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N° 289 MPN/AMS/CS/rr

The Permanent Mission of the Republic of Niger to the United Nations presents its compliments to the Secretariat of the Security Council Committee established pursuant to resolution 1540 (2004) and, with reference to the latter's Notes SCA/5/20(03) of 2 March 2020 and SCA/5/20(05) of 30 April 2020, has the honor to transmit herewith the updated matrix containing the latest information on the Republic of Niger's implementation of resolution 1540 (2004).

The Permanent Mission of the Republic of Niger to the United Nations avails itself of this opportunity to renew to the Secretariat of the Security Council Committee established pursuant to resolution 1540 (2004) the assurances of its highest consideration. *HT*



New York, 30 July 2020

**The Secretariat Security Council Committee  
established pursuant to resolution 1540 (2004)**

New York

## 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 9 October 1992	
2 Nuclear Weapons Free Zone/ Protocol(s)	Pelindaba Treaty: Deposit 22 February 2017	
3 International Convention for the Suppression of Acts of Nuclear Terrorism	Deposit 2 July 2008	
4 Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit 19 August 2004	
5 2005 Amendment to the CPPNM	Deposit 4 May 2007	
6 Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit 9 September 2002	
7 Chemical Weapons Convention (CWC)	Deposit 9 April 1997	
8 Biological Weapons Convention (BWC)	Deposit 23 June 1972	
9 Geneva Protocol of 1925	Deposit 5 April 1967	
10 1997 International Convention for the Suppression of Terrorist Bombings	Deposit 26 October 2004	
11 1999 International Convention for the Suppression of the Financing of Terrorism	Deposit 30 September 2004	
12 2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation		
13 2005 Protocol to the Protocol for the suppression of unlawful acts		

	against the safety of fixed platforms located on the continental shelf		
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation	Signed 27 June 2018	
15	Other relevant regional legally binding instruments		
16	International Atomic Energy Agency (IAEA)	Member since 1969	
17	Directly relevant Arrangements	The Hague Code of Conduct against Ballistic Missile Proliferation (HCOC)	
18	Statement on non-provision of WMD and related materials to non-State actors		
19	Membership in relevant international, regional or sub-regional organisations	<p>African Union</p> <p>ECOWAS</p> <p>Central Bank of West African States</p> <p>Community of Sahel-Saharan States</p> <p>Inter-Governmental Action Group against Money Laundering in West Africa</p> <p>International Monetary Fund (IMF)</p> <p>INTERPOL</p> <p>Organisation for Animal Health (OIE)</p> <p>West African Economic and Monetary Union</p> <p>World Bank Group</p> <p>World Customs Organization (WCO) (SAFE Framework of Standards)</p> <p>World Health Organization (WHO)</p> <p>State Party to the Cotonou Agreement</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	C	B	N	C	B	N	C	B	N	C	B			
	W	W	W	W	W	W	W	W	W	W	W	W			
1	manufacture	X	X	X			<p><b>NW:</b> Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, article 7. Constitution: article 171 in conjunction with NPT and Pelindaba Treaty.</p> <p><b>CW/BW:</b> Constitution: article 171 in conjunction with CWC and BTWC.</p>						<p><b>NW:</b> Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Title VI. Penal Code 399-16.</p>		
2	acquire	X	X	X			<p><b>NW/CW/BW:</b> Constitution: article 171 in conjunction with NPT, Pelindaba Treaty, CWC and BTWC.</p>								
3	possess	X	X	X			<p><b>NW/CW/BW:</b> Constitution: article 171 in conjunction with Pelindaba Treaty, CWC and BTWC.</p> <p><b>NW:</b> Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, article 7.</p>				X		<p><b>NW:</b> Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Title VI. Penal Code article 399-16 (for nuclear device and nuclear materials).</p>		
4	develop	X	X	X			<p><b>NW/CW/BW:</b> Constitution: article 171 in conjunction with Pelindaba Treaty, CWC and BTWC.</p>								
5	transport	X	X	X			<p><b>NW/CW/BW:</b> Penal Code article 399-10 (transport of NCBW and nuclear materials by ship or land vehicle)</p>				X	X		<p><b>NW/CW/BW:</b> Penal Code article 399-10 (transport of NCBW and nuclear materials by ship or land vehicle)</p>	

					and article 399-16-1 (transport of nuclear materials from or to a foreign country).					and article 399-16-1 (transport of nuclear materials from or to a foreign country).
6	transfer		X	X	X	<p>and article 399-16-1 (transport of nuclear materials from or to a foreign country).</p> <p><b>NW:</b> Constitution: article 171 in conjunction with Pelindaba Treaty</p> <p><b>NW/CW/BW:</b> Constitution: article 171 in conjunction with NPT, CWC and BTWC.</p> <p><b>NW:</b> Penal Code article 399-16-1 (especially nuclear materials).</p>				<p><b>NW:</b> Penal Code article 399-16-1 (especially nuclear materials).</p> <p><b>NW/CW/BW:</b> Penal Code article 399-9 (use of NCBW against ship or land vehicle).</p> <p><b>NW:</b> Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Title VI. Penal Code articles 399-16 (nuclear terrorism).</p> <p><b>CW/BW:</b> Penal Code article 399-15 b (terrorism bombing), 399-4 to 399-6 (terrorism against or in airport using “device or substance”).</p>
7	use		X	X	X	<p><b>NW/CW/BW:</b> Penal Code article 399-9 (use of NCBW against ship or land vehicle).</p> <p><b>NW:</b> Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, article 7. Penal Code articles 399-16 (nuclear terrorism).</p> <p><b>CW/BW:</b> Constitution: article 171 in conjunction with CWC. Penal Code article 399-15 b (terrorism bombing), 399-4 to 399-6 (terrorism against or in airport using “device or substance”).</p>				<p><b>NW/CW/BW:</b> Penal Code article 2.</p> <p><b>NW/CW/BW:</b> Penal Code articles 339-16-2 and 339-16-3.</p> <p><b>NW/CW/BW:</b> Constitution: article 171 in conjunction with NPT, CWC and BTWC. Penal Code articles 339-16-2 and 339-16-3.</p>
8	attempt to engage in above mentioned activities		X	X	X	<p><b>NW/CW/BW:</b> Penal Code article 2.</p>				<p><b>NW/CW/BW:</b> Penal Code article 2.</p>
9	participate as an accomplice in above mentioned activities		X	X	X	<p><b>NW/CW/BW:</b> Penal Code articles 339-16-2 and 339-16-3.</p>				<p><b>NW/CW/BW:</b> Penal Code articles 339-16-2 and 339-16-3.</p>
10	assist in above mentioned activities		X	X	X	<p><b>NW/CW/BW:</b> Constitution: article 171 in conjunction with NPT, CWC and BTWC. Penal Code articles 339-16-2 and 339-16-3.</p>				<p><b>NW/CW/BW:</b> Penal Code articles 339-16-2 and 339-16-3.</p>

11	finance abovementioned activities		X	X	X					X	
						<b>NW/CW/BW:</b> Penal Code articles 339-17. Law 2004-41 of 8 June 2004 on fight against money laundering, article 26 9 (financing Terrorism).					<b>NW/CW/BW:</b> Penal Code articles 339-17. National Office on Financial Data Processing (Cellule Nationale de Traitement des Informations Financieres – CENTIF).
12	abovementioned activities related to means of delivery <sup>1</sup>			X	X						
						<b>CW/BW:</b> Constitution: article 171 in conjunction with CWC and BTWC.					

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	X/?		Source document	X/?		
	N	W		C	W		N	W		C		W
1	X		NW: INFIRC/664. Additional protocol. Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations			X			NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III, IV and VI. National Centre for Radioprotection			
2	X		NW: INFIRC/664. Additional protocol. Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations			X			NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III, IV and VI. National Centre for Radioprotection Penal Code, article 399-16-1			
3	X		NW: INFIRC/664. Additional protocol. Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations			X			NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III, IV and VI. National Centre for Radioprotection			
4	X		NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, article 15.			X			NW/CW/BW: Penal Code article 399-10 (unlawful transport of NCBW and nuclear materials by ship or land vehicle).  NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles IV and VI. National Centre for Radioprotection			

5	Measures to secure production	X						X				NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, article 19.	NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III, IV and VI. National Centre for Radioprotection	
6	Measures to secure use	X						X				NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, article 19.	NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III, IV and VI. National Centre for Radioprotection	
7	Measures to secure storage	X						X				NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, article 19.	NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III, IV and VI. National Centre for Radioprotection	
8	Measures to secure transport	X						X				NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, articles 19 to 21.	NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III, IV and VI. National Centre for Radioprotection	
9	Physical protection measures	X						X				NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, articles 19 to 21.	NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III, IV and VI. National Centre for Radioprotection	
10	Personnel Reliability	X						X				NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III and VI.	NW: Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III and VI.	

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	Law 2006-18 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations establishes the National Centre for Radioprotection.	
2 Licensing of nuclear installations/entities/use of materials	Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Titles III and VI.	
3 IAEA Safeguards Agreements	Safeguards agreement in force since 16 February 2005 Additional Protocol in force since 2 May 2007	
4 IAEA Code of Conduct on Safety and Security of Radioactive Sources	Notification pursuant to GC(47)/RES/7.B Point of contact designated	
5 Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	Notification on Supplementary Guidance pursuant to GC(48)/RES/10.D	
6 IAEA Incident and Trafficking Database	Participates.	
7 Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)		
8 Applying the physical protection recommendations in INFIRC/225/Rev.5		
9 Other Agreements related to IAEA	Complementary agreement of 14 August 1989 with IAEA on technical assistance supply. Member State of the African Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) Country Programme Framework Agreement (CPF), 2011	

10	National legislation and regulations related to nuclear material including CPPNM		
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**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	National Committee for Collection and Control of Illicit Weapons	
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
1 Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials		

**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/?			X/?			
		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	X	X	<b>NW/CW/BW:</b> Customs directorate. Police. <b>NW:</b> Penal Code, article 399-16-1	
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	X	X	<b>NW/CW/BW:</b> Customs directorate. Police. <b>NW:</b> Penal Code, article 399-16-1	
3	Border control detection measures				?	?	<b>NW/CW/BW:</b> Use of ASYCUDA++ system	
4	Control of brokering							
5	Export control legislation in place	X			X		<b>NW:</b> Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, Title VI National Centre for Radioprotection Penal Code, article 399-16-1	
6	Licensing provisions and Authority	X			X		<b>NW/CW/BW:</b> Law 2006-17 of 21 June 2006 on Nuclear Safety and Security and on Protection against Ionizing Radiations, article 15.	

																			National Centre for Radioprotection	
7	Control lists of materials, equipment and technology																			
8	Intangible technology transfers																			
9	Inclusion of means of delivery																			
10	End-user controls	X																		
11	Catch all clause																			
12	Transit control																			
13	Trans-shipment control																			
14	Re-export control																			
15	Control over financing of exports/transshipments that would contribute to proliferation	X	X	X																
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  Colonel Bako Boubacar Tel: +227-20-72-60-37 / +227-96-26- 49-25 Email: bakoboubacar@gmail.com
7	Voluntary National Implementation Action Plan (NAP)  Submitted 14 March 2014
8	1540 Committee visits to States  Workshop on export controls for 1540 related materials by the countries of the "G5 Sahel Group", 27-28 July 2016, Niamey Visit by the 1540 Committee to the Republic of Niger, 13-17 January 2014