 (definition of unlawful activity) Financial Intelligence Act No. 13 of 2012 (Financing of Terrorism)	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 3, 4 Prevention of Organised Crime Act No. 29 of 2004 (money laundering), section 3, Chapter 2 Financial Intelligence Act No. 13 of 2012, Parts 2 (Financial intelligence Centre), 5 (compliance and enforcement) and 6 (offences and penalties)
12	abovementioned activities related to means of delivery ¹	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 1 (definition of proliferation activity includes means of delivery); 3	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, section 3

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 / ?			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>NW: INFCIRC/551, SQP and Additional Protocol Atomic Energy and Radiation Protection Act, No. 5 of 2005, section 2(b) (Atomic Energy Board controls production)</p> <p>BW: Biosafety Act, No. 7 of 2006, sections 3 and 20 (Genetically Modified Organisms)</p>	X		?	<p>NW: Atomic Energy and Radiation Protection Act, No. 5 of 2005, section 40 (offences and penalties)</p> <p>BW: Biosafety Act, No. 7 of 2006, Chapter 2 (Biosafety Council), sections 20 (penalty), 37 (inspectors) and 47 (offences)</p>			
2	Measures to account for use	X		?	<p>NW: INFCIRC/551, SQP and Additional Protocol Atomic Energy and Radiation Protection Act, No. 5 of 2005, sections 16 (authorisations, licence); 29 (rules for use); 43 (accounting for nuclear material)</p> <p>BW: Animal Health Act, No.1 of 2011, sections 1 (definitions: infectious agent; restricted material), 6 (prevent disease) and Part V (disease prevention and control) Plant Quarantine Act, no. 7 of 2008, sections 10, 11 (quarantine areas and pests) Biosafety Act, No. 7 of 2006, sections 3 and 20</p>	X		?	<p>NW: Atomic Energy and Radiation Protection Act, No. 5 of 2005, section 40</p> <p>BW: Animal Health Act, No.1 of 2011, Part VII (Enforcement), section 34 Plant Quarantine Act, no. 7 of 2008, sections 14 (quarantine officers), 21 Biosafety Act, No. 7 of 2006, Chapter 2 (Biosafety Council), sections 20, 37 and 47</p>			
3	Measures to account for storage	X		?	<p>NW: INFCIRC/551, SQP and Additional Protocol Atomic Energy and Radiation Protection Act, No. 5 of 2005, sections 21 (licence for storage),</p>	X		?	<p>NW: Atomic Energy and Radiation Protection Act, No. 5 of 2005, section 40</p>			

				26 (suspension of licence), 29 (rules for storage) BW: Biosafety Act, No. 7 of 2006, sections 3 and 20			BW: Biosafety Act, No. 7 of 2006, Chapter 2 (Biosafety Council), sections 20, 37 and 47	
4	Measures to account for transport	X	?	NW: Atomic Energy and Radiation Protection Act, No. 5 of 2005, sections 16 (transport permit), 17 (route, container), 29 (rules for transport) BW: Biosafety Act, No. 7 of 2006, sections 3 and 20	X	?	NW: Atomic Energy and Radiation Protection Act, No. 5 of 2005, section 40 BW: Biosafety Act, No. 7 of 2006, Chapter 2 (Biosafety Council), sections 20, 37 and 47	
5	Measures to secure production	X		NW: SQP Atomic Energy and Radiation Protection Act, No. 5 of 2005, sections 22 (ensure security of nuclear material), 29 (conditions of licence)	X		NW: Atomic Energy and Radiation Protection Act, No. 5 of 2005, section 40	
6	Measures to secure use	X	?	NW: SQP Atomic Energy and Radiation Protection Act, No. 5 of 2005, sections 22, 29 BW: Animal Health Act, No.1 of 2011, Part V (disease prevention and control) Plant Quarantine Act, no. 7 of 2008, sections 10, 11 (quarantine areas and pests)	X	?	NW: Atomic Energy and Radiation Protection Act, No. 5, section 40 BW: Animal Health Act, No.1 of 2011, section 6 (veterinary officers), Part VII (Enforcement), section 34 Plant Quarantine Act, no. 7 of 2008, sections 14 (quarantine officers), 21	
7	Measures to secure storage	X		NW: SQP Atomic Energy and Radiation Protection Act, No. 5 of 2005, sections 22, 29	X		NW: Atomic Energy and Radiation Protection Act, No. 5, section 40	
8	Measures to secure transport	X		NW: Atomic Energy and Radiation Protection Act, No. 5 of 2005, sections 17 (notification	X		NW: Atomic Energy and Radiation Protection Act, No. 5, section 40	

				regarding route, container, records, persons in possession), 29				
9	Physical protection measures	X		NW: SQP Atomic Energy and Radiation Protection Act, No. 5 of 2005, section 43 (requirements for security of radiation sources; structural or design requirements for premises for installation, use or storage of nuclear material)	X			NW: Atomic Energy and Radiation Protection Act, No. 5 of 2005, section 40
10	Personnel Reliability	?	?	NW/CW/BW: Central Intelligence Service Act, No. 10 of 1997, section 5(1)(d) (security clearance of persons who hold “vettable” posts)	?	?	?	NW/CW/BW: Central Intelligence Service Act, No. 10 of 1997, section 5 (powers of Service)

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	Atomic Energy Board Atomic Energy and radiation Protection Act No. 5 of 2005, Chapter 2	
2	Licensing of nuclear installations/entities/ use of materials	Atomic Energy and Radiation Protection Act, No. 5 of 2005, Chapter 4, section 40	
3	IAEA Safeguards Agreements	INFCIRC/551 in force 15 April 1998 and SQP Additional Protocol, in force 20 February 2012	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Expressed support	
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	Expressed support	
6	IAEA Incident and Trafficking Database	Participates	
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)	INNSP approved	
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5		

9	Other Agreements related to IAEA	African Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) IAEA Country Programme Framework (CPF) for the period 2014-2019	
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 Trade and Industry	
2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials		
3	Old or abandoned chemical weapons		

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

Measures to establish domestic controls to prevent the proliferation of BW, their means of delivery; controls over related materials	Source document	Remarks
<p>1 Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials</p>	<p>Biosafety Council Biosafety Act, No. 7 of 2006, Chapter 2, sections 20, 37, 47 and 49</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	NW/CW/BW: Customs and Excise Act, No.20 of 1998, Chapter II Namibian Ports Authority Act, No. 2 of 1994 Defence Act, No.1 of 2002, section 35 (safeguarding borders)	X	X	X	NW/CW/BW: Customs and Excise Act, No.20 of 1998, Chapter XI			
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	NW/CW/BW: Customs and Excise Act, No.20 of 1998, Chapter II Namibian Ports Authority Act, No. 2 of 1994 Defence Act, No.1 of 2002, sections 34 (harbours and aerodromes), 35 (safeguarding borders)	X	X	X	NW/CW/BW: Commissioner for Customs and Excise – Controller (Customs and Excise Act, No.20 of 1998, section 4: duties and powers) Namibian Ports Authority (Namibian Ports Authority Act 2 of 1994, Chapter 3: functions, powers and duties) Defence Force			
3	Border control detection measures					?	?	?	NW/CW/BW: Automated System for Customs Data ASYCUDA World			
4	Control of brokering	?			NW: Atomic Energy and Radiation Protection Act No. 5, section 16 (acting in any manner on his behalf)	?			NW: Atomic Energy and Radiation Protection Act No. 5, section 40			
5	Export control legislation in place	X	?	?	NW: Atomic Energy and Radiation Protection Act No. 5 of 2005, Chapter 4, section 16 (export licence for nuclear material) Import and Export Control Act, No.30 of 1994,	X	?	?	NW: Atomic Energy and Radiation Protection Act No. 5 of 2005, section 40 (Atomic Energy Board) Import and Export Control Act, No.30 of 1994, section 4 (Minister of Trade and Industry)			

				<p>section 2 (Minister may prohibit export of any goods without a permit)</p> <p>CW: Import and Export Control Act, No.30 of 1994, section 2</p> <p>BW: Import and Export Control Act, No.30 of 1994, section 2 Biosafety Act, No. 7 of 2006, Chapters 4, 5 Animal Health Act, No.1 of 2011, Part IV Plant Quarantine Act, no. 7 of 2008, section 4</p>			<p>CW: Import and Export Control Act, No.30 of 1994, section 4</p> <p>BW: Import and Export Control Act, No.30 of 1994, section 4 Biosafety Act, No. 7 of 2006, section 47 (Biosafety Council) Animal Health Act, No.1 of 2011, Part IV and section 34 (Chief Veterinary Officer) Plant Quarantine Act, no. 7 of 2008, sections 4 & 21 (Department of Agriculture, Water and Forestry)</p>	
6	Licensing provisions and Authority	X	?	<p>NW: Atomic Energy and Radiation Protection Act No 5 of 2005, Chapter 4 Import and Export Control Act, No.30 of 1994, section 2</p> <p>CW: Import and Export Control Act, No.30 of 1994, section 2</p> <p>BW: Biosafety Act, No. 7 of 2006, Chapter 2 Animal Health Act, No.1 of 2011, Part II Plant Quarantine Act, no. 7 of 2008, section 4</p>	X	?	<p>NW: Atomic Energy and Radiation Protection Act No. 5 of 2005, sections 33 and 34 (Director-General of the National Radiation Protection Board) Import and Export Control Act, No. 30 of 1994, section 4 (Minister of Trade and Industry)</p> <p>CW: Import and Export Control Act, No.30 of 1994, section 4</p> <p>BW: Biosafety Act, No. 7 of 2006, Chapter 2 (Biosafety Council) Animal Health Act, No.1 of 2011, Part II (Chief Veterinary Officer) Plant Quarantine Act, no. 7 of 2008, section 4 (Department of Agriculture, Water and Forestry)</p>	
7	Control lists of materials, equipment and technology	?	?	<p>NW: Atomic Energy and Radiation Protection Act No. 5 of 2005, Chapter 1 (Definition of radioactive material and nuclear material; any substance or device necessary for manufacture of nuclear weapons)</p>	?	?	<p>NW: Atomic Energy and Radiation Protection Act No. 5 of 2005, Chapter 1, art 16, 33 (Definition of radioactive material and nuclear material)</p>	

					BW: Biosafety Act, No. 7 of 2006, section 1 (definitions) Plant Act, no. 7 of 2008, section 1 (definitions)				BW: Biosafety Act, No. 7 of 2006, section 1 (definitions) Plant Act, no. 7 of 2008, section 1 (definitions)	
8	Intangible technology transfers									
9	Inclusion of means of delivery									
10	End-user controls									
11	Catch all clause									
12	Transit control			?	BW: Biosafety Act, No. 7 of 2006, section 3 Animal Health Act, No.1 of 2011, Part III Plant Quarantine Act, no. 7 of 2008, section 13			?	BW: Biosafety Act, No. 7 of 2006, section 47 Animal Health Act, No.1 of 2011, Part III and section 34 Plant Quarantine Act, no. 7 of 2008, section 21	
13	Trans-shipment control									
14	Re-export control									
15	Control over financing of exports/transshipments that would contribute to proliferation	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 3, 4 Prevention of Organised Crime Act No. 29 of 2004 (money laundering) Financial Intelligence Act No. 13 of 2012 (Financing of Terrorism)	X	X	X	NW/CW/BW: Prevention and Combating of Terrorist and Proliferation Activities Act No. 4 of 2014, sections 3, 4 Prevention of Organised Crime Act No. 29 of 2004 (money laundering), Chapter 2 Financial Intelligence Act No. 13 of 2012, Parts 2 and 6 (Financial Intelligence Centre)	
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	Ms. Selma Ashipala-Musavyi Permanent Secretary, Ministry of Foreign Affairs
7	Voluntary National Implementation Action Plan (NAP)	
8	1540 Committee visits to States	