

# 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.

|                                     |                                   |
|-------------------------------------|-----------------------------------|
| <b>State:</b>                       | <b>Kingdom of the Netherlands</b> |
| <b>Date of Report:</b>              | <b>28 October 2004</b>            |
| <b>Dates of Additional Reports:</b> | <b>16 November 2005</b>           |
|                                     | <b>17 October 2007</b>            |
|                                     | <b>25 June 2020</b>               |
| <b>Date of Approval:</b>            | <b>9 December 2020</b>            |

## 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<br>(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 May 1975  |  |
| 2   | Nuclear Weapons Free Zone/ Protocol(s)  | Treaty Banning Nuclear Weapons in Latin America, Additional Protocol I: Deposit 26 July 1971                      |  |
| 3   | International Convention for the Suppression of Acts of Nuclear Terrorism                   | Deposit 30 June 2010  |  |
| 4   | Convention on Physical Protection of Nuclear Material (CPPNM)                               | Deposit 6 September 1991  |  |
| 5   | 2005 Amendment to the CPPNM   | Deposit 17 April 2011   |  |
| 6   | Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)                                 | Deposit 23 March 1999   |  |
| 7   | Chemical Weapons Convention (CWC)   | Deposit 30 June 1995  |  |
| 8   | Biological Weapons Convention (BWC)   | Deposit 22 June 1981  |  |
| 9   | Geneva Protocol of 1925   | Deposit 31 October 1930   |  |
| 10  | 1997 International Convention for the Suppression of Terrorist Bombings                     | Deposit 7 February 2002   |  |
| 11  | 1999 International Convention for the   | Deposit 7 February 2002   |  |

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|    | Suppression of the Financing of Terrorism   |  |  |
| 12 | 2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation                            | Deposit 1 March 2011   |  |
| 13 | 2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf | Deposit 1 March 2011   |  |
| 14 | 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation  | Deposit 17 March 2016  |  |
| 15 | Other relevant regional legally binding instruments   | EURATOM Treaty, entry into force 1 January 1958  |  |
| 16 | International Atomic Energy Agency (IAEA)   | Since 30 July 1957   |  |
| 17 | Directly relevant Arrangements  | <ol style="list-style-type: none"> <li>1. Wassenaar Arrangement (WA)</li> <li>2. Australia Group (AG)</li> <li>3. Zangger Committee (ZC)</li> <li>4. Nuclear Suppliers Group (NSG)</li> <li>5. Missile Technology Control Regime (MTCR)</li> <li>6. Proliferation Security Initiative (PSI)</li> <li>7. Global Initiative to Combat Nuclear Terrorism (GICNT)</li> <li>8. Hague Code of Conduct (HCOC)</li> <li>9. Global Partnership against the Spread of Weapons and Materials of Mass Destruction (GP)</li> <li>10. Non-Proliferation and Disarmament Initiative (NPDI)</li> </ol> |  |
| 18 | Statement on non-provision of WMD and related materials to non-State actors   | The Netherlands states that it does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transfer or use WMD and their means of delivery  |  |
| 19 | Membership in relevant international, regional or sub-regional organisations  | <p>Council of Europe<br/> European Union (EU)<br/> EURATOM<br/> Financial Action Task Force against Money Laundering (FATF)<br/> Food and Agriculture Organisation (FAO)</p>   |  |

|  |  |  |
|--|--|--|
|  | <p>International Civil Aviation Organisation (ICAO)<br/>International Maritime Organization (IMO)<br/>Inter-Parliamentary Union (IPU)<br/>INTERPOL<br/>Organization for Security and Cooperation in Europe (OSCE)<br/>World Customs Organization (WCO)<br/>World Health Organization (WHO)<br/>World Organisation for Animal Health (OIE)<br/>World Trade Organisation (WTO)</p> |  |
|--|--|--|

## 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<br>W                   | C<br>W | B<br>W |  | N<br>W | C<br>W                                   | B<br>W |  |  |  |         |
| 1   | Manufacture | X                        | X      | X      | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 15, 29: requirement of a license</p> <p><b>CW:</b></p> <p>1. Chemical Weapons Convention (Implementation) Act of 1995, Article 2</p> <p><b>BW:</b></p> <p>1. Biological Weapons Convention (Implementation) Act of 1981, as amended, Article 2</p>    | X      | X  | X      | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 79 and 80: terrorist purposes are a criminal offence</p> <p>2. Economic Offences Act of 22 June 1950, as amended, Articles 1a and 6</p> <p><b>CW/BW:</b></p> <p>1. Economic Offences Act of 22 June 1950, as amended, Articles 1(1) to 6(4)</p> |  |  |         |
| 2   | Acquire     | X                        | X      | X      | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 15 and 29: requirement of a license</p> <p><b>CW:</b></p> <p>1. Chemical Weapons Convention (Implementation) Act of 1995, Article 2</p> <p><b>BW:</b></p> <p>1. Biological Weapons Convention (Implementation) Act of 1981, as amended, Article 2</p> | X      | X  | X      | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 79 and 80: terrorist purposes are a criminal offence</p> <p>2. Economic Offences Act of 22 June 1950, as amended, Article 1a</p> <p><b>CW/BW:</b></p> <p>1. Economic Offences Act of 22 June 1950, as amended, Articles 1(1) to 6(4)</p>        |  |  |         |

|   |           |   |   |   |  |   |   |   |   |
|---|-----------|---|---|---|--|---|---|---|---|
| 3 | Possess   | X | X | X | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 15 and 29: requirement of a license</p> <p><b>CW:</b></p> <p>1. Chemical Weapons Convention (Implementation) Act of 1995, Article 2</p> <p><b>BW:</b></p> <p>1. Biological Weapons Convention (Implementation) Act of 1981, as amended, Article 2</p> | X | X | X | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 79 and 80: terrorist purposes are a criminal offence</p> <p>2. Economic Offences Act of 22 June 1950, as amended, Article 1a</p> <p><b>CW/BW:</b></p> <p>1. Economic Offences Act of 22 June 1950, as amended, Articles 1(1) to 6(4)</p> |
| 4 | Develop   |   | X | X | <p><b>CW:</b></p> <p>1. Chemical Weapons Convention (Implementation) Act of 08 June 1995, Article 2</p> <p><b>BW:</b></p> <p>1. Biological Weapons Convention (Implementation) Act of 1981, as amended, Article 2</p>  |   | X | X | <p><b>CW/BW:</b></p> <p>1. Economic Offences Act of 22 June 1950, as amended, Articles 1(1) to 6(4)</p>   |
| 5 | Transport | X | ? | ? | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 15 and 29: requirement of a license</p> <p><b>CW/BW:</b></p> <p>1. Transport of Dangerous Goods Act of 1995, as amended, Articles 1(1) (toxic gases and infectious substances, 2 (scope) and 3 (designation of dangerous substances)</p>              | X | ? | ? | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 79 and 80: terrorist purposes are a criminal offence</p> <p><b>CW/BW:</b></p> <p>1. Transport of Dangerous Goods Act of 1995, as amended, Articles 34, 44 and 44a</p>  |
| 6 | Transfer  | X | X |   | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 15 and 29: requirement of a license</p>   | X | X |   | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended, Articles 79 and 80: terrorist purposes are a criminal offence</p>   |

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|----|---|---|---|---|---|---|---|---|--|--|
|    |   |   |   |   | <b>CW:</b><br>1. Chemical Weapons Convention (Implementation) Act of 1995, Article 2  |   |   |   | <b>CW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Articles 1(1) to 6(4)  |  |
| 7  | use   | X | X | X | <b>NW:</b><br>1. Nuclear Energy Act of 1963, as amended, Articles 15 and 29: requirement of a license<br><br><b>CW:</b><br>1. Chemical Weapons Convention (Implementation) Act of 1995, Article 2<br><br><b>BW:</b><br>1. Biological Weapons Convention (Implementation) Act of 1981, as amended, Article 4 | X | ? | ? | <b>NW:</b><br>1. Nuclear Energy Act of 1963, as amended, Articles 79 and 80: terrorist purposes are a criminal offence<br>2. Criminal Code, Articles 161 quarter and 161 quinquies: prohibition of exposure of human beings, animals and plants to ionizing radiation<br><br><b>CW/BW:</b><br>1. Criminal Code, Articles 172, 173, 173a, 173b, 287 and 292 |  |
| 8  | attempt to engage in abovementioned activities            | X | X | X | <b>NW/CW/BW:</b><br>1. Criminal Code, Article 45  | X | X | X | <b>NW/CW/BW:</b><br>1. Criminal Code, Article 45 (attempt)<br>2. Economic Offences Law, Article 4  |  |
| 9  | participate as an accomplice in abovementioned activities | X | X | X | <b>NW/CW/BW:</b><br>1. Criminal Code, Article 47, 48 and 49 (complicity)<br>2. Economic Offences Law, Article 4   | X | X | X | <b>NW/CW/BW:</b><br>1. Criminal Code, Articles 47, 48, and 49 172, 173, 173a, 173b, and 287<br>2. Economic Offences Law, Article 4   |  |
| 10 | assist in abovementioned activities                       | X | X | X | <b>NW/CW/BW:</b><br>1. Criminal Code, Articles 47 and 48 (participation, subordination and material support)  | X | X | X | <b>NW/CW/BW:</b><br>1. Criminal Code, Articles 47 and 48 (participation, subordination and material support, Articles 140 and 140a (participation in a criminal organization)  |  |
| 11 | finance abovementioned activities                         | X | X | X | <b>NW/CW/BW:</b><br>1. On 1 August 2008, the Act on Prevention of Money Laundering and Financing of Terrorism (Wet ter voorkoming van Witwassen en Financieringen van Terrorisme, WWFT) entered into force.   | X | X | X | <b>NW/CW/BW:</b><br>1. Criminal Code, Articles 46, 47 and 48 (participation, subordination and material support), Articles 140 and 140a (participation in a criminal organization)   |  |

|    |   |  |   |   |   |  |   |   |  |  |
|----|---|--|---|---|---|--|---|---|--|--|
|    |   |  |   |   | 2. In addition, an implementation decree (Uitvoeringsbesluit Wet ter voorkoming van Witwassen en Financiering van Terrorisme) and an implementation regulation (Uitvoeringsbesluit Wet ter voorkoming van Witwassen en Financiering van Terrorisme) were implemented on 1 August 2008 |  |   |   | 2. The Financial Intelligence Unit Nederland (FIU-Nederland). The FIU-Nederland was instituted on 1 January 2006 and includes the former Meldpunt Ongebruikelijke Transacties (MOT) of the Dutch Ministry of Justice and the Bureau for Police Support of the National Public Prosecutor (BLOM). The FIU-Nederland is part of the International Police Service (IPOL) of the National Police Services Agency (KLPD). |  |
| 12 | abovementioned activities related to means of delivery <sup>1</sup> |  | X | X | <b>CW:</b><br>1. Chemical Weapons Convention (Implementation) Act of 1995, Article 2<br><br><b>BW:</b><br>1. Biological Weapons Convention (Implementation) Act of 1981, Article 4  |  | X | X | <b>CW/BW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Articles 1(1) to 6(4)   |  |

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

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

| Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials |                                    | National legal and/or regulatory framework |        |             |   | Enforcement and civil/criminal penalties |        |        |  | Remarks |
|--|------------------------------------|--|--------|-------------|---|--|--------|--------|--|---------|
|  |                                    | X / ?                                      |        |             | Source document   | X / ?                                    |        |        | Source document  |         |
|  |                                    | N<br>W                                     | C<br>W | B<br>W<br>* |   | N<br>W                                   | C<br>W | B<br>W |  |         |
| 1  | Measures to account for production | X  | X      |             | <b>NW:</b><br>1. Nuclear Energy Act of 1963, as amended, Articles 13, 14, and 28 in conjunction with the Fissionable Materials and Ores (Registration) Decree<br>2. INFCIRC/193<br>3. EURATOM Treaty<br><br><b>CW:</b><br>1. CWC (Implementation) Act, as amended in conjunction with CWC (Implementation) Decree n. 338 of 8 June 1995, as amended | X  | X      |        | <b>NW:</b><br>1. EURATOM Treaty, Art. 83<br>2. Commission Recommendation of 11 February 2009 on the implementation of a nuclear material accountancy and control system by operators of nuclear installations<br><br><b>CW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1(1)  |         |
| 2  | Measures to account for use        | X  | X      |             | <b>NW:</b><br>1. Nuclear Energy Act of 1963, as amended, Articles 13, 14, and 28 in conjunction with the Fissionable Materials and Ores (Registration) Decree<br>2. EURATOM Treaty<br>3. INFCIRC/193<br><br><b>CW:</b><br>1. CWC (Implementation) Act, as amended, in conjunction with CWC (Implementation) Decree n. 338 of 8 June 1995 as amended | X  | X      |        | <b>NW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1a<br>2. EURATOM Treaty, Article 83<br>3. Commission Recommendation of 11 February 2009 on the implementation of a nuclear material accountancy and control system by operators of nuclear installations<br><br><b>CW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1(1) |         |
| 3  | Measures to account for storage    | X  | X      |             | <b>NW:</b><br>1. Nuclear Energy Act of 1963, as amended, Articles 13, 14, and 28 in conjunction with the Fissionable Materials and Ores (Registration) Decree<br>2. INFCIRC/193   | X  | X      |        | <b>NW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1a<br>2. EURATOM Treaty, Article 83<br>3. Commission Recommendation of 11 February 2009 on the implementation of a   |         |

|   |                                   |   |   |   |  |   |  |   |  |  |
|---|-----------------------------------|---|---|---|--|---|--|---|--|--|
|   |                                   |   |   | <p>3. EURATOM Treaty</p> <p><b>CW:</b></p> <p>1. CWC (Implementation) Act of 1995, in conjunction with CWC (Implementation) Decree of 22 April 1997</p> |  |   | <p>nuclear material accountancy and control system by operators of nuclear installations</p> <p><b>CW:</b></p> <p>1. Economic Offences Act of 22 June 1950, as amended, Article 1(1) as amended by the CWC Implementation Act n. 338 of 8 of June 1995, Chapter 5 Section 15</p> |   |  |  |
| 4 | Measures to account for transport | X | X | X   | <p><b>NW/CW/BW:</b></p> <p>1. EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN)</p> <p>2. International Regulations concerning the Carriage of Dangerous Goods by Rail European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)</p> <p><b>NW:</b></p> <p>1. Directive 2006/117/EURATOM (control of shipment of radioactive waste and spent fuel)</p> <p>2. Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom safeguards, Article 26</p> <p>3. Decree on the Transport of Radioactive Waste and Spent Fuel of 27 March 2009 (Stb. 2009, No. 168). This decree implements the Council Directive 2006/117/Euratom</p> <p>4. INFCIRC/193 Amended</p> <p>5. Nuclear Facilities and Fissionable Materials (Security) Regulation, Articles 16-20</p> | X | X  | X | <p><b>NW/ CW/ BW:</b></p> <p>1. Party to ADR, RID and ADN agreements</p>   |  |
| 5 | Measures to secure production     | X |   |   | <p><b>NW:</b></p> <p>1. Nuclear Energy Act of 1963, as amended (general provisions)</p> <p>2. Nuclear Facilities and Fissionable Materials (Security) Regulation, Articles 3, 7, 8 and 9 (specific provisions)</p>   | X |  |   | <p><b>NW:</b></p> <p>1. Nuclear Energy Act, article 66 (administrative enforcement), 79-83 (penalties for criminal offences)</p> |  |

|   |                              |   |   |   |   |   |   |   |  |
|---|------------------------------|---|---|---|---|---|---|---|--|
| 6 | Measures to secure use       | X | ? | ? | <p><b>NW:</b></p> <ol style="list-style-type: none"> <li>Nuclear Energy Act of 1963, as amended, Articles 8, 14 and 18</li> </ol> <p><b>CW:</b></p> <ol style="list-style-type: none"> <li>Directive 98/24/EC on the protection on the health and safety of workers from the risks related to chemical agents at work, Articles 4-8</li> <li>Working Conditions Decree, Articles 4.2, 4.7-10d</li> </ol> <p><b>BW:</b></p> <ol style="list-style-type: none"> <li>Directive 2000/54/EC</li> </ol> | X | ? | <p><b>NW:</b></p> <ol style="list-style-type: none"> <li>Nuclear Energy Act of 1963, as amended, Articles 66, 79-83</li> </ol> <p><b>CW:</b></p> <ol style="list-style-type: none"> <li>Working Conditions Decree, Articles 4.2, 4.7-10d</li> </ol> |  |
| 7 | Measures to secure storage   | X | ? | ? | <p><b>NW:</b></p> <ol style="list-style-type: none"> <li>Nuclear Energy Act of 1963, as amended, Article 67 (rules to be established by an Order in Council)</li> <li>Regulation on the Physical Protection of Nuclear Material and Nuclear Facilities</li> </ol> <p><b>CW:</b></p> <p>Directive 98/24/EC, Articles 5 and 6</p> <p><b>BW:</b></p> <ol style="list-style-type: none"> <li>Directive 2000/54/EC</li> <li>Working Conditions Decree, Articles 4.85 and 4.87a</li> </ol>              | X | ? | <p><b>NW:</b></p> <ol style="list-style-type: none"> <li>Nuclear Energy Act of 1963, as amended, articles 66, 79-83</li> </ol> <p><b>BW:</b></p> <ol style="list-style-type: none"> <li>Working Conditions Decree art. 4.85-102</li> </ol>          |  |
| 8 | Measures to secure transport | X | X | X | <p><b>NW/CW/BW:</b></p> <ol style="list-style-type: none"> <li>EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (adapting ADR, RID and for intra EU transfers), as amended</li> <li>International Regulations concerning the Carriage of Dangerous Goods by Rail<br/>European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)</li> </ol>  | X | X | X   | <p><b>NW/CW/BW:</b></p> <ol style="list-style-type: none"> <li>Security plan for transport</li> <li>Party to ADR and RID</li> <li>Criminal Code, Articles 47 and 48 (participation, subordination and material support)</li> </ol> |

|   |                              |   |  |   |   |  |   |  |
|---|------------------------------|---|--|---|---|--|---|--|
|   |                              |   |  | <p><b>NW:</b></p> <ol style="list-style-type: none"> <li>1. Decree on the Transport of Radioactive Waste and Spent Fuel of 27 March 2009 (Stb. 2009, No. 168). This decree implements the Council Directive 2006/117/Euratom</li> <li>2. Fissionable Materials, Ores and Radioactive Substances (Transport) Decree, Section 4a</li> </ol> <p><b>CW:</b></p> <ol style="list-style-type: none"> <li>1. Directive 98/24/EC, art. 5, in combination with Directive 94/55/EC and Directive 96/49/EC</li> <li>3. Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006</li> </ol> <p><b>BW:</b></p> <ol style="list-style-type: none"> <li>1. Directive 2008/68/EC on the inland transport of dangerous goods.</li> </ol> |   |  | <p><b>NW:</b></p> <ol style="list-style-type: none"> <li>1. Nuclear Energy Act of 1963, as amended, Articles 66, 79 to 83</li> </ol>  |  |
| 9 | Physical protection measures | X |  | <p><b>NW:</b></p> <ol style="list-style-type: none"> <li>1. Nuclear Installations, Fissionable Materials and Ores (Registration) Decree (1969), as amended, Article 36.2 in combination with the Nuclear Installations Security Guidelines 1993</li> <li>2. Nuclear Facilities and Fissionable (Security) Regulation, Articles 3, 7, 8 and 9</li> </ol>   | X |  | <p><b>NW:</b></p> <ol style="list-style-type: none"> <li>1. Nuclear Installations, Fissionable Materials and Ores (Registration) Decree (1969), Section 36.2 in combination with the Nuclear Installations Security Guidelines 1993 and the 2001 Radiation Protection Decree (implements Euratom Directives 96/29 and 97/43)</li> <li>2. Ordinance on physical protection of nuclear facilities and fissionable materials – update</li> <li>3. The ministerial order on security and nuclear fuel came into force in January 2011.</li> </ol> |  |

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|----|-----------------------|---|--|--|---|---|--|--|---|--|
| 10 | Personnel Reliability | X |  |  | <b>NW:</b><br>1. Secrecy Decree Nuclear Energy Act, Art. 2.8<br>2. Nuclear Facilities and Fissionable Materials Regulation, Articles 10 and 16 and Annex IV | X |  |  | <b>NW:</b><br>1. Secrecy Decree Nuclear Energy Act, Art. 2.8<br>2. Nuclear Energy Act, Articles 66, 79-83 |  |
|----|-----------------------|---|--|--|---|---|--|--|---|--|

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   | Authority for Nuclear Safety and Radiation Protection (ANVS)   |         |
| 2  | Licensing of nuclear installations/entities/ use of materials   | Nuclear Energy Act, as amended, Sections 13, 14, and 28 in conjunction with the Fissionable Materials and Ores (Registration) Decree   |         |
| 3  | IAEA Safeguards Agreements  | <ol style="list-style-type: none"> <li>1. Safeguards Agreement 5 June 1975 INFCIRC 229 Subsumed by INFCIRC/193</li> <li>2. Additional Protocol in force since 30 April 2004</li> </ol> |         |
| 4  | IAEA Code of Conduct on Safety and Security of Radioactive Sources  | Expressed support to IAEA DG   |         |
| 5  | Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources |  |         |
| 6  | IAEA Incident and Trafficking Database  | Participates in Database Programme   |         |
| 7  | Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPAS)                                    | The Netherlands has completed the full IPPAS cycle in 2012. A new IPPAS-mission in the Netherlands is planned for 2023.  |         |
| 8  | Applying the physical protection  | Regulation on the Physical Protection of Nuclear Material and Nuclear Facilities, in force since 2010 and adjusted in 2015.  |         |

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|    | recommendations in INFCIRC/225/Rev.5   |  |  |
| 9  | Other Agreements related to IAEA   | <p>Convention on Early Notification of a Nuclear Accident 23 Sep 1991</p> <p>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency 23 Sep 1991</p> <p>Convention on Nuclear Safety 15 Oct 1996</p> <p>Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management 26 April 2000</p> |  |
| 10 | National legislation and regulations related to nuclear material including CPPNM | Regulation on the Physical Protection of Nuclear Material and Nuclear Facilities, in force since 2010 and adjusted in 2015.  |  |

**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  | CWC (Implementation) Act: Minister for Foreign Trade and Development Cooperation            |         |
| 2  | Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials | CWC Implementation Act n. 338 of 8 June 1995 as last amended by the Decree of 22 April 1997 |         |
| 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>1. Directive 2000/54/EC<br/>2. Occupational Health and Safety Law (ARBO), Articles 4.90 and 4.96</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<br>W                   | C<br>W | B<br>W |   | N<br>W | C<br>W                                   | B<br>W |  |  |  |         |
| 1   | Border control to detect, deter, prevent and combat illicit trafficking | X                        | X      | X      | <p><b>NW/CW/BW:</b></p> <ol style="list-style-type: none"> <li>1. Regulation (EU) No. 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, as amended; especially Articles 264 and 267</li> <li>2. (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code</li> <li>3. Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code</li> <li>4. Commission Delegated Regulation (EU) 2018/1063 of 16 May 2018 amending and correcting Delegated Regulation (EU) 2015/2446 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code</li> <li>5. General Customs Act</li> </ol> | X      | X  | X      | <p><b>NW/CW/BW:</b></p> <ol style="list-style-type: none"> <li>1. Customs authorities</li> <li>2. Team POSS, team CDIU (Central Import and Export Office), FIOD (Fiscal Information and Investigation Service), and OPCW (for chemical goods)</li> </ol> |  |  |         |

|   |  |   |   |   |   |   |   |   |   |
|---|--|---|---|---|---|---|---|---|---|
| 2 | Law enforcement to detect, deter, prevent and combat illicit trafficking | X | X | X | <b>NW/CW/BW:</b><br>1. Council Regulation (EU) No. 952/2013 (Union Customs Code), as amended; Art. 13, 15, title IX<br>2. General Customs Act<br>3. Strategic Good Decree<br>4. Strategic Services Act<br><br><b>CW:</b><br>1. Chemical Weapons Convention (Implementation) Act of 1995   | X | X | X | <b>NW/CW/BW:</b><br>1. Economic Offences Act, Arts. 17 to 27<br>2. General Customs Act regarding Supervisory Provisions   |
| 3 | Border control detection measures  | X | X | X | <b>NW/CW/BW:</b><br>1. EU Council Regulation 952/2013 (Community Customs Code), Articles 13 and 15<br>2. Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code;<br>3. Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code<br>4. General Customs Act | X | X | X | <b>NW/CW/BW:</b><br>1. Union Customs Code, as amended, Articles 22, 46: Examination/inspection of goods, documents, accounts, records, means of transport, luggage, etc.: monitoring containers for radioactive material and x-raying containers in the Port of Rotterdam<br>2. Port of Rotterdam technical equipment will ultimately allow to monitor 90 % of all containers, also two advanced X-ray scanners are available |
| 4 | Control of brokering   | X | X | X | <b>NW/CW/BW:</b><br>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items; Art 5<br>2. Strategic Services Act (Stb. 2011, 445)   | X | X | X | <b>NW/CW/BW:</b><br>1. Economic Offences Act, Art. 1 (1)  |
| 5 | Export control legislation in place                                      | X | X | X | <b>NW/CW/BW:</b><br>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime  | X | X | X | <b>NW/CW/BW:</b><br>1. Strategic Goods (Import and Export) Order  |

|   |  |   |   |   |  |   |   |   |   |  |
|---|--|---|---|---|--|---|---|---|---|--|
|   |  |   |   |   | <p>for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. Strategic Goods Decree of 2012: import, export, transit controls of military materials, military technology, and dual-use items.</p> <p>3. Strategic Services Act (Stb. 2011, 445)</p>  |   |   |   | <p>2. Decree of 2012: right to carry out controls, to investigate and prosecute criminal offences and impose penalties</p> <p>3. Economic Offences Act: degree of penalty</p> |  |
| 6 | Licensing provisions and Authority                   | X | X | X | <p><b>NW/CW/BW:</b></p> <p>1. Council regulation (EC) n. 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>2. Strategic Goods Decree: import, export, transit controls of military materials, military technology, and dual-use items</p> <p>3. Strategic Services Act of 2011</p>                               | X | X | X | <p><b>NW/CW/BW:</b></p> <p>1. Strategic Goods Decree of 2012</p> <p>2. Economic Offences Act of 22 June 1950, as amended: degree of penalty</p>                               |  |
| 7 | Control lists of materials, equipment and technology | X | X | X | <p><b>NW/CW/BW:</b></p> <p>1. Council regulation (EC) n. 428/2009 of 5 May 2009, Annex I</p> <p>2. Strategic Goods Order of 2012: EU Common Military Goods List</p>  | X | X | X | <p><b>NW/CW/BW:</b></p> <p>1. EU Council regulation (EU) No 428/2009 of 5 May 2009</p>  |  |
| 8 | Intangible technology transfers                      | X | X | X | <p><b>NW/CW/BW:</b></p> <p>1. Strategic Services Act of 2011, Articles 2 and 8</p> <p>2. EU Council regulation (EC) n. 428/2009 of 5 May 2009, Article 2</p> <p>3. Strategic Services Act (Stb. 2011, 445)</p> <p>4. Strategic Goods Order of 2012 (Import and Export): military goods</p> <p><b>CW:</b><br/>Chemical Weapons Convention Implementing Order (CWC Implementing Order) (Stb. 1997, 15)</p> | X | X | X | <p><b>NW/CW/BW:</b></p> <p>1. Economic Offences Act of 22 June 1950, as amended, Article 1 (1)</p>  |  |
| 9 | Inclusion of means of delivery                       | X | X | X | <p><b>NW/CW/BW:</b></p> <p>1. Strategic Goods Decree of 2012: military goods</p> <p>2. Council regulation (EC) n. 428/2009 of 5 May 2009 as amended, Annex I</p>   | X | X | X | <p><b>NW/CW/BW:</b></p> <p>1. Economic Offences Act of 22 June 1950, as amended, Article 1 (1)</p>  |  |

|    |                        |   |   |   |  |   |   |   |  |
|----|------------------------|---|---|---|--|---|---|---|--|
|    |                        |   |   |   | 3. Strategic goods Order of 2012: military goods and technologies  |   |   |   |  |
| 10 | End-user controls      | X | X | X | <b>NW/CW/BW:</b><br>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items<br>2. Strategic Goods Decree of 2012: military goods  | X | X | X | <b>NW/CW/BW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1 (1)<br>2. Strategic Goods Order of 2012 (Import and Export): transit controls of military materials, military technology, and dual-use items including penalties |
| 11 | Catch all clause       | X | X | X | <b>NW/CW/BW:</b><br>1. EU regulation (EC) n. 428/2009 of 5 May 2009, Article 4<br>2. Strategic Goods Decree of 2012, Article 4   | X | X | X | <b>NW/CW/BW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1 (1)  |
| 12 | Transit control        | X | X | X | <b>NW/CW/BW:</b><br>1. EU Regulation (EC) n. 428/2009 of 5 May 2009, Article 6<br>2. Council Regulation (EU) No. 952/2013 (Union Customs Code), as amended; especially Arts: 5, 141, 158, 210, chapter on transit, Art. 226, 233<br>3. Strategic Goods Decree of 2012: transit controls of military materials, military technology, and dual-use items including penalties | X | X | X | <b>NW/CW/BW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1 (1)<br>2. Strategic Goods Order of 2012 (Import and Export): transit controls of military materials, military technology, and dual-use items including penalties |
| 13 | Trans-shipment control | X | X | X | <b>NW/CW/BW:</b><br>1. EU regulation (EC) n. 428/2009 of 5 May 2009, Article 2<br>2. Strategic Goods Decree of 2012  | X | X | X | <b>NW/CW/BW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1 (1)<br>2. Strategic Goods Order of 2012 (Import and Export): transit controls of military materials, military technology, and dual-use items including penalties |
| 14 | Re-export control      | X | X | X | <b>NW/CW/BW:</b><br>1. EU regulation (EC) n. 428/2009 of 5 May 2009, Article 2 (defines "re-export" as an "export" for the purposes of the Regulation)<br>2. Strategic Goods Decree of 2012  | X | X | X | <b>NW/CW/BW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1 (1)<br>2. Strategic Goods Order of 2012 (Import and Export): transit controls of military materials, military technology, and dual-use items including penalties |

|    |   |   |   |   |  |   |   |   |  |
|----|---|---|---|---|--|---|---|---|--|
|    |   |   |   |   |  |   |   |   |  |
| 15 | Control over financing of exports/transshipments that would contribute to proliferation                                 | X | X | X | <b>NW/CW/BW:</b><br>1. Foreign Financial Relations Act 1994: license requirement for financial transactions involving transit and brokering of war materials<br>2. National transposition measures communicated by the Member States concerning: Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, Dutch Transition Act hereto of 2 July 2019 | X | X | X | <b>NW/CW/BW:</b><br>1. Economic Offences Act of 22 June 1950, as amended, Article 1 (1)<br>2. The Financial Intelligence Unit Nederland (FIU-Nederland). The FIU-Nederland was instituted on 1 January 2006 and includes the former Meldpunt Ongebruikelijke Transacties (MOT) of the Dutch Ministry of Justice and the Bureau for Police Support of the National Public Prosecutor (BLOM). The FIU-Nederland is part of the International Police Service (IPOL) of the National Police Services Agency (KLPD) |
| 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  | The Netherlands is prepared to provide assistance to States lacking legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the provisions of the resolution; requests on assistance should be directed to the head of the Division of Nuclear Affairs and Non-proliferation of the Security Policy Department of the Netherlands Ministry of Foreign Affairs |
|---|---|--|
| 2 | Assistance Point of Contact (for assistance providers only) | The head of the Division of Nuclear Affairs and Non-proliferation of the Security Policy, Department of the Netherlands Ministry of Foreign Affairs  |
| 3 | Assistance requested  |  |
| 4 | Action taken to work with and inform industry               | Awareness programmes for Dutch companies, universities or research institutions; education of industries to comply with export control and CWC obligations; also meetings with industry on EU level  |
| 5 | Action taken to work with and inform the public             | Information on government websites, publications and leaflets  |
| 6 | Point of Contact  | The head of the Division of Nuclear Affairs and Non-proliferation of the Security Policy, Department of the Netherlands Ministry of Foreign Affairs  |
| 7 | Voluntary National Implementation Action Plan (NAP)         |  |
| 8 | 1540 Committee visits to States                             |  |