

1540 COMMITTEE MATRIX OF KAZAKHSTAN

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: KAZAKHSTAN
 Date of Report: 3 November 2004
 Date of First Addendum: 1 December 2005
 Date of Second Addendum: 18 January 2008
 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 14 February 1994	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty on a Nuclear Weapon-Free Zone in Central Asia (CANWFZ), deposit 14 February 2009	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposit 31 July 2008	
4	Convention on Physical Protection of Nuclear	X	Deposit 2 September 2005	

	Material (CPPNM)			
5	2005 Amendment to the CPPNM	X	Deposit 26 April 2011	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 14 may 2002	
7	Chemical Weapons Convention (CWC)	X	Deposit 23 march 2000	
8	Biological Weapons Convention (BWC)	X	Deposit 15 June 2007	
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	State party to 14 of 19 universal legal Instruments against terrorism including the following relevant to resolution 1540: - International Convention for the Suppression of Terrorist Bombings, since 26 March 2002 -International Convention for the Suppression of the Financing of Terrorism, since 6 December 2002	
11	International Atomic Energy Agency (IAEA)	X	Since 14 February 1994	
12	Hague Code of Conduct (HCOC)	X	Since 9 July 2005	
13	Other Arrangements	X	1. Nuclear Supplies Group (NSG) 2. Zangger Committee (ZC) 3. Proliferation Security Initiative (PSI) 4. Global Initiative to Combat Nuclear Terrorism (GICNT) 5. G-7 Global Partnership against the Spread of Weapons and Materials of Mass Destruction 6. Agreement on a Single System for Export Control by the Member States of the Eurasian Economic Community 7. Agreement on the coordination of work on the export control of raw materials, materiel, equipment, technologies and services which may be used for the production of WMD and missiles for their delivery, concluded by the CIS Member States 6. Treaty on Cooperation among the States Members of the CIS in Combating Terrorism 7. Shanghai Convention on Combating Terrorism, Separatism and Extremism	
13	General statement on non-possession of WMD			
14	General statement on commitment to disarmament and non-proliferation	X	State reports that it is taking consistent and concrete action to prevent and suppress the proliferation of WMD	

15	General statement on non-provision of WMD and related materials to non-State actors			
16	Other ¹	X	<p>Member of:</p> <p>Organisation for Security and Cooperation in Europe (OSCE)</p> <p>Eurasian Group on Combating Money Laundering and Financing of Terrorism (EAG)</p> <p>World Customs Organization (WCO)</p> <p>INTERPOL</p> <p>World Health Organization (WHO)</p> <p>Organisation for Animal Health (OIE)</p> <p>The Shanghai Cooperation Organisation (SCO)</p> <p>Euro-Atlantic Partnership Council (EAPC)</p> <p>Collective Security Treaty Organization (CSTO)</p> <p>Commonwealth of Independent States (CIS)</p> <p>Eurasian Economic Union (EEU)</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				Remarks
		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/CW/BW: Criminal Code of 16 July 1997 NW: Decision of the Supreme Council 2593 on accession to NPT, 1993 Act On nuclear energy use of 14 April 1997,Art.3	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Art. 158 (Production, purchase or sale of WMD)	
2	acquire	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997 NW: Decision of the Supreme Council 2593 on accession to NPT, 1993	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Art. 158, 255	
3	possess	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Articles 158 and 255	
4	stockpile/store	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997 NW: Act On nuclear energy use of 14 April 1997, Art.3	X	X	X	NW: Criminal Code of 16 July 1997, Article 158 CW/BW: Criminal Code of 16 July 1997, Articles 158 and 255	
5	develop	X	X	X	NW/CW/BW: Criminal Code 16 of July 1997	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997,	

					NW: Act On nuclear energy use of 14 April 1997, Art 3				Article 158	
6	transport	?	?	?	NW/CW/BW: Act On combating terrorism of 13 July 1999, Art 7 NW: Act On nuclear energy use of 14 April 1997 Art 3	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Articles 158	
7	transfer	X	?	?	NW/CW/BW: Act On nuclear energy use of 14 April 1997, Art 3	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Articles 158 and 250 (transfer across the customs border of WMD)	
8	use	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997 NW: Act On nuclear energy use of 14 April 1997, 3	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Articles 159, 233.3 (use or threat to use WMD)	
9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Art 158 in conjunction with Art 233 - 2 Act On combating terrorism of 13 July 1999, Article 1	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Art 158 in conjunction with Art 233 -2	
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Criminal Code, Art 233-2 Act On combating terrorism of 13 July 1999, Article 1	X	X	X	NW/CW/BW: Criminal Code, Art 233, 2	
11	finance abovementioned activities	X	X	X	NW/CW/BW: Act On combating terrorism of 13 July 1999, Article 1 Criminal Code, Art 233-3	X	X	X	NW/CW/BW: Act On combating terrorism of 13 July 1999, Article 1 Criminal Code, Art 233-3 NW: Act On nuclear energy use of 14 April 1997	
12	abovementioned activities related to means of delivery ²	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Article 243	X	X	X	NW/CW/BW: Criminal Code of 16 July 1997, Article 243	

13	involvement of non-State actors in abovementioned activities	?	?	?	NW/CW/BW: Act on combating terrorism of 13 July 1999 as amended, Art 10	?	?	?	NW/CW/BW: Act on combating terrorism of 13 July 1999 as amended, Art 10	
14	Other									

2. 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	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	?	?	NW: INFCIRC/504 1. Act on nuclear energy use of 14 April 1997, Art 15 2. Government Decision 769 On the organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005 CW/BW: Environmental Code of Kazakhstan of 2007,	X			NW: Criminal Code, Article 249 (violation of rules of storage, use, accounting, transportation of radioactive materials) Code of Administrative Offences, Art 414 (Violation of the requirements of the nuclear non-proliferation regime), 297	
2	Measures to account for use	X	?	?	NW: INFCIRC/504 1. Act on nuclear energy use of 14 April 1997, Art 15 2. Government Decision 769 On the organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005 CW/BW: Environmental Code of Kazakhstan of 2007,	X			NW: Criminal Code, Article 249 (violation of rules of storage, use, accounting, transportation of radioactive materials) Code of Administrative Offences, Art 414 (Violation of the requirements of the nuclear non-proliferation regime), 297	
3	Measures to account for storage	X			NW: INFCIRC/504 1. Act on nuclear energy use of 14 April 1997, Art 15 2. Government Decision 769 On	X			NW: Criminal Code, Article 249 Code of Administrative Offences, Art 414 (Violation of the requirements of the nuclear non-proliferation	

				the organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005 CW/BW: Environmental Code of Kazakhstan of 2007,				regime), 297	
4	Measures to account for transport	X		NW: 1. Act On nuclear energy use of 14 April 1997 Art 5 2. Government Decision 769 "On the organization of State accounting and control systems for nuclear materials and sources of ionizing radiation" of 22 July 2005 .	X			NW: Criminal Code, Article 249	
5	Other measures for accounting								
6	Measures to secure production	X		NW: Government Decision 769 On the organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005. BW:	X			NW: Government Decision 769 On the organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005.	
7	Measures to secure use	X		NW: Government Decision 769 On the organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005	X			NW: Criminal Code, Art. 247, 248 and 249	
8	Measures to secure storage	X		NW: Government Decision 769 On the organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005	X			NW: Criminal Code, Art. 247, 248 and 249	
9	Measures to secure transport	X		NW: Government Decision 769 On the	X			NW: Criminal Code, Art. 247, 248 and	

				organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005			249	
10	Other measures for securing							
11	Regulations for physical protection of facilities/materials/ transports	X		NW: Act On nuclear energy use of 14 April 1997 Art 14	X		NW: Act on nuclear energy use of 14 April 1997 Art 14	
12	Licensing/registration of facilities/persons handling materials	X		NW: Act on nuclear energy use of 14 April 1997, Article 11 Act 214 "On Licensing" of 11 January 2007, Article 13 Government Decision 769 On the organization of State accounting and control system for nuclear materials and sources of ionizing radiation of 22 July 2005	X		NW: Criminal Code, Art 190	
13	Reliability check of personnel							
14	Measures to account for/secure/ physically protect means of delivery	?		NW: Government Decision 769 "On the organization of State accounting and control system for nuclear materials and sources of ionizing radiation" of 22 July 2005				

3. 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)

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	Government Decision 186 of 26 February 2013 "On questions relating to the Ministry of Industry and New Technologies of Kazakhstan Republic"	X	Ministry of Industry and New Technologies of Kazakhstan Republic	
2	IAEA Safeguards Agreements	X	INFCIRC/504 11 August 1995 Additional Protocol in force : since 9 May 2007	X	INFCIRC/504 11 August 1995 Additional Protocol in force : since 9 May 2007	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
4	Supplementary Guidance on the Import and Export of Radioactive Source of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
5	IAEA incident and Trafficking Database	X	Participates	X	Participates	
6	Other Agreements related to IAEA	X	1. Convention on Early Notification of a Nuclear Accident, if force 2010-04-09 2. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, in force 2010-04-09 3. Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, in force 2010-06-08 4. Convention on Nuclear Safety, in	X	1. Convention on Early Notification of a Nuclear Accident, if force 2010-04-09 2. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, in force 2010-04-09 3. Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, in force 2010-06-08 4. Convention on Nuclear Safety, in force	

			<p>force 2010-06-08</p> <p>5. Vienna Convention on Civil Liability for Nuclear Damage, in force 2011-06-29</p> <p>6. Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage, in force 2011-06-29</p> <p>7. Revised Supplementary Agreement Concerning the provision of technical Assistance by the IAEA (RSA), in force 1997-03-25</p> <p>8. Agreement on the Privileges and Immunities of the IAEA, in force 1998-04-09</p>		<p>2010-06-08</p> <p>5. Vienna Convention on Civil Liability for Nuclear Damage, in force 2011-06-29</p> <p>6. Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage, in force 2011-06-29</p> <p>7. Revised Supplementary Agreement Concerning the provision of technical Assistance by the IAEA (RSA), in force 1997-03-25</p> <p>8. Agreement on the Privileges and Immunities of the IAEA, in force 1998-04-09</p>	
7	Additional national legislation/regulations related to nuclear materials including CPPNM	X	Act No. 17-III of the Republic of Kazakhstan of 22 December 2004 on accession entered into force on 2 October 2005			
8	Other	X	Government Decision 525-23 On the establishment of special agencies of the Ministry of the Interior of the Republic of Kazakhstan and special units of the Forces of the Ministry of Interior of the Republic of Kazakhstan of 22 June 1993			

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

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	Ministry of Energy and Mineral Resources	X	Ministry of Energy and Mineral Resources	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Reported	X	Reported	
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)**

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					
2	Other legislation/ regulations related to safety and security of biological materials	X	Presidential Decree of 1993	X	National Center for Biotechnology (NCB)	
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: Act on combating terrorism of 13 July 1999 as amended Art 7 Customs Code of 30 June 2010, Arts. 205, 242, 276 Act "On export controls" of 21 July 2007 Law of 30 June of 2010 no 298 iv “On implementing customs regulations	X	X	X	NW/CW/BW: Customs Control Committee of the Ministry of Finance Border Service of National Security Committee NW: Criminal Code, Articles 247, 248 and 250 CW/BW: Criminal Code, Article 250	
2	Technical support of border control measures	X	X	X	NW/CW/BW: Customs Code of 30 June 2010, Art 196	X	X	X	NW /BW : Customs Code of 30 June 2010, Art 196 An automated export control system has been in operation since 2000	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology									
4	Enforcement agencies/authorities	X	X	X	NW/CW/BW: Customs Code of 30 June 2010, Arts. 205, 242, 276	X	X	X	NW/CW/BW: Customs Control Committee of the Ministry of Finance Border Service of National Security Committee	
5	Export control legislation in place	X	X	X	NW/CW/BW: 1. Act "On export controls" of 21 July 2007 2. Government Decision 1917 On improvement of the export control system of December 1999	X	X	X	NW/CW/BW: Criminal Code, Article 243	

1 1	National licensing authority	X	X	X	NW/CW/BW: Industry Committee of the Ministry of Industry and New Technologies	X	X	X	NW/CW/BW: Industry Committee of the Ministry of Industry and New Technologies	
1 2	Interagency review for licenses	X	X	X	NW/CW/BW: Act "On export control" of 21 July 2007, Art 7	X	X	X	NW/CW/BW: Act "On export control" 21 July 2007, Art 7	
1 3	Control lists	X	X	X	NW/CW/BW: Act "On export control" of 21 July 2007, Article 1 and 8 Government Decision 1282 On approval of the Schedules of products subject to export control in the Republic of Kazakhstan of August 2000	X	X	X	NW/CW/BW: Government Decision 104 of 5 February 2008 on Approval of the List of Goods Subject to Export Control.	
1 4	Updating of lists									
1 5	Inclusion of technologies	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2007, Art 8	X	X	X	NW/CW/BW: Criminal Code, Article 243	
1 6	Inclusion of means of delivery	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2000, Art 8	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2000, Art 8	
1 7	End-user controls	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2007, Article 6	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2007, Article 6	
1 8	Catch all clause	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2007, Arts 10, 5					
1 9	Intangible transfers	?	?	?	NW/CW/BW: Act "On export controls" of 21 July 2007	?	?	?	NW/CW : Criminal Code, Article 243	
2 0	Transit control	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2007, Article 3 Government Decision no. 674 On approval of the Regulations for transit of products subject to export controls of 14 July 2006 NW: Customs Code of 30 June 2010, Arts. 205, 242, 276				NW/CW/BW: Act "On export controls" of 21 July 2007, Article 3 Government Decision no. 674 On approval of the Regulations for transit of products subject to export controls of 14 July 2006 NW: Customs Code of 30 June 2010, Arts. 205, 242, 276	

2 1	Trans-shipment control	X	X	X	NW/CW/BW: Government Decision 674 on approval of the Regulations for transit of products subject to export controls of July 2006	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2007 Arts 3, 9, para 4 Government Decision 674 "On approval of the Regulations for transit of products subject to export controls" of 14 July 2006 Government Decision 1037 On the licensing of the export and import of goods (works, services) in the Republic of Kazakhstan of 30 June 1997	
2 2	Re-export control	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2007 Arts 3, 9, para 4 Government Decision 674 "On approval of the Regulations for transit of products subject to export controls" of 14 July 2006 Government Decision 1037 On the licensing of the export and import of goods (works, services) in the Republic of Kazakhstan of 30 June 1997	X	X	X	NW/CW/BW: Act "On export controls" of 21 July 2007 Arts 3, 9, para 4 Government Decision 674 "On approval of the Regulations for transit of products subject to export controls" of 14 July 2006 Government Decision 1037 On the licensing of the export and import of goods (works, services) in the Republic of Kazakhstan of 30 June 1997	
2 3	Control of providing funds									
2 4	Control of providing transport services									
2 5	Control of importation	X	X	X	NW/CW/BW: Act On export controls of 21 July 2007 Article 9 Government Decision 674 On approval of the Regulations for transit of products subject to export controls of 14 July 2006 Government Decision 1037 On the licensing of the export and import of goods (works, services) in the Republic of Kazakhstan of 30 June 1997	X	X	X	NW/CW/BW: Criminal Code Art 250	

2 6	Extraterritorial applicability								
2 7	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			
4	Assistance requested			
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other ⁴			

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