

Translated from French

Permanent Mission of France to the United Nations

New York, 17 August 2015

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Chair, 1540 Committee
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The Permanent Mission of France to the United Nations in New York presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to transmit herewith an updated national report prepared on the basis of Security Council resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011).

In paragraph 7 of resolution 1977 (2011), the Security Council “again encourages all States that have submitted such reports to provide, when appropriate or upon the request of the 1540 Committee, additional information on their implementation of resolution 1540 (2004), including, voluntarily, on States’ effective practices”.

The document attached to this note describes the legislative and regulatory framework which comprises the French regime for the implementation of the obligations arising under the abovementioned Security Council resolutions.

The Permanent Mission of France to the United Nations in New York requests the Security Council Committee established pursuant to resolution 1540 (2004) to take note of this document and to distribute it as appropriate.

The Permanent Mission of France to the United Nations takes this opportunity to convey to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) the renewed assurances of its highest consideration.

Annex: 1 (44 pages)

Report submitted by France

to

the Security Council Committee established

pursuant to resolution 1540 (2004), in accordance with paragraph 4 of that resolution

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Review of the implementation of the provisions of resolution 1540
in French domestic law

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Acronyms used

(1) International acronyms

IAEA	International Atomic Energy Agency
BWC	Biological Weapons Convention
CWC	Chemical Weapons Convention
CPPNM	Convention on the Physical Protection of Nuclear Material
GICNT	Global Initiative to Combat Nuclear Terrorism
ICSANT	International Convention for the Suppression of Acts of Nuclear Terrorism
MTCR	Missile Technology Control regime
NCTS	New Computerised Transit System (European system)
NSG	Nuclear Suppliers Group
OPCW	Organization for the Prohibition of Chemical Weapons
G8GP	Global Partnership Against the Spread of Weapons and Materials of Mass Destruction
PSI	Proliferation Security Initiative
CTBT	Comprehensive Nuclear-Test-Ban Treaty
NPT	Treaty on the Non-Proliferation of Nuclear Weapons

(2) French acronyms

AFSPS	French Agency for Health Products Safety
ANSM	National Agency for Medicines and Health Products Safety
ASN	Nuclear Safety Authority
CEA	Atomic Energy Commission
CIBDU	Interministerial Committee on Dual-Use Goods
CICIAC	Interministerial Committee on the Implementation of the Chemical Weapons Convention
CIEEMG	Interministerial Committee for the Study of War Equipment Exports
CII	International import certificate

Acronyms used

CVL	Delivery verification certificate
DGDDI	Customs and Excise Department
DGE	Department for Enterprise
DGSI	Internal Security Department
InVS	French Institute for Public Health Surveillance
MAEDI	Ministry of Foreign Affairs and International Development
NBC	Nuclear, biological and chemical
SACI	Department for the Implementation of International Controls of the French Institute for Radiological Protection and Nuclear Safety (IRSN)
SBDU	Department for Dual-Use Goods
TRACFIN	Financial Intelligence Unit

Part 1: Applicable international framework

Paragraph 1 and related matters from paragraphs 5, 6, 8 (a), (b) and (c) and 10

Legally binding instruments, organizations, codes of conduct, mechanisms, statements and other issues		YES	If yes, please provide relevant information (signature, accession, ratification, etc.)	Remarks (information refers to the pages of the French version of the report or to an official website)
1.	Nuclear Non-Proliferation Treaty (NPT)	X	<p>Accession</p> <ul style="list-style-type: none"> • Deposited on 3 August 1992. • Entered into force on 3 August 1992. 	
2.	Nuclear-weapon-free zone/protocol(s)	X	<p>1) Antarctic Treaty of 1 December 1959:</p> <ul style="list-style-type: none"> • Instrument of ratification deposited by France on 16 September 1960; • Entered into force for France on 23 June 1961. <p>2) Treaty of Tlatelolco of 14 February 1967</p> <ul style="list-style-type: none"> • Protocol I: <ul style="list-style-type: none"> - Signed by France on 2 March 1979; - Instrument of ratification deposited by France on 24 August 1992; • Protocol II: <ul style="list-style-type: none"> - Signed by France on 18 July 1973; - Instrument of ratification deposited by France on 22 March 1974; <p>3) Rarotonga Treaty of 6 August 1985 (Protocols I-III):</p> <ul style="list-style-type: none"> • Signed by France on 25 March 1996; • Instrument of ratification deposited by France on 20 September 1996; • Entered into force for France on 20 September 1996. <p>4) Treaty of Pelindaba of 11 August 1996 (Protocols I-III):</p> <ul style="list-style-type: none"> • Signed by France on 11 April 1996; • Instrument of ratification deposited by France on 31 July 1997. <p>5) Treaty of Semipalatinsk of 8 September 2006 (Protocol):</p> <ul style="list-style-type: none"> • Signed by France on 6 May 2014; • Instrument of acceptance signed by the President of the Republic on 17 October 2014 then sent to the depositary. 	

Legally binding instruments, organizations, codes of conduct, mechanisms, statements and other issues	YES	If yes, please provide relevant information (signature, accession, ratification, etc.)	Remarks (information refers to the pages of the French version of the report or to an official website)
3. International Convention for the Suppression of Acts of Nuclear Terrorism	X	<u>Ratification</u> <ul style="list-style-type: none"> • Signed by France on 14 September 2005; • Instrument of ratification deposited by France on 11 September 2013. • Entered into force for France on 11 September 2013. 	
4. Convention on the Physical Protection of Nuclear Material (CPPNM)	X	<u>Ratification</u> <ul style="list-style-type: none"> • Signed by France on 13 June 1980; • Instrument of ratification deposited by France on 6 September 1991. • Entered into force for France on 6 October 1991. 	
5. 2005 amendment to CPPNM (not yet in force)	X	<u>Ratification</u> <ul style="list-style-type: none"> • Signed by France on 8 July 2005; • Instrument of ratification deposited on 1 February 2013; • Entered into force for France upon the entry into force of the amendment. 	
6. Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	<u>Ratification</u> <ul style="list-style-type: none"> • Signed on 24 September 1996; • Instrument of ratification deposited by France on 6 April 1998; • Entered into force for France upon the entry into force of the Treaty. 	
7. Chemical Weapons Convention (CWC)	X	<u>Ratification</u> <ul style="list-style-type: none"> • Signed on 13 January 1993; • Instrument of ratification deposited by France on 2 March 1995; • Entered into force for France on 29 April 1997. 	
8. Biological Weapons Convention (BWC)	X	<u>Accession</u> <ul style="list-style-type: none"> • Instrument of ratification deposited by France on 27 September 1984; • Entered into force for France on 27 September 1984. 	
9. 1925 Geneva Protocol	X	<u>Ratification</u> <ul style="list-style-type: none"> • Signed on 17 June 1925; • Instrument of ratification deposited by France on 9 May 1926; 	

Legally binding instruments, organizations, codes of conduct, mechanisms, statements and other issues	YES	If yes, please provide relevant information (signature, accession, ratification, etc.)	Remarks (information refers to the pages of the French version of the report or to an official website)
		<ul style="list-style-type: none"> Entered into force for France on 8 February 1928. 	
<p>10 Other conventions or treaties</p>	<p>X</p>	<p><u>Party to 13 United Nations international conventions and their protocols on terrorism:</u></p> <ul style="list-style-type: none"> Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons (accession: 26 August 2003); International Convention against the Taking of Hostages (accession: 9 June 2000); International Convention for the Suppression of Terrorist Bombings (signed: 12 January 1998; ratified: 19 August 1999); International Convention for the Suppression of the Financing of Terrorism (signed: 10 January 2000; 7 January 2002); International Convention for the Suppression of Acts of Nuclear Terrorism (signed: 14 September 2005; ratified: 11 September 2013); Convention on Offences and Certain Other Acts Committed on Board Aircraft (signed: 11 July 1969; ratified: 11 September 1970); Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (accession: 30 June 1976); Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (signed: 29 March 1988; ratified: 6 September 1989); Convention for the Suppression of Unlawful Seizure of Aircraft (signed: 16 December 1970; ratified: 18 September 1972); Convention on the Physical Protection of Nuclear Material (signed: 13 June 1980; ratified: 6 September 1991) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (accession: 2 December 1991); Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (accession: 2 December 1991); Convention on the Marking of Plastic Explosives for the Purpose of Detection (signed: 1 March 1991; ratified: 21 May 1997); 	

Legally binding instruments, organizations, codes of conduct, mechanisms, statements and other issues	YES	If yes, please provide relevant information (signature, accession, ratification, etc.)	Remarks (information refers to the pages of the French version of the report or to an official website)
		<p><u>Treaty establishing the European Atomic Energy Community (EURATOM Treaty):</u> signed on 25 March 1957, ratified by Act No. 57-880 of 2 August 1957.</p> <p><u>International Health Regulations of the World Health Organization:</u> adopted on 23 May 2005.</p> <p><u>Four conventions and protocols awaiting ratification:</u></p> <ul style="list-style-type: none"> • 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (signed: 14 February 2006); • 2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (signed: 14 February 2006). • Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (signed: 10 September 2010); • Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (signed: 10 September 2010). 	
11	X	International Atomic Energy Agency Member since 29 July 1957.	
12	X	International Code of Conduct against Ballistic Missile Proliferation Signed on 25 November 2002.	
13		<p>Other mechanisms</p> <ol style="list-style-type: none"> 1. Wassenaar Arrangement since 1992 2. Australia Group since 1985 3. Zangger Committee 4. Nuclear Suppliers Group (NSG) since 1975; the Group was previously called the "London Club". 5. Missile Technology Control Regime (MTCR) since 1987. 6. Proliferation Security Initiative (PSI) since 2003. 7. Global Initiative to Combat Nuclear Terrorism (GICNT) since 2006. 8. Global Partnership against the Spread of Weapons and Materials of Mass Destruction (G8GP) since 2002. 	
14		General statement on non-possession /	

Legally binding instruments, organizations, codes of conduct, mechanisms, statements and other issues	YES	If yes, please provide relevant information (signature, accession, ratification, etc.)	Remarks (information refers to the pages of the French version of the report or to an official website)
. of weapons of mass destruction			
15 . General statement on commitment to disarmament and non-proliferation	X	European strategy against the proliferation of weapons of mass destruction of 20 June 2003. Address by the President of the French Republic made in Cherbourg on 21 March 2008. Address by the President of the French Republic made in Istres on 19 February 2015.	
16 . General statement on non-provision of weapons of mass destruction and related materials to non-State actors	X	France has long been working to prevent and combat the proliferation of weapons of mass destruction and their means of delivery and participates in major international initiatives	
17 . Other ¹	X	<u>Member of:</u> <ul style="list-style-type: none"> • North Atlantic Treaty Organization (NATO) • Organization for Security and Cooperation in Europe (OSCE) • European Union (EU) • INTERPOL • World Customs Organization (WCO) • World Health Organization (WHO) • International Civil Aviation Organization (ICAO) • International Maritime Organization (IMO) • International Monetary Fund (IMF) • Financial Action Task Force (FATF) • World Bank Group • Nuclear Energy Agency (NEA) • World Organization for Animal Health (OIE) 	

¹Including, as appropriate, information concerning membership in relevant international, regional or subregional organizations.

Part 2: National legal framework: general and punitive provisions

Paragraph 2 - nuclear weapons (NW), chemical weapons (CW) and biological weapons (BW)

Has your country adopted legislation prohibiting persons or entities from engaging in any of the following activities? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW	
				If yes, indicate applicable texts	
1.	Manufacture/production				<p><u>Nuclear weapons:</u> Defence Code, strengthened by Act No. 2011-266 of 14 March 2011, Act No. 2011-525 of 17 May 2011 and Ordinance No. 2014-792 of 10 July 2014:</p> <ul style="list-style-type: none"> • Article L.1333-2: prohibits the import, export, development, possession, transfer, use and transport of nuclear material without authorization; • Article L.1333-9: criminalizes the embezzlement, neglect, dispersal and alteration of nuclear material as well as damage to facilities containing such material; • Article L.1333-11: criminalizes the possession, transfer, use or transport of nuclear material outside of French territory without authorization. • Article L.1333-13-4: criminalizes the attempted acquisition of a nuclear weapon. • Article L.2353-14: penalizes the illegal acquisition, possession, transport or carrying of explosive devices or ordnance. <p><u>Chemical weapons:</u> Defence Code, strengthened by Act No. 2011-266 of 14 March 2011:</p> <ul style="list-style-type: none"> • Article L.2342-3: prohibits the use, development, production, stockpiling, possession, storage, acquisition, transfer, import, export, transit, trade and brokering of chemical weapons; • Article L.2342-4: prohibits the design, construction or use of a facility for the production of chemical weapons; • Article L.2342-57: criminalizes the use of chemical weapons or toxic chemicals; • Article L.2342-58: criminalizes the design, construction or use of a facility for the production of chemical weapons; • Article L.2342-60: criminalizes the production, stockpiling, possession, storage,
2.	Acquisition				
3.	Possession				
4.	Stockpiling/storing	X	X	X	
5.	Development				
6.	Transport				
7.	Transfer				
8.	Use				

Paragraph 2: nuclear, chemical and biological weapons

acquisition, disposal, import, export, transit, transfer, trade or brokering of chemical weapons;

- Article L.2342-62: criminalizes the acquisition, disposal, import, export, transit or transfer of an old chemical weapon;
- Article L.2353-14: penalizes the illegal acquisition, possession, transport or carrying of explosive devices or ordnance.

Biological weapons:

- **Public Health Code:** framework strengthened by Act No. 2009-879 of 21 July 2009, Ordinance No. 2008-717 of 17 July 2008 and Ordinance No. 2013-1183 of 19 December 2013:
 - Article L.5139-2: prohibits the production, manufacture, transport, import, export, possession, supply, disposal, acquisition and use of microorganisms and toxins;
 - Article L.5439-1: penalizes the illicit production, manufacture, transport, import, export, possession, supply, disposal, acquisition and use of microorganisms and toxins;
- **Defence Code:** framework strengthened by Act No. 2011-266 of 14 March 2011:
 - Article L.2341-1: prohibits the development, manufacture, possession, stockpiling, transport, acquisition, disposal, import, export, trade and brokering of microbial agents, other biological agents and biological toxins.
 - Article L.2341-3 to 7: criminalizes violations of the restrictive provisions relating to biological materials.
 - Article L.2353-14: penalizes the illegal acquisition, possession, transport or carrying of explosive devices or ordnance.

General and punitive common provisions:

- **Council Regulation (EC) No. 428/2009 of 5 May 2009** enabling member States to subject dual-use items and technologies to the controls established by the transit regime, when the items originate in a third country and pass through the European Community on their way to another third State.
- **Penal Code:**
 - Article 421-1: defines terrorist acts and related penalties. The definition includes offences relating to weapons of mass destruction and financing of such activities when they are designed to seriously disrupt the peace through intimidation or terror;
 - Article 421-2: criminalizes terrorist acts involving the introduction into the

Paragraph 2: nuclear, chemical and biological weapons

				<p>atmosphere, land, soil, food or water of a substance that is likely to threaten human or animal health and the natural environment;</p> <ul style="list-style-type: none">- Article 421-2-6: criminalizes the possession, research, acquisition or manufacture of goods likely to create a danger to others to terrorist ends. <p>• Customs Code: updated by Act No. 266-2011 of 14 March 2011:</p> <ul style="list-style-type: none">- Article 38: defines as prohibited all goods that are subject to an import or export ban or specific import/export restrictions.- Article 61 bis: enables customs officers to detain goods in the situation described by abovementioned Regulation (EC) No. 428/2009, where the goods could raise issues relating to the regulations on dual-use items, pending the decision of the Minister of Industry on whether to impose an authorization requirement on the transit of such goods. This provision allows the Minister of Industry to subject the transit of such goods to authorization, or even to prohibit such transit, at any time, even if their transit was not subject to restrictions when the goods were placed in transit in the country of departure.- Article 399: defines persons with an interest in fraud as insurers, insured parties, suppliers of funds, the owners of fraudulent goods and anyone who has a direct interest in fraud. Anyone deemed to have an interest in a customs offence is liable to the same penalties as the person who commits the offence.- Article 414: criminalizes smuggling and any undeclared imports or exports when those offences relate to goods that are banned or heavily taxed (imprisonment, fines, confiscation of the goods, means of transportation and/or payments received)- Articles 414, 423, 426 and 428: criminalize the import or export of prohibited goods without appropriate authorization.- Articles 414, 417 and 419: criminalize the smuggling of prohibited goods into or out of the country.- Article 459: establishes penalties applicable to anyone who violates or attempts to violate the restrictions on economic and financial relations established by European regulations or by the international treaties and agreements regularly approved and ratified by France. This article punishes individuals and entities that violate the embargoes implemented by European regulations or national measures to freeze assets and economic resources taken	
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Paragraph 2: nuclear, chemical and biological weapons

					by the Minister of Economy owing to the participation of those individuals and entities in proliferation activities. Violations or attempted violations are punishable by imprisonment, fines and seizure of the corpus delicti, the means of transport used and any goods and assets that are the product of the offence.
9.	Complicity in the above-mentioned activities	X	X	X	<p><u>Nuclear weapons: Defence Code:</u></p> <ul style="list-style-type: none"> • Article L.1333-13-3: criminalizes offences relating to nuclear material committed by an organized group. • Article L.1333-13-4: criminalizes offences related to nuclear material when they are designed to allow a person to produce a nuclear weapon. Penalties are increased if the offence was committed by an organized group. <p><u>Chemical weapons: Defence Code:</u></p> <ul style="list-style-type: none"> • Article L.2342-60: increases the penalties for offences related to chemical weapons when they are committed by an organized group. <p><u>Biological weapons: Defence Code:</u></p> <ul style="list-style-type: none"> • Article L.2341-4: increases the penalties for offences related to biological weapons when they are committed by an organized group. <p><u>Common punitive provisions: Penal Code:</u></p> <ul style="list-style-type: none"> • Articles 121-6 and 7: general definition of complicity, which is punishable by the same penalties as those established for offenders. • Articles 421-2-1 and 6: criminalize participation in a group or an agreement in preparation for a terrorist act.
10	Assisting in the above-mentioned activities	X	X	X	<p><u>Nuclear weapons: Defence Code</u>, strengthened by Act No. 2005-1550 of 12 December 2005, Act No. 2011-266 of 14 March 2011 and Ordinance No. 2014-792 of 10 July 2014:</p> <ul style="list-style-type: none"> • Article L.1333-12: criminalizes action designed to hinder public control over nuclear material; • Articles L.1333-13-2 and 13-6: criminalize action designed to provoke, encourage or incite a person to commit one of the offences listed; • Article L.1333-13-3: aggravating circumstances relating to the commission of any of the offences mentioned by an organized group. <p><u>Chemical weapons: Defence Code</u>, strengthened by Act No. 2011-266 of 14</p>

March 2011:

- Articles L.2342-4 and 60: criminalize the communication of information which allows one of the offences mentioned to be committed and also the aggravating circumstances relating to the commission of an offence by an organized group;
- Articles L.2342-3 and 61: criminalize preparations to commit one of the aforementioned offences and also the provocation, encouragement or incitement to commit one of the abovementioned offences.
- Article L.2342-64: criminalizes the obstruction of the seizure of a chemical weapon or chemical substance by the administrative authority.

Biological weapons:

- **Public Health Code:** framework established by Ordinance No. 2008-717 of 17 July 2008 and strengthened by Ordinance No. 2013-1183 of 19 December 2013:
 - Article L.5439-1: criminalizes aggravating circumstances relating to the commission by an organized group of any of the offences established under the same article;
- **Defence Code:** strengthened by Act No. 2011-266 of 14 March 2011:
 - Article L.2341-4: criminalizes aggravating circumstances relating to the commission by an organized group of any of the offences mentioned.
 - Article L.2341-5: criminalizes action designed to provoke, encourage or incite a person to commit one of the offences listed.

General and punitive common provisions:

- **Customs Code:** updated by Act No. 266-2011 of 14 March 2011:
 - Article 415: provides for the punishment of anyone who carries out or attempts to carry out a financial transaction between France and another country involving funds that are known to have originated from an offence established in the Customs Code. The crime of money-laundering may therefore be associated with financial flows linked to the smuggling of arms into the country or offences relating to violations of prohibitions concerning dual-use goods. Money-laundering is punishable by a prison sentence and a fine, as well as by seizure of the funds relating to the offence, and goods and assets that are the proceeds of crime.

Paragraph 2: nuclear, chemical and biological weapons

11	Financing the above-mentioned activities	X	X	X	<p><u>Nuclear weapons:</u> Defence Code: framework established by Act No. 2011-266 of 14 March 2011 and strengthened by Ordinance No. 2014-792 of 10 July 2014:</p> <ul style="list-style-type: none"> • Article L.1333-13-5: criminalizes the provision, raising or management of funds, assets or goods, and the provision of advice in the knowledge that those funds, assets or goods will be used to commit one of the offences listed. • Articles L.2339-14 to 18: penalize the financing of illicit activities related to delivery systems for weapons of mass destruction, including nuclear weapons. <p><u>Chemical weapons:</u> Defence Code, framework strengthened by Act No. 2011-266 of 14 March 2011:</p> <ul style="list-style-type: none"> • Articles L.2342-2 and 3: criminalize the provision, raising or management of funds, assets or goods, and the provision of advice in the knowledge that those funds, assets or goods will be used to commit one of the offences listed above. • Articles L.2339-14 to 18: criminalize the financing of illicit activities related to delivery systems for weapons of mass destruction, including chemical weapons. <p><u>Biological weapons:</u> Defence Code, framework established by Act No. 2011-266 of 14 March 2011:</p> <ul style="list-style-type: none"> • Article L.2341-2: criminalizes the provision, raising or management of funds, assets or goods, and the provision of advice in the knowledge that those funds, assets or goods will be used to commit one of the offences listed. • Articles L.2339-14 to 18: criminalize the financing of illicit activities related to delivery systems for weapons of mass destruction, including biological weapons. 	
12	Above-mentioned activities related to means of delivery ²	X	X	X	<p><u>Nuclear weapons:</u> Defence Code: framework established by Act No. 2011-266 of 14 March 2011 and strengthened by Ordinance No. 2014-792 of 10 July 2014.</p> <ul style="list-style-type: none"> • Article L.1333-13-1: criminalizes the unauthorized export of goods related to nuclear material. • Articles L.2339-14 to 18: criminalize the unauthorized manufacture, trade, transfer, possession and transport of means of delivery of 	

²Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical or biological weapons to their target, and that are specially designed for such use.

Paragraph 2: nuclear, chemical and biological weapons

				<p>weapons of mass destruction.</p> <p>Chemical weapons: Defence Code:</p> <ul style="list-style-type: none"> Articles L.2339-14 to 18: criminalize the unauthorized manufacture, trade, transfer, possession and transport of means of delivery of weapons of mass destruction. Article L.2342-58: criminalizes the design, construction or use of a facility for the production of chemical ammunition or materials intended for use in chemical weapons. <p>Biological weapons: Defence Code, framework established by Act No. 2011-266 of 14 March 2011:</p> <ul style="list-style-type: none"> Articles L.2339-14 to 18: criminalize the unauthorized manufacture, trade, transfer, possession and transport of means of delivery of weapons of mass destruction. <p>Common provisions:</p> <ul style="list-style-type: none"> Articles L.2332-1 to 8-1: prohibit the manufacture or trade in war equipment, including delivery systems for weapons of mass destruction, without authorization from the State. Articles L.2335-1 to 18: conditions for the import, export and transfer of war equipment, including delivery systems for weapons of mass destruction, within the European Union. Article L.2336-1: conditions for the acquisition and possession of war equipment, including delivery systems for weapons of mass destruction. 	
13	Involvement of non-State actors in the abovementioned activities	X	X	<p>Nuclear weapons: Penal Code: framework established by Act No. 2011-266 of 14 March 2011 and strengthened by Act No. 2012-304 of 6 March 2012, Ordinance No. 2012-351 of 12 March 2012 and Act No. 2014-1353 of 13 November 2014:</p> <ul style="list-style-type: none"> Articles 421-1 to 6: provide a legal definition of what constitutes an act of terrorism, which is applicable as aggravating circumstances for the offences mentioned above regarding nuclear material and weapons, including complicity, facilitating, financing and related property. <p>Chemical weapons: Penal Code: framework established by Act No. 2011-266 of 14 March 2011 and strengthened by Act No. 2012-304 of 6 March 2012, Ordinance No. 2012-351 of 12 March 2012 and Act No.</p>	

Paragraph 2: nuclear, chemical and biological weapons

					<p>2014-1353 of 13 November 2014:</p> <ul style="list-style-type: none"> Articles 421-1 to 6: provide a legal definition of what constitutes an act of terrorism, which is applicable as aggravating circumstances for the offences mentioned above regarding chemical weapons, including complicity, facilitating, financing and related property. <p>Biological weapons: Penal Code: framework established by Act No. 2011-266 of 14 March 2011 and strengthened by Act No. 2012-304 of 6 March 2012, Ordinance No. 2012-351 of 12 March 2012 and Act No. 2014-1353 of 13 November 2014:</p> <ul style="list-style-type: none"> Articles 421-1 to 6: provide a definition of an act of terrorism, which is applicable as aggravating circumstances for the offences mentioned above, including complicity, facilitating, financing and related property. 	
14	Other	X	X	X	<p>Nuclear weapons: Penal Code: framework established by Act No. 2004-204 of 9 March 2004 and strengthened by Act No. 2011-525 of 17 May 2011.</p> <ul style="list-style-type: none"> Article 322-6-1: criminalizes the dissemination of information on processes to develop destructive devices from nuclear material. <p>Chemical weapons: Penal Code: framework established by Act No. 2004-204 of 9 March 2004 and strengthened by Act No. 2011-525 of 17 May 2011.</p> <ul style="list-style-type: none"> Article 322-6-1: criminalizes the dissemination of information on processes to develop destructive devices from chemical material. <p>Biological weapons: Penal Code: framework established by Act No. 2004-204 of 9 March 2004 and strengthened by Act No. 2011-525 of 17 May 2011.</p> <ul style="list-style-type: none"> Article 322-6-1: criminalizes the dissemination of information on processes to develop destructive devices from biological material. 	

Part 3: accounting for, securing and physically protecting weapons of mass destruction

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials³

	Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW*	
		If yes, please indicate the applicable texts			
1.	<u>Measures to account for weapons:</u>				<p><u>Nuclear weapons:</u></p> <p>• Defence Code:</p> <ul style="list-style-type: none"> - Articles L.1333-2 to 7: establish a licensing system for the production, possession, transfer and use of nuclear material. In addition, an administrative monitoring mechanism is established to ensure that the licensing provisions are respected, including conditions relating to possession, storage, physically securing and accounting. - Articles L.1333-9 to 13-11: criminalize, inter alia, illicit uses of nuclear material, violations of protection regulations, illicit uses and transfers. - Articles R.1333-3 to 10: set out the details of the licensing system and provide that the licenses shall be granted by the Minister of Energy for civilian use materials. An operator must have a licence for every activity undertaken. - Articles R.1333-11 to 13: define the rules for monitoring and accounting for nuclear material at every stage of their production, use, storage and transfer. - Articles R.1333-14 to 16: define the obligation to protect nuclear material. <p><u>Chemical weapons:</u></p> <p>• Defence Code:</p>
	• during manufacture				
2.	• during use				
3.	• stocks	X	X	X	
6.	<u>Security measures:</u>				
	• during manufacture				
7.	• during use				
8.					

³Related 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.

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
<ul style="list-style-type: none"> concerning stocks 				<p>If yes, please indicate the applicable texts</p> <ul style="list-style-type: none"> - Article L.2342-5: requires all operators of facilities for the production or destruction of chemical weapons to declare their activities. - Articles L.2342-8 to 11: define the control of exports and transfers of chemical substances listed in Schedule 1 of OPCW and require industries using these substances to report annually the quantities acquired, transferred, processed, use, stored or produced. Ban on exports of such substances to States non-parties to CWC. - Articles L.2342-12 to 14: obligation to report the production, processing and use of chemicals listed in Schedule 2 of OPCW. Ban on exports of such substances to States non-parties to CWC. - Articles L.2342-15 to 17: obligation to report the production of chemicals listed in Schedule 3 of OPCW. The export of such substances to States non-parties to CWC is subject to authorization. - Articles L.2342-51 to 55: ability of the authorities to investigate any chemical listed in one of the Schedules of OPCW, including by accessing any facility that is likely to be using chemicals and requiring copies of any related documents and taking samples. - Articles L.2342-57 to 81: establish the penalties applicable to violations of the provisions related to chemical weapons. <p>• Environment Code:</p> <ul style="list-style-type: none"> - Articles L.512-1 to 21: describe the system of facilities subject to authorization, registration or reporting. These rules require operators of hazardous chemicals units to implement security measures during production, use, handling and storage of those chemicals.

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
			<p>If yes, please indicate the applicable texts</p> <ul style="list-style-type: none"> - Articles R.512-1 to 75: establish the security obligations of operators. • Order of 10 May 2000 on the prevention of major accidents involving hazardous substances or preparations in certain categories of environmental protection facilities subject to authorization: provides detailed technical safety measures to be taken by the operators of such facilities when using hazardous chemicals. • Directive No. 2012/18/EU of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (in force from 1 June 2015): establishes the European framework for chemical accident prevention, including the safety obligations of operators. <p><u>Biological weapons:</u></p> <ul style="list-style-type: none"> • Public Health Code: strengthened by Act No. 98-535 of 1 July 1998, Act No. 2009-879 of 21 July 2009, Ordinance No. 2010-18 of 7 January 2010, Ordinance No. 2010-177 of 23 February 2010 and Act No. 2011-2012 of 29 December 2011. - Articles L.1413-1 to 16: create a health surveillance Institute (InVS) for ongoing epidemiological surveillance of the country, in order to detect, as early as possible, risks associated with microorganisms and toxins that are hazardous to public health. - Articles L.5139-1 to 3: establish a system of authorization by ANSM as a precondition for any operation involving microorganisms and toxins that may pose a risk to public health and products containing them. - Articles R.5139-1 to 20: set out the rules of the abovementioned authorization system. - Articles R.5139-3 and 18: establish the security and safety obligations of 	

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
				<p>facilities.</p> <ul style="list-style-type: none"> - Article R.5139-14: defines the rules for monitoring and accounting for stockpiles of biological agents. - Articles L.5311-1 to 3: create ANSM, which is responsible for monitoring research on microorganisms and toxins, as well as the distribution, import and export of products and devices containing or using them. - Articles L.5312-1 to 5: give ANSM the authority to impose restrictive measures and conduct inspections to monitor the production, use, packaging, storage, possession and transport of products and devices that contain or use microorganisms and toxins. - Articles L.5439-1 to 4: establish the penalties for failing to comply with the system of prior authorization from ANSM. <p>• Labour Code:</p> <ul style="list-style-type: none"> - Article R.4422-1: requires companies using microorganisms or toxins that could pose a threat to human health to adopt security measures to effectively protect their personnel; - Articles R.4424-1 to 11: stipulate the security measures to be implemented according to the activities envisaged. - Article R.4425-7: obligation of an employer whose employees work with biological agents to provide them with safety training before any contact with those agents. - Articles R.4741-1 to 8: establish the penalties for violations of the rules relating to the protection of personnel who use microorganisms and toxins that could pose a threat to health. <p>Order of 6 November 2014 amending the Order of 30 April 2012 establishing the</p>

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
				<p>list of microorganisms and toxins referred to in article L.5139-1 of the Public Health Code.</p> <p><u>Common provisions:</u> Penal Code:</p> <ul style="list-style-type: none"> Articles 413-1 to 8: criminalize all forms of attack against public and private facilities concerned with national defence.
<p>4. Surveillance measures during transport</p> <p>9. Security measures during transport</p>	X	X	X	<p><u>Common provisions:</u></p> <ul style="list-style-type: none"> Act No. 42-263 of 5 February 1942: regulations on the transport of hazardous materials, including radioactive, chemical and infected materials. Order of 29 May 2009 as amended: regulates the transport of hazardous materials, including nuclear material, toxic chemicals and infectious substances (microorganisms, toxins, etc.)⁴ Council Directive 67/548/EEC of 27 June 1967 as amended: defines the classification of dangerous materials during transport. <p><u>Nuclear weapons:</u></p> <ul style="list-style-type: none"> Defence Code: <ul style="list-style-type: none"> Article L.1333-2: requirement to obtain authorization for the transport of any nuclear material. Articles L.1333-9 and 11: criminalize violations of the rules applicable to the transport of nuclear material within and outside the national territory. Articles R.1333-3 to 10: define the rules relating to transport authorizations. Articles R.1333-17 to 19: define the rules applicable to the transport of nuclear material (actors involved, protection measures,

⁴By orders of 2 December 2009, 9 December 2010, 9 December 2012, 30 May 2013 and 20 December 2013.

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
			<p>authorizations etc.).</p> <ul style="list-style-type: none"> • Transport Code: <ul style="list-style-type: none"> - Articles L.1252-5 to 8: criminalize violations of the general regulations on the transport of hazardous materials, including nuclear material. - Article L.1252-10: regulates the transport of radioactive materials. - Articles L.5242-7 to 13: criminalize violations of the regulations on the shipping of hazardous materials, including nuclear material. - Article L.5336-17: criminalizes violations of the port regulations on hazardous materials, including nuclear material. • Environment Code: <ul style="list-style-type: none"> - Articles L.595-1 to 3: regulate the transport of radioactive substances to prevent potential pollution, hazards or nuisance and designate ASN as the authority responsible for approving models of packages for transport. • Order of 18 August 2010 on the protection and control of nuclear material during transport: sets out the technical measures for the protection of materials transported. <p><u>Chemical weapons:</u></p> <ul style="list-style-type: none"> • Transport Code: <ul style="list-style-type: none"> - Articles L.1252-5 to 8: criminalize violations of the general regulations on the transport of hazardous materials, including toxic chemicals. - Article L.1252-12: regulates the transport of chemicals. - Articles L.5242-7 to 13: criminalize violations of the regulations on the 	

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

	Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW*	
					<p>shipping of hazardous materials, including toxic chemicals.</p> <p>- Article L.5336-17: criminalizes violations of the port regulations on hazardous materials, including toxic chemicals.</p> <p><u>Biological weapons:</u></p> <p>• Transport Code:</p> <p>- Articles L.1252-5 to 8: criminalize violations of the general regulations on the transport of hazardous materials, including biological substances.</p> <p>- Articles L.5242-7 to 13: criminalize violations of the regulations on the shipping of hazardous materials, including biological substances.</p> <p>- Article L.5336-17: criminalizes violations of the port regulations on hazardous materials, including biological substances.</p> <p>• Transport Code:</p> <p>- Article R.5139-1: requirement to obtain authorization for the transport of any biological agents defined in article L.5139-1.</p>
5.	Other monitoring measures	X			<p><u>Nuclear weapons:</u></p> <p>• The Institute for Radiological Protection and Nuclear Safety (IRSN) is a repository of accounting data.</p>
10	Other security measures	X	X	X	<p><u>Nuclear weapons:</u></p> <p>• Replaced by Decree No. 2011-1425 of 2 November 2011 implementing article 413-7 of the Penal Code and concerning the protection of the scientific and technical potential of the nation: requires authorization from the senior officer for defence and security of the Ministry of Economy, Finance and Employment (for businesses) and from the Ministry of Higher Education and Research (for</p>

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
				<p>laboratories) to accommodate a non-national of a State of the European Union.</p> <p><u>Chemical weapons:</u></p> <ul style="list-style-type: none"> • Replaced by Decree No. 2011-1425 of 2 November 2011 implementing article 413-7 of the Penal Code and concerning the protection of the scientific and technical potential of the nation: requires authorization from the senior officer for defence and security of the Ministry of Economy, Finance and Employment (for businesses) and from the Ministry of Higher Education and Research (for laboratories) to accommodate a non-national of a State of the European Union. <p><u>Biological weapons:</u></p> <ul style="list-style-type: none"> • Replaced by Decree No. 2011-1425 of 2 November 2011 implementing article 413-7 of the Penal Code and concerning the protection of the scientific and technical potential of the nation: requires authorization from the senior officer for defence and security of the Ministry of Economy, Finance and Employment (for businesses) and from the Ministry of Higher Education and Research (for laboratories) to accommodate a non-national of a State of the European Union.
11 Regulations on the physical protection of facilities, materials and transport	X	X	X	<p><u>Nuclear weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: framework strengthened by Act No. 2005-1550 of 12 December 2005, Act No. 2006-686 of 13 June 2006, Act No. 2011-267 of 14 March 2011, Ordinance No. 2012-6 of 5 January 2012 and Act No. 2013-1168 of 18 December 2013. - Articles L.1332-1 to 6: protection, security and restrictions on access to vital facilities, including those containing nuclear material; - Articles L.1332-6-1 to 6: protection of vital information systems; - Articles R.1332-1 to 42: protection, security and restrictions on access to vital facilities, including those containing nuclear material; - Articles R.1333-2 to 7: establish a licensing system for the production,

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
				<p>possession, transfer and use of nuclear material. In addition, an administrative monitoring mechanism is established to ensure that the rules concerning authorization are respected, as well as the conditions relating to possession, storage, physical monitoring and accounting.</p> <ul style="list-style-type: none"> • Penal Code: framework strengthened by Ordinance No. 2000-916 of 19 September 2000 and Act No. 2013-1168 of 18 December 2013. <ul style="list-style-type: none"> - Articles 413-5 to 8: criminalize unauthorized access to, and attacks on, vital facilities. • Environment Code: <ul style="list-style-type: none"> - Articles L.512-1 to 21: describe the system of facilities subject to authorization, registration or reporting. These rules require operators of units using hazardous chemicals to implement security measures during production, use, handling and storage of those chemicals. - Articles R.512-1 to 75: establish the security obligations of operators. • Order of 10 May 2000 on the prevention of major accidents involving hazardous substances or preparations in certain categories of environmental protection facilities subject to authorization: provides detailed technical safety measures to be taken by the operators of such facilities when using hazardous chemicals. • Order of 29 May 2009 as amended: regulates the transport of hazardous materials, including toxic chemicals.⁵ • Council Directive 67/548/EEC of 27 June 1967 as amended: defines the classification of dangerous materials during transport.

⁵By orders of 2 December 2009, 9 December 2010, 9 December 2012, 30 May 2013 and 20 December 2013.

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
				<p>If yes, please indicate the applicable texts</p> <p><u>Chemical weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: framework strengthened by Act No. 2005-1550 of 12 December 2005, Act No. 2006-686 of 13 June 2006, Act No. 2011-267 of 14 March 2011, Ordinance No. 2012-6 of 5 January 2012 and Act No. 2013-1168 of 18 December 2013. <ul style="list-style-type: none"> - Articles L.1332-1 to 6: protection, security and restrictions on access to vital facilities, including those containing toxic chemicals; - Articles L.1332-6-1 to 6: protection of vital information systems; - Articles R.1332-1 to 42: protection, security and restrictions on access to vital facilities, including those containing toxic chemicals; - Articles L.2342-57 to 81: determine the criminal penalties applicable to violations of the provisions related to chemical weapons. • Penal Code: framework strengthened by Ordinance No. 2000-916 of 19 September 2000 and Act No. 2013-1168 of 18 December 2013. <ul style="list-style-type: none"> - Articles 413-5 to 8: criminalize unauthorized access to, and attacks on, vital facilities. • Environment Code: <ul style="list-style-type: none"> - Articles L.512-1 to 21: describe the system of facilities subject to authorization, registration or reporting. These rules require operators of units using hazardous chemicals to implement safety measures during production, use, handling and storage of those chemicals. - Articles R.512-1 to 75: establish the security obligations of operators. • Order of 10 May 2000 on the prevention of major accidents involving hazardous substances or preparations in certain categories of environmental protection facilities subject to authorization: provides detailed technical safety measures to be taken by the operators of such facilities when using

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
			<p>hazardous chemicals.</p> <ul style="list-style-type: none"> • Order of 29 May 2009, as amended by orders of 2 December 2009, 9 December 2010, 9 December 2012, 30 May 2013 and 20 December 2013: regulates the transport of hazardous materials, including toxic chemicals. • Council Directive 67/548/EEC of 27 June 1967 as amended: defines the classification of dangerous materials during transport. <p><u>Biological weapons:</u></p> <ul style="list-style-type: none"> • Public Health Code: <ul style="list-style-type: none"> - Article R.5139-25: facilities using biological substances are among those that are required to have a specific plan for emergency and crisis management. - Articles R.5139-3 and 18: establish the security and safety obligations of facilities. - Articles L.5439-1 to 4: establish the penalties for failing to comply with the system of prior authorization from ANSM. • Defence Code: framework strengthened by Act No. 2005-1550 of 12 December 2005, Act No. 2006-686 of 13 June 2006, Act No. 2011-267 of 14 March 2011, Ordinance No. 2012-6 of 5 January 2012 and Act No. 2013-1168 of 18 December 2013. <ul style="list-style-type: none"> - Articles L.1332-1 to 6: protection, security and restrictions on access to vital facilities, including those containing biological substances; - Articles L.1332 -6-1 to 6: protection of vital information systems; - Articles R.1332-1 to 42: protection, security and restrictions on access to vital facilities, including those containing biological substances; • Penal Code: framework strengthened by Ordinance No. 2000-916 of 19 	

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
				<p>September 2000 and Act No. 2013-1168 of 18 December 2013.</p> <ul style="list-style-type: none"> - Articles 413-5 to 8: criminalize unauthorized access to, and attacks on, vital facilities. • Transport Code: <ul style="list-style-type: none"> - Articles L.1252-5 to 8: criminalize violations of the general regulations on the transport of hazardous materials, including biological substances. - Articles L.5242-7 to 13: criminalize violations of the regulations on the shipping of hazardous materials, including biological substances. - Article L.5336-17: criminalizes violations of the port regulations on hazardous materials, including biological substances. • Act No. 42-263 of 5 February 1942: regulations on the transport of infected materials. • Order of 29 May 2009, as amended by orders of 2 December 2009, 9 December 2010, 9 December 2012, 30 May 2013 and 20 December 2013: regulates the transport of hazardous materials, including infectious substances (microorganisms, toxins etc.). • Council Directive 67/548/EEC of 27 June 1967 as amended: defines the classification of dangerous materials during transport. <p><u>Common provisions: Penal Code:</u></p> <ul style="list-style-type: none"> • Articles 413-1 to 8: criminalize all types of attacks on public and private facilities concerned with national defence.
12 Licensing/registration of facilities/authorization for personnel handling nuclear, chemical and	X	X	X	<p><u>Nuclear weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Article L.1332-2-1: establishes a system of authorization for access to any

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

	Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW*	
13	biological materials. Authorization of personnel				<p>facility of vital importance, including those containing nuclear material;</p> <ul style="list-style-type: none"> - Articles R.1332-22-1 to 3: set out the conditions relating to the system of authorization for access to facilities of vital importance. - Articles L.1333-1 to 13: stipulate that all uses of nuclear material require authorization. - Articles L.1333-9 to 13-1: establish the penalties for violating the provisions relating to permits for the use of nuclear material. <p><u>Chemical weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Article L.1332-2-1: establishes a system of authorization for access to any facility of vital importance, including those containing biological substances; - Articles R.1332-22-1 to 3: set out the conditions relating to the system of authorization for access to facilities of vital importance. - Articles L.2342-8 to 11: control of exports and transfers of chemical substances listed in Schedule 1 of OPCW and the requirement for industries using these substances to report annually the quantities acquired, transferred, processed, used, stored or produced. Ban on exports of such substances to States non-parties to CWC. - Articles L.2342-57 to 81: determine the criminal penalties applicable to violations of the provisions related to chemical weapons. <p><u>Biological weapons:</u></p> <ul style="list-style-type: none"> • Public Health Code: <ul style="list-style-type: none"> - Articles L.5139-1 to 3: establish a licensing system for the persons concerned

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
				<p>to carry out activities (possession, implementation and transport) linked to the biological agents defined in article L.5139-1.</p> <ul style="list-style-type: none"> - Article R.5139-3: sets out the rules relating to the abovementioned licensing system. - Articles L.5439-1 to 4: establish the penalties for failing to comply with the system of prior authorization from ANSM. - Articles R.5139-1 to 3: complete the abovementioned system. <p>• Defence Code:</p> <ul style="list-style-type: none"> - Article L.1332-2-1: establishes a system of authorization for access to any facility of vital importance, including those containing biological substances; - Articles R.1332-22-1 to 3: set out the rules relating to the system of authorization for access to facilities of vital importance.
14	X	X	X	<p><u>Nuclear weapons:</u></p> <p>• Defence Code:</p> <ul style="list-style-type: none"> - Articles L.2339-14 to 18: establish the penalties for violations related to delivery systems for weapons of mass destruction, including nuclear weapons. - Articles R.1332-19 to 34: define the measures for protection of facilities of vital importance, including those containing nuclear material or their means of delivery. <p><u>Chemical weapons:</u></p> <p>• Defence Code:</p> <ul style="list-style-type: none"> - Articles L.2339-14 to 18: establish the penalties for violations related to delivery systems for weapons of mass destruction,

Paragraph 3 (a) and (b): accounting for, securing and physically protecting nuclear, chemical and biological weapons, including related materials

Does your country have measures, provisions or legislation in place to account for nuclear, chemical and biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW*	
				<p>including chemical weapons.</p> <ul style="list-style-type: none"> - Articles R.1332-19 to 34: define the measures for protection of facilities of vital importance, including those containing toxic chemicals or their means of delivery. <p><u>Biological weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Articles L.2339-14 to 18: establish the penalties for violations related to delivery systems for weapons of mass destruction, including biological weapons. - Articles R.1332-19 to 34: define the measures for protection of facilities of vital importance, including those containing biological substances or the means of dispersing them. • Public Health Code: <ul style="list-style-type: none"> - Article L.5312-4-3: defines the action that may be taken by ANSM if, during an inspection, it discovers an irregularity in the management of biological substances or related equipment. - Articles L.5313-1 to 4: define the powers of ANSM to inspect facilities containing biological substances.

The information requested in this section may also be available in the State's confidence-building measures report, if it was submitted to the Biological Weapons Convention Implementation Support Unit (see: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument)).

Subsection A: nuclear weapons (NW) - account for, secure and physically protect

Paragraphs 3 (a) and (b): accounting for, securing and physically protecting nuclear weapons (NW), including related materials

Does your country have measures, provisions or legislation in place to account for nuclear weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties		Remarks
		Yes	If yes, indicate applicable texts	
1	National regulatory authority	X	<p><u>Parliament</u>: Constitution of 4 October 1958.</p> <p><u>Prime Minister</u>: Constitution of 4 October 1958.</p> <p><u>Department of Nuclear Safety</u>: order of 9 July 2008 on the organization of the central administrative services of the Ministry of Environment, Energy, Sustainable Development and Land Management.</p> <p><u>Atomic Energy Commission</u>: articles L.332-1 to 7 of the Research Code.</p>	
2	IAEA safeguards agreements	X	<p><u>Safeguards agreement between France, Euratom and IAEA</u>: Agreement of 27 July 1978, entered into force on 12 September 1981 and was issued as INFCIRC 290 by IAEA in December 1981.</p> <p><u>Additional Protocol concluded between France, Euratom and IAEA</u>: Agreement of 22 September 1998, entered into force on 30 April 2004. Issued as CIRC/290 by IAEA.</p>	
3	Code of Conduct on the Safety and Security of Radioactive Sources	X	Statement of support to the Director-General	
4	Guidance on the Import and Export of Radioactive Sources, supplementary to the Code of Conduct on the Safety and Security of Radioactive Sources	X	Statement of support to the Director-General	
5	IAEA Incident and Trafficking Database	X	Participation in database programmes	
6	Other IAEA-related agreements			
7	Additional national laws and regulations related to nuclear	X	<u>Defence Code, articles L.1333-1 to 14</u> : define the system of protection of nuclear material	

	material, including those associated with CPPNM		<p>and the penalties applicable in the event of violations.</p> <p><u>Act No. 89-433 of 30 June 1989</u> authorizing ratification of the Convention on the Physical Protection of Nuclear Material.</p> <p><u>Act No. 2012-1473 of 28 December 2012</u> authorizing ratification of the Amendment to the Convention on the Physical Protection of Nuclear Material.</p> <p><u>Act No. 2013-327 of 19 April 2013</u> authorizing ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism.</p>	
8	Other	X	<ul style="list-style-type: none"> • Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management of 29 September 1997: approved by France on 27 April 2000 and came into force on 18 June 2001; • Convention on Early Notification of a Nuclear Accident of 26 September 1986: entered into force on 27 October 1986, approved by France on 6 March 1989, entered into force for France on 6 April 1989; • Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency of 26 September 1986: entered into force on 26 February 1987, approved by France on 6 March 1989, entered into force for France on 6 April 1989; • Convention on Nuclear Safety of 17 June 1994: approved by France on 13 September 1995 and entered into force on 24 October 1996; • Commission Regulation (Euratom) No. 302/2005 of 8 February 2005 on the application of Euratom Safeguards. 	

Subsection B: chemical weapons (CW) - account for, secure and physically protect

Paragraph 3 (a) and (b): accounting for, securing and physically protecting chemical weapons (CW), including related materials

Does your country have measures, provisions or legislation in place to account for chemical weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties		Remarks
		Yes	If yes, indicate applicable texts	
1	National body responsible for implementation of CWC	X	<u>Defence Code:</u> • Articles D.2342-95 to 102: Ministry of Foreign Affairs and International Development	
2	Reporting chemicals listed in Schedules I, II and III of the Convention to OPCW	X	<u>Defence Code</u> , article L.2342 -5 France has complied with its obligation to declare its military and civilian sites subject to international verification by OPCW. Declarations made by the chemicals branch of the Department for the Implementation of International Controls (SACI) of IRSN	
3	Measures to account for, secure and physically protect old chemical weapons	X	<u>Defence Code:</u> old chemical weapons are covered by the same regulations as any other chemical weapons. The only provisions that are specific to old chemical weapons are: • Article L.2342-5: requirement for all persons in possession of old chemical weapons to declare them to the relevant national authorities. • Article L.2342-6: requirement to destroy old chemical weapons; • Articles L.2342-60 and 62: criminal penalties applicable to the manufacture, stockpiling, possession, storage, acquisition, disposal, import, export, transit, transfer, trade or brokering; • Article L.2342-66: penalties applicable to the failure to declare old chemical weapons. • Article D.2342-100: the Minister of the Interior is responsible for the declaration of old chemical weapons and their collection, transport and storage.	
4	Other legislation and regulations relating to the control of chemical materials	X	<u>Council Directive 89/391/EEC of 12 June 1989:</u> protection of workers against risks associated with handling chemical preparations or substances.	

5 .	Other	X	Defence Code: • Articles D.2342-95 to 102: create the Interministerial Committee for the Implementation of the Convention on the Prohibition of Chemical Weapons (CICIAC), which is responsible for monitoring implementation of CWC in conjunction with relevant ministries.	
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Subsection C: biological weapons (BW) - account for, secure and physically protect

Paragraph 3 (a) and (b): accounting for, securing and physically protecting biological weapons (BW), including related materials

Does your country have measures, provisions or legislation in place to account for biological weapons and related materials and to secure and protect them? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties		Remarks
		Yes	If yes, indicate applicable texts	
1	Regulations on genetic engineering work	X	<p><u>Order of 30 April 2012 as amended</u>: list of microorganisms and toxins which require a license for use, including genetically modified microorganisms.</p> <p><u>Environment Code</u>:</p> <ul style="list-style-type: none"> • Article L.531-3: establishes a high council of biotechnology to advise the Government on all matters related to genetically modified organisms and other biotechnology, and to provide guidance on the risks posed to the environment and to public health in the case of confined use or deliberate release of such organisms. • Articles R.531-7 to 28: specify the composition, powers and functioning of the High Council of Biotechnology. <p><u>Directive 2009/41/EC of 6 May 2009</u>: establishes the precautions that must be taken when using genetically modified microorganisms</p>	
2	Other legislation and regulations related to the safety and security of biological materials	X	<p>Licensing system of the French Agency for Health Products Safety (AFSPS)</p> <p>Transfer or acquisition transactions recorded in a special register at the local level</p>	
3	Other			

Part 4: control of the movements of weapons of mass destruction

Paragraph 3 (c) and (d) and related matters from paragraphs 6 and 10: control of nuclear (NW), chemical (CW) and biological weapons (BW), including related materials

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW	
				If yes, indicate applicable texts	
1.	Border control	X	X	X	<p><u>Nuclear, chemical and biological weapons</u>: same rules applicable to the three types of weapons</p> <p>• Customs Code:</p> <ul style="list-style-type: none"> - Article 43: establishes a special monitoring area along the land and maritime borders, which constitutes the zone covered by Customs; - Article 44: the special area extends to 12 miles from the French coast (territorial sea under the United Nations Convention on the Law of the Sea), from the shore up to 20 kilometres inland and from the land borders up to 20 kilometres inside French territory. The area may be extended to 60 kilometres from the coast and borders; - Article 60: Customs has the power to inspect goods, means of transport and persons in order to investigate and tackle fraud; - Article 61 bis: Customs may halt dual-use goods in transit until the relevant office authorizes such movement. - Articles 62 and 63: Customs may access any vessel within its maritime area, in a port, harbour or quay, and on waterways; - Article 63 bis: Customs may search fixed facilities located on the continental shelf and/or in the French exclusive economic zone; - Article 64: Customs may search all premises, even private ones, which may contain goods and documents related to offences;

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties				Remarks
	Yes			If yes, indicate applicable texts	
	NW	CW	BW		
				- Article 66: Customs has access to postal services premises which may contain goods, documents or securities linked to offences. • Council Regulation (EEC) No. 2913/92⁶ of 12 October 1992: customs supervision of goods entering and leaving the European Union.	
2. Technical support for border control	X	X	X	Detection systems using scanners and spectrometers European Project EURITRACK, in which CEA actively participates. New Computerized Transit System (NCTS), a European system to control the transit of goods within the European Union.	
3. Control of brokering activities, trade, negotiations or any	X	X	X	<u>Common provisions:</u> • Defence Code: - Article L.2331-1: defines war equipment and weapons that are prohibited,	

⁶As amended by:

- Commission Regulation (EU) No. 1357/13 of 17 December 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 1099/13 of 5 November 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 1076/13 of 31 October 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 1063/13 of 30 October 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 530/13 of 10 June 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 58/2013 of 23 January 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 756/2012 of 20 August 2012 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Corrigendum to the Regulation (EU) No. 1063/2010 of 18 November 2010 amending Council Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 169/2010 of 1 March 2010 amending Council Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Regulation (EC) No. 648/2005 of 13 April 2005 amending Regulation (EEC) No. 2913/92;
- Corrigendum to Commission Regulation (EC) No. 1602/2000 of 24 July 2000 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92.

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW	
activity designed to facilitate the sale of goods and technology				<p>those that require a permit, those that require prior declaration and those that must be registered;</p> <ul style="list-style-type: none"> - Article L.2331-2: provides that a licence is required to trade, import and export war materials; - Article L.2332-1: businesses that trade in war equipment and weapons must have a licence from the State and work under its control; - Article L.2332-11: provides that licences for the production of or trade in war equipment may be withdrawn in case of failure to comply with the legislation in force; - Articles L.2339-2 to 4.1: penalties for failure to comply with the rules relating to licences for the manufacture and trade in war equipment and weapons; - Article L.2339-5: criminal penalties for the illicit acquisition of military equipment. - Articles L.2339-9 to 11.4: criminal penalties for the illicit transport, shipping, import, export and transfer of war equipment; - Articles L.2339-14 to 18: criminal penalties for illicit trade in delivery systems for weapons of mass destruction; <p>• Decree No. 2013-700 of 30 July 2013, as amended by Decree No. 2014-1253 of 27 October 2014:</p> <ul style="list-style-type: none"> - Articles 75-81: the manufacture and trade in war equipment and weapons is subject to authorization by the Ministry of Defence; - Articles 82-88: administrative control of operators with a licence to produce and/or trade war equipment and weapons.

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties			Remarks	
		Yes				
		NW	CW	BW		
				<p><u>Provisions applicable to nuclear weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Article L.1333-2: prohibits the import, export, development, possession, transfer, use and transport of nuclear material without authorization; - Articles L.1333-9 to 13-11: criminal penalties applicable to the import, export, trade and brokering of nuclear material. <p><u>Provisions applicable to chemical weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Article L.2342-3: prohibits the import, export, trade and brokering of chemical weapons; - Articles L.2342-59 to 81: criminal penalties applicable to the import, export, trade and brokering of chemical weapons. <p><u>Provisions applicable to biological weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Article L.2341-1: prohibits the import, export, trade and brokering of biological weapons; - Articles L.2341-3 to 7: criminal penalties applicable to the import, export, trade and brokering of biological weapons. 		
4.	Enforcement agencies and authorities	X	X	X	<p><u>Customs:</u> controls compliance with the abovementioned provisions by individuals and legal entities.</p> <p><u>TRACFIN:</u> this financial intelligence unit is authorized to exchange information with its foreign counterparts on offences described above.</p>	

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW	
				<u>Criminal Investigation Service</u> : the specialist unit in charge of measures to combat trade in arms is the competent entity for nuclear, biological and chemical materials.
5. Export control legislation 6. Licensing system 7. Individual licences 8. General licences 9. Exemptions from the licensing system	X	X	X	<p><u>Common provisions:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Article L.2332-1: licensing system for the manufacture, import and export of war equipment and weapons; - Articles L.2335-1 to 4: licensing system for the import and export of war equipment and weapons; - Article L.2336-1: rules concerning the possession of war equipment and weapons; - Articles R.2335-1 to 8: licensing system for the import of war equipment and exemptions; - Articles R.2335-9 to 15: licensing system for the export of war equipment and exemptions; - Articles R.2339-1 and 2: penalties for failure to comply with the rules concerning licences for the export and import of war equipment. • Customs Code: amended by Act No. 2011-266 of 14 March 2011: <ul style="list-style-type: none"> - Article 38: defines as prohibited all goods that are subject to an import or export ban or specific restrictions; - Article 61 bis: enables customs officers to detain goods described in article 38 and by Regulation (EC) No. 428/2009, where the goods could raise issues relating to the regulations on civilian

Decree No. 2001-1192 of 13 December 2001 is currently being amended.

The amendment will clarify the application of European Union regulations which introduce export controls of dual-use goods and technologies.

Order of 13 December 2001 will also be amended accordingly.

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW	
				<p>and military dual-use items, pending the decision of the Minister of Industry on whether to impose an authorization requirement on the transit of such goods;</p> <ul style="list-style-type: none"> - Article 414: establishes the penalties for customs offences relating to the fraudulent import or export of prohibited goods, namely imprisonment and a fine, as well as confiscation of the goods and means of transport used for fraud; - Articles 417 and 419: criminal penalties applicable to the smuggling of prohibited goods into or out of the country, including civilian and military dual-use items; - Articles 423, 426 and 428: criminal penalties applicable to undeclared imports or exports of prohibited goods, including civilian and military dual-use items; - Articles 423 to 429: penalties applicable to undeclared imports of prohibited goods, including imports of civilian and military dual-use items in violation of the applicable regulations. <ul style="list-style-type: none"> • Decree No. 2001-1192 of 13 December 2001 as amended by Decree No. 2010-292 of 18 March 2010 (text currently being amended): <ul style="list-style-type: none"> - Defines the licensing system for exports of goods appearing on lists of goods that are banned from being exported to certain States and/or certain entities, as well as civilian and military dual-use items; - Establishes a system of prior authorization for exports issued by the Minister of Industry. • Order of 13 December 2001 on the control of exports to third countries and the transfer to States members of the European Community of dual-use items and

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW	
				<p>technologies (text currently being amended):</p> <ul style="list-style-type: none"> - Defines the specific licensing procedures for the export of dual-use goods; - Provides that the State may withdraw a licence when it was obtained fraudulently. <ul style="list-style-type: none"> • Order of 13 December 2001 on the issuance of an international import certificate and a delivery verification certificate for the import of dual-use goods and technologies: establishes a system of international import certificates (IIC) and delivery verification certificates (DVC) for dual-use goods. • Council Regulation (EC) No. 428/2009 of 5 May 2009 amended by Regulations (EC) No. 1232/2011 of 16 November 2011, No. 388/2012 of 19 April 2012 and No. 599/2014 of 16 April 2014 and Commission Delegated Regulation (EC) No. 1382/2014 of 22 October 2014: establishes a regime for the control of exports, transfer, brokering and transit of dual-use items; allows member States to subject to control the dual-use items paced under the transit regime when those items originate in a third country and pass through the European Union destined for another third State. <p><u>Nuclear weapons:</u></p> <ul style="list-style-type: none"> • Defence Code, articles R.1333-3 to 10: establishes the licensing system for the export and import of nuclear material. <p><u>Chemical weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Articles R.2342-3 to 24: establishes the licensing system for the acquisition and disposal of chemicals listed in Schedule 1 of OPCW; - Articles R.2342-25 to 27: sets out the rules for declaring the import and export

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

	Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW	
					<p>of chemicals listed in Schedule 2 of OPCW; - Articles R.2342-28 to 33: establish the licensing system for the import and export of chemicals listed in Schedule 3 of OPCW; <u>Biological weapons:</u> /</p>
10	Conditions for the issue of licences for goods likely to be exported/visas	X	X	X	<p>Interministerial Instruction No. 11155 of 7 November 2012 on the protection of scientific and technical potential. Interministerial Instruction No. 74 of 24 March 2009 on action against the proliferation of weapons of mass destruction and their means of delivery.</p>
11	National authority licensing	X	X	X	<p><u>Department for Dual-Use Goods (SBDU):</u> part of the Department for Enterprise (DGE) of the Ministry of Economy, Industry and Digital Affairs (Decree No. 2009-37 of 12 January 2009 as amended and Order of 18 March 2010 establishing a service with national jurisdiction called the "Department for Dual-Use Goods"). The Department is responsible for developing and implementing the regulations applicable to civilian and military dual-use goods. Interministerial Committee on Dual-Use Goods (CIBDU): established within the Ministry of Foreign Affairs and International Development. It brings together all Government departments concerned with exports of dual-use goods to issue guidance on major cases of exports of dual-use goods to countries where they are likely to be diverted for illicit purposes (Decree No. 2010-294 of 18 March 2010). Interministerial Committee for the Study of War Equipment Exports (CIEEMG): established by Decree No. 49-770 of 10 June 1949 and organized by Decree No. 55-965 of 16 July 1955. The committee brings together all Government departments concerned with exports of war equipment and grants the necessary approval for such exports.</p>

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW	
12	Review of licences between institutions				<p><u>Common provisions:</u></p> <ul style="list-style-type: none"> • Interministerial Committee on Dual-Use Goods (CIBDU): see above. • Interministerial Committee for the Study of War Equipment Exports (CIEEMG): see above. <p><u>Biological weapons:</u></p> <ul style="list-style-type: none"> • French Agency for Health Products Safety (AFSPS): participates in decision-making concerning imports and exports of biological products.
13	Control lists	X	X	X	Council Regulation (EC) No. 428/2009 of 5 May 2009 as amended: establishes control lists for goods subject to export, transfer and brokering restrictions.
14	Updating of lists	X	X	X	<p>Council Regulation (EC) No. 1232/2011 of 16 November 2011</p> <p>Council Regulation (EC) No. 388/2012 of 19 April 2012</p> <p>Commission Delegated Regulation No. 1382/14 of 22 October 2014</p>
15	Measures applicable to technologies				<p>Council Regulation (EC) No. 1232/2011 of 16 November 2011</p> <p>Council Regulation (EC) No. 388/2012 of 19 April 2012</p>
16	Measures applicable to means of delivery	X	X	X	<p><u>Common provisions:</u></p> <ul style="list-style-type: none"> • Defence Code: - Articles L.2339-14 to 18: prohibit the transfer, trade, import or export of means of delivery of weapons of mass destruction. These provisions are applicable in particular to any type of

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

	Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW	
					<p>unmanned missiles, rockets and systems designed to transport nuclear, biological or chemical weapons to their target.</p> <p>Regulations (EC) No. 1232/2011 of 16 November 2011 and No. 388/2012 of 19 April 2012: establish the control of technologies and equipment related to means of delivery at the European level.</p> <p>France has subscribed to the International Code of Conduct against Ballistic Missile Proliferation.</p>
17	Control of end users.	X	X	X	<p>Common provisions:</p> <ul style="list-style-type: none"> • Decree No. 2001-1192 of 13 December 2001: provides that importers of dual-use goods must apply for an international import certificate to enable the foreign supplier to prove the export of those goods to the authorities in its country. A delivery verification certificate is then required to prove that the goods were delivered. • Decree No. 2009-37 of 12 January 2009: establishes SBDU (see above), which is responsible for monitoring the final recipients of dual-use goods of French origin. • Decree No. 2010-294 of 18 March 2010: establishes CIBDU (see above), which is responsible for monitoring the final recipients of major exports of dual-use goods of French origin. • Order of 13 December 2001 on the control of exports to third countries and the transfer to States members of the European Community of dual-use goods and technologies: provides that the exporter may be asked for an end use certificate.

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

	Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW	
					Regulation No. 2913/32: (EEC) ⁷ as amended: defines the end-user monitoring system in the European Union.
18	General application measures	X	X	X	Order of 13 December 2001 on the control of exports to third countries and the transfer to States members of the European Community of dual-use goods and technologies: incorporates the catch-all clause into French law. Council Regulation (EC) No. 428/2009 of 5 May 2009 as amended: establishes the catch-all clause which allows the transport and/or sale of dual-use goods to be impeded when there are suspicions about the final destination of or use of the goods concerned.
19	Intangible transfers	X	X	X	Council Regulation (EC) No. 428/2009 of 5 May 2009 as amended: encourages

⁷Amended by:

- Commission Regulation (EU) No. 1357/2013 of 17 December 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 1099/2013 of 5 November 2013 (amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 1076/13 of 31 October 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 1063/13 of 30 October 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 530/13 of 10 June 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 58/2013 of 23 January 2013 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 756/2012 of 20 August 2012 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Corrigendum to the Regulation (EU) No. 1063/2010 of 18 November 2010 amending Council Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Commission Regulation (EU) No. 169/2010 of 1 March 2010 amending Council Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92;
- Regulation (EC) No. 648/2005 of 13 April 2005 amending Regulation (EEC) No. 2913/92;
- Corrigendum to Commission Regulation (EC) No. 1602/2000 of 24 July 2000 amending Regulation (EEC) No. 2454/93 concerning implementation of the provisions of Regulation (EEC) No. 2913/92.

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW	
				<p>the inclusion of intangible transfers.</p> <p>Order of 23 January 2013 on good practices to ensure biosafety and biosecurity: defines biosafety as including the protection of sensitive intangible goods against any intentional act designed to disseminate microorganisms and/or toxins.</p>
20 Control of goods in transit				<p><u>Customs Code:</u></p> <ul style="list-style-type: none"> • Article 60: customs officers can inspect means of transporting goods to detect violations of article 38 of the same Code. • Article 61 bis: Customs may detain civilian and military dual-use goods destined for a State not a member of the European Union, as well as the means of transport used and the persons involved in the transit, until an export permit has been issued in accordance with the applicable regulations. • Article 70: vessels are required to unload their cargo at ports where there are customs offices. • Article 73: goods transported by sea may be unloaded and transferred only with the written agreement of customs officials and in their presence, regardless of whether the goods are being imported, exported or are in transit; • Article 75: all goods imported by road must be presented to Customs. • Article 78: aircraft transporting goods may land only at airports that have a customs office. • Article 82: goods transported by air may be unloaded and transferred only with the written agreement of customs officials and in their presence, regardless of whether the goods are being imported, exported or are in transit;
21 Trans-shipment control	X	X	X	
22 Re-export control				

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties			Remarks	
		Yes				
		NW	CW	BW		
				<p>If yes, indicate applicable texts</p>		
				<ul style="list-style-type: none"> • Article 83. Goods destined for export must be presented to a customs office. <p>Order of 13 December 2001 on the control of exports to third countries and the transfer to States members of the European Community of dual-use goods and technologies: provides that, in certain cases, a certificate with a non-re-export clause may be required, including a declaration from the Government of the end user, to accompany the request for an export permit.</p> <p>Council Regulation (EEC) No. 2913/32 as amended: establishes the customs rules applicable to trans-shipment and transit in the European Union.</p>		
23	Control of financing	X	X	X	<p>Ministry of Economy and Finance/TRACFIN: this financial intelligence unit gathers information to combat the illicit financing of the proliferation of weapons of mass destruction and their means of delivery.</p> <p>Customs Code: Customs has the power to control and suppress certain types of illicit financing related to the proliferation of weapons of mass destruction.</p> <ul style="list-style-type: none"> • Article 60: Customs officers may inspect means of transporting goods to detect violations of article 38 of the same Code. • Article 459: criminalizes violations of the restrictions on economic and financial relations established under European law. • Article 399: anyone deemed to have an interest in a customs offence is liable to the same penalties as the person who commits the offence. • Article 451: Customs may use its powers to control, investigate and enforce the rules relating to economic and financial relations with foreign countries. 	

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties			Remarks
		Yes			
		NW	CW	BW	
24	Control of transport services	X	X	X	<p><u>Maritime Ports Code:</u></p> <ul style="list-style-type: none"> Articles R.154-1 and 2: port authorities shall transmit statistics to the State on port activities, including passengers, cargo and the movement of hazardous material. <p><u>Transport Code:</u></p> <ul style="list-style-type: none"> Article 1252-1: establishes the principle of the regulation of the transport of hazardous material; Articles L.1252-2 to 4: define the officials responsible for monitoring compliance with the regulations on the transport of hazardous material; Article L.5331-8: the port authorities shall enforce the rules relating to dangerous goods; Article L.5334-6: the port authorities shall provide the State with ongoing statistics on port activities, including hazardous material; Article L.5336-17: criminal penalties applicable in the event that dangerous goods are loaded and/or shipped by sea without the nature of the goods being declared to the owner, the captain or the operator of the vessel or without the cargo being marked in accordance with the regulations; Articles L.6341-1 to 4: give power to the designated officials to implement airport security measures to control packages and freight transported by air; Articles L.6342-1 to 4: establish safety measures relating to air transport, including controls of freight and passengers;

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?	National legal framework and civil, criminal and other penalties			Remarks
	Yes			
	NW	CW	BW	
25 Import controls	X	X	X	<p><u>Nuclear weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Articles L.1333-2 to 13-1: prohibit the unauthorized import of nuclear or radioactive material and establish criminal penalties for any violation of this prohibition. <p><u>Chemical weapons:</u></p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Articles L.2335-1 to 7: provide that a permit is required to import any of the chemicals listed in the Schedules of OPCW. <p><u>Biological weapons:</u></p> <ul style="list-style-type: none"> • Public Health Code: <ul style="list-style-type: none"> - Articles L.5139-1 to 3: prohibit the unauthorized import of microorganisms or toxins which pose a risk to human health. - Articles L.5139-1 to 4: establish criminal penalties for illicit imports of microorganisms or toxins which pose a risk to human health. - Articles R.5139-1 to 20: provide that any imports of microorganisms or toxins which pose a risk to human health must be authorized by ANSM and establish the conditions for issuing authorization. • Defence Code: <ul style="list-style-type: none"> - Articles L.2341-1 to 7: prohibit the import of microorganisms and toxins not intended to be used for medical or research purposes and establish the criminal penalties for violations. • Order of 22 September 2001 on the implementation, import, export, possession,

Paragraphs 3 (c) and (d) and related matters from paragraphs 6 and 10: controls of nuclear, chemical and biological weapons, including related materials

Does your country have legislation, procedures or provisions in place, or does it have any of the following mechanisms for monitoring borders and the export, import and other transfers of nuclear, chemical and biological weapons and related materials? Have penalties been established for violations of the provisions in force?		National legal framework and civil, criminal and other penalties			Remarks	
		Yes				
		NW	CW	BW		
				disposal free of charge or in return for payment, acquisition and transport of certain agents which cause infectious diseases, pathogenic microorganisms and toxins.		
26	Principle of extraterritoriality	X	X	X	<p>Penal Code:</p> <ul style="list-style-type: none"> Articles 113-6 to 113-12: under the personal jurisdiction of the State, these provisions enable the French judicial authorities to prosecute offences committed by French nationals abroad or prosecute offences committed by foreign nationals but whose victims were French nationals abroad. The term "abroad" is understood to mean the territory of a foreign State, the high seas, vessels flying a foreign flag and aircraft registered in a foreign State. <p>French law does not, however, provide for cases of extraterritorial application in the territory of another State.</p>	
27	Other			/		

Part 5: control lists, assistance and information
Paragraphs 6, 7 and 8 (d): control lists, assistance and information

Please provide information on the following points		Yes		Remarks
1.	Control lists - goods/equipment/materials /technologies	X	<p>Lists established by the relevant European Community regulations:</p> <ul style="list-style-type: none"> • Council Regulation (EC) No. 428/2009 of 5 May 2009 as amended. <p>Lists established by French law:</p> <ul style="list-style-type: none"> • Defence Code: <ul style="list-style-type: none"> - Article L.1333-1: nuclear material subject to import and export control; - Articles L.2342-8 to 11: chemicals listed in Schedule 1 of OPCW subject to export and import control; - Articles L.2342-12 to 14: chemicals listed in Schedule 2 of OPCW subject to export and import control; - Articles L.2342-15 to 17: chemicals listed in Schedule 3 of OPCW subject to export and import control; • Decree No. 2001-1192 of 13 December 2001: control of the export, import and transfer of dual-use goods and technologies. • Order of 31 July 2014 on the export of helicopters and spare parts to third countries; • Order of 31 July 2014 on the export of tear gas and anti-riot agents to third countries; • Order of 24 April 2002 on the import and export of products listed in Schedule 1 and the export of products listed in Schedule 3 of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction. • Order of 22 September 2001 on the implementation, import, export, possession, disposal free of charge or in return for payment, acquisition and transport of certain agents which cause infectious diseases, pathogenic microorganisms and toxins. 	
2.	Control lists - other	X	<p>Control lists of supplier groups:</p> <ul style="list-style-type: none"> • Wassenaar Arrangement: dual-use goods; • MTCR: goods used in ballistic programmes; • Zangger Committee: goods used in nuclear programmes; • Zangger Committee: goods used in nuclear programmes; • Australia Group: goods used in chemical or biological programmes. 	

Paragraphs 6, 7 and 8 (d): Control lists, assistance and information

Please provide information on the following points		Yes		Remarks
			Schedules 1, 2 and 3 of OPCW	
3.	Assistance offered	X	<p><u>Concerning nuclear material:</u></p> <ul style="list-style-type: none"> • In the context of G8GP: <ul style="list-style-type: none"> - US\$131.56 million invested since 2002, of which 70 per cent went to nuclear weapon projects; - Securing two Alfa-class submarine reactor cores (Russia); - Securing 898 fuel assemblies on the Gremikha base (Russia); - Securing the radioactive sources of 16 RTGs (Russia) - Support to upgrade the Mayak nuclear material treatment plant (Russia) - Support for the construction of the Vector radioactive sources security site (Ukraine) - Return of radioactive sources of French origin; action ongoing since 2003; • As part of the 1540 Committee: offer of assistance: <ul style="list-style-type: none"> - Legal: ratifications, national legislation; - Radiological: securing of sources, infrastructure; - Export control; - Physical protection. <p><u>Relating to chemicals:</u></p> <ul style="list-style-type: none"> • In the context of G8GP: <ul style="list-style-type: none"> - US\$131.56 million invested since 2002, of which 14 per cent went to projects relating to chemicals; - Contribution to the destruction of chemical munitions in the former Soviet bloc. • As part of the 1540 Committee: offer of assistance: <ul style="list-style-type: none"> - Legal: ratifications, national legislation; - Export control; - Physical protection. <p><u>Relating to biological material:</u></p> <ul style="list-style-type: none"> • In the context of G8GP: <ul style="list-style-type: none"> - US\$131.56 million invested since 2002, of which 16 per cent went to biological projects; - Contribution to projects for the physical protection of laboratories in the former 	

Paragraphs 6, 7 and 8 (d): Control lists, assistance and information

Please provide information on the following points		Yes		Remarks
			<p>Soviet bloc until 2012;</p> <ul style="list-style-type: none"> - Contribution to the destruction of pathogenic sources in the former Soviet bloc (until 2012). - Assisting former Soviet States in developing security standards (until 2012); - Financing numerous biosafety projects in conjunction with the WHO office in Lyon since 2012. <ul style="list-style-type: none"> • As part of the 1540 Committee: offer of assistance: <ul style="list-style-type: none"> - Legal: ratifications, national legislation; - Export control; - Physical protection. <p>In transverse:</p> <ul style="list-style-type: none"> • Participation in the Proliferation Security Initiative: cooperation to enhance the effectiveness of obstacles to proliferation. 	
4.	Assistance requested		N/A	
5.	Contact point for issues relating to assistance	X	<p>Ministry of Foreign Affairs and International Development</p> <ul style="list-style-type: none"> • Nuclear and ballistic: Nuclear Disarmament and Non-Proliferation Division; • Chemical and biological: Division for Arms Control and OSCE; • Resolution 1540: Division for Nuclear Disarmament and Non-Proliferation and Department of Political Affairs. 	
6.	Assistance programmes in place (bilateral/multilateral)	X	<p>France is funding several bilateral projects and programmes relating to nuclear, biological and chemical materials.</p> <p>France participates actively in the European programme for the provision of training and assistance to third countries on export control of dual-use goods (2015-2017).</p> <p>France provides assistance on a case-by-case basis in the area of export control and obstruction of proliferation.</p>	
7.	Work with industry and the provision of information	X	<ul style="list-style-type: none"> • Programmes undertaken by Customs and DGSI to raise awareness among businesses, especially small and medium-sized enterprises. • Raising awareness of the provisions of CWC among chemical manufacturers through IRSN. • Conferences for exporters organized by the Ministry of Economy. 	

Paragraphs 6, 7 and 8 (d): Control lists, assistance and information

Please provide information on the following points		Yes		Remarks
			<ul style="list-style-type: none"> • Pamphlet on dual-use goods regularly updated. • Circular distributed to all ministries in 2009 to educate them on all aspects of combating proliferation. • Annual meeting organized by SGDSN (Prime Minister's Office) to conduct a review of French policies to combat proliferation. 	
8.	Work with the public and provision of information	X	Customs provides information for the public on its website.	
9.	Point of contact	X	Ministry of Foreign Affairs and International Development: <ul style="list-style-type: none"> • Nuclear and ballistic: Nuclear Disarmament and Non-Proliferation Division; • Chemical and biological: Division for Arms Control and OSCE; • Resolution 1540: Division for Nuclear Disarmament and Non-Proliferation and Department of Political Affairs. 	
10.	Other information ⁸			

⁸The information provided may include references to the voluntary national implementation action plan and visits that the Committee has made to the State concerned at the invitation of that State.

Report submitted by France

to

Security Council Committee established pursuant to resolution 1540 (2004)

Report prepared by:

- General Secretariat for National Defence and Security (SGDSN)
- Ministry of Foreign Affairs and International Development (MAEDI)
- Ministry of Ecology, Sustainable Development and Energy (MEDDE)
- Ministry of Defence
- Ministry of Justice
- Ministry of Social Welfare, Health and Women's Rights
- Customs and Excise Department (DGDDI)
- Atomic Energy Commission (CEA)
- French Institute for Radiological Protection and Nuclear Safety (IRSN)
- Nuclear Safety Authority (ASN)