

1540 COMMITTEE MATRIX OF BELGIUM

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

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

State: Belgium
 Date:
 Date of Report: 26 October 2004
 Date of Addendum 1: 6 December 2005
 Date of Addendum 2: 15 December 2007
 Date of Committee approval

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	If YES, relevant information (i.e. signing, accession, ratification, etc.)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 2 May 1975	
2	Nuclear Weapons Free Zone/ Protocol(s)			
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposit 20 October 2009	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 6 Sep 1991	
5	2005 Amendment to the CPPNM	X	Deposit 22 January 2013	

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 29 June 1999	
7	Chemical Weapons Convention (CWC)	X	Deposit 16 June 1997	
8	Biological Weapons Convention (BWC)	X	Deposit 15 March 1979	
9	Geneva Protocol of 1925	X	Deposit 4 December 1928	
10	Other Conventions/Treaties	X	EURATOM Treaty entry into force 11 January 1958 State Party to 14 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1999 International Convention for the Suppression of the Financing of Terrorism (17 May 2004); 1997 International Convention for the Suppression of Terrorist Bombings (20 May 2005). Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism [CETS No. 198] Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime [ETS No. 141] European Convention on the Suppression of Terrorism [ETS No. 90] Protocol amending the European Convention on the Suppression of Terrorism [ETS No. 190]	
11	International Atomic Energy Agency (IAEA)	X	Since 1958	
12	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
13	Other Arrangements	X	Nuclear Suppliers Group (NSG) Zangger Committee (ZC) Australia Group (AG) Missile Technology Control Regime (MTCR) Wassenaar Arrangement (WA) Proliferation Security Initiative (PSI) GICNT	
14	General statement on non-possession of WMD			
15	General statement on commitment to disarmament and non-proliferation	X	State reports that it supports the European Union Strategy against the Proliferation of WMD	
16	General statement on non-provision of WMD and related materials to	X	The State reports that it provides no assistance in any form to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons or their	

	non-State actors		means of delivery and that such assistance is prohibited by its law	
17	Other ¹	X	<p>EU Council Decision of 17 November 2003 to include WMD provisions in Agreements with third countries-Revised Cotonou Partnership Agreement (the CPA II)</p> <p>Member of:</p> <p>Financial Action Task Force against Money Laundering (FATF)</p> <p>International Maritime Organization (IMO)</p> <p>International Monetary Fund (IMF)</p> <p>Inter-Parliamentary Union (IPU)</p> <p>INTERPOL</p> <p>Organization for Security and Cooperation in Europe (OSCE)</p> <p>World Bank Group</p> <p>World Customs Organization (WCO)</p> <p>World Health Organization (WHO)</p> <p>World Organisation for Animal Health (OIE)</p>	

1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Manufacture/produce	X	X	X	NW: The Constitution of the Kingdom of Belgium, Article 34 Law of 14 March 1975 (NPT ratification) Law on terrorist offences of 19 December 2003, Art. 3, para. 3 point 3 ^o (terrorist intent: la fabrication, la possession, l'acquisition, le transport ou la fourniture d'armes nucléaires ou chimiques, l'utilisation d'armes nucléaires, biologiques ou chimiques, ainsi que la recherche et le développement d'armes chimiques) CW: The Constitution of the Kingdom of Belgium, Article 34 Law of 20 December 1996 (CWC ratification) Law on terrorist offences of 19 December 2003 Law 4 June 2007 approving implementation of the CWC BW: Law of 10 July 1978, approving the implementation of the BWC Law on terrorist offences of 19 December 2003, Art. 3, para. 3 point 3 ^o	X	X	X	NW/CW/BW: Penal Code, Art. 137, Para. 3.3 [manufacturing, possession, acquisition, transport or supply of nuclear or chemical weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] NW: Penal Code, Art. 488bis Royal Decree of 20 July 2001 laying down the general regulations on the protection of the public, the workers and the environment against the hazards of ionizing radiation (GRPIR) CW: Law 4 June 2007 approving implementation of the CWC Art. 21 § , BW: Law of 10 July 1978 approving the implementation of BWC, Article 2	
2	acquire	X	X	X	NW/CW/BW: Law on terrorist offences of 19 December	X	X	X	NW/CW/BW: Penal Code, Art. 137, Para. 3.3	

					2003, Art. 3, para. 3 point 3 ^o CW: Law 4 June 2007 approving implementation of the CWC BW: Act of 10 July 1978 approving the implementation of BWC				[manufacturing, possession, acquisition, transport or supply of nuclear or chemical weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] NW: Penal Code, Art. 488bis Royal Decree of 20 July 2001 laying down the general regulations on the protection of the public, the workers and the environment against the hazards of ionizing radiation (GRPIR) CW: Law 4 June 2007 approving implementation of the CWC, Art. 21, BW: Law of 10 July 1978 approving the implementation of BWC, Article 2	
3	possess	X	X	X	NW/CW/BW: Law on terrorist offences of 19 December 2003, Art. 3, para. 3 point 3 ^o CW: Law 4 June 2007 approving implementation of the CWC Act. BW: Law of 10 July 1978 approving the implementation of BWC.	X	X	X	NW/CW/BW: Penal Code, Art. 137, Para. 3.3 [manufacturing, possession, acquisition, transport or supply of nuclear or chemical weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] NW: Penal Code, Art. 488bis Royal Decree of 20 July 2001 laying down the general regulations on the protection of the public, the workers and the environment against the hazards of ionizing radiation (GRPIR). BW: Law of 10 July 1978 approving the implementation of BWC, Article 2	
4	stockpile/store	X	X	X	NW/CW: Law on terrorist offences of 19 December 2003 (terrorist intent) Law 4 June 2007 approving implementation of	X	X	X	NW/CW/BW: Penal Code, Art. 137, Para. 3.3 [manufacturing, possession, acquisition, transport or supply of nuclear or chemical	

					the CWC. BW: Law of 10 July 1978 approving the implementation of BWC.				weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] NW: Royal Decree of 20 July 2001 laying down the general regulations on the protection of the public, the workers and the environment against the hazards of ionizing radiation (GRPIR) BW: Law of 10 July 1978 approving the implementation of BWC, Article 2	
5	develop			X	NW: CW: Law on terrorist offences of 19 December 2003 (terrorist intent). Law 4 June 2007 approving implementation of the CWC BW: Law of 10 July 1978 approving the implementation of BWC			X	NW: CW: Penal Code, Art. 137, Para. 3.3 [manufacturing, possession, acquisition, transport or supply of nuclear or chemical weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] Act BW: Law of 10 July 1978, approving the implementation of BWC Article 2	
6	transport	X	X	X	NW/CW/BW: Law on terrorist offences of 19 December 2003, Art. 3, para. 3 point 3 ^o (terrorist intent) CW: Law 4 June 2007 approving implementation of the CWC Art 4.2 [forbidden to import, export, or transit through Belgium].	X	X	X	NW/CW/BW: Penal Code, Art. 137, Para. 3.3 [manufacturing, possession, acquisition, transport or supply of nuclear or chemical weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] NW: Penal Code, Art. 488bis Royal Decree of 20 July 2001 laying down the general regulations on the protection of the public, the workers and the environment against the hazards of ionizing radiation	

								(GRPIR) CW: Law 4 June 2007 approving the implementation of the CWC Art. 21		
7	transfer	X	X	X	NW/CW/BW: Penal Code, Art. 137, Para. 3.3 [manufacturing, possession, acquisition, transport or supply of nuclear or chemical weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] CW: Law 4 June 2007 approving implementation of the CWC Act BW: Law of 10 July 1978 approving the implementation of BWC	X	X	X	NW/CW/BW: Penal Code, Art. 137, Para. 3.3 [manufacturing, possession, acquisition, transport or supply of nuclear or chemical weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] NW: Royal Decree of 20 July 2001 laying down the general regulations on the protection of the public, the workers and the environment against the hazards of ionizing radiation (GRPIR) CW: Law 4 June 2007 approving the implementation of the CWC, Art. 21 BW: Law of 10 July 1978, approving the implementation of BWC, Article 2	
8	use	X	X	X	NW/CW/BW: Law on terrorist offences of 19 December 2003, Art. 3, para. 3 point 3 ^o (terrorist intent): CW: Law 4 June 2007 approving implementation of the CWC	X	X	X	NW/CW/BW: Penal Code, Art. 137, Para. 3.3 [manufacturing, possession, acquisition, transport or supply of nuclear or chemical weapons, the use of nuclear, biological or chemical weapons, as well as research and development of chemical weapons] CW: Law 4 June 2007 approving implementation of the CWC Art. 21. Penal Code Art. 137, Para. 3.4 [release of hazardous substances that endanger life].	

9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Penal Code, Arts. 69 and 140	X	X	X	NW/CW/BW: Penal Code, Arts. 69 and 140	
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Penal Code, Arts. 69 and 140	X	X	X	NW/CW/BW: Penal Code, Arts. 69 and 140	
11	finance abovementioned activities	X	X	X	NW/CW/BW: Penal Code, Arts. 69 and 140 Law of 11 January 1993 On Preventing use of the Financial System for Purposes of Laundering Money and Terrorism Financing, as amended	X	X	X	NW/CW/BW: Penal Code, Arts. 69 and 140 Law of 11 January 1993 On Preventing use of the Financial System for Purposes of Laundering Money and Terrorism Financing, as amended, Article 23	
12	abovementioned activities related to means of delivery ²		X	X	CW: Law on terrorist offences of 19 December 2003, Art.3 para. 3(terrorist intent) Law 4 June 2007 approving implementation of the CWC BW: Law of 10 July 1978 approving the implementation of BWC	X	X	X	CW/BW: Law on terrorist offences of 19 December 2003(terrorist intent) CW: Law 4 June 2007 approving implementation of the CWC BW: Law of 10 July 1978, approving implementation of the BWC, Article 2	
13	involvement of non-State actors in abovementioned activities	X	X	X	NW/CW/BW: Law on terrorist offences of 19 December 2003, Art. 6 (terrorist intent) Penal Code, Article 5	X	X	X	NW/CW/BW: Law on terrorist offences of 19 December 2003(terrorist intent) Penal Code, Article 5	
14	Other									

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

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		NW	CW	BW*		NW	CW	BW		
1	Measures to account for production	X	X		NW: EURATOM Regulation No 302/2005 of 8 February 2005 on the application of Euratom safeguards Law of 1st June 2005 concerning implementation of the Additional Protocol Royal Decree of 20 July 2001 laying down the general regulations on the protection of the public, the workers and the environment against the hazards of ionizing radiation (GRPIR) Law of 15 April 1994 as amended, on the protection of the population and the environment, against the dangers of ionising radiation and on the Federal Agency for Nuclear Control (FANC) Law of 20 July 1978 [permitting IAEA to carry out inspections] CW: Law 4 June 2007 approving the implementation of the CWC BW:	X	X		NW: Law of 15 April 1994, Arts. 49 and following (criminal and administrative penalties) Law of 1st June 2005, Arts 17 and following; Law of 20 July 1978, Art.12; CW: Law 4 June 2007 approving implementation of the CWC, Arts 22-24 BW:	
2	Measures to account for use	X	X		NW: EURATOM Regulation No 302/2005 of 8 February 2005 on the application of Euratom safeguards Law of 1st June 2005	X	X		NW: Law of 15 April 1994, Arts. 49 and following (criminal and administrative penalties) Law of 1st June 2005, Arts 17 and following; Law of 20 July 1978, Art.12;	

				<p>Royal Decree of 20 July 2001 (GRPIR) Law of 15 April 1994 as amended Law Law of 20 July 1978</p> <p>CW: Law 4 June 2007 approving the implementation of the CWC</p> <p>BW:</p>			<p>CW: Law 4 June 2007 approving the implementation of the CWC Arts 22-24</p> <p>BW:</p>	
3	Measures to account for storage	X	X	<p>NW: EURATOM Regulation No 302/2005 of 8 February 2005 on the application of Euratom safeguards Royal Decree of 20 July 2001 GRPIR)3, Law of 15 April 1994 as amended Law of 20 July 1978</p> <p>CW: Law 4 June 2007 approving implementation of the CWC</p> <p>BW:</p>	X	X	<p>NW: Law of 15 April 1994, Arts. 49 and following (criminal and administrative penalties Law of 1st June 2005, Arts 17 and following; Law of 20 July 1978, Art.12;</p> <p>CW: Law 4 June 2007 approving the implementation of the CWC, Arts 22-24</p> <p>BW:</p>	
4	Measures to account for transport	X	X	X	X	X	<p>NW: Law of 15 April 1994, Arts. 49 and following Law of 1st June 2005, Arts 17 and following; Law of 20 July 1978, Art.12;</p> <p>NW/CW/BW: Party to ADR and RID agreements</p>	
5	Other measures for accounting							

6	Measures to secure production	X	X	X	<p>NW: Council Directive 96/29/EURATOM of 13 May 1996, Articles 2, 18, 19 and 20 Royal Decree of 20 July 2001 Law of 11 December 1998 Royal Decree of 20 July 2001 (GRPIR)</p> <p>CW: Directive 98/24/EC [protection of workers from risks related to chemical agents] Law 4 June 2007 approving implementation of the CWC</p> <p>BW: 1.Directive 2000/54/EC [protection of workers against risks of biological agents] Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2002 [C- 2001/31446]</p>	X	X	X	<p>NW: Law of 15 April 1994 Royal Decree of 20 July 2001, Art. 80</p> <p>CW: Law 4 June 2007 approving the implementation of the CWC, Arts 22-24</p> <p>BW: 1.Directive 2000/54/EC [protection of workers against risks of biological agents] Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2002 [C- 2001/31446]</p>	
7	Measures to secure use	X	X	X	<p>NW: Council Directive 96/29/EURATOM of 13 May 1996, Articles 2, 18, 19 and 20 Royal Decree of 20 July 2001 Law of 11 December 1998 Royal Decree of 20 July 2001</p> <p>CW: Directive 98/24/EC [protection of workers from risks related to chemical agents] Law 4 June 2007 approving the implementation of the CWC</p> <p>BW: 1.Directive 2000/54/EC Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2002 [C- 2001/31446]</p>	X	X	X	<p>NW: Law of 15 April 1994 Royal Decree of 20 July 2001, Art. 80</p> <p>CW: Law 4 June 2007 approving the implementation of the CWC Arts 22-24</p> <p>BW: 1.Directive 2000/54/EC Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2002 [C- 2001/31446]</p> <p>Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2002 [C- 2001/31446] Biosafety Advisory Council (BAC) [Federal authorities, Ministry of Health, Ministry of Agriculture, Ministry of Employment and Work, Ministry qui a la Politique Scientifique]</p>	

8	Measures to secure storage	X	X	X	<p>NW: Council Directive 96/29/EURATOM of 13 May 1996, Articles 2, 18, 19 and 20 Royal Decree of 20 July 2001 Law of 11 December 1998 on Security Clearances Royal Decree of 20 July 2001, Art. 80</p> <p>CW: Directive 98/24/EC [protection of workers from risks related to chemical agents] Law 4 June 2007 approving the implementation of the CWC</p> <p>BW: 1.Directive 2000/54/EC [Protection of workers exposed to biological agents at work] Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2001 [C- 2001/31446]</p>	X	X	X	<p>NW: Law of 15 April 1994 Royal Decree of 20 July 2001, Art. 80</p> <p>CW: Law 4 June 2007 approving the implementation of the CWC, Arts 22-,</p> <p>BW: 1.Directive 2000/54/EC [Protection of workers exposed to biological agents at work] – Decree of 29 April 1999 Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2001 [C- 2001/31446]</p>	
9	Measures to secure transport	X	X	X	<p>NW/CW/BW: International Regulations concerning the Carriage of Dangerous Goods by Rail European Agreement concerning the International Carriage of Dangerous Goods by Road Law of 15 April 1994 [FANC inspection authority] Royal Decree of 20 July 2001 Regulations regarding the Transportation of Dangerous Goods on Ocean-going Vessels Regulations for the Carriage of Dangerous Goods on the Rhine</p> <p>CW: Council Directive 2008/68/EC [repeals 94/55/EEC and 96/49/EEC] Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures Law 4 June 2007 approving the implementation of the CWC.</p>	X	X	X	<p>NW: Law of 15 April 1994, Arts 49 & following Prior authorisation of shipments by FANC is mandatory. If these provisions are not met, the Agency can impose corrective actions. A breach of compliance with the law or with the regulation can constitute a criminal offence, and the law enforcement officers of FANC may officially report to the public prosecutor, who can initiate a penal procedure. Royal Decree of 20 July 2001, Article 80</p> <p>CW: Party to ADR and RID agreements Law 4 June 2007 approving the implementation of the CWC, Arts 22-24</p> <p>BW: Party to ADR and RID agreements</p>	

					BW: Council Directive 2008/68/EC					
10	Other measures for securing									
11	Regulations for physical protection of facilities/ materials/ transports	X	X	X	NW: Law of 24 July 1984 on CPPNM amended by the Law of 17 April 1986. CW: Law 4 June 2007 approving implementation of the CWC BW: Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2001 [C- 2001/31446]	X	X	X	NW: Law of 17 April 1986 (amendment of penal code implementing CPPNM) CW: Law 4 June 2007 approving implementation of the CWC Arts 22-24 BW: 1. Directive 2000/54/EC [Protection of workers exposed to biological agents at work] – Decree of 29 April 1999 Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2001 [C- 2001/31446]	
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X	X	NW: Royal Decree of 20 July 2001 requiring authorization from FANC for establishment and operation of installations in which nuclear and other radioactive material is present. CW: Law 4 June 2007 approving implementation of the CWC BW: Directive 2000/54/EC Directive 98/81/EC	X	X	X	NW: FANC inspectors are officers of the criminal police and can investigate violations Law of 15 April 1994 Royal decree of 20 July 2001, art. 80 CW: Law 4 June 2007 approving implementation of the CWC BW: Directive 2000/54/EC Directive 98/81/EC	
13	Reliability check of personnel	X			NW: Council Directive 2003/122/ EURATOM of 22 December 2003, Article 8 Council Directive 96/29/EURATOM of 13 May 1996, Article 22 Law of 11 December 1998 on classification and security clearances	X			NW: Law of 11 December 1998 on classification and security clearances, Art. 24 CW: BW:	

					CW:					
					BW:					
14	Measures to account for/secure/ physically protect means of delivery		X		NW:				NW:	
					CW: Law 4 June 2007 approving implementation of the CWC		X		CW: Law 4 June 2007 approving the approving implementation of the CWC, Arts 22-24	
					BW:				BW:	

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

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at:

[http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

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

State:

{State's name}

Date

(date)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, source document	YES	if YES, source document	
1 National regulatory authority	X	Law of 20 July 1978 amended by Law of 15 April 1994	X	Federal Agency for Nuclear Control (FANC)	
2 IAEA Safeguards Agreements	X	INFCIRC/193 Additional Protocol in force 30 April 2004	X	Law of 20 July 1978, Art. 12 Law of 1 June 2005, Arts. 17 and following	
3 IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Notification pursuant to GC(47)/RES/7.B	X	Point of Contact for Import and Export: Federal Agency for Nuclear Control/Agence Fédérale de Contrôle Nucléaire (FANC/AFCN)	
4 Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5 IAEA Incident and Trafficking Database	X	Participates	X	Participates	
6 Other Agreements related to IAEA	X	Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency ratification: 1999-01 Convention on Nuclear Safety ratification: 1997-01-13 Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management ratification: 2002-09-05	X	Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency ratification: 1999-01 Convention on Nuclear Safety ratification: 1997-01-13 Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management ratification: 2002-09-05	
7 Additional national legislation/regulations related to nuclear					

	materials including CPPNM					
8	Other					

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

State:

{State's name}

Date

(date)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Law 4 June 2007 approving the implementation of the CWC	X	Federal Public Service Foreign Affairs, Foreign Trade And Development Cooperation	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Law 4 June 2007 approving the implementation of the CWC	X	Regular reports	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other					

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

State:

{State's name}

Date

(date)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	X	Directive 2000/54/EC [Protection of workers exposed to biological agents at work] Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2002 [C- 2001/31446]	X	Directive 2000/54/EC [Protection of workers exposed to biological agents at work] Directive 2009/41/EC [contained use of pathogenic or GMO] - Decree of 8 November 2002 [C- 2001/31446]	
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	NW/CW/BW: Customs and Excise Law of 18 July 1997 Council Regulation (EEC) No. 2913/92 of 12 October 1992 (Community Customs Code) Commission Regulation No. 2454/1993 (Implementing Provisions to the Community Customs Code) EU Regulation no. 648 of 13 April 2005 (Security Amendment) Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended Law of 5 August 1991 relating to export, import, and transit of weapons	X	X	X	NW/CW/BW: Customs and Excise Law of 18 July 1997, (Art.231, 249-253, 263-284). Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended, Arts. Art. 10 and 10a Law of 5 August 1991 relating to export, import, and transit of weapons, Article 10 (penalties); Art. 12 (smuggling) Ministry of Finance, Customs and Excise Administration, General Economics Inspectorate, Judicial Police and any official specifically designated by the competent Minister	
2	Technical support of border control measures	X	X	X	NW/CW/BW: EU Regulation no. 648 of 13 April 2005 (Security Amendment)	X	X	X	NW/CW/BW: Scanners and X- Ray machines Megaport Initiative	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	X	X	NW/CW/BW: 1.Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 as amended relating to	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 as amended, relating to	

					the import, export and transit of weapons				the import, export and transit of weapons, Art. 10	
4	Enforcement agencies/authorities	X	X	X	NW/CW/BW: Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended	X	X	X	NW/CW/BW: Ministry of Finance, Customs and Excise Administration, General Economics Inspectorate, Judicial Police and any official specifically designated by the competent Minister Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended, Arts. Art. 10 and 10a	
5	Export control legislation in place	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Customs and Excise Law of 18 July 1997 Ministerial Order of 28 September 2000 Law of 5 August 1991 as amended relating to the import, export and transit of weapons Royal Decree of 8 March 1993 as amended Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended NW: Royal Decree of 20 July 2001 [transfer to non-nuclear weapon states of nuclear material, equipment, technological data] CW: Law 4 June 2007 approving implementation of the CWC	X	X	X	NW/BW: Customs and Excise Law of 18 July 1997, Arts. 231, 249-253, 263-284) Federal Law of 11 September 1962, as amended, concerning the import, export and transit of goods and related technology, Arts. 10 and 10a Law of 5 August 1991 as amended, relating to the import, export and transit of weapons CW: Federal Law of 11 September 1962 as amended, concerning the import, export and transit of goods and related technology, Arts. 10 and 10a Law of 5 August 1991 as amended Law 4 June 2007 approving the implémentation of the CWC	
6	Licensing provisions	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Customs and Excise Law of 18 July 1997	X	X	X	NW/CW/BW: Customs and Excise Law of 18 July 1997 (Art.231, 249-253, 263-284). Federal Law of 11 September 1962 as amended concerning the import, export and transit of goods and related technology, Arts.	

				Ministerial Order of 28 September 2000 Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Federal Law of 11 September 1962, as amended, concerning the import, export and transit of goods and related technology Royal Decree of 8 March 1993 as amended			10 and 10a Law of 5 August 1991 as amended, relating to the import, export and transit of weapons	
7	Individual licensing	X	X	X NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Customs and Excise Law of 18 July 1997 Ministerial Order of 28 September 2000 Law of 5 August 1991 as amended, [relating to the import, export and transit of weapons Federal Law of 11 September 1962, as amended, concerning the import, export and transit of goods and related technology, as amended Royal Decree of 8 March 1993 as amended	X	X	X NW/CW/BW: Customs and Excise Law of 18 July 1997 (Art.231, 249-253, 263-284). Federal Law of 11 September 1962, as amended, concerning the import, export and transit of goods and related technology, Arts. 10 and 10a Law of 5 August 1991 as amended, relating to the import, export and transit of weapons	
8	General licensing	X	X	X NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Customs and Excise Law of 18 July 1997 Ministerial Order of 28 September 2000 Law of 5 August 1991 as amended Royal Decree of 8 March 1993 as amended	X	X	X NW/CW/BW: Customs and Excise Law of 18 July 1997 (Art.231, 249-253, 263-284). Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended, Arts. Art. 10 and 10a	
9	Exceptions from licensing	X	X	X NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items)	X	X	X NW/CW/BW: An authorisation shall be required for intra-Community transfers of dual-use items listed in Annex IV. Items listed in Part2 of Annex IV shall not be covered by a general authorisation	

10	Licensing of deemed export/visa	?	?	?	NW/CW/BW: Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses				NW: CW: BW:	
11	National licensing authority	X	X	X	NW/CW/BW: For the Brussels Capital Region, Brussels Regional Public Service (External Relations Directorate) For the Walloon Region, Ministère de la Région Wallonne, Direction Générale Economie et Emploi, Direction Gestion des Licences For the Flanders Region, Flemish Department of Foreign Affairs, Strategic Goods Control Unit.	X	X	X	NW/CW/BW: For the Brussels Capital Region, Brussels Regional Public Service (External Relations Directorate) For the Walloon Region, Ministère de la Région Wallonne, Direction Générale Economie et Emploi, Direction Gestion des Licences For the Flanders Region, Flemish Department of Foreign Affairs, Strategic Goods Control Unit.	
12	Interagency review for licenses	X	X	X	NW: Advisory Commission on the Non-proliferation of Nuclear Weapons (CANPAN): Departments of Energy, of Economics and Research, of Foreign Affairs, of Foreign Trade, of Defence, and State Security and AFCN CW/BW: Cooperation Agreement of 17 July 2007 between the FPS Foreign Affairs and the Flemish, Walloon & Brussels Region (licensing authorities)	X	X	X	NW: The inter-ministerial Advisory Commission on the Non-proliferation of Nuclear Weapons (CANPAN) considers export applications for articles included in the NSG lists (INFCIRC/254/Parts I and II). In the case of a negative response from CANPAN, the relevant minister may not authorize export. On the other hand, in the case of a positive response from CANPAN, the relevant minister may decide not to authorize export. CW/BW: FPS Foreign Affairs and the Flemish, Walloon & Brussels Region (licensing authorities)	
13	Control lists	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	
14	Updating of lists	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the	X	X	X	NW/CW/BW: The list of dual-use items set out in Council regulation (EC) n. 428/2009, Annex I shall be	

					control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons				updated in conformity with the relevant obligations and commitments, and any modification thereof, that Member States have accepted as members of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.	
15	Inclusion of technologies	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons Federal Law of 11 September 1962, as amended, concerning the import, export and transit of goods and related technology	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons Federal Law of 11 September 1962, as amended, concerning the import, export and transit of goods and related technology	
16	Inclusion of means of delivery	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons	
17	End-user controls	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14 Law of 5 August 1991 relating to the import, export and transit of weapons Cooperation Agreement of July 17th, 2007 between the federal state and the regions with respect to the import, export and transit of military equipment and dual-use items (Art. 11)	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons Cooperation Agreement of July 17th, 2007 between the federal state and the regions with respect to the import, export and transit of military equipment and dual-use items (Art. 11)	

18	Catch all clause	?	?	?	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons	?	?	?	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons	
19	Intangible transfers	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law of 5 August 1991 relating to the import, export and transit of weapons	
20	Transit control	X	X	X	NW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items EU Regulation no. 648 of 13 April 2005 (Security Amendment) Customs and Excise Law of 18 July 1997 Ministerial Order of 28 September 2000 Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Royal Decree of 8 March 1993 as amended CW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law 4 June 2007 approving implementation of the CWC Customs and Excise Act of 18 July 1997 Ministerial Order of 28 September 2000 Act of 5 August 1991 as amended, relating to the import, export and transit of weapons Royal Decree of 8 March 1993 as amended	X	X	X	NW/BW: Customs and Excise Law of 18 July 1997 Law of 11 September 1962 as amended by the Law of 3 August 1992 and Law of 2 February 1994 Law of 5 August 1991 as amended, relating to the import, export and transit of weapons 4.. Royal Decree of 8 March 1993 as amended CW: Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Law 4 June 2007 approving the implementation of the CWC	
21	Trans-shipment control	X	X	X	NW/BW: Council regulation (EC) n. 428/2009 of 5 May	X	X	X	NW/BW: Customs and Excise Law of 18 July 1997	

					2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items EU Regulation no. 648 of 13 April 2005 (Security Amendment) Customs and Excise Law of 18 July 1997 Ministerial Order of 28 September 2000 Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Royal Decree of 8 March 1993 as amended CW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Law 4 June 2007 approving the implementation of the CWC Customs and Excise Law of 18 July 1997 Ministerial Order of 28 September 2000 Law of 5 August 1991 as amended Royal Decree of 8 March 1993 as amended				Law of 11 September 1962 as amended by the Law of 3 August 1992 and Law of 2 February 1994 Law of 5 August 1991 as amended 4.. Royal Decree of 8 March 1993 as amended CW: Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Law 4 June 2007 approving the implementation of the CWC	
22	Re-export control	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items EU Regulation no. 648 of 13 April 2005 (Security Amendment)	X	X	X	NW/CW/BW: Law of 5 August 1991 as amended Royal Decree of 8 March 1993 as amended	
23	Control of providing funds	X	X	X	NW/CW/BW: Law of 11 January 1993 On Preventing use of the Financial System for Purposes of Laundering Money and Terrorism Financing, as amended	X	X	X	NW/CW/BW: Law of 11 January 1993 On Preventing use of the Financial System for Purposes of Laundering Money and Terrorism Financing, as amended	
24	Control of providing transport services	X			NW: Law of 15 April 1994, Arts. 3-6, 9, 10, 14, 18, 18bis and 28 Royal decree of 20 July 2001, Arts. 56 to 60 CW:	X			NW: Law of 15 April 1994, Arts. 49 and following Royal decree of 20 July 2001, Art. 80 Law of 17 April 1986, Art. 4 amending the Penal code, Art 488bis Prior authorisation of shipments by FANC is mandatory. If these provisions are not met,	

					BW:				the Agency can impose corrective actions. A breach of compliance with the law or with the regulation can constitute a criminal offence, and the law enforcement officers of FANC may officially report to the public prosecutor, who can initiate a penal procedure.	
									CW: BW:	
25	Control of importation	X	X	X	NW/BW/CW: Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Royal Decree of 8 March 1993 as amended CW: Law 4 June 2007 approving the implementation of the CWC	X	X	X	NW/BW: Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended, Arts. Art. 10 and 10a Law of 5 August 1991 as amended, relating to the import, export and transit of weapons CW: Federal Law of 11 September 1962 concerning the import, export and transit of goods and related technology, as amended Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Law 4 June 2007 approving the implementation of the CWC	
26	Extraterritorial applicability	X	X	X	NW/CW/BW: Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Penal Code, Arts. 136 ter, 488 bis Penal Procedure Code, Art. 12 bis	X	X	X	NW/CW/BW: Law of 5 August 1991 as amended, relating to the import, export and transit of weapons Penal Code, Arts. 136 ter, 488 bis Penal Procedure Code, Art. 12 bis	
27	Other									

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered	X	In certain cases of illicit trafficking in radioactive materials where Belgium is directly or indirectly concerned, experts from the Federal Agency for Nuclear Control can collaborate with foreign institutions, assisting either in the detection of the offence or in the recovery of the materials	
4	Assistance requested			
5	Point of Contact for assistance	X	Mr. Werner Bauwens (Director of Disarmament, Non-proliferation and Armament Control, Ministry of Foreign Affairs)	
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry	X	National authorities are in close contact with the chemical industry and its professional federation concerning activities none prohibited by the Convention and its verification regime. Authorities also work closely with the nuclear sector to keep operators informed of worldwide developments in the concepts of non-proliferation and physical protection. The sector is also consulted when laws and regulations in this field are being drafted.	
8	Work with and inform the public	X	The following agencies provide information to companies located in their respective areas: Walloon Export and Foreign Investment Agency, Flanders Investment and Trade, Brussels Export	
9	Point of Contact	X	Mr. Werner Bauwens (Director of Disarmament, Non-proliferation and Armament Control, Ministry of Foreign Affairs)	
10	Other ⁴			

Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.