

# 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>Tuvalu</b>
<b>Date of Report:</b>	<b>13 March 2007</b>
<b>Dates of Additional Reports:</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 (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 19 January 1979	
2	Nuclear Weapons Free Zone/ Protocol(s)	Treaty of Rarotonga: Deposit 6 August 1985	
3	International Convention for the Suppression of Acts of Nuclear Terrorism		
4	Convention on Physical Protection of Nuclear Material (CPPNM)		
5	2005 Amendment to the CPPNM		
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Signed 25 September 2018	
7	Chemical Weapons Convention (CWC)	Deposit 19 January 2004	
8	Biological Weapons Convention (BWC)		
9	Geneva Protocol of 1925		
10	1997 International Convention for the Suppression of Terrorist Bombings		
11	1999 International Convention for the Suppression of the Financing of Terrorism		

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		
15	Other relevant regional legally binding instruments		
16	International Atomic Energy Agency (IAEA)		
17	Directly relevant Arrangements		
18	Statement on non-provision of WMD and related materials to non-State actors	State reported that it is committed to withholding any support whatsoever to entities — whether State or non-State actors — attempting to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons, and their means of delivery or related components	
19	Membership in relevant international, regional or sub-regional organisations	World Health Organization (WHO) International Maritime Organization (IMO) Inter-Parliamentary Union (IPU) World Bank IMF Oceania Customs Organisation Pacific Islands Forum (PIF) Pacific Transnational Crime Network	

## 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	?	?	<p><b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Sections 58 (alters nuclear material) and 65 (make radioactive material or device with terrorist intent)</p> <p><b>CW/BW:</b> Arms and Ammunition Ordinance, 1964 as amended, Section 3 (1) (Arms and Ammunition defined to include any noxious liquid, gas or other thing dangerous to persons)</p>	X	?	?	<p><b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Sections 58 and 65</p> <p><b>CW/BW:</b> Arms and Ammunition Ordinance, 1964 as amended, Section 3 (3) &amp; (4)</p>	
2	acquire	X	?	?	<p><b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 58 (receives)</p> <p><b>CW/BW:</b> Arms and Ammunition Ordinance, 1964 as amended, Section 11 (purchase)</p>	X	?	?	<p><b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 58</p> <p><b>CW/BW:</b> Arms and Ammunition Ordinance, 1964 as amended, Section 11</p>	
3	possess	X	?	?	<p><b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 58 and 65 (with terrorist intent)</p> <p><b>CW/BW:</b> Arms and Ammunition Ordinance, 1964 as amended, Section 4</p>	X	?	?	<p><b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 58 and 65</p> <p><b>CW/BW:</b> Arms and Ammunition Ordinance, 1964 as amended, Section 4</p>	
4	develop	X			<p><b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 65</p>	X			<p><b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 65</p>	

				(make radioactive material)					
5	transport	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 60(b)  <b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 57 (Nuclear material... with terrorist intent)	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 60(c)  <b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 57
6	transfer	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 16 (Provision of weapons)  <b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 58 (Transfer of Nuclear Material)	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 16  <b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 58
7	use	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Sections 4(2), 12, 58, 60, 64 and 65 (with terrorist intent)	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Sections 12, 58, 64-65
8	attempt to engage in abovementioned activities								
9	participate as an accomplice in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act 2009, Section 81(with terrorist intent)	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 81 (with terrorist intent)
10	assist in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act 2009, Section 81 (with terrorist intent)	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 81 (with terrorist intent)
11	finance abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Crimes Act of 2009, Section 11 (with terrorist intent)	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Crimes Act of 2009, Section 11 (with terrorist intent)

12	abovementioned activities related to means of delivery <sup>1</sup>	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act 2009 (definition)	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act 2009

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

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

Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials		National legal and/or regulatory framework				Enforcement and civil/criminal penalties				Remarks
		X/?			Source document	X/?			Source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X			NW: INFCIRC/391					
2	Measures to account for use	X			NW: INFCIRC/391 Counter Terrorism and Organized Crimes Act 2009, Sections 57 and 58	X			NW: Counter Terrorism and Organized Crimes Act 2009, Section 58	
3	Measures to account for storage	X			NW: INFCIRC/391					
4	Measures to account for transport	X			NW: Counter Terrorism and Organized Crimes Act 2009, Section 57	X			NW: Counter Terrorism and Organized Crimes Act 2009, Section 57	
5	Measures to secure production	N A			NW: INFCIRC/391, SQP	N A			NW: INFCIRC/391, SQP	
6	Measures to secure use	N A			NW: INFCIRC/391, SQP	N A			NW: INFCIRC/391, SQP	
7	Measures to secure storage	N A			NW: INFCIRC/391, SQP	N A			NW: INFCIRC/391, SQP	
8	Measures to secure transport	X	?	?	NW/CW/BW: Customs Revenue and Border protection Act 2014, section 71-74 (Secure Exports Scheme) Carriage of Goods by Sea, Section 2: Schedule, Article IV 6 Merchant Shipping Act 1987, as amended Sections 59-62 (dangerous goods)	X	?	?	NW/CW/BW: Carriage of Goods by Sea, Section 2: Schedule, Article IV 6 Merchant Shipping Act 1987, as amended Sections 59-62 (dangerous goods)	

				<b>NW:</b> Counter Terrorism and Organized Crimes Act 2009, Section 57(4)				<b>NW:</b> Counter Terrorism and Organized Crimes Act 2009, Section 57(6)	
9	Physical protection measures	N A		<b>NW:</b> INFCIRC/391, SQP	N A			<b>NW:</b> INFCIRC/391, SQP	
10	Personnel Reliability								

2. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))



**IV. OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)**

Measures to establish domestic controls to prevent the proliferation of NW, and their means of delivery; controls over related materials		Source document	Remarks
1	National regulatory authority		
2	Licensing of nuclear installations/entities/ use of materials		
3	IAEA Safeguards Agreements	Safeguards Agreement, in force 15 March 1991 SQP	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources		
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources		
6	IAEA Incident and Trafficking Database		
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)		
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5		
9	Other Agreements related to IAEA		

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	Office of Attorney General	
2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials	Customs Ordinance, 1964 Pesticides Act, No. 4 of 1990	
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</p> <p>Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials</p>	<p>Plants Ordinance (Chap 39) of 1976, as amended  Plants (Spraying of Aircraft) Regulations  Plants (Prevention of Disease and Pests) Regulations  Quarantine Act  Livestock Diseases Act 1964  Plants Ordinance (Chap 39), of 1976, as amended, Art. 16  Livestock Diseases Act 1964  Penal Code, Articles 176 and 321</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	<b>NW/CW/BW:</b> Customs Revenue and Border Protection Act 2014, Sections 31(goods subject to control), 61 (goods for export), 131-178 (powers of customs)  <b>BW:</b> Quarantine Act 1931, as amended, Section 8	X	X	X	<b>NW/CW/BW:</b> Customs Revenue and Border Protection Act 2014, Sections 122-123, 190-199  <b>BW:</b> Quarantine Act 1931, Articles 16 Plant Ordinance, Sections 4 and 16			
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	<b>NW/CW/BW:</b> Customs Revenue and Border Protection Act 2014, Sections 13 (assistance by police), 131-178  <b>BW:</b> Quarantine Act 1931, Articles 4-6	X	X	X	<b>NW/CW/BW:</b> Customs Revenue and Border protection Service, Sections 7 and 190-199 Tuvalu Customs Revenue and Border Protection Service  <b>BW:</b> Quarantine Act 1931, Articles 4-6			
3	Border control detection measures	X	X	X	<b>NW/CW/BW:</b> Customs Revenue and Border Protection Act 2014	X	X	X	<b>NW/CW/BW:</b> Customs Revenue and Border Protection Act 2014			
4	Control of brokering											
5	Export control legislation in place	X	X	X	<b>NW/CW/BW:</b> Customs Revenue and Border protection Act 2014, Sections 79 and 80 (prohibited exportation)	X	X	X	<b>NW/CW/BW:</b> Customs Revenue and Border Protection Act 2014, Sections 122-123			

					<b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 57 (with terrorist intent)				<b>NW:</b> Counter-terrorism and Transnational Organised Crimes Act of 2009, Section 57 (with terrorist intent)	
6	Licensing provisions and Authority	X	X	X	<b>NW/CW/BW:</b> Customs Revenue and Border protection Act 2014, Sections 79-80	X	X	X	<b>NW/CW/BW:</b> Tuvalu Customs Revenue and Border protection Service	
7	Control lists of materials, equipment and technology									
8	Intangible technology transfers	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act 2009, Section 60(iv) (transport including technology)	X	X	X	<b>NW/CW/BW:</b> Counter-terrorism and Transnational Organised Crimes Act 2009, Section 60	
9	Inclusion of means of delivery									
10	End-user controls									
11	Catch all clause	X	X	X	<b>NW/CW/BW:</b> Counter-Terrorism and Transnational Organised Crime Act 2009, Section 38	X	X	X	<b>NW/CW/BW:</b> Counter-Terrorism and Transnational Organised Crime Act 2009, Section 38	
12	Transit control									
13	Trans-shipment control									
14	Re-export control									
15	Control over financing of exports/transshipments that would contribute to proliferation									
16	Control over services related to exports/transshipments that would contribute to proliferation including transportation									

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

1	Assistance offered	
2	Assistance Point of Contact (for assistance providers only)	
3	Assistance requested	
4	Action taken to work with and inform industry	
5	Action taken to work with and inform the public	
6	Point of Contact	
7	Voluntary National Implementation Action Plan (NAP)	
8	1540 Committee visits to States	