

Permanent Mission of Senegal
to the United Nations

No. 01498/REPSSEN/NY/IMS/kbc

New York, 25 September 2015

Sir,

With reference to my letter No. 00796/REPSSEN/NY/IMS/vds of 26 June 2015 in which I provided you with updated information on the implementation by Senegal of Security Council resolution 1540 (2004) I am transmitting, herewith, the voluntary National Plan of Action of Senegal for 2016-2021.

Accept, Sir, the assurances of my highest consideration.

(Signed) Fodé **Seck**

Ambassador, Permanent Representative

H.E. Román Oyarzun Marchesi

Ambassador, Permanent Representative

Chair of the Security Council Committee established pursuant to resolution 1540 (2004)

Republic of Senegal
Ministry of the Armed Forces
Department of monitoring, research
and legislation

No. 03962/MFA/DIRCEL

The Minister

Dakar, 31 August 2015

Re: Submission of Senegal's voluntary National Plan of Action for the implementation of Security Council resolution 1540 (2004)

Attachment: one annex

Sir,

Please find, annexed hereto, the above-mentioned Plan of Action, for transmission to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004).

It was prepared with technical assistance from the 1540 Committee and the United Nations Regional Centre for Peace and Disarmament in Africa, which sent experts who stayed in Dakar from 18 to 19 June 2015, at my invitation.

To: The Minister for Foreign Affairs and the Senegalese diaspora

Parliamentarians, legal experts, chemists, biologists, experts in the radiological and nuclear field, human rights defenders and senior staff from the various ministerial departments concerned (Armed Forces, Interior, Foreign Affairs, Justice, Economy and Finance, Higher Education and Research, Environment) also took part in the drafting of this Plan.

Accept, Sir, the assurances of my highest consideration.

(Signed) The Minister , Ministry of the Armed Forces, Republic of Senegal

Voluntary National Plan of Action of Senegal

2016-2021

I Introduction

The proliferation of nuclear, biological and chemical weapons and their means of delivery and their use by non-State actors pose serious threats to international peace and security. Resolution 1540, adopted on 28 April 2004 by the Security Council, constitutes a response by the international community to these threats. This resolution provides that States must:

1. Refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;
2. Adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;
3. Take and enforce effective measures to establish domestic controls over related materials.

In view of the risks and threats associated in particular with its geographical situation, the density of air and maritime traffic at the Léopold Sédar Senghor international airport and the port of Dakar, the porous nature of its borders and its immediate environment traversed by ongoing or past conflicts, Senegal is aware of the vital need for a robust legal framework that would enable it to protect its territorial integrity and its population and their property. Moreover, in the implementation of resolution 1540, Senegal is aware of the need to strengthen its human and material capacity in the chemical, biological, radiological and nuclear spheres and reduce the existing imbalances between the chemical and biological areas, on the one hand, and the radiological and nuclear areas, on the other.

To this end, Senegal has become a State Party to the main international conventions concerning the proliferation of nuclear, biological and chemical weapons and their means of delivery and it has undertaken the obligations deriving therefrom. Likewise, it is committed to having a voluntary National Plan of Action for the implementation of resolution 1540.

Senegal signed the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction on 13 January 1993 at Paris. It ratified the Convention on 20 July 1998.

Previously, on 1 July 1968, Senegal had signed the Treaty on the Non-Proliferation of Nuclear Weapons, and ratified it on 22 December 1970. It signed the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction at Washington on 10 April 1972, and ratified it on 3 April 1973.

As a signatory State of these treaties, Senegal strictly observes the obligations deriving therefrom. In that regard, under decree No. 2002-839 of 27 August 2002, it established a national commission on nuclear, biological and chemical weapons.

The commission was established within the Ministry of the Armed Forces, which provides its presidency and permanent secretariat, and is coordinated by the Ministry of Higher Education and Research; it is composed of representatives of most of the ministerial departments, of the Office of the President of the Republic and of the Prime Minister's Office. It assists the competent authorities in the formulation, monitoring and implementation of a national policy on nuclear, biological and chemical weapons.

It should be stressed that Senegal does not produce nuclear weapons, has no nuclear industry and does not import related materials. It has no facilities for the manufacture of chemical weapons and does not possess any weapons in this category.

Moreover, Senegal does not possess any biological weapons and does not manufacture any such weapons.

It has no desire to acquire these types of weapons, or to develop programmes for their manufacture.

Senegal signed, on 26 October 1979, and ratified, on 14 October 2003, the Convention on the Physical Protection of Nuclear Material, with a view to ensuring that if such material were to be imported, for example for agricultural or public health purposes, it would not fall into the hands of non-State actors, particularly terrorists. The Convention provides for the implementation of certain specific measures, in particular escorts during transportation and enhanced security arrangements at storage sites. Ratification of the 2005 Amendment is still pending, however.

With regard to the implementation of the Chemical Weapons Convention, Senegal adopted law No. 2006-36 of 16 October 2006 and signed its implementing decree No. 2014-1320 of 17 October 2014. This law prohibits the development, manufacture, stockpiling and use of chemical weapons. It also regulates the import, export and production of chemical products which could be used for the manufacture of such weapons.

It should be noted that Senegal is a party to 12 international convention on combating terrorism. For the most part, the obligations arising from these conventions have already been incorporated into Senegalese national legislation.

Senegal, which supports non-proliferation and disarmament, is committed to implementing resolution 1540.

With technical assistance from the 1540 Committee and from the United Nations Regional Centre for Peace and Disarmament in Africa, which sent experts who stayed in Dakar from 18 to 19 June 2015, at the invitation of the Senegalese Government, Senegal has prepared its voluntary National Plan of Action for the implementation of resolution 1540 (see annex).

Parliamentarians, legal experts, chemists, biologists, experts in the radiological and nuclear field, human rights defenders and senior staff from the defence and security forces, the National Assembly, the Cheikh Anta Diop University of Dakar, various ministerial departments (Armed Forces, Interior, Foreign Affairs, Justice, Higher Education and Research, Economy and Finance, Environment), international institutions, the Radiological Protection and Nuclear Safety Authority, non-governmental organizations, civil society, and so forth, took part in the drafting of this Plan.

The Plan of Action, which supplements the initial report transmitted to the Chair of the 1540 Committee by a note verbale dated 31 March 2005, summarizes the main activities which Senegal plans to carry out in the context of the implementation of resolution 1540 to reinforce the legislative and regulatory framework, strengthen its human and material capacities in the areas concerned, establish adequate measures for the physical protection of biological, radiological and nuclear materials and facilities, strengthen border controls, raise awareness among the actors concerned and promote regional and international cooperation.

II Main activities to be carried out by Senegal in the context of the implementation of resolution 1540

OBLIGATIONS	SPECIFIC OBJECTIVES	ACTIVITIES	RESPONSIBLE ENTITIES	TECHNICAL AND FINANCIAL RESOURCES		DEADLINES	REPORT AND FOLLOW-UP MECHANISM
				NATIONAL	EXTERNAL		
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1. Refraining from support	1.1 Strengthening the policy of non-proliferation of nuclear, biological and chemical weapons	Political declarations reaffirming Senegal's commitment and determination to promote disarmament and non-proliferation	Government of Senegal, in particular the Ministry of Foreign Affairs and of the Senegalese diaspora	Government of Senegal			National Commission on nuclear, biological and chemical weapons (NatCom NBC)
		Political declarations reaffirming Senegal's commitment not to provide nuclear, biological or chemical (NBC) weapons or other related materials to non-State actors					

	1.2 Establishment of national coordination mechanisms for the detection of activities of non-State actors		Government of Senegal, in particular the Ministry of the Interior	Government of Senegal			NatCom NBC
	1.3 Development of a national legislative framework on terrorism	Signing and ratification of the remaining legal instruments to which Senegal has not yet acceded: Additional Protocol, 2005 Amendment to CPPM, etc.	Government of Senegal, in particular the Ministry of Justice and the Ministry of Foreign Affairs and the Senegalese diaspora	Ministry of Justice and Ministry of Foreign Affairs and the Senegalese diaspora	Technical and financial partners		NatCom NBC
2. Criminalization of activities associated with nuclear, biological and chemical weapons	Harmonization and strengthening of the legislative and regulatory framework	Carrying out an inventory of legislation in order to take into account the relevant provisions of resolution 1540	Ministry of Justice, NatCom NBC	Working group on the national budget	IAEA, OMD, UNREC, OPCW, ICRC, ECOWAS, UEMOA, AU, UNODC, EU, Amnesty International	Dec. 2016	NatCom NBC

		Ratification of relevant legal instruments, in particular the Additional Protocol, the 2005 Amendment of CPPM etc.	Office of the Prime Minister, Ministry of Foreign Affairs (Office of Legal and Consular Affairs (DAJC)), National Assembly		Idem	Dec. 2016	
		Organization of a national workshop on the harmonization of texts	NatCom NBC		Idem	Dec. 2016	
3. Effective measures for control	3.1 Formulating and instituting appropriate and effective measures to account for these items and ensure their security during their manufacture, use,	Training of trainers Strengthening the technical and human capacities of NatCom NBC in the biological sphere	Government of Senegal	Ministry of Higher Education and Research and competent national structures	IAEA, OMD, UNREC, OPCW, ICRC, ECOWAS, WAEMU, AU, UNODC, 1540 Committee, EU, Amnesty International or others	Dec. 2021	NatCom NBC

	stockpiling or transportation	<p>Strengthening the human and technical capacities of the radiological protection and nuclear safety authority (ARSN)</p> <p>As required, establishing regulatory authorities specializing in control</p> <p>Creating a national register to account for NRBC (nuclear, radiological, biological and chemical) materials</p>	<p>ARSN</p> <p>ARSN, NatCom NBC</p> <p>Operators</p>	Working group on the national budget	idem	Dec. 2017	<p>ARSN</p> <p>NatCom NBC</p> <p>NatCom NBC</p>
	3.2 Formulating and instituting appropriate and effective measures for	Establishing a system for the physical protection of NRBC materials and facilities	Competent national structures	Operators	Idem	Dec. 2019	ARSN, NatCom NBC

	physical protection	throughout the life cycle of materials and their movements Establishing an inspection system	Competent national structures	Government of Senegal	Idem	Dec. 2019	ARSN, NatCom NBC
	3.3 Formulating and instituting appropriate and effective border control and police arrangements in order to detect, deter, prevent and combat including, if necessary, by seeking international cooperation, illicit trafficking and brokering of these items, in	Strengthening the capacity of border services (training and equipment for detection) Improving and coordinating the system for the issuance of permits	Competent national structures Competent national structures	Government of Senegal	Idem Idem	Dec. 2020 Dec. 2017	NatCom NBC

	<p>conjunction with the national judicial authorities, in accordance with national legislation and respecting international law</p>						
	<p>3.4 Establishing, enhancing, evaluating and instituting in Senegal appropriate and effective arrangements for the control of the export/import and transshipment of these items, including appropriate laws and regulations to control their</p>	<p>Defining a system of prior authorization</p>	<p>Competent national structures</p>	<p>Government of Senegal</p>			<p>NatCom NBC</p>
		<p>Formulating a control list</p>	<p>Competent national structures</p>	<p>Government of Senegal</p>			<p>NatCom NBC</p>
		<p>Developing the system and procedures for the control of exports/imports</p>	<p>Competent national structures</p>	<p>Government of Senegal</p>			<p>NatCom NBC</p>
		<p>Creating a standard form for export/import</p>	<p>Competent national structures</p>	<p>Government of Senegal</p>			<p>NatCom NBC</p>

	export, transit, transshipment and re-export and controls on the provision of funds or services – financing or transportation, for example – relating to export or transshipment operations which could lead to proliferation, and establishing arrangements for the control of final users; instituting and applying appropriate criminal or civil penalties for violations of these laws and regulations on export control	Establishing a system for control of the final user Capacity building (training, equipment, information, instruction) of the border control services	Competent national structures Competent national structures	Government of Senegal Government of Senegal			NatCom NBC NatCom NBC
			Competent national	Government of Senegal			NatCom NBC

	3.5 International cooperation of the competent services		structures				
4. International cooperation and assistance	Maintaining an ongoing dialogue with the relevant bodies	<p>Collaborating closely with the 1540 Committee</p> <p>Establishing cooperation with those providing assistance in the implementation of the resolution</p> <p>Taking steps to meet Senegal's needs in the areas of training and equipment</p> <p>Training needs:</p> <p>Training of personnel in</p>	<p>Government of Senegal</p> <p>NatCom NBC</p>	<p>Ministry of Foreign Affairs</p> <p>Ministry of the Armed Forces</p>	<p>OMD, UNREC, OPCW, IAEA, ICRC, ECOWAS, WAEMU, AU, UNODC, 1540 Committee, EU, Amnesty International etc.</p> <p>1540 Committee</p>	For the duration of the National Plan of Action	NatCom NBC

		<p>detection (nuclear, biological, chemical and radiological)</p> <p>Training in export control; training for border police</p> <p>Training of personnel to strengthen border controls</p> <p>Training in national import, export and transshipment controls</p> <p>Identifying and securing radioactive materials</p> <p>Cooperation and strengthening of customs and police capacities</p>					
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		<p>Strengthening of regional cooperation in combatting terrorism and trafficking</p> <p>Accounting for nuclear, biological, chemical and radioactive materials</p> <p>Securing of transportation of hazardous materials, particularly nuclear and radioactive materials</p> <p>Equipment needs:</p> <p>Acquisition of equipment for the handling and transportation of hazardous</p>	<p>NatCom NBC</p>				
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		<p>items</p> <p>Securing of containers and cargoes in maritime ports</p> <p>Acquisition of radiological detection materials</p> <p>Acquisition of materials for the strengthening of border controls</p>					
<p>5. Education and awareness-raising (Senegal has been selected by OPCW as a pilot country in the sphere of chemical weapons)</p>	<p>Promoting dialogue with the actors concerned for a world without nuclear, biological and chemical weapons and the peaceful use of chemistry</p>	<p>Identifying the public and private sectors concerned</p> <p>Informing and raising the awareness of all the actors concerned</p> <p>Organizing awareness-raising seminars</p>	<p>NatCom NBC and national structures concerned</p>	<p>Ministry of Higher Education</p> <p>Ministry of National Education</p> <p>Ministry of the Armed Forces</p> <p>NatCom NBC and</p>	<p>OMD, UNREC, OPCW, IAEA, ICRC, ECOWAS, WAEMU, AU, UNODC, 1540 Committee, EU, Amnesty International</p>	<p>For the duration of the Plan</p>	<p>NatCom NBC</p>

		<p>for the public or private sectors concerned (mining companies, professional associations etc.)</p> <p>Publicizing the existing legal instruments</p> <p>Informing the public about the appropriate procedures for the import, export, transshipment, transit, transportation, stockpiling and use of CBRN materials</p> <p>Promoting open cooperation among the national actors concerned (customs officials,</p>		<p>national structures concerned</p>			
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		industrialists, business people, university staff, laboratory workers, NatCom NBC etc.) Establishing information and communication infrastructures.					
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