

**MEETING OF THE STATES PARTIES TO THE
CONVENTION ON THE PROHIBITION OF
THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF BACTERIOLOGICAL
(BIOLOGICAL) AND TOXIN WEAPONS AND
ON THEIR DESTRUCTION**

29 August 2007

ENGLISH ONLY

**Fourth Meeting
Geneva, 10-14 December 2007**

**Meeting of Experts
Geneva, 20-24 August 2007**

IMPLEMENTATION OF THE BTWC IN EU MEMBER STATES¹

Submitted by Portugal on behalf of the European Union

1. At the Sixth BTWC Review Conference in 2007, the European Union presented Working Paper 3 (**BWC/CONF.VI/WP.3**) explaining the need and obligation of all States Parties to translate the BTWC in national law and regulations, including penal and other enforcement measures. UNSC resolution 1540 (2004) also obliges all States to implement national legislation and other measures to prohibit and prevent the proliferation of biological weapons. UNSC resolution 1673 (2006) reiterates this obligation.

2. The EU Member States have taken stock of their national laws, regulations and other measures in fulfilling the obligation to implement the BTWC in national legislation. The results of the stocktaking are attached in form of a matrix for each EU Member State. The matrix addresses:

- (i) membership to the BTWC, the CWC, Geneva Protocol of 1925 and to export control arrangements,
- (ii) prohibited BW activities as well as assisting and financing of prohibited activities,
- (iii) protection of BW related materials, and
- (iv) export/import controls of dual-use biological materials.

3. With respect to protection of BW related materials, deliberately, only limited information is provided as in the 2008 Meeting of Experts the main focus will be on this issue.

¹ **This document is reproduced without editing, as received by the Secretariat.**

4. The matrix used is an adaptation of the matrix developed by the Committee established pursuant to UNSC Resolution 1540 (2004) with some minor modifications.

Austria

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 10 August 1973	http://disarmament.un.org:8080/TreatyStatus.nsf see websites of respective arrangements
2 Geneva Protocol of 1925	Deposit 09 May 1928	
3 Chemical Weapons Convention (CWC)	Deposit 17 August 1995	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce	Foreign Trade Act of 2005	Criminal Code, Section 177a	Foreign Trade Act of June 2005 ² Criminal Code of 23 January 1974, as amended ³
2 acquire			
3 possess			
4 stockpile/store			
5 develop		Criminal Code, Section 177a	
6 transport			
7 transfer		Criminal Code, Section 177a	
8 Use			
9 participate as an accomplice in a.m. activities		Criminal Code, Section 177a	
10 assist in a.m. activities	-		

² <http://ris1.bka.gv.at/authentic/findbgbl.aspx?name=entwurf&format=html&bgblnr=BGBI.%20I%20Nr.%2050/2005>

³ http://www.sbg.ac.at/ssk/docs/stgb/stgb_index.htm

11	finance a.m. activities			
12	a.m. activities related to means of delivery			
13	extraterritorial applicability		Criminal Code, Section 64, para 4b	

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ⁴
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ⁵ Council Directive 96/49/EC ⁶

⁴ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

⁶ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	1. Foreign Trade Act of 2005 2. Foreign Trade Decree 3. 1977 War Material Act		Foreign Trade Act of June 2005 ⁷
2	Enforcement agencies/authorities		Federal Ministry of Economics and Labour	
3	Export control legislation in place	1. Foreign Trade Act of 2005 2. Foreign Trade Decree 3. 1977 War Material Act	1. Criminal Code, Section 177a 2. Foreign Trade Act of 2005, Section 37	Criminal Code of 23 January 1974, as amended ⁸
4	Licensing provisions	4. EC Regulation 1334/2000		Foreign Trade Decree of 20 October 2004 - Amendment ⁹
5	Individual licensing			War Material Act of 18 October 1977, as amended ¹⁰
6	General licensing			

⁷ <http://ris1.bka.gv.at/authentic/findbgbl.aspx?name=entwurf&format=html&bgblnr=BGB1.%20I%20Nr.%2050/2005>

⁸ http://www.sbg.ac.at/ssk/docs/stgb/stgb_index.htm

⁹ http://portal.wko.at/wk/dok_detail_file.wk?AngID=1&DocID=292945&DstID=2686&StID=155407

¹⁰ <http://www.bmi.gv.at/downloadarea/kunsttexte/Kriegsmaterialgesetz.pdf>

7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of regulation 1504/2004		Council Regulation (EC) No 1334/2000 ¹¹ Council Regulation (EC) No 1504/2004 ¹²
8	Licensing of deemed export/visa			
9	National licensing authority	1. Federal Ministry of Interior: war material 2. Federal Ministry of Economic and Labour: strategic goods		
10	Interagency review for licenses	Advisory Board under Foreign Trade Act		
11	Control lists	EC Regulation 1334/2000		
12	Updating of lists	Permanent updates		
13	Inclusion of technologies	EC Regulation 1504/2004		
14	Inclusion of means of delivery	EC Regulation 1334/2000		
15	End-user controls	Advisory Board supplies information on the end-user and end-use		
16	Catch all clause	Advisory Board is consulted		

¹¹ <http://www.bmi.gv.at/downloadarea/kunsttexte/Kriegsmaterialgesetz.pdf>

¹² <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

17	Intangible transfers	Foreign Trade Act of 2005		Criminal Code of 23 January 1974, as amended ¹³
18	Transit control		Criminal Code, Section 177a	
19	Trans-shipment control		Criminal Code, Section 177a	
20	Re-export control		Criminal Code, Section 177a	
21	Control of providing funds		Criminal Code, Section 177a	
22	Control of providing transport services		Criminal Code, Section 177a	
23	Control of importation		Criminal Code, Section 177a	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	Federal Ministry for Economic Affairs and Labour undertakes regular compliance visits to Austrian exporters; governmental awareness programme to provide advice and assistance to industry and academia

¹³ http://www.sbg.ac.at/ssk/docs/stgb/stgb_index.htm

2	Information for the public	Information disseminated through Ministry for Economic Affairs and Labour website, publications and leaflets	EUJA BTWC ¹⁴
3	Assistance offered		
4	Assistance in place (bilateral/plurilateral/multilateral)	EU Joint Action in support of the BTWC	

Belgium

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 15 March 1979	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 04 December 1928	
3	Chemical Weapons Convention (CWC)	Deposit 27 January 1997	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements

¹⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

5	Other	EU Council Decision to include WMD provisions in agreements with third countries	
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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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	Act of 10 July 1978	1. Act of 10 July 1978, Article 2	Act of 10 July 1978 ¹⁵ Act on terrorist offences of 19 December 2003 ¹⁶
2	acquire		2. Act on terrorist offences of 19 December 2003	
3	possess	Act of 10 July 1978		
4	stockpile/store	Act of 10 July 1978	1. Act of 10 July 1978, Article 2	
5	develop		2. Act on terrorist offences of 19 December 2003	
6	transport		Act on terrorist offences of 19 December 2003, Article 4	
7	transfer	Act of 10 July 1978	1. Act of 10 July 1978, Article 2	

¹⁵ http://www.juridat.be/cgi_loi/loi_F.pl?cn=1978071030

¹⁶ http://www.juridat.be/cgi_loi/loi_F.pl?cn=2003121934

			2. Act on terrorist offences of 19 December 2003	
8	use		Act on terrorist offences of 19 December 2003, Article 3	Act of 11 January 1993 ¹⁷
9	participate as an accomplice in a.m. activities		Act on terrorist offences of 19 December 2003, Article 6	
10	assist in a.m. activities		Act on terrorist offences of 19 December 2003	
11	finance a.m. activities	Act of 11 January 1993	1. Act on terrorist offences of 19 December 2003 2. Act of 11 January 1993	
12	a.m. activities related to means of delivery	Act of 10 July 1978	1. Act of 10 July 1978, Article 2 2. Act on terrorist offences of 19 December 2003	
13	extraterritorial applicability			

¹⁷ http://www.juridat.be/cgi_loi/loi_F.pl?cn=1993011141

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ¹⁸
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ¹⁹ Council Directive 96/49/EC ²⁰

¹⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

¹⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

²⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Act of 05 August 1991 as amended	Act of 05 August 1991 as amended	Act of 5 August 1991 ²¹
2 Enforcement agencies/authorities	1. Act of 5 August 1991 as amended 2. Act of 11 September 1962 as amended	1. Act of 5 August 1991 as amended 2. Act of 11 September 1962 as amended	Act of 11 September 1962 ²²
3 Export control legislation in place	1. Council Regulation (EC) No. 1334/2000 of 22 June 2000	1. Act of 11 September 1962 as amended 2. Act of 05 August 1991	Ministerial Order of 28 September 2000, as amended ²³

²¹ http://www.juridat.be/cgi_loi/loi_F.pl?cn=1991080568

²² http://www.juridat.be/cgi_loi/loi_F.pl?cn=1962091101

²³ http://www.juridat.be/cgi_loi/loi_F.pl?cn=2000092833

4	Licensing provisions	2. Ministerial Order of 28 September 2000 3. Act of 05 August 1991 as amended 4. Royal Decree of 08 March 1993 as amended	as amended	Royal Decree of 8 March 1993 ²⁴
5	Individual licensing			
6	General licensing			
7	Exceptions from licensing	-		
8	Licensing of deemed export/visa			
9	National licensing authority			
10	Interagency review for licenses			Council Regulation (EC) No 1334/2000 ²⁵
11	Control lists	Council Regulation (EC) No. 1334/2000 of 22 June 2000 reproduces the lists of NSG, ZC, MTCR, WA and AG		
12	Updating of lists	EU list is regularly updated		
13	Inclusion of technologies			
14	Inclusion of means of delivery			

²⁴ http://www.juridat.be/cgi_loi/loi_F.pl?cn=1993030834

²⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

15	End-user controls			
16	Catch all clause			
17	Intangible transfers	1. Act of 11 September 1962 as amended 2. Act of 5 August 1991 as amended	Act of 11 September 1962 as amended	
18	Transit control	-	-	
19	Trans-shipment control	1. Ministerial Order of 28 September 2000 2. Act of 5 August 1991 as amended 3. Royal Decree of 8 March 1993 as amended	1. Act of 5 August 1991 as amended 2. Royal Decree of 8 March 1993 as amended	
20	Re-export control		1. Act of 5 August 1991 as amended 2. Royal Decree of 8 March 1993 as amended	
21	Control of providing funds			
22	Control of providing transport services			

23	Control of importation	1. Ministerial Order of 28 September 2000 2. Act of 05 August 1991 as amended 3. Royal Decree of 08 March 1993 as amended	1. Act of 11 September 1962 as amended 2. Act of 05 August 1991 as amended	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	National authorities are in close contact with the chemical industry and its professional federation concerning activities non 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.
2	Information for the public	
3	Assistance offered	

4	Assistance in place (bilateral/plurilateral/multilateral)	EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security EU Joint Action in support of the BTWC	EUJA BTWC ²⁶
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Bulgaria

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Ratified on 30 June 1972, entered into force for Bulgaria on 26 March 1975	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Bulgaria is original signatory of the Protocol signed at Geneva on 17 June 1925; the initial reservation to the Protocol was withdrawn on 2 October 1991	
3	Chemical Weapons Convention (CWC)	Ratified on 29 June 1994, entered into force for Bulgaria on 29 April 1997	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements

²⁶ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

5	Other	EU Council Decision to include WMD provisions in agreements with third countries	
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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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	1. Implementation Act on the BTWC 2. Regulation for the Production, Trade, Stockpiling, Transportation and Use of Highly Poisonous Substances (1973/01/12/2003-19) 3. Regulation of the	Penal Code of the Republic of Bulgaria	

		Ministry of Health No. 4 (14 October 2002) 4. Regulation No. 27 on the Import of Goods of Significance for the Public Health (17 August 1995) 5. Regulation on the Implementation of the Law on the Veterinary- Medical Activities (2000) 6. Law on the Export Control of Weapons and Dual-Use Items and Technologies 7. Law on the Prohibition of Chemical Weapons and Control of Toxic Chemical Substances and Their Precursors (published in SG, No. 8 of 2000; amended by No. 75 of 2002, and entered into force on 3 September 2002		
2	acquire			
3	possess			
4	stockpile/store	1. Implementation Act on the BTWC 2. Regulation for the	Penal Code of the Republic of Bulgaria	

5	develop	Production, Trade, Stockpiling, Transportation and Use of Highly Poisonous Substances (1973/01/12/2003-19)		
6	transport	3. Regulation of the Ministry of Health No. 4 (14 October 2002)		
7	transfer	4. Regulation No. 27 on the Import of Goods of Significance for the Public Health (17 August 1995) 5. Regulation on the Implementation of the Law on the Veterinary-Medical Activities (2000)		
8	use	1. Implementation Act on the BTWC	Penal Code of the Republic of Bulgaria	
9	participate as an accomplice in a.m. activities	2. Regulation for the Production, Trade, Stockpiling, Transportation and Use of Highly Poisonous Substances (1973/01/12/2003-19)		
10	assist in a.m. activities	3. Regulation of the Ministry of Health No. 4 (14 October 2002)		
11	finance a.m. activities			
12	a.m. activities related to means of delivery			

13	extraterritorial applicability	<p>4. Regulation No. 27 on the Import of Goods of Significance for the Public Health (17 August 1995)</p> <p>5. Regulation on the Implementation of the Law on the Veterinary-Medical Activities (2000)</p> <p>6. Law on the Export Control of Weapons and Dual-Use Items and Technologies</p>		
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Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	1. Law on Export Control of Weapons and Dual-Use Items and Technologies 2. Regulation for the Production, Trade Stockpiling, Transportation and Use of highly Poisonous Substances (1973/01/12/2003-19) 3. Law on Plant Protection 4. Regulation No. 1 on Plant Sanitary Control (27 May 1998) 4. Regulation No. 1 of the Ministry of Agriculture and Forestry 5. Regulation on the Implementation of the Law on the Veterinary-Medical Activities (2000)		

		6. Regulation No. 4 for the licensing of the production of veterinary medicines and preparations (2003)		
2	Measures to secure transport	Regulation for the Production, Trade Stockpiling, Transportation and Use of highly Poisonous Substances (1973/01/12/2003-19)		

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Law on Export Control of Weapons and Dual-Use Items and Technologies		
2	Enforcement agencies/authorities	Regulation on Law on Export Control of Weapons and Dual-Use Items and Technologies		
3	Export control legislation in place	Council Regulation (EC) No 1334/2000 of 22 June 2000	Penal Code of the Republic of Bulgaria	
4	Licensing provisions	Law on Export Control of Weapons and Dual-Use Items and Technologies		
5	Individual licensing	Law on Export Control of Weapons and Dual-Use Items and Technologies		
6	General licensing	Law on Export Control of Weapons and Dual-Use Items and Technologies		
7	Exceptions from licensing			

8	Licensing of deemed export/visa			
9	National licensing authority	Interministerial Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction with the Minister of Economy and Energy (IDC)		
10	Interagency review for licenses			
11	Control lists	1. List of Arms and Dual-Use Items and Technologies 2. Decision No. 704 on the Adoption of Guidelines for Transfer of Sensitive Chemical and Biological Items of the Australia Group - International Export Control Regime (1 November 2002)		
12	Updating of lists	Ongoing checks and updates		
13	Inclusion of technologies	Technological support services, transfer of know-how		
14	Inclusion of means of delivery			

15	End-user controls	Grant applications only if examination of the final recipient reveals no proliferation risk		
16	Catch all clause	Law on Export Control of Weapons and Dual-Use Items and Technologies (promulgated in State Gazette No. 11/2007) and the Regulations for its implementation		
17	Intangible transfers			
18	Transit control	Law on Export Control of Weapons and Dual-Use Items and Technologies		
19	Trans-shipment control			
20	Re-export control	Law on Export Control of Weapons and Dual-Use Items and Technologies		
21	Control of providing funds		Penal Code of the Republic of Bulgaria	
22	Control of providing transport services			
23	Control of importation	Law on Export Control of Weapons and Dual-Use Items and Technologies		
24	Extraterritorial applicability		-	

25	Other			
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Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry		
2	Information for the public		
3	Assistance offered		
4	Assistance in place (bilateral/plurilateral/multilateral)		

Cyprus

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 06 November 1973	http://disarmament.un.org:8080/TreatyStatus.nsf

2	Geneva Protocol of 1925	Deposit 28 August 1998	see website of respective arrangement
3	Chemical Weapons Convention (CWC)	Deposit 27 January 1997	
4	Other Arrangements	Australia Group (AG)	
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce			
2	acquire			
3	possess			
4	stockpile/store			
5	develop			
6	transport			

7	transfer			
8	use			
9	participate as an accomplice in a.m. activities			
10	assist in a.m. activities			
11	finance a.m. activities			
12	a.m. activities related to means of delivery			
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ²⁷

²⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

2	Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ²⁸ Council Directive 96/49/EC ²⁹
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Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Law Regulating the Brokering in the Exchanges of Certain Goods - Law No.83 (I) of 2003	Coordinating Unit to Combat International Terrorism	-
2	Enforcement agencies/authorities			

²⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

²⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

3	Export control legislation in place	1. Commission Regulation (EC) No. 1334/2000 2. Council Regulation (EC) No. 1505/2004 3. Defence (Exportation of Goods) Regulation of 1993	1. Defence (Exportation of Goods) Regulation of 1993 2. Customs Code Law - Law No. 94(I) of 2004	Council Regulation (EC) No 1334/2000 ³⁰
4	Licensing provisions	4. Ministerial Decrees 91/2000 (31 March 2000), 133/2000 (2 June 2000), 354/2002 and 355/2002 (26 July 2002) 62/2003 (31 January 2003) 601/2004 (in June 2004)		The Defence (Exportation of Goods) Regulations of 1993 ³¹
5	Individual licensing			-
6	General licensing			-
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		
8	Licensing of deemed export/visa			-
9	National licensing authority	Ministry of Trade, Industry and Tourism		-

³⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

³¹ [http://www.vertic.org/datasets/National Legislation/Cyprus/Defence \(Exportation of Goods\) Regulations 1993.doc](http://www.vertic.org/datasets/National Legislation/Cyprus/Defence (Exportation of Goods) Regulations 1993.doc)

10	Interagency review for licenses	Ministries of Trade, Industry and Tourism, of Foreign Affairs, of Defence, of Justice and Public Order, of Health and the Customs and Excise Department		Council Regulation (EC) No 1504/2004 ³²
11	Control lists	1. Council Regulation (EC) No. 1504/2004 2. Ministerial Decrees 355/2002 (26 July 2002), 528/2003 (13 June 2003), 602/2004 (11 June 2004)		
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	1. Council Regulation (EC) No. 1504/2004 2. Ministerial Decree 355/2002 (26 July 2002) 3. Ministerial Decree 355/2002 (26 July 2002)		
14	Inclusion of means of delivery	Council Regulation (EC) No. 1504/2004		
15	End-user controls			
16	Catch all clause			
17	Intangible transfers			

³² <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

18	Transit control	Ministerial Decrees 91/2000 (31 March 2000) and 133/2000 (02 June 2000)		
19	Trans-shipment control			
20	Re-export control	Ministerial Decrees 91/2000 (31 March 2000) and 133/2000 (02 June 2000)		
21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation	Customs Code Law No. 94(I) of 2004	Customs Code Law No. 94(I) of 2004	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	EU Commission organises regular meetings with industry. Exporters are informed about control requirements through publications in the press and the official website of the Ministry of Commerce, Industry and Tourism. Announcements are sent to the

		Chambers of Commerce and to Employers and the Industrialists Federations. A relevant exporter guide is prepared.	
2	Information for the public		EUJA BTWC ³³
3	Assistance offered		
4	Assistance in place (bilateral/plurilateral/multilateral)	EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security EU Joint Action in Support of the BTWC	

Czech Republic

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 30 April 1973	http://disarmament.un.org:8080/TreatyStatus.nsf

³³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

2	Geneva Protocol of 1925	Deposit 17 September 1933	see websites of respective arrangements
3	Chemical Weapons Convention (CWC)	Deposit 06 March 1996	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce	Act No. 281/2002: certain measures related to the ban on BW	1. Criminal Code (Act No. 140/1961), Sections 185 a and 186 2. Act No. 281/2002, Section 21: fines	Act No. 281/2002 On some measures related to the ban on biological weapons ³⁴
2 acquire	Act No. 281/2002: certain measures related to the ban on BW	1. Criminal Code (Act No. 140/1961), Section 185 a 2. Act No. 281/2002,	Criminal Code, Act No.140/1961, as amended, Section 185a (English) ³⁵

³⁴ http://www.sujb.cz/docs/A281_02.pdf

³⁵ <http://www.cicr.org/ihl-nat.nsf/0/1536D5290ED0C8D7C1256A2C00244A9A>

			Section 21: fines: otherwise handling	
3	possess	Act No. 281/2002: certain measures related to the ban on BW	1. Criminal Code (Act No. 140/1961), Section 185 a 2. Act No. 281/2002, Section 21: fines: otherwise handling	
4	stockpile/store	Act No. 281/2002: certain measures related to the ban on BW	1. Criminal Code (Act No. 140/1961), Sections 185 a and 186	
5	develop		2. Act No. 281/2002, Section 21: fines	
6	transport	Act No. 281/2002: certain measures related to the ban on BW	1. Criminal Code (Act No. 140/1961), Section 185 a 2. Act No. 281/2002, Section 21: fines: otherwise handling	
7	transfer	1. Act No. 281/2002: certain measures related to the ban on BW 2. Act No. 186/2004 (amendment to Customs Code)		
8	use	Act No. 281/2002: certain measures related to the ban on BW	1. Criminal Code (Act No. 140/1961), Sections 185 a and 262 1a 2. Act No. 281/2002, Section 21: fines	
9	participate as an accomplice in a.m. activities		Criminal Code (Act No. 140/1961), Section 9	

10	assist in a.m. activities		Criminal Code (Act No. 140/1961), Section 10	
11	finance a.m. activities		Criminal Code (Act No. 140/1961), Section 10	
12	a.m. activities related to means of delivery	Act No. 281/2002: certain measures related to the ban on BW	Criminal Code (Act No. 140/1961), Section 185 a	
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
Licensing/registration of facilities/persons handling biological materials	Licenses granted by State Office for Nuclear Safety	1. Systematic control of handling of highly dangerous and dangerous agents and toxins 2. Act No. 281/2002, Section 21: fines 3. Criminal Code, Section 186	Act No. 281/2002 On some measures related to the ban on biological weapons ³⁶

³⁶ http://www.sujb.cz/docs/A281_02.pdf

2	Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ³⁷ Council Directive 96/49/EC ³⁸
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Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Act No. 185/2004		Criminal Code 140/1961, Section 124a-f (English) ³⁹ Act No. 281/2002 On some measures related to the ban on biological weapons ⁴⁰
2 Enforcement agencies/authorities		Customs Administration	
3 Export control legislation in place	1. Commission Regulation EC No. 1334/2000 2. Act No. 594/2004 3. Act No. 281/2002 4. Act No. 38/1994 as amended	1. Criminal Code (Act No. 140/1961), Section 124 a-f 2. Act No. 38/1994 3. Act No. 594/2004, Sections 17-18	
4 Licensing provisions			

³⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

³⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

³⁹ [http://disarmament2.un.org/committee1540/Datasheets/Czech Penal Code 140-1961.doc](http://disarmament2.un.org/committee1540/Datasheets/Czech%20Penal%20Code%20140-1961.doc)

⁴⁰ http://www.sujb.cz/docs/A281_02.pdf

5	Individual licensing	Examine each case	1. Criminal Code (Act No. 140/1961) as amended 2. Act No. 594/2004, Sections 17-18	Council Regulation (EC) No 1504/2004 ⁴¹
6	General licensing	Council Regulation No. 1504/2004	1. Criminal Code (Act No. 140/1961 as amended) 2. Act No. 594/2004, Sections 17-18	
7	Exceptions from licensing	Within the community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		
8	Licensing of deemed export/visa			
9	National licensing authority	State Office for Nuclear Safety at the Ministry of Industry and Trade		
10	Interagency review for licenses	Consult with competent authorities	EU members should consult with other members before issuing licenses - in specific cases	
11	Control lists	1. List in Annex I to Council Regulation (EC) No. 1334/2000 2. Council Regulation (EC) No. 1504/2004		Regulation 474/2000 ⁴²

⁴¹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

⁴² http://www.sujb.cz/docs/D474_02.pdf

		3. List in Annex to Regulation No. 474/2002		
12	Updating of lists	List is subject to updates		Council Regulation (EC) No 1334/2000 ⁴³
13	Inclusion of technologies	1. Council Regulation (EC) 1334/2000 as amended 2. Act No. 594/2004		
14	Inclusion of means of delivery			
15	End-user controls			
16	Catch all clause			
17	Intangible transfers			
18	Transit control	Czech Customs Code		Customs Act No. 13/1993, as amended (English) ⁴⁴
19	Trans-shipment control	Czech Customs Code		
20	Re-export control	1. Council Regulation (EC) 1334/2000 as amended 2. Act No. 594/2004 3. Czech Customs Code	1. Criminal Code (Act No. 140/1961 as amended) 2. Act No. 594/2004,	
21	Control of providing funds			

⁴³ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

⁴⁴ http://www.cs.mfcr.cz/NR/ronlyres/64BAB399-A5AF-4ED6-97E0-0C0DB9B5DE23/1900/law430_04.pdf

22	Control of providing transport services			
23	Control of importation	Act. No. 281/2002	Criminal Code (Act No.140/1961 as amended), Section 124 a-f	
24	Extraterritorial applicability		Criminal Code (Act No.140/1961 as amended), Sections 17-21	
25	Other	Act No. 594/2004, Section 12: Control of technical assistance		

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Basic information, including the operative legislation, lists forms, explanations and instructions are available on a regularly updated web site. MIT has developed a model export internal audit programme, including an introductory training course, which was offered to Czech companies free of charge.	
2	Information for the public	Basic information, including the operative legislation, lists forms, explanations and instructions are available on a regularly updated web site.	
3	Assistance offered	Prepared to provide assistance as appropriate in response to specific requests	

4	Assistance in place (bilateral/plurilateral/multilateral)	EU Joint Action in support of the BTWC	EUJA BTWC ⁴⁵
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Denmark

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 01 March 1973	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 05 May 1930	
3	Chemical Weapons Convention (CWC)	Deposit 13 July 1995	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

⁴⁵ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce	1. Weapons Act, Section 1 (1) 4) and Section 5 2. War Equipment Act, Section 2 and Section 1 (1)	1. Weapons Act, Section 10 2. Criminal Code, Sections 192a (1) and 114 (1) 6)	Penal Code, Sections 21, 23, 114 to 114b and 192a of 27/09/2005 (English, unofficial) ⁴⁶ Weapons Act (extract) of 10/09/2004 (English, unofficial) ⁴⁷
2 acquire	Weapons Act, Section 2 (1) and Section 1 (1) 4)	Weapons Act, Section 10	
3 possess	Weapons Act, Section 2 (1) and Section 1 (1) 4)	1. Weapons Act, Section 10	
4 stockpile/store	Weapons Act, Section 2 (1) and Section 1 (1) 4)	2. Criminal Code, Sections 192a (1) and 114 (1) 6)	
5 develop	Weapons Act, Section 5	1. Weapons Act, Section 10 2. Criminal Code, Sections 192a (2) and 114 (1) 6)	
6 transport	Weapons Act, Section 2 (1) and Section 1 (1) 4), and Section 7 (a)	Criminal Code, Sections 114 (1) 6), 114 (2) and 192a (1)	

⁴⁶ [http://disarmament2.un.org/committee1540/Datasheets/Denmark The Criminal Code \(extract\).doc](http://disarmament2.un.org/committee1540/Datasheets/Denmark%20The%20Criminal%20Code%20(extract).doc)

⁴⁷ [http://disarmament2.un.org/committee1540/Datasheets/Denmark The Weapons Act \(extract\).doc](http://disarmament2.un.org/committee1540/Datasheets/Denmark%20The%20Weapons%20Act%20(extract).doc)

7	transfer	Weapons Act, Section 2 (2) and Order of Weapons and Explosives, etc., Section 16 (1)	1. Weapons Act, Section 10 2. Criminal Code, Sections 192a (1) and 114 (1) 6)	War Equipment Act (extract) of 13/06/1990 (English, unofficial) ⁴⁸
8	use	Weapons Act, Section 2 (1) and Section 1 (1) 4)		
9	participate as an accomplice in a.m. activities	Weapons Act, Section 7 (c)	1. Weapons Act, Section 10 2. Criminal Code, Sections 23, 192a (1) and (2), 114 (1) 6) and (2) and 114 b	
10	assist in a.m. activities	Weapons Act, Section 7 (c)	1. Weapons Act, Section 10	
11	finance a.m. activities		2. Criminal Code, Sections 192a (1) and (2), 114 (1) 6) and (2) and 114 b	
12	a.m. activities related to means of delivery	1. Weapons Act, Section 1 (1) 4) and Section 2 2. War Equipment Act, Section 7 (a) and (c)	Weapons Act, Section 10	
13	extraterritorial applicability			

⁴⁸ [http://disarmament2.un.org/committee1540/Datasheets/Denmark The War Equipment Act \(extract\).doc](http://disarmament2.un.org/committee1540/Datasheets/Denmark%20The%20War%20Equipment%20Act%20(extract).doc)

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	1. Medicines Law no. 656 of 28 July 1995 2. Directive 2000/54/EC		Medicines Act - LBK nr 656 af 28/07/1995 ⁴⁹ Directive 2000/54/EC ⁵⁰
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ⁵¹ Council Directive 96/49/EC ⁵²

⁴⁹ http://www.retsinfo.dk/_GETDOC/_/ACCN/A19950065629-REGL

⁵⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

⁵¹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

⁵² <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Weapons Act, Section 7 b	Weapons Act, Section 10	Weapons Act (extract) of 10/09/2004 (English, unofficial) ⁵³
2 Enforcement agencies/authorities			
3 Export control legislation in place	1. Commission Regulation (EC) No. 1334/2000 2. Council Regulation (EC) No. 1504/2004 3. Weapons Act, Section 6 4. Law no. 474 of 14 June 2005	1. Law no. 474 of 14 June 2005 2. Penal Code - Law no. 909 of 27 September 2005 3. Weapons Act, Section 10	LBK nr 474 af 14/06/2005 ⁵⁴ LBK nr 909 af 27/09/2005 ⁵⁵
4 Licensing provisions	Weapons Act, Section 6	Weapons Act, Section 10	-
5 Individual licensing			-
6 General licensing			-

⁵³ [http://disarmament2.un.org/committee1540/Datasheets/Denmark The Weapons Act \(extract\).doc](http://disarmament2.un.org/committee1540/Datasheets/Denmark%20The%20Weapons%20Act%20(extract).doc)

⁵⁴ http://www.retsinfo.dk/_LINK_0/0&ACCN/A20050047429

⁵⁵ http://www.retsinfo.dk/_GETDOCL/ACCN/A20050090929-REGL

7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		Council Regulation (EC) No 1334/2000 ⁵⁶
8	Licensing of deemed export/visa			
9	National licensing authority	1. Minister of Justice: weapons 2. The National Agency for Enterprise and Construction: related materials		
10	Interagency review for licenses			
11	Control lists	1. EU Regulation control list with Commission Regulation (EC) No. 1334/2000 2. List of Weapons Act		
12	Updating of lists	Regular review and update		
13	Inclusion of technologies	Council Regulation (EC) No. 1504/2004		
14	Inclusion of means of delivery	Council Regulation (EC) No. 1504/2004		Council Regulation (EC) No 1504/2004 ⁵⁷
15	End-user controls			

⁵⁶ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

⁵⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

16	Catch all clause	Items not listed in the control list can be denied		Penal Code, Sections 21, 23, 114 to 114b and 192a of 27/09/2005 (English, unofficial) ⁵⁸
17	Intangible transfers	Weapons Act, Section 6	Weapons Act, Section 10	
18	Transit control	Weapons Act, Section 6	Weapons Act, Section 10	
19	Trans-shipment control	Weapons Act, Section 6	Weapons Act, Section 10	
20	Re-export control	Weapons Act, Section 6	Weapons Act, Section 10	
21	Control of providing funds	-	1. Weapons Act, Section 10 2. Criminal Code, Sections 23, 114a and 114b	
22	Control of providing transport services	Weapons Act, Section 7 a	1. Weapons Act, Section 10 2. Criminal Code, Section 114 (2)	
23	Control of importation	Weapons Act, Section 1 (1) 4)	1. Weapons Act, Section 10 2. Criminal Code, Sections 192 a (1) and 114 (1) (6)	
24	Extraterritorial applicability	Weapons Act, Sections 7a and b	1. Weapons Act, Section 10 2. Criminal Code, Section 114 (2)	
25	Other			

⁵⁸ [http://disarmament2.un.org/committee1540/Datasheets/Denmark The Criminal Code \(extract\).doc](http://disarmament2.un.org/committee1540/Datasheets/Denmark%20The%20Criminal%20Code%20(extract).doc)

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Close working relationship with industry through NAEG and Danish Security Intelligence Service (PET) ensures positive dialogue and awareness among companies. Also advice and assistance to industry and relevant academic research institutions in meeting their obligations under disarmament and non-proliferation legislation.	EUJA BTWC ⁵⁹
2	Information for the public	Information disseminated through government websites, publications and leaflets	
3	Assistance offered	Will consider assistance either bilaterally or through instruments of the EU as appropriate	
4	Assistance in place (bilateral/plurilateral/multilateral)	Contributes through the EU to various programs. Has provided assistance to activities related to CW destruction, nuclear materials safety and dual-use export controls. Joined the G8 Global Partnership against the spread of WMD as contributing partner EU Joint Action in support of the BTWC	

⁵⁹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

Estonia

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 21 June 1993	
2 Geneva Protocol of 1925	Deposit 28 August 1931	http://disarmament.un.org:8080/TreatyStatus.nsf
3 Chemical Weapons Convention (CWC)	Deposit 26 May 1999	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA)	see websites of respective arrangements
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce		Penal Code, 6 June 2001, Article 93	Penal Code, 6 June 2001, Article 103 (English, unofficial) ⁶⁰
2	acquire		Penal Code, 6 June 2001, Article 93	
3	possess		Penal Code, 6 June 2001, Article 93	
4	stockpile/store		Penal Code, 6 June 2001, Article 93	
5	develop		Penal Code, 6 June 2001, Article 93	
6	transport		Penal Code, 6 June 2001, Article 93	
7	transfer		Penal Code, 6 June 2001, Article 93	
8	use		Penal Code, 6 June 2001, Article 93	
9	participate as an accomplice in a.m. activities			
10	assist in a.m. activities	-	Penal Code, 6 June 2001, Article 93	

⁶⁰ http://www.opbw.org/nat_imp/leg_reg/estonia/Penal_Code_A103.pdf

11	finance a.m. activities			
12	a.m. activities related to means of delivery			
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
		indicate source document of national implementation law	indicate source document	
1	Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ⁶¹
2	Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ⁶² Council Directive 96/49/EC ⁶³

⁶¹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

⁶² <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

⁶³ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology		State Register of Brokers (Government Regulation no. 61 of 09 March 2004)	Council Regulation (EC) No 1334/2000 ⁶⁴ Strategic Goods Act - RT I 2004, 2, 7 - as amended (English) ⁶⁵
2 Enforcement agencies/authorities			
3 Export control legislation in place	1. Commission Regulation (EC) No. 1334/2000	Penal Code, 2002	
4 Licensing provisions	2. Council Regulation (EC) No. 1505/2004 3. Strategic Goods Act 2004		
5 Individual licensing	Secondary legislation		

⁶⁴ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

⁶⁵ http://www.opcw.org/docs/la_natimpleg/Estonia-StrategicGoodsAct-2004.pdf

6	General licensing	Secondary legislation		
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		Regulation No. 26 ⁶⁶ Council Regulation (EC) No 1504/2004 ⁶⁷
8	Licensing of deemed export/visa			
9	National licensing authority	Strategic Goods Commission	Statutes of the Commission (Government Regulation No. 26 of 29 January 2004)	
10	Interagency review for licenses			
11	Control lists	Council Regulation (EC) No. 1504/2004		
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	1. Council Regulation (EC) No. 1504/2004 2. Strategic Goods Act 2004		

⁶⁶ <http://www.legaltext.ee/scripts/search/oop/qsumrhit.htw?CiHilitetype=Full&CiWebHitsFile=/text/en/X80034.htm&CiRestriction=@contents%20police>

⁶⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

14	Inclusion of means of delivery	Council Regulation (EC) No. 1504/2004		
15	End-user controls	Secondary legislation	1. End-use certificates 2. International Import Certificates	
16	Catch all clause			
17	Intangible transfers			
18	Transit control	Strategic Goods Act 2004 and secondary legislation	Transit permission	
19	Trans-shipment control			
20	Re-export control			
21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation	Strategic Goods Act 2004 and secondary legislation	Import licenses	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	EUJA BTWC ⁶⁸
2	Information for the public	
3	Assistance offered	
4	Assistance in place (bilateral/plurilateral/multilateral)	
		<p>EU Commission organizes regular meetings with industry. Estonian Commission of Strategic Goods organizes annually Industry-Government Relations Seminars on Strategic Goods. Ministry of Foreign Affairs maintains correspondent internet website where legislative acts, guidelines and application forms are posted.</p> <p>MFA maintains Internet websites</p> <p>Will do its best to assist States which may require assistance</p> <p>EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security EU Joint Action in support of the BTWC</p>

⁶⁸ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

Finland

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 04 February 1974	http://disarmament.un.org:8080/TreatyStatus.nsf see websites of respective arrangements
2 Geneva Protocol of 1925	Deposit 26 June 1929	
3 Chemical Weapons Convention (CWC)	Deposit 07 February 1995	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	Biological Weapons Act (257/1975)	Penal Code (39/1889 as amended), Chapter 11, Section 7b	The Penal Code of Finland 39/1889 with amendments up to 650/2003 (English, unofficial) ⁶⁹
2	acquire	Biological Weapons Act (257/1975)	Penal Code (39/1889 as amended), Chapter 11, Section 7b	
3	possess		Penal Code (39/1889 as amended), Chapter 11, Section 7b, Chapter 34, Sections 4 and 5	
4	stockpile/store			
5	develop			
6	transport	Biological Weapons Act (257/1975)		
7	transfer	Biological Weapons Act (257/1975)		
8	use	Biological Weapons Act (257/1975) - delivery of a biological weapon	Penal Code, Chapter 11, Sections 1 and 7b, Chapter 34, Sections 4 and 5	

⁶⁹ <http://www.finlex.fi/en/laki/kaannokset/1889/en18890039.pdf>

9	participate as an accomplice in a.m. activities	Biological Weapons Act (257/1975)	Penal Code (39/1889 as amended), Chapter 5, Section 3	
10	assist in a.m. activities		Penal Code (39/1889 as amended), Chapter 5, Section 6	
11	finance a.m. activities		Penal Code, Chapter 5, section 6, Chapter 34 a, Section 5	
12	a.m. activities related to means of delivery	Firearms Act (1/1998 as amended)	Penal Code, Chapter 11, Section 7b	
13	extraterritorial applicability		Penal Code (39/1889 as amended), Chapter 1, Section 7	

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	

Licensing/registration of 1 facilities/persons handling biological materials	1. Directive 2000/54/EC 2. Occupational Safety and Health Act (738/2002 as amended) 3. Government Decision on the Protection of Workers from Risks related to Exposure to Biological Agents at Work (1155/1993) 4. Communicable Diseases Act (583/1986 as amended), Section 10 5 Communicable Diseases Decree (786/1986 as amended) 6. Act on Protecting Plant Health (702/2003), Chapter 2 7. Act on Animal Diseases (55/1980 as amended) and related decrees	1. Penal Code (39/1889 as amended), Chapter 44, Section 2 and Chapter 47, Section 1 2. Communicable Diseases Act (583/1986 as amended), Section 37 3. Act on Protecting Plant Health (702/2003), Section 29 4. Act on Animal Diseases (55/1980 as amended), Section 23 5. Occupational Safety and Health Act (738/2002 as amended), Section 63	The Penal Code of Finland 39/1889 with amendments up to 650/2003 (English, unofficial) ⁷⁰
			Communicable Diseases Act 583/1986 ⁷¹ Directive 2000/54/EC ⁷²

⁷⁰ <http://www.finlex.fi/en/laki/kaannokset/1889/en18890039.pdf>

⁷¹ <http://www.finlex.fi/fi/laki/ajantasa/1986/19860583>

⁷² <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

2	Measures to secure transport	1. Communicable Diseases Act (583/1986 as amended), Section 33 2. Communicable Diseases Decree (786/1986 as amended) 3. Act on Protecting Plant Health (702/2003), Section 7 and related decrees 4. Act on Animal Diseases (55/1980 as amended) and related decrees 5. Act on Veterinary Border Control (1192/1996 as amended) and related decrees	1. Communicable Diseases Act (583/1986 as amended), Section 37 2. Act on Protecting Plant Health (702/2003), Section 29 3. Act on Animal Diseases (55/1980 as amended), Section 23 4. Act on Veterinary Border Control (1192/1996,as amended), Section 27 5. Penal Code (39/1889 as amended), Chapter 44, Section 2 and Chapter 46, Section 4	
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Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	1. Act on the Control of Export of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	1. Penal Code, Chapter 46, Sections 1-3 2. Act on the Control of Export of Dual-Use Goods (562/1996) 3. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	The Penal Code of Finland 39/1889 with amendments up to 650/2003 (English, unofficial) ⁷³
2	Enforcement agencies/authorities		1. MFA's Department of External Economic Relations 2. Information on transport of suspicious items exchanged between national and international law enforcement agencies 3. Finish Customs	

⁷³ <http://www.finlex.fi/en/laki/kaannokset/1889/en18890039.pdf>

3	Export control legislation in place	1. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)	1. Penal Code, Chapter 46, Sections 1-3	Act on the control of exports of dual-use goods of 27 June 1996 (English, unofficial) ⁷⁴
4	Licensing provisions	2. Act on the Control of Exports of Dual-Use Goods (562/1996) 3. Council Regulation (EC) 1334/2000 4. Government Decree on the Control of Export of Dual-Use Goods (924/2000)	2. Act on the Control of Export of Dual-Use Goods (562/1996) 3. Act on the Export and Transit of Defence Material (242/1990), Section 7 4. Customs Act (1466/1994)	Customs Act 1466/1994 ⁷⁵
5	Individual licensing	1. Act on the Control of Exports of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material (242/1990) as amended (900/2002)		Act on the Export and Transit of Defence Materiel 242/1990, as amended 900/2002 (English, unofficial) ⁷⁶
6	General licensing	1. Council Regulation (EC) 1334/2000, Annex 2: General Community Export Authorisation (dual-use goods) 2. For the time being		Council Regulation (EC) No 1334/2000 ⁷⁷

⁷⁴ <http://formin.finland.fi/doc/eng/services/trade/exportcontrols/act562.pdf>

⁷⁵ <http://www.finlex.fi/sv/laki/ajantasa/1994/19941466>

⁷⁶ <http://www.finlex.fi/sv/laki/ajantasa/1990/19900242>

⁷⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

		Finland does not have national general authorisations in use		
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Regulation 394/2006		Council Regulation (EC) No 394/2006 ⁷⁸
8	Licensing of deemed export/visa	Visa: The entry into and residence in Finland of foreign nationals are subject to the provisions of the Finnish Aliens Act and Aliens Decree and the Schengen Agreement and Convention		
9	National licensing authority	MFA's Department of External Economic Relations		
10	Interagency review for licenses	1. Advisory Board on Export Control under the Ministry for Foreign Affairs		

⁷⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=OJ:L:2006:074:0001:01:EN:HTML>

		2. Advisory Committee for Export of Defence Material under the Ministry of Defence		
11	Control lists	EC 1334/2000, Annex I		
12	Updating of lists	Update the control lists by regular amendments of the Annex I of the EU regulation 1334/2000 and national military list		
13	Inclusion of technologies	Council Regulation (EC) No. 1504/2004		
14	Inclusion of means of delivery			
15	End-user controls	Act on the Control of Export of Dual-Use Goods	Act on the Control of Export of Dual-Use Goods	
16	Catch all clause	Act on the Control of Export of Dual-Use Goods (562/1996)		
17	Intangible transfers	1. Act on the Control of Export of Dual-Use Goods (562/1996) 2. EC 1334/2000		

18	Transit control	1. Act on the Control of Export of Dual-Use Goods (562/1996) 2. Act on the Export and Transit of Defence Material 242/1990 as amended 900/2002	International Convention on the Harmonization of Frontier Controls of Goods - gives the Customs the right to control goods in transit	
19	Trans-shipment control	To be implemented in the near future by the EU regulation		
20	Re-export control	Act on the Control of Export of Dual-Use Goods (562/1996)		
21	Control of providing funds	Act on the Control of Export of Dual-Use Goods (562/1996)		
22	Control of providing transport services	Act on the Control of Export of Dual-Use Goods (562/1996)		
23	Control of importation	Biological Weapons Act (257/1975)		
24	Extraterritorial applicability	Act on the Export and Transit of Defence Material 242/1990 as amended 900/2002		
25	Other			

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Inform exporters on regular basis in order to promote compliance. Authorities have close working relationship with industries. Technologies industries have a representative at the advisory board for export control.	EUJA BTWC ⁷⁹
2	Information for the public	Updated information on export control is disseminated through governmental websites, publications, seminars and workshops	
3	Assistance offered	Committed to provide assistance or advise to others where appropriate, in response to specific requests	
5	Assistance in place (bilateral/plurilateral/multilateral)	EU Joint Action in support of the BTWC	

⁷⁹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

France

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 27 September 1984	http://disarmament.un.org:8080/TreatyStatus.nsf see websites of respective arrangements
2 Geneva Protocol of 1925	Deposit 10 May 1926	
3 Chemical Weapons Convention (CWC)	Deposit 02 March 1995	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce	1. Public Health Code 2. Order of 22 September 2001 as amended on 15 January and 30 July 2004 3. Defense Code, Article L2341-1	1. Act No. 2004-204 of 09 March 2004 2. Criminal Code, Art. 421-1 and 421-3 3. Public Health Code, Article L5432-1 4. Defense Code, Articles L2341-3 and 4	Code de la défense (Articles L2341-1 à L2341-7) ⁸⁰ Code de la santé publique (Articles L5432-1) ⁸¹ Loi n°2004-204 du 9 mars 2004 ⁸² Code penal - Penal code (English version) ⁸³
2 acquire			
3 possess			
4 stockpile/store			
5 develop			
6 transport			
7 transfer			
8 use	Defense Code, Article L2341-2	Defense Code, Article L2341-6	
9 participate as an accomplice in a.m. activities			

⁸⁰ <http://www.legifrance.gouv.fr/WAspad/UnCode?&commun=&code=CDAFENSL.rcv>

⁸¹ <http://www.legifrance.gouv.fr/WAspad/UnCode?&commun=CSANPU&code=CSANPUNL.rcv>

⁸² <http://www.legifrance.gouv.fr/texteconsolide/PJEPF.htm>

⁸³ http://www.legifrance.gouv.fr/html/codes_traduits/code_penal_textan.htm

10	assist in a.m. activities	1. Public Health Code 2. Order of 22 September 2001 as amended on 15 January and 30 July 2004 3. Defense Code, Article L2341-2	1. Act No. 2004-204 of 09 March 2004 2. Defense Code, Articles L2341-3 and 4	Décret-loi du 18 avril 1939 (Articles L2331-1 à L2338-3) ⁸⁴
11	finance a.m. activities	Criminal Code, Article 421-2-2	Criminal Code, Art. 421-2-2	
12	a.m. activities related to means of delivery	Decree-Act of 18 April 1939, Art. 38		
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Order of 22 September 2001 as amended: requirement of specific authorization		

⁸⁴ <http://www.legifrance.gouv.fr/WAspad/RechercheSimplePartieCode?commun=&code=CDAFENSL.rcv>

2	Measures to secure transport	Order of 22 September 2001 as amended by Order of 15 January 2004 and Order of 30 July 2004		Order of 22 September 2001 ⁸⁵
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Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Decree No. 2002-23 of January 2002 amending Decree No. 95-589 of 06 May 1995	Decree No. 2002-23 of January 2002 amending Decree No. 95-589 of 06 May 1995	Décret n° 2002-23 du 3 janvier 2002 modifiant le décret n° 95-589 du 6 mai 1995 ⁸⁶
2	Enforcement agencies/authorities		1. Customs officers monitor compliance of individuals 2. TRACFIN is authorized to communicate and exchange information with foreign units	

⁸⁵ <http://www.admi.net/jo/20010926/SANP0123410A.html>

⁸⁶ <http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=DEFC0102226D>

			3. Expert Criminal Investigation Department to Supress Trafficking in Arms etc	
3	Export control legislation in place	1. Decree-Law of 18 April 1939: war materials, weapons and ammunition 2. Order of 2 October 1992: means of delivery under MTCR, Cat I	1. Decree-Law of 18 April 1939 2. Customs Code, Articles 414 to 429	Décret-loi du 18 avril 1939 (Articles L2331-1 à L2338-3) ⁸⁷
4	Licensing provisions	3. EU Council Regulation (EC) No. 1334/2000 of 22 June 2000, amended by Regulation (EC) No. 1504/2004: dual use goods 4. Order of 22 September 2001 as amended by Order of 15 January and 30 July 2004		Arrêté du 2 octobre 1992 ⁸⁸
5	Individual licensing			

⁸⁷ <http://www.legifrance.gouv.fr/WAspad/RechercheSimplePartieCode?commun=&code=CDAFENSL.rcv>

⁸⁸ <http://www.legifrance.gouv.fr/WAspad/UnTexteDeJorf?numjo=DEFC9201754A>

6	General licensing	EU Council Regulation 1504/2002		Council Regulation (EC) No 1504/2004 ⁸⁹
7	Exceptions from licensing			
8	Licensing of deemed export/visa	Ministerial Instruction No. 486 of 01 March 1993		
9	National licensing authority	Directorate-General for Customs and Indirect Taxation		
10	Interagency review for licenses	Agency for the Safety of Health Products: involved in biological import/export decisions		
11	Control lists	1. EU Council Regulation (EC) No. 1334/2000 of 22 June 2000: list of dual-use items and list of suppliers 2. Order of 22 September 2001 as amended		Council Regulation (EC) No 1334/2000 ⁹⁰
12	Updating of lists	EU Council Regulation 1504/2002		
13	Inclusion of technologies		Customs Code, Article 38	

⁸⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

⁹⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

14	Inclusion of means of delivery	Order of 2 October 1992: means of delivery under MTCR, Cat I	Customs Code, Articles 414 to 429	Arrêté du 22 septembre 2001 ⁹¹
15	End-user controls			
16	Catch all clause	Authorization of non-listed items		
17	Intangible transfers	EU Council Regulation (EC) No. 1334/2000 of 22 June 2000		
18	Transit control	1. Order of 2 October 1992: means of delivery under MTCR, Cat I		
19	Trans-shipment control	2. Order of 22 September 2001 as amended by Order of 15 January and 30 July 2004		
20	Re-export control	1. EU Council Regulation (EC) No. 1334/2000 of 22 June 2000: dual use goods falling in the category of non-European Community goods 2. Order of 2 October 1992: means of delivery under MTCR, Cat I		

⁹¹ <http://www.admi.net/jo/20010926/SANP0123410A.html>

21	Control of providing funds	Directorate-General for Customs and Indirect Taxation financial information unit TRACFIN collects data to stop activities		Code de la santé publique (Articles L5432-1) ⁹²
22	Control of providing transport services			
23	Control of importation	1. Public Health Code 2. Order of 22 September 2001 as amended by Order of 15 January and 30 July 2004 3. Framework Act on Public Health of 2004 4. Decree-Law of 18 April 1939	1. Customs Code, Articles 414 to 429 2. Decree-Law of 18 April 1939	
24	Extraterritorial applicability	Council action taken at EU meeting on 22 June 2000		
25	Other	1. Directorate-General for Industry, Information Technology and Posts takes part in direct coordination between the monitoring offices of EU member		

⁹² <http://www.legifrance.gouv.fr/WAspad/UnCode?&commun=CSANPU&code=CSANPUNL.rcv>

		States 2. EU peer review of French arrangement for export control		
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Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Awareness programmes with particular attention to small and medium entrepreneurs; conferences for exporters organized by the Ministry of Economic Affairs, Finance and Industry; web sites of the Ministry of Economic Affairs, Finance and Industry/Directorate-General for Customs and Indirect Taxation/Official Customs Bulletin/etc; brochure on dual-use distributed in October 2004	
2	Information for the public	Customs services are also engaged in public information; web sites: see above; study on the conditions for public access to an open database on terrorism is on the way	
3	Assistance offered		

4	Assistance in place (bilateral/plurilateral/multilateral)	1. France funds a number of projects as well as bilateral programmes in the nuclear, chemical and biological fields 2. France cooperates on a case-by-case basis in bilateral activities such as export controls and physical protection 3. EU Joint Action in support of the BTWC	EUJA BTWC ⁹³
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Germany

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 7 April 1983	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 25 April 1929	
3	Chemical Weapons Convention (CWC)	Deposit 12 August 1994	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements

⁹³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

5	Other	EU Council Decision to include WMD provisions in agreements with third countries	
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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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	1. Implementation Act on the BWC	War Weapons Control Act of 1961	BWC Implementation Act of 21 February 1983 ⁹⁴ War Weapons Control Act of 20 April 1961 (English, unofficial) ⁹⁵
2	acquire	2. War Weapons Control Act of 1961		
3	possess	War Weapons Control Act of 1961		
4	stockpile/store	1. Implementation Act on the BWC		
5	develop	2. War Weapons Control Act of 1961		
6	transport	War Weapons Control Act of 1961		
7	transfer			
8	use	War Weapons Control Act of 1961	War Weapons Control Act of 1961	

⁹⁴ <http://www.auswaertiges-amt.de/diplo/de/Aussenpolitik/Abruestung/Downloads/BWUE-Gesetz.pdf>

⁹⁵ <http://www.sipri.org/contents/expcon/kwkg.html#Anchor18534>

9	participate as an accomplice in a.m. activities	War Weapons Control Act of 1961	War Weapons Control Act of 1961	- Money Laundering Act of 25 October 1993, as amended ⁹⁶ Money Laundering Prevention Act of 08 August 2002 ⁹⁷
10	assist in a.m. activities	War Weapons Control Act of 1961	War Weapons Control Act of 1961	
11	finance a.m. activities	1. War Weapons Control Act of 1961 2. Financial Market Promotion Act of 01 July 2002 3. Money Laundering Prevention Act of 08 August 2002		
12	a.m. activities related to means of delivery	1. Implementation Act on the BWC 2. War Weapons Control Act of 1961		
13	extraterritorial applicability	War Weapons Control Act of 1961	War Weapons Control Act of 1961	

⁹⁶ <http://bundesrecht.juris.de/bundesrecht/gwg/htmltree.html>

⁹⁷ <http://www.bgbportal.de/BGBL/bgb11f/bgb1102s3105.pdf>

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	1. Protection against Infection Act 2. Animal Disease Act 3. Genetic Engineering Act 4. Biological Agents Ordinance	Revocation/withdrawal of authorization and/or fines	Protection against Infection Act, status: as of 20 July 2000 (English, unofficial) ⁹⁸ Animal Disease Act of 20 June 1909, as amended ⁹⁹ Genetic Engineering Law of 20 June 1990, as amended ¹⁰⁰ Biological Agents Ordinance of 27 January 1999, as amended ¹⁰¹
2 Measures to secure transport	1. Law on the Transport of Dangerous Goods of 06 August 1975 and related ordinances 2. Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID Agreements	Law on the Transport of Dangerous Goods of 06 August 1975, as amended ¹⁰²

⁹⁸ http://www.rki.de/cln_011/nn_231704/EN/Content/Prevention/Inf__Dis__Surveillance/inf__dis__down,templateId=raw,property=publicationFile.pdf/inf_dis_down

⁹⁹ <http://bundesrecht.juris.de/viehseuchg/index.html>

¹⁰⁰ <http://bundesrecht.juris.de/bundesrecht/gentg/>

¹⁰¹ <http://bundesrecht.juris.de/bundesrecht/biostoffv/>

¹⁰² <http://bundesrecht.juris.de/bundesrecht/gefahrgutg/index.html>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	1. War Weapons Control Act, sections 4a and 17 ff 2. Foreign Trade and Payments Regulation: license required	War Weapons Control Act	War Weapons Control Act of 20 April 1961 (English, unofficial) ¹⁰³
2	Enforcement agencies/authorities	Customs Administration Act, Section 12 a	Customs, Federal Border Control Police, criminal authorities, etc. involved in controlling/prosecuting money laundry activities	Customs Administration Act of 21 December 1992, as amended ¹⁰⁴
3	Export control legislation in place	1. Council Regulation (EC) No 1334/2000 of 22 June 2000	1. Foreign Trade and Payments Act of 28 April 1961 as amended	Foreign Trade and Payments Act (English, unofficial) ¹⁰⁵
4	Licensing provisions	2. Foreign Trade and	2. Foreign Trade and	Foreign Trade and Payments Regulation (English, unofficial) ¹⁰⁶

¹⁰³ <http://www.sipri.org/contents/expcon/kwkg.html>

¹⁰⁴ <http://bundesrecht.juris.de/zollvg/index.html>

¹⁰⁵ http://www.bafa.de/bafa/en/export_control/legislation/export_control_awg_en.pdf

5	Individual licensing	Payments Act of 28 April 1961 as amended 3. Foreign Trade and Payments Regulation of 18 December 1986 as amended	Payments Regulation of 18 December 1986 as amended	Council Regulation (EC) No 1334/2000 ¹⁰⁷
6	General licensing	Community General Export Authorization (Council Regulation (EC) No 1504/2004 and No. 394/2006)		Council Regulation (EC) No 1504/2004 ¹⁰⁸
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Council Regulation (EC) No. 394/2006		Council Regulation (EC) No 394/2006 ¹⁰⁹
8	Licensing of deemed export/visa	Foreign Trade and Payments Regulation, Section 45, referring to technical assistance: visa screening system established	Foreign Trade and Payments Regulation	
9	National licensing authority	Federal Office of Economics and Export Control (BAFA)		BAFA ¹¹⁰

¹⁰⁶ http://www.bafa.de/bafa/en/export_control/legislation/export_control_awv_en.pdf

¹⁰⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

¹⁰⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

¹⁰⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=OJ:L:2006:074:0001:01:EN:HTML>

¹¹⁰ <http://www.bafa.de/bafa/en/index.html>

10	Interagency review for licenses	Interministerial export committee representing various ministries and competent authorities	Ministries/agencies involved: Foreign Affairs, Economics, Finance, Intelligence	War Weapons Reporting Regulation of 24 January 1995 as amended ¹¹¹
11	Control lists	1. Council Regulation (EC) No. 1334/2000 and No. 394/2006 2. Country/destination list 3. Lists of names (anti-terrorist regulations)	See also "catch all clause"	
12	Updating of lists	Ongoing checks and updates	Primary source for updates: Australia Group recommendations	
13	Inclusion of technologies	Technological support services, transfer of know-how	See also "intangible transfers"	
14	Inclusion of means of delivery	1. War Weapons Reporting Regulation 2. War Weapons Control Act, section 2 ff	War Weapons Control Act	
15	End-user controls	Grant applications only if examination of the final recipient reveals no proliferation risk		

¹¹¹ <http://bundesrecht.juris.de/kwmv/BJNR009200995.html>

16	Catch all clause	Foreign Trade and Payments Act, section 2, para 2: Unlisted dual-use items may also require a licence	Foreign Trade and Payments Act	
17	Intangible transfers	Foreign Trade and Payments Regulation, Section 45	Export without prior authorization is punishable	Protection against Infection Act, status: as of 20 July 2000 (English, unofficial) ¹¹²
18	Transit control	Foreign Trade and Payments Regulation	Foreign Trade and Payments Regulation	
19	Trans-shipment control	1. Foreign Trade and Payments Act 2. Subject to licensing: means of delivery	Foreign Trade and Payments Act	
20	Re-export control	Subject to licensing: means of delivery	Foreign Trade and Payments Act	
21	Control of providing funds	War Weapons Control Act	Providing financial support or transport services is punishable if deemed to contribute to unauthorized export, re-export or transit	
22	Control of providing transport services	War Weapons Control Act		
23	Control of importation	1. Protection against Infection Act 2. Animal Infectious Disease Act and ordinances 3. Plant Protection Act and ordinances	1. Protection against Infection Act 2. Animal Infectious Disease Act 3. Plant Protection Act 4. War Weapons Control	Animal Disease Act of 20 June 1909, as amended ¹¹³

¹¹² http://www.rki.de/cln_011/nn_231704/EN/Content/Prevention/Inf__Dis__Surveillance/inf__dis__down,templateId=raw,property=publicationFile.pdf/inf_dis_down

¹¹³ <http://bundesrecht.juris.de/viehseuchg/index.html>

		4. War Weapons Control Act 5. CWC Implementation Ordinance 6. War Weapons Reporting Regulation	Act 5. CWC Implementation Ordinance: Ricin, Saxitoxin	
24	Extraterritorial applicability	War Weapons Control Act	War Weapons Control Act of 1961, para 21:extraterritorial applicability to German nationals	Plant Protection Act of 15 September 1986 as amended ¹¹⁴
25	Other	Controls include technical assistance outside of Germany	Foreign Trade and Payments Act	CWC Implementation Ordinance of 20 November 1996 as amended ¹¹⁵

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference	
1	Information for industry	Regular information meetings and expert discussions with the economic sector. Information leaflets are available on the BAFA website	BAFA Publications ¹¹⁶
2	Information for the public	The Federal Ministries and the BAFA have published pamphlets and information sheets to be read and downloaded from respective websites (from legal texts to	

¹¹⁴ http://www.gesetze-im-internet.de/pflschg_1986/BJNR015050986.html

¹¹⁵ http://bundesrecht.juris.de/cw_v/index.html

¹¹⁶ http://www.bafa.de/bafa/en/export_control/publications/index.html

		explanation of administrative practice).	
3	Assistance offered	1. Government supports bilaterally through its implementing agencies the establishment and further development of national export control systems . This support shall be maintained and partly expanded. 2. On the occasion of the 2003 Meeting of State Parties to the BTWC Germany offered to assist in implementing prohibitions and control obligations pursuant to the BTWC.	EUJA BTWC ¹¹⁷
4	Assistance in place (bilateral/plurilateral/multilateral)	Assistance to several countries in developing export control systems. EU Joint Action in support of the BTWC	EUJA ICMS website ¹¹⁸

Greece

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 10 December 1975	http://disarmament.un.org:8080/TreatyStatus.nsf

¹¹⁷ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

¹¹⁸ <http://www.euja-btwc.eu/>

2	Geneva Protocol of 1925	Deposit 30 May 1931	see websites of respective arrangements
3	Chemical Weapons Convention (CWC)	Deposit 22 December 1994	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	1. Law 126/1975 (BWC Ratification Law) 2. Law 2168/93 (Law on Matters related to arms, ammunitions and explosives of 03 September 1993) - currently under revision	Penal Code, Articles 187 and 187 A: acts of terrorism	
2	acquire			
3	possess			
4	stockpile/store		1. Penal Code, Articles 187 and 187 A: acts of terrorism 2. Law 126/1975	
5	develop			
6	transport		Penal Code, Articles 187 and	

7	transfer		187 A: acts of terrorism	
8	use		1. Penal Code, Articles 187 and 187 A: acts of terrorism 2. Law 126/1975	
9	participate as an accomplice in a.m. activities	Law 2168/93 (Law on Matters related to arms, ammunitions and explosives of 03 September 1993) - currently under revision	Penal Code, Articles 187 and 187 A: acts of terrorism	
10	assist in a.m. activities			
11	finance a.m. activities			
12	a.m. activities related to means of delivery	1. Law 126/1975 (BWC Ratification Law) 2. Law 2168/93 (Law on Matters related to arms, ammunitions and explosives of 03 September 1993) - currently under revision		
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials			Council Directive 94/55/EC ¹¹⁹ Council Directive 96/49/EC ¹²⁰
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	

¹¹⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

¹²⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Ministerial Decision 176700/E3 /26700 - Transfer control of chemical, biological materials, delivery systems of pathogenic organisms		
2	Enforcement agencies/authorities			
3	Export control legislation in place	1. L.936/1979 concerning external trade 2. Ministerial Decisions E3/1255/06.03.1991 and	L.936/1979 concerning external trade	

4	Licensing provisions	2641/E3/3327/26.03.1992 3. Ministerial Decisions 125695/E3/5695/25.10.2000 on Control of Dual-use Items Transfer 4. Ministerial Decisions 3285/E3/4136/09.06.1993 and 2026/E3/933/16.03.1994 5. Ministerial Decisions 3286/E3/2757/F.MTCR/24.05. 1993 and 1055/E3/7269/28.02.1992 and 4216/E3/4076/1994		
5	Individual licensing	Ministerial Decision 176700/E3/26700 - Transfer control of chemical, biological materials, delivery systems of pathogenic organisms		
6	General licensing	General license is forbidden		
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		
8	Licensing of deemed export/visa	Ministerial Decision 176700/E3/26700: applicable for general licensing for both chemical and biological dual use export cases		

9	National licensing authority	Ministry of Economy and Finance		Council Regulation (EC) No 1504/2004 ¹²¹
10	Interagency review for licenses	Consultation with Ministries of Foreign Affairs and of Defense		
11	Control lists	Council Regulation (EC) no. 1504/2004		
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	Ministerial Decisions 3285/E3/4136/09.06.1993 and 2026/E3/933/16.03.1994		
14	Inclusion of means of delivery	Ministerial Decisions 3286/E3/2757/F.MTCR/24.05.1993 and 1055/E3/7269/28.02.1992 and 4216/E3/4076/1995		
15	End-user controls	Ministerial Decision 125695/E3/5695/25.10.2000: control of dual-use items transfer		
16	Catch all clause	Ministerial Decision 125695/E3/5695/25.10.2000		
17	Intangible transfers	Ministerial Decision 125695/E3/5695/25.10.2000		
18	Transit control	License issued by Ministry of Economy and Finance		
19	Trans-shipment control			

¹²¹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

20	Re-export control			
21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation	Law No. 2991 of 27 February 2002, Article No. 8: Declaration requirement for import of Schedule I chemicals (Ricin, Saxitoxin)	Law No. 2991 of 27 February 2002, Article 8	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	The Ministry of Economy and Finance (International Economic Issues Directorate) is in close contact with the export industry.	
2	Information for the public	The Ministry of Finance can be contacted from Monday through Friday, during working hours. The website of the Ministry is currently being created.	
3	Assistance offered	Whenever assistance is requested by a third country, it will be provided within the framework of competency.	

5	Assistance in place (bilateral/plurilateral/multilateral)	Assists other States through information about Greek legislation of the BTWC EU Joint Action in support	EUJA BTWC ¹²²
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Greece

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 10 December 1975	http://disarmament.un.org:8080/TreatyStatus.nsf see websites of respective arrangements
2	Geneva Protocol of 1925	Deposit 30 May 1931	
3	Chemical Weapons Convention (CWC)	Deposit 22 December 1994	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

¹²² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	1. Law 126/1975 (BWC Ratification Law) 2. Law 2168/93 (Law on Matters related to arms, ammunitions and explosives of 03 September 1993) - currently under revision	Penal Code, Articles 187 and 187 A: acts of terrorism	
2	acquire			
3	possess		1. Penal Code, Articles 187 and 187 A: acts of terrorism 2. Law 126/1975	
4	stockpile/store			
5	develop		Penal Code, Articles 187 and 187 A: acts of terrorism	
6	transport			
7	transfer		1. Penal Code, Articles 187 and 187 A: acts of terrorism 2. Law 126/1975	
8	use			
9	participate as an accomplice in a.m. activities	Law 2168/93 (Law on Matters related to arms, ammunitions and explosives of 03 September 1993) - currently under revision	Penal Code, Articles 187 and 187 A: acts of terrorism	
10	assist in a.m. activities			
11	finance a.m. activities			

12	a.m. activities related to means of delivery	1. Law 126/1975 (BWC Ratification Law) 2. Law 2168/93 (Law on Matters related to arms, ammunitions and explosives of 03 September 1993) - currently under revision		-
13	extraterritorial applicability			-

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials			-
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ¹²³ Council Directive 96/49/EC ¹²⁴

¹²³ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

¹²⁴ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Ministerial Decision 176700/E3 /26700 - Transfer control of chemical, biological materials, delivery systems of pathogenic organisms		
2	Enforcement agencies/authorities			
3	Export control legislation in place	1. L.936/1979 concerning external trade 2. Ministerial Decisions E3/1255/06.03.1991 and 2641/E3/3327/26.03.199	L.936/1979 concerning external trade	

4	Licensing provisions	2 3. Ministerial Decisions 125695/E3/5695/25.10.2000 on Control of Dual-use Items Transfer 4. Ministerial Decisions 3285/E3/4136/09.06.1993 and 2026/E3/933/16.03.1994 5. Ministerial Decisions 3286/E3/2757/F.MTCR/24.05.1993 and 1055/E3/7269/28.02.1992 and 4216/E3/4076/1994		
5	Individual licensing	Ministerial Decision 176700/E3/26700 - Transfer control of chemical, biological materials, delivery systems of pathogenic organisms		
6	General licensing	General license is forbidden		
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		

8	Licensing of deemed export/visa	Ministerial Decision 176700/E3/26700: applicable for general licensing for both chemical and biological dual use export cases		Council Regulation (EC) No 1504/2004 ¹²⁵
9	National licensing authority	Ministry of Economy and Finance		
10	Interagency review for licenses	Consultation with Ministries of Foreign Affairs and of Defense		
11	Control lists	Council Regulation (EC) no. 1504/2004		
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	Ministerial Decisions 3285/E3/4136/09.06.1993 and 2026/E3/933/16.03.1994		
14	Inclusion of means of delivery	Ministerial Decisions 3286/E3/2757/F.MTCR/24.05.1993 and 1055/E3/7269/28.02.1992 and 4216/E3/4076/1995		

¹²⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

15	End-user controls	Ministerial Decision 125695/E3/5695/25.10.2 000: control of dual-use items transfer		
16	Catch all clause	Ministerial Decision 125695/E3/5695/25.10.2 000		-
17	Intangible transfers	Ministerial Decision 125695/E3/5695/25.10.2 000		
18	Transit control	License issued by Ministry of Economy and Finance		
19	Trans-shipment control			
20	Re-export control			
21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation	Law No. 2991 of 27 February 2002, Article No. 8: Declaration requirement for import of Schedule I chemicals (Ricin, Saxitoxin)	Law No. 2991 of 27 February 2002, Article 8	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	The Ministry of Economy and Finance (International Economic Issues Directorate) is in close contact with the export industry.	EUJA BTWC ¹²⁶
2	Information for the public	The Ministry of Finance can be contacted from Monday through Friday, during working hours. The website of the Ministry is currently being created.	
3	Assistance offered	Whenever assistance is requested by a third country, it will be provided within the framework of competency.	
5	Assistance in place (bilateral/plurilateral/multilateral)	Assists other States through information about Greek legislation EU Joint Action in support of the BTWC	

Hungary

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 27 December 1972	http://disarmament.un.org:8080/TreatyStatus.nsf

¹²⁶ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

2	Geneva Protocol of 1925	Deposit 11 October 1952	see websites of respective arrangements
3	Chemical Weapons Convention (CWC)	Deposit 31 October 1996	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	Law Decree 11/1975 on BWC	Penal Code, Sections 261/A (Breach of obligation under international law) and 264/C (Criminal misuse of weapons prohibited by international treaty)	- - Penal Code – Act IV of 1978 (English, unofficial) ¹²⁷
2	acquire	Law Decree 11/1975 on BWC		
3	possess			
4	stockpile/store	Law Decree 11/1975 on BWC		

¹²⁷ http://www.era.int/domains/corpus-juris/public_pdf/hungary_criminal_code.pdf

5	develop	Law Decree 11/1975 on BWC		Penal Code – Act IV of 1978 (English, unofficial) ¹²⁸
6	transport			
7	transfer	Law Decree 11/1975 on BWC		
8	use		Penal Code, Sections 160/A (Use of weapons prohibited by international treaty), 261/A and 264/C	
9	participate as an accomplice in a.m. activities		Penal Code, Section 160/A	
10	assist in a.m. activities		Penal Code, Section 160/A	
11	finance a.m. activities	Law is under preparation		
12	a.m. activities related to means of delivery	Law Decree 11/1975 on BWC	Penal Code, Sections 160/A (Use of weapons prohibited by international treaty), 261/A and 264/C	
13	extraterritorial applicability			

¹²⁸ http://www.era.int/domains/corpus-juris/public_pdf/hungary_criminal_code.pdf

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ¹²⁹
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ¹³⁰ Council Directive 96/49/EC ¹³¹

¹²⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

¹³⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

¹³¹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Government Decree 16/2004: military equipment		Government Decree 16/2004 ¹³²
2	Enforcement agencies/authorities		Customs and finance guards	
3	Export control legislation in place	1. Government Decree 16/2004 on the licensing of export, import, transfer and transit of military equipment and technical assistance	Penal Code, Sections 287 and 298 (Foreign trade activities without a license)	Government Decree 50/2004 ¹³³
4	Licensing provisions	2. Government Decree 50/2004 on the licensing		Penal Code – Act IV of 1978 (English, unofficial) ¹³⁴

¹³² <http://mkeh.gov.hu/index.php?name=OE-eLibrary&file=download&id=3868&keret=N&showheader=N>

¹³³ <http://mkeh.gov.hu/index.php?name=OE-eLibrary&file=download&id=3856&keret=N&showheader=N>

5	Individual licensing	of foreign trade in dual-use goods and technologies 3. Commission Regulations (EC) No. 1334/2000 and 1504/2004 4. Act CIX of 2005 on the licensing of the production and provision of military technology products and services		Council Regulation (EC) No 1334/2000 ¹³⁵
6	General licensing			Council Regulation (EC) No 1504/2004 ¹³⁶
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		
8	Licensing of deemed export/visa			
9	National licensing authority	Trade Licensing Office		
10	Interagency review for licenses	Inter-Ministerial Committee on licensing of foreign trade in military equipment (ICTME)	EU members should consult with other members before issuing licenses	

¹³⁴ http://www.era.int/domains/corpus-juris/public_pdf/hungary_criminal_code.pdf

¹³⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

¹³⁶ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

11	Control lists	Control lists of international regimes are incorporated in national lists		
12	Updating of lists	National lists are regularly updated		
13	Inclusion of technologies	Council Regulation (EC) No. 1504/2004		
14	Inclusion of means of delivery	Council Regulation (EC) No. 1504/2004		
15	End-user controls		Violation is penalized	
16	Catch all clause			
17	Intangible transfers			
18	Transit control	Government Decree 16/2004 on the licensing of the export, import, transfer and transit of military equipment and technical assistance		
19	Trans-shipment control			
20	Re-export control			
21	Control of providing funds			
22	Control of providing transport services			

23	Control of importation	1. Government Decree 50/2004 2. Government Decree 16/2004	Penal Code, Sections 287 and 298 (Foreign trade activities without a license)	
24	Extraterritorial applicability		-	
25	Other			

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Trade licensing office undertakes regular visits to producers so that they understand relevant export controls. Close working relationship with industry established through government/industry committees, awareness raising seminars and workshops	
2	Information for the public	Information is regularly disseminated through government websites, publications and leaflets. Government encourages and supports the inclusion of non-proliferation issues in curricula	
3	Assistance offered	Hungary is ready to share its experiences of developing and maintaining effective controls over nuclear, biological, and chemical as well as dual-use goods and technologies	

4	Assistance in place (bilateral/plurilateral/multilateral)	1. EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security 2. Has been providing assistance to five countries of the Western Balkans in the field of export control 3. EU Joint Action in support of the BTWC	EUJA BTWC ¹³⁷
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Ireland

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 27 October 1972	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 29 August 1930	
3	Chemical Weapons Convention (CWC)	Deposit 24 June 1996	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements

¹³⁷ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

5	Other	EU Council Decision to include WMD provisions in agreements with third countries	
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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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	1. Firearms Acts of 1925	1. Firearms Acts of 1925 2. Firearms and Offensive Weapons Act, 1990	Firearms And Offensive Weapons Act, 1990 ¹³⁸
2	acquire	2. Firearms and Offensive Weapons Act, 1990		
3	possess	3. Firearms and Offensive Weapons Act, 1990 (Offensive Weapons) Order, 1991		
4	stockpile/store			Firearms And Offensive Weapons Act, 1990 (Offensive Weapons) Order, 1991 ¹³⁹
5	develop			
6	transport			

¹³⁸ http://www.irishstatutebook.ie/1990_12.html

¹³⁹ [http://193.178.1.79/plweb-cgi/fastweb?state_id=1124738327&view=ag-view&docrank=8&numhitsfound=21&query_rule=%28%28\\$query1%29%3C%3DYEAR%3C%3D%28\\$query2%29%29%20AND%20%28%28\\$query3%29%29%3ATITLE%20AND%20%28%28\\$query4%29%29%3Anumber%20AND%20%28%28](http://193.178.1.79/plweb-cgi/fastweb?state_id=1124738327&view=ag-view&docrank=8&numhitsfound=21&query_rule=%28%28$query1%29%3C%3DYEAR%3C%3D%28$query2%29%29%20AND%20%28%28$query3%29%29%3ATITLE%20AND%20%28%28$query4%29%29%3Anumber%20AND%20%28%28)

7	transfer	1. Firearms Acts of 1925 2. Firearms and Offensive Weapons Act, 1990	1. Firearms Acts of 1925 2. Firearms and Offensive Weapons Act, 1990	
8	use	3. Firearms and Offensive Weapons Act, 1990 (Offensive Weapons) Order, 1991	2. Firearms and Offensive Weapons Act, 1990	
9	participate as an accomplice in a.m. activities			
10	assist in a.m. activities			
11	finance a.m. activities			
12	a.m. activities related to means of delivery			
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ¹⁴⁰
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	S.I. 235 of 1980 (road transport)	Council Directive 94/55/EC ¹⁴¹ Council Directive 96/49/EC ¹⁴² S.I. 235 of 1980 ¹⁴³

¹⁴⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

¹⁴¹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

¹⁴² <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

¹⁴³ <http://www.irishstatutebook.ie/ZZSI235Y1980.html>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology			Control of Exports Act, 1983 ¹⁴⁴ Control of Exports Order, 2005 (S.I. No. 884 of 2005) ¹⁴⁵
2 Enforcement agencies/authorities		1. Custom Service 2. The Irish Coast Guard 3. The Irish Police 4. The Irish Air Corps 5. The Naval Service 6. The Defence Forces	
3 Export control legislation in place	1. Commission Regulation (EC) No. 1334/2000 2. Council Regulation (EC) No. 1505/2004	1. Customs Act 1956, section 3 2. Control of Exports Act 1983, section 3(4)	
4 Licensing provisions	3. Control of Exports Act 1983		

¹⁴⁴ [http://193.178.1.79/plweb-cgi/fastweb?state_id=1124735448&view=ag-view&numhitsfound=101&query_rule=%28%28\\$query1%29%3C%3D%28\\$query2%29%29%20AND%20%28%28\\$query3%29%29%3ATITLE%20AND%20%28%28\\$query4%29%29%3Anumber%20AND%20%28%28\\$query5%2](http://193.178.1.79/plweb-cgi/fastweb?state_id=1124735448&view=ag-view&numhitsfound=101&query_rule=%28%28$query1%29%3C%3D%28$query2%29%29%20AND%20%28%28$query3%29%29%3ATITLE%20AND%20%28%28$query4%29%29%3Anumber%20AND%20%28%28$query5%2)

		Foreign Affairs, Justice, Equality and Law Reform and the Revenue Commission		
11	Control lists	1. Council Regulation (EC) No. 1504/2004 2. Control of Exports Order of 22 December 2005 (S.I. No. 884 of 2005): military goods		Council Regulation (EC) No 1334/2000 ¹⁴⁸
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	Council Regulation (EC) No. 1504/2004		
14	Inclusion of means of delivery	1. Council Regulation (EC) No. 1504/2004 2. Control of Exports Order 2000, Schedule		
15	End-user controls			
16	Catch all clause			
17	Intangible transfers	Council Regulation (EC) No. 1334/2000		
18	Transit control			

¹⁴⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

19	Trans-shipment control			Criminal Justice (Terrorist Offences) Act of March 2005 ¹⁴⁹
20	Re-export control			
21	Control of providing funds	Criminal Justice (Terrorist Offences) Act, 2005	Criminal Justice (Terrorist Offences) Act, 2005	
22	Control of providing transport services			Importation of Pathogenic Agents Order of 22 September 1997 (S.I. No. 373) of 1997 ¹⁵⁰
23	Control of importation	Importation of Pathogenic Agents Order of 22 September 1997 (S.I. No. 302 of 1997)	License by the Minister for Agriculture and Food is required	
24	Extraterritorial applicability			
25	Other	New Control of Exports Bill will be published in 2006		

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	EU Commission organises regular meetings with industry. Close working relationship with industry, established through regular outreach programmes. Website to provide guidance: http://www.entemp.ie/trade/export/index.htm

¹⁴⁹ <http://www.oireachtas.ie/documents/bills28/acts/2005/a0205.pdf>

¹⁵⁰ <http://www.irishstatutebook.ie/ZZSI373Y1997.html>

2	Information for the public	Dissemination through Irish Government websites and publications	EUJA BTWC ¹⁵¹
3	Assistance offered	Is, and has been, willing to provide assistance where appropriate in response to specific requests to States lacking legal and regulatory infrastructure, implementation experience/resources for UNSCR 1540.	
4	Assistance in place (bilateral/plurilateral/multilateral)	EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security. EU Joint Action in support of the BTWC	

Italy

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 30 May 1975	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 03 April 1928	

¹⁵¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

3	Chemical Weapons Convention (CWC)	Deposit 08 December 1995	see websites of respective arrangements
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	Law no. 185 of 9 July 1990, Article 1.7	Law no. 497 of 14 October 1974, Article 9	Law No. 185 of 9 July 1990 ¹⁵² Law No. 438 of 15 December 2001 ¹⁵³
2	acquire	-	Law no. 438 of 15 December 2001: terrorist purposes	
3	possess	-	Law no. 497 of 14 October 1974, Article 10	
4	stockpile/store	-	Law no. 497 of 14 October 1974, Article 9	

¹⁵² http://www.opbw.org/nat_imp/leg_reg/italy/export_import_transit_arms.pdf

¹⁵³ <http://www.parlamento.it/parlam/leggi/01438l.htm#conve>

5	develop	Law no. 185 of 9 July 1990, Article 1.7	-	Penal Code ¹⁵⁴ Law No. 155 of 31 July 2005 ¹⁵⁵
6	transport		Law no. 497 of 14 October 1974, Article 12	
7	transfer	-	Law no. 438 of 15 December 2001: terrorist purposes	
8	use		Penal Code, Articles 438, 439, 422 and 285	
9	participate as an accomplice in a.m. activities		Penal Code, Article 270bis, as amended by Law no. 438 of 15 December 2001	
10	assist in a.m. activities		1. Penal Code, Article 270ter, as introduced by Law no. 438 of 15 December 2001: terrorist purposes 2. Law no. 155 of 31 July 2005: training, instructing	
11	finance a.m. activities	Law no. 438 of 15 December 2001	Penal Code, Article 270bis, as amended by Law no. 438 of 15 December 2001	
12	a.m. activities related to means of delivery	-	Penal Code, Article 270ter, as introduced by Law no. 438 of 15 December 2001: terrorist purposes	

¹⁵⁴ <http://www.studiocelentano.it/codici/cp/codicepenale002.htm>

¹⁵⁵ <http://www.parlamento.it/parlam/leggi/051551.htm#conve>

13	extraterritorial applicability			
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Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	1. Directive 2000/54 EC 2. Law no. 626/1994, Articles 76, 77 and 87	Law no. 626/1994	Directive 2000/54/EC ¹⁵⁶
2 Measures to secure transport	1. Council Directives 94/55/EEC and 96/49/EC 2. Decree of the Ministry of Transports of 02 August 2005 3. Memorandum of the Ministry of Health no. 16 of 20 July 1994	1. Code of land transports, Article 168 2. Code of air and maritime navigation, Article 1199 3. Party to ADR and RID agreements	Council Directive 94/55/EC ¹⁵⁷ Council Directive 96/49/EC ¹⁵⁸

¹⁵⁶ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

¹⁵⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

¹⁵⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Inter-agency task force appointed to adapt the legislation to the provisions of EU Common Position 468/03 on arms brokering	Additional bill under approval provides sanctions for illicit trafficking	<u>Legislative Decree No. 96 of 9 April 2003 (English, unofficial)¹⁵⁹</u> <u>Law No. 438 of 15 December 2001¹⁶⁰</u>
2	Enforcement agencies/authorities		Customs Agency	
3	Export control legislation in place	1. Commission regulation (EC) 1334/2000 2. Council regulation (EC) 1509/2004	1. Legislative Decree 96 of 2003 2. Law no. 438 of 15 December 2001	
4	Licensing provisions	3. Legislative Decree 96 of 2003 4. Law no. 185 of 9 July 1990		

¹⁵⁹ http://www.mincomes.it/dualuse/dualuse_norme/090403_en.pdf

¹⁶⁰ <http://www.parlamento.it/parlam/leggi/01438l.htm#conve>

5	Individual licensing	Legislative Decree no. 96 of 09 April 2003, Article 4: implements EC Regulation 1334/2000	Legislative Decree no. 96 of 09 April 2003, Articles 16/1, 16/2, 16/4, 16/6 and 16/7	
6	General licensing	Decree of the Ministry of Productive Activity of 4 August 2003: dual-use items		
7	Exceptions from licensing	Within the community free circulation of all goods exceptions are listed in Annex IV of regulation 1504/2004		
8	Licensing of deemed export/visa			
9	National licensing authority	Ministry of Productive Activities (Legislative Decree no. 96/2003)		

10	Interagency review for licenses	Legislative Decree no. 96/2003: Consultative Committee composed of Ministry of Foreign Affairs, of Productive Activities, of Defence, of Interior, of Economy and Finance (including Customs agency), of Communications, of University and Scientific Research		Council Regulation (EC) No 1334/2000 ¹⁶¹
11	Control lists	EC framework and lists mirroring those adopted by AG, MTCR, NSG, WA and ZC		-
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	Council regulation (EC) 1504/2004		
14	Inclusion of means of delivery	Council regulation (EC) 1504/2004		
15	End-user controls	1. EC Regulation 1334/2000 2. Legislative Decree no. 96/2003, Article 12		Council Regulation (EC) No 1334/2000 ¹⁶²

¹⁶¹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

¹⁶² <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

16	Catch all clause	1. EC Regulation 1334/2000 2. Legislative Decree no. 96/2003, Article 9		<u>Law No. 185 of 9 July 1990¹⁶³</u>
17	Intangible transfers	1. EC Regulation 1334/2000 2. Legislative Decree no. 96/2003, Article 15		
18	Transit control	Law no. 185 of 9 July 1990: armaments		
19	Trans-shipment control			
20	Re-export control	1. EC Regulation 1334/2000 2. Legislative Decree no. 96/2003, Article 15		
21	Control of providing funds		Law no. 197 of 5 July 1991 as amended by Legislative Decree no. 56 of 2004: screening and control of all transactions	
22	Control of providing transport services			
23	Control of importation	Law no. 185 of 9 July 1990: armaments		
24	Extraterritorial applicability		Foreseen for Italian citizens acting abroad	

¹⁶³ http://www.opbw.org/nat_imp/leg_reg/italy/export_import_transit_arms.pdf

25	Other			
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Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	1. Committed to work with and inform industry 2. MAP cooperates on a regular basis with companies and industrial associations	EUJA BTWC ¹⁶⁴
2	Information for the public	Disseminates relevant public information through websites, publications, seminars and leaflets	
3	Assistance offered	Ready to consider the provision of assistance	
4	Assistance in place (bilateral/plurilateral/multilateral)	1. Providing bilaterally as well as through EU cooperation programmes 2. Supports G-8 Global Partnership Initiative aimed at promoting WMDs destruction and control of sensitive materials 3. EU Joint Action in support of the BTWC	

¹⁶⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

Latvia

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 06 February 1997	http://disarmament.un.org:8080/TreatyStatus.nsf see websites of respective arrangements
2 Geneva Protocol of 1925	Deposit 03 June 1931	
3 Chemical Weapons Convention (CWC)	Deposit 23 July 1996	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA)	
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce		1. Criminal Law of 01 April 1999, Article 73 2. Administrative Violations Code of 7 December 1982, Article 179: manufacture	Criminal Law, 1999 with amendments up to 22 January 2004 (English, unofficial) ¹⁶⁵
2 acquire			
3 possess			
4 stockpile/store		1. Criminal Law of 01 April 1999, Article 73 2. Administrative Violations Code of 7 December 1982, Article 179: storage	
5 develop			
6 transport			

¹⁶⁵ <http://www.ttc.lv/New/lv/tulkojumi/E0032.doc>

7	transfer		Criminal Law of 01 April 1999, Article 73: distribution	
8	use		1. Criminal Law of 01 April 1999, Article 73 2. Administrative Violations Code of 7 December 1982, Article 179: utilisation	
9	participate as an accomplice in a.m. activities			
10	assist in a.m. activities	-		
11	finance a.m. activities	1. Law on Prevention of the Laundering of the Proceeds of Crime, as amended 2. Cabinet of Ministers Regulation on "Lists of Persons Suspected for Commitment of Terrorism or Persons Involved in Commitment of Terror Attacks Issued by States or International Organizations"	Criminal Law of 01 April 1999, Article 88: finance	On Prevention of the Laundering of the Proceeds from Crime, 2003 (English, unofficial) ¹⁶⁶
12	a.m. activities related to means of delivery			-

¹⁶⁶ http://www.anti-moneylaundering.org/uploads/Latviamoney_laundering.pdf

13	extraterritorial applicability		Criminal Law of 01 April 1999, Article 4	-
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Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ¹⁶⁷
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ¹⁶⁸ Council Directive 96/49/EC ¹⁶⁹

¹⁶⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

¹⁶⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

¹⁶⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Commission Regulation (EC) No. 1334/2000		
2	Enforcement agencies/authorities		Main Customs Service	
3	Export control legislation in place	1. Commission Regulation (EC) No. 1334/2000 2. Council Regulation (EC) No.1505/2004	Code of Administrative Violations, Articles 181, 183 and 201	
4	Licensing provisions	3. Law on Circulation of Strategic Goods of 01 May 2004 4. Cabinet of Ministers Regulations on Control of Strategic Goods and Licenses, of 29 April 2004	Administrative Violations Code, Articles 181, 183 and 201	
5	Individual licensing	Law on Movement of Goods of Strategic Significance of 01 May 2004	Administrative Violations Code, Articles 181 and 183	

6	General licensing	Commission Regulation (EC) No. 1334/2000		
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		
8	Licensing of deemed export/visa			
9	National licensing authority	Ministry of Foreign Affairs, Division of Export Control of Strategic Goods		
10	Interagency review for licenses	Committee for Monitoring Strategic Goods (Cabinet of Ministers Regulations No. 186 on Founding Law of the Control Committee of Strategic Goods of 30 March 2004)	Members should consult with other members before issuing licenses	
11	Control lists	1. Resolution of the Control Committee of Strategic Goods on Lists of Strategic Goods of 30 June 2003 2. Commission Regulation (EC) No. 1334/2000		
12	Updating of lists	Regularly updated		

13	Inclusion of technologies	Council Regulation (EC) No. 1504/2004		Council Regulation (EC) No 1504/2004 ¹⁷⁰
14	Inclusion of means of delivery	Council Regulation (EC) No. 1504/2004		
15	End-user controls	Law on Circulation of Strategic Goods of 01 May 2004		
16	Catch all clause	Commission Regulation (EC) No. 1334/2000		Council Regulation (EC) No 1334/2000 ¹⁷¹
17	Intangible transfers	Commission Regulation (EC) No. 1334/2000		
18	Transit control	Law on Circulation of Movement of Goods of Strategic Importance of 01 May 2004	Administrative Violations Code, Articles 181, 183 and 201	
19	Trans-shipment control	Law on Movement of Goods of Strategic Significance of 01 May 2004	Administrative Violations Code, Articles 181, 183 and 201	
20	Re-export control		Administrative Violations Code, Articles 181, 183 and 201	
21	Control of providing funds			
22	Control of providing transport services			

¹⁷⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

¹⁷¹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

23	Control of importation	Law on Circulation of Movement of Goods of Strategic Importance of 01 May 2004	Code of Administrative Violations, Articles 181, 183 and 201	-
24	Extraterritorial applicability			-
25	Other			

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	EU Commission organises regular meetings with industry Control Committee of Strategic Goods regularly informs firms dealing with import, export and transit regarding their obligations, updates regarding amendments in legislation or lists are provided	
2	Information for the public	Plans to have a section on import, export or transit of strategic goods in the near future on the web site of the Ministry of Foreign Affairs. At present the website is under construction.	
3	Assistance offered		

4	Assistance in place (bilateral/plurilateral/multilateral)	EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security EU Joint Action in support of the BTWC	EUJA BTWC ¹⁷²
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Lithuania

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 10 February 1998	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 15 June 1933	
3	Chemical Weapons Convention (CWC)	Deposit 15 April 1998	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA)	see websites of respective arrangements
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

¹⁷² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce	Law on Environmental Protection of 1992	Criminal Code, Art. 267(1)	Law on Environmental Protection of 21 January 1992 (English, unofficial) ¹⁷³
2 acquire		Criminal Code, Art. 267(1)	
3 possess		Criminal Code, Art. 267(1)	
4 stockpile/store	Law on Environmental Protection of 1992	Criminal Code, Art. 21 and Art. 111, p. 2; Art. 21 and 250, p. 3; Art. 24	
5 develop		Criminal Code, Art. 267(1)	

¹⁷³ <http://www.litlex.lt/Litlex/Eng/Frames/Laws/Documents/45.HTM>

6	transport	1. Governmental Resolution No. 938 on Approval of Regulations of Transportation of Dangerous and Military Goods of Foreign States across the Territory of Lithuania 2. Law on the State Border and Protection Thereof of 2000 3. Law on Environmental Protection of 1992	Criminal Code, Art. 21 and Art. 111, p. 2; Art. 21 and 250, p. 3; Art. 24, Art. 267(1)	
7	transfer		Criminal Code, Art. 267(1)	
8	use	-	Criminal Code, Art. 111, p.2 and Art. 250, p. 1	
9	participate as an accomplice in a.m. activities		Criminal Code, Art. 24	
10	assist in a.m. activities		Criminal Code, Art. 24	
11	finance a.m. activities	Law on the Prevention of Money Laundering of 25 November 2003	Criminal Code, Art. 250, p. 5-6, Art. 24	Law on Amending the Law on Prevention of Money Laundering of 19 June 1997 as amended on 25 November 2003 (English, official) ¹⁷⁴
12	a.m. activities related to means of delivery			
13	extraterritorial applicability			

¹⁷⁴ <http://www3.lrs.lt/c-bin/eng/preps2?Condition1=262724&Condition2=>

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC	Code of Administrative Offences, Art. 189(9)	Directive 2000/54/EC ¹⁷⁵
2 Measures to secure transport	1. Council Directives 94/55/EEC and 96/49/EEC 2. Law on Environmental Protection of 1992, Art. 22.1	Party to ADR and RID agreements	Law on Environmental Protection of 21 January 1992 (English, unofficial) ¹⁷⁶ Council Directive 94/55/EC ¹⁷⁷ Council Directive 96/49/EC ¹⁷⁸

¹⁷⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

¹⁷⁶ <http://www.litlex.lt/Litlex/Eng/Frames/Laws/Documents/45.HTM>

¹⁷⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

¹⁷⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	1. Law Amending the Law on the Export, Import and Transit Control of Strategic Goods of 29 April 2004 2. Government Resolution No. 932 on the Approval of Regulations for Licensing Export, Import, Transit and Brokerage of Strategic Goods and on Regulations Enforcing the Control of Strategic Goods of 22 July 2000	1. Criminal Code, Art. 199, p. 2 2. Criminal Code , Art. 253(1) 3. Code of Administrative Offences, Art. 189(9)	Governmental Resolution No 932 of 22 July 2004 (English, unofficial) ¹⁷⁹

¹⁷⁹ <http://www3.lrs.lt/cgi-bin/getfmt?C1=e&C2=260881>

2	Enforcement agencies/authorities		State Security Department (SSD), Inter-institutional Coordination Commission against Terrorism, State Border Guard Service, Police Department, ARAS (specialised police institution)	
3	Export control legislation in place	1. Law Amending the Law on the Export, Import and Transit Control of Strategic Goods of 29 April 2004 2. Council Regulation	1. Criminal Code, Art. 199, p. 2 2. Criminal Code, Art. 253(1) 3. Code of Administrative Offences (CAO), Art. 189(9), p. 1	

4	Licensing provisions	(EC) 1334/2000 3. Government Resolution No. 932 on the Approval of Regulations for Licensing Export, Import, Transit and Brokerage of Strategic Goods and on Regulations Enforcing the Control of Strategic Goods of 22 July 2004 4. Law on the Implementation of Economic and Other International Sanctions of 2004	1. Criminal Code, Art. 199, p. 2 2. Criminal Code, Art. 253(1) 3. Code of Administrative Offences (CAO), Art. 189(9)	Law on the Implementation of Economic and Other Sanctions of 22 April 2004 (English, official) ¹⁸⁰
5	Individual licensing	Government Resolution No. 932 on the Approval of Regulations for Licensing Export, Import, Transit and Brokerage of Strategic Goods and on Regulations Enforcing the Control of Strategic Goods of 22 July 2004		
6	General licensing			

¹⁸⁰ <http://www3.lrs.lt/cgi-bin/getfmt?C1=e&C2=256251>

7	Exceptions from licensing	Community General Export Authorisation defined by Regulation 1504/2004		
8	Licensing of deemed export/visa			
9	National licensing authority	Ministry of Economy		
10	Interagency review for licenses	Commission on the Issues of Licensing of Export, Import, Transit and Brokering of Strategic Goods	Member States to consult each other before issuing licenses	
11	Control lists	1. Common List of Military Equipment (Government Resolution No. 1398 of 08 November 2004) 2. Annex I and Annex IV of Council Regulation 1334/2000 as amended by Council Regulation (EC) 1504/2004 of 19 July 2004		
12	Updating of lists	Common List of Military Equipment (Government Resolution No. 1398 of 08 November 2004) will be updated in future following changes in the		

		EU Common List of Military Equipment		
13	Inclusion of technologies	1. Law Amending the Law on the Export, Import and Transit Control of Strategic Goods of 29 April 2004 2. Council Regulation (EC) 1334/2000		
14	Inclusion of means of delivery	1. Law Amending the Law on the Export, Import and Transit Control of Strategic Goods of 29 April 2004 2. Council Regulation (EC) No. 1504/2004		-
15	End-user controls	1. Law Amending the Law on the Export, Import and Transit Control of Strategic Goods of 29 April 2004	Code of Administrative Offences (CAO), Art. 189, p. 1	-
16	Catch all clause	2. Council Regulation (EC) No. 1334/2000		
17	Intangible transfers	1. Law Amending the Law on the Export, Import and Transit Control of Strategic Goods of 29		-

		April 2004 2. Council Regulation (EC) No. 1504/2004		
18	Transit control	1. Law Amending the Law on the Export, Import and Transit Control of Strategic Goods of 29 April 2004 2. Government Resolution No. 932 on the Approval of Regulations for Licensing Export, Import, Transit and Brokerage of Strategic Goods and on Regulations Enforcing the Control of Strategic Goods of 22 July 2000	Code of Administrative Offences (CAO), Art. 189(9) , p. 1	
19	Trans-shipment control			
20	Re-export control			
21	Control of providing funds			
22	Control of providing transport services			

23	Control of importation	<p>Military equipment only:</p> <p>1. Law Amending the Law on the Export, Import and Transit Control of Strategic Goods of 29 April 2004</p> <p>2. Government Resolution No. 932 on the Approval of Regulations for Licensing Export, Import, Transit and Brokerage of Strategic Goods and on Regulations Enforcing the Control of Strategic Goods of 22 July 2000</p>	Code of Administrative Offences (CAO), Art. 189(9) , p. 1	-
24	Extraterritorial applicability			-
25	Other			

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	Company representatives and the public find the information on all laws and secondary legislation on the websites of respective ministries and agencies. Law and resolutions are published.
2	Information for the public	

3	Assistance offered	Lithuania is prepared and willing to provide expert assistance in developing the legal framework and infrastructure, detecting and assessing radioactive and nuclear materials, analysing such substances and training experts of other countries.	EUJA BTWC ¹⁸¹
4	Assistance in place (bilateral/plurilateral/multilateral)	Trilateral - among the Livermore National Laboratory of the University of California (USA), Customs Training Centre of Customs Department of Lithuania and the Radiation Protection Centre - in the field of identification of dual-use items and technologies that can be used for developing WMD EU Joint Action in support of the BTWC	

Luxembourg

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 23 March 1976	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 01 September 1936	

¹⁸¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

3	Chemical Weapons Convention (CWC)	Deposit 15 April 1997	see websites of respective arrangements
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	Act of 28 November 1975		Loi du 28 novembre 1975 portant approbation de la CIAB ¹⁸²
2	acquire	Act of 28 November 1975		
3	possess			
4	stockpile/store	Act of 28 November 1975		
5	develop	Act of 28 November 1975		
6	transport			

¹⁸² <http://www.legilux.public.lu/leg/a/archives/1975/0821112/0821112.pdf?SID=6b2e70f0fed60305f204140d24586521#page=21>

7	transfer	Act of 28 November 1975		
8	use			
9	participate as an accomplice in a.m. activities			
10	assist in a.m. activities	Act of 28 November 1975		
11	finance a.m. activities	1. Act of 12 August 2003 2. Act of 12 November 2004 on combating money-laundering and the financing of terrorism	Act of 12 November 2004 on combating money-laundering and the financing of terrorism	Loi du 12 aout 2003 ¹⁸³
12	a.m. activities related to means of delivery			
13	extraterritorial applicability			

¹⁸³ <http://www.legilux.public.lu/leg/a/archives/2003/1371509/1371509.pdf#page=2>

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ¹⁸⁴
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC ¹⁸⁵ Council Directive 96/49/EC ¹⁸⁶

¹⁸⁴ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

¹⁸⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

¹⁸⁶ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology			Council Regulation (EC) No 1334/2000 ¹⁸⁷
2	Enforcement agencies/authorities		Customs and Excise Department, State Intelligence Service, Risk Analysis and Targeting Unit (UARC)	
3	Export control legislation in place	1. Commission Regulation No. 1334/2000 2. Council Regulation (EC) No. 1504/2004 3. Act of 05 August 1963 as amended 4. Grand-Ducal regulation of 05 October 2000 5. Grand-Ducal Regulation of 31 October 1995	General Act on Customs and Excise, articles 231, 249-253 and 263-284	
4	Licensing provisions			

¹⁸⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

5	Individual licensing			
6	General licensing			
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation No. 1504/2004		
8	Licensing of deemed export/visa			
9	National licensing authority	Licensing office/Ministry of Foreign Trade		
10	Interagency review for licenses	Radiation Protection Division, Ministry of Foreign Affairs, Licensing Office, Customs and Excise Department, Intelligence Service		
11	Control lists	Council Regulation (EC) No. 1504/2004		
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	Act of 05 August 1963	General Act on Customs and Excise, articles 231, 249-253 and 263-284	Text coordonne du 10 mars 1998 de la loi du 5 aout 1963 concernant l'importation, l'exportation et le transit de marchandises et de la technologie) ¹⁸⁹

¹⁸⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32004R1504:EN:HTML>

¹⁸⁹ <http://www.legilux.public.lu/leg/a/archives/1998/0181003/0181003.pdf?SID=832ab7b875412c1949ef16f795fe47e8#page=2>

14	Inclusion of means of delivery	Council Regulation (EC) No. 1504/2004		Reglement grand-ducal du 31 octobre 1995 ¹⁹⁰ Reglement grand-ducal du 5 octobre 2000 ¹⁹¹
15	End-user controls			
16	Catch all clause			
17	Intangible transfers			
18	Transit control	1. Act of 05 August 1963 as amended 2. Grand Ducal regulations of 05 October 2000 3. Grand-Ducal Regulation of 31 October 1995	1. General Act on Customs and Excise, Articles 231, 249-253 and 263-284 2. UARC inspects goods and documents transiting	
19	Trans-shipment control			
20	Re-export control			
21	Control of providing funds			
22	Control of providing transport services			

¹⁹⁰ <http://www.legilux.public.lu/leg/a/archives/1995/0942811/0942811.pdf?SID=033c9dcc0b8a932c1bd84a16e1436717#page=2>

¹⁹¹ <http://www.legilux.public.lu/leg/a/archives/2000/1141411/1141411.pdf?SID=2a2b0d241ac4d55034ae4f215a3fbc49#page=2>

23	Control of importation	1. Act of 05 August 1963 as amended 2. Grand-Ducal Regulation of 31 October 1995	General Act on Customs and Excise, Articles 231, 249-253 and 263-284	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	State collaborates closely with industry. The Licensing Office is responsible for informing enterprises	EUJA BTWC ¹⁹²
2	Information for the public		
3	Assistance offered		
5	Assistance in place (bilateral/plurilateral/multilateral)	EU Joint Action in support of the BTWC	

¹⁹² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

Malta

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 07 April 1975	http://disarmament.un.org:8080/TreatyStatus.nsf see websites of respective arrangements
2 Geneva Protocol of 1925	Deposit 15 October 1970	
3 Chemical Weapons Convention (CWC)	Deposit 28 April 1997	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA)	
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce		Act No. VI of 06 June 2005 (Criminal Code (Amendment) Act, 2005)	Criminal Code of 10 June 1854, as amended ¹⁹³
2	acquire			
3	possess			
4	stockpile/store			
5	develop		Act No. VI of 06 June 2005 (Criminal Code (Amendment) Act, 2005)	
6	transport			
7	transfer		Act No. VI of 06 June 2005 (Criminal Code (Amendment) Act, 2005): supply	
8	use		Act No. VI of 06 June 2005 (Criminal Code (Amendment) Act, 2005)	

¹⁹³ http://docs.justice.gov.mt/lom/legislation/english/leg/vol_1/chapt9.pdf

9	participate as an accomplice in a.m. activities		Act No. VI of 06 June 2005 (Criminal Code (Amendment) Act, 2005), Art. 328B (3)	
10	assist in a.m. activities		Act No. VI of 06 June 2005 (Criminal Code (Amendment) Act, 2005)	
11	finance a.m. activities		Act No. VI of 06 June 2005 (Criminal Code (Amendment) Act, 2005)	
12	a.m. activities related to means of delivery			
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ¹⁹⁴
2 Measures to secure transport	Council Directives	Party to ADR and RID	Council Directive 94/55/EC ¹⁹⁵

¹⁹⁴ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

¹⁹⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

		94/55/EEC and 96/49/EEC	agreements	Council Directive 96/49/EC ¹⁹⁶
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Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Military Equipment (Export Control) (Amendment) Regulations, 2003 - Legal Notice No. 376 of 2003: military equipment only		Legal Notice No. 416 of 2004 (Maltese and English) ¹⁹⁷
2	Enforcement agencies/authorities		Customs Department	
3	Export control legislation in place	1. Dual-Use Items (Export Control) Regulations, 2004 -		
4	Licensing provisions	Legal Notice 416 of	Penalty for not providing correct information	

¹⁹⁶ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

¹⁹⁷ <http://www.doi.gov.mt/en/legalnotices/2004/09/LN416.pdf>

5	Individual licensing	2004 2. Military Equipment (Export Control) Regulations, 2001 - Legal Notice 269 of 2001 and Government Notice No. 103 of 2004		
6	General licensing	Dual-Use Items (Export Control) Regulations, 2004 - Legal Notice 416 of 2004		
7	Exceptions from licensing			
8	Licensing of deemed export/visa			
9	National licensing authority	Commerce Division		
10	Interagency review for licenses	Commerce Division with Ministry of Foreign Affairs, Armed Forces, Police Department		
11	Control lists	1. Annex I of the EU Council Regulation 2. List of Military Equipment (Government Notice No. 103 of 2004 and Government Notice No. 751 of 22 August 2003)		
12	Updating of lists	Regularly updated		

13	Inclusion of technologies	Dual-Use Items (Export Control) Regulations, 2004 - Legal Notice 416 of 2004		Council Regulation (EC) No 1334/2000 ¹⁹⁸
14	Inclusion of means of delivery	Items included in Annex I of EU Council Regulation		
15	End-user controls	License requires information on end-use/end-user	Penalties	
16	Catch all clause	Dual-Use Items (Export Control) Regulations, 2004 - Legal Notice 416 of 2004		
17	Intangible transfers	Transmission by electronic media		
18	Transit control	1. Dual-Use Items (Export Control) Regulations, 2004 - Legal Notice 416 of 2004 2. Control of Re-Export of Supplies and Services Regulation - Government Notice 180 of 1956 as amended	Customs Ordinance, Section 84: provisions applicable to goods unshipped in transit and for trans-shipment	
19	Trans-shipment control			
20	Re-export control			

¹⁹⁸ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

21	Control of providing funds		Act No. VI of 06 June 2005 (Criminal Code (Amendment) Act, 2005)	Criminal Code of 10 June 1854, as amended ¹⁹⁹ Legal Notice 242 of 2004 (Maltese and English) ²⁰⁰
22	Control of providing transport services			
23	Control of importation	Importation Control Regulations - Legal Notice 242 of 2004 as amended by L.N. 341 of 2004		
24	Extraterritorial applicability	Regulations apply to any Maltese citizen abroad	Penalties	
25	Other			

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	Legal Notices and Government Notices relating to the CWC are available in hard copy and on Government web sites, National Authority keeps contact with chemical industries

¹⁹⁹ http://docs.justice.gov.mt/lom/legislation/english/leg/vol_1/chapt9.pdf

²⁰⁰ <http://www.doi.gov.mt/en/legalnotices/2004/04/LN242.pdf>

2	Information for the public	Legal Notices and Government Notices relating to the CWC are available in hard copy and on Government web sites	EUJA BTWC ²⁰¹
3	Assistance offered	Prepared to share experience in the field of implementation, if requested	
4	Assistance in place (bilateral/plurilateral/multilateral)	EU Joint Action in support of the BTWC	

Netherlands

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 22 June 1982	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 31 October 1930	
3	Chemical Weapons Convention (CWC)	Deposit 30 June 1995	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements

²⁰¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

5	Other	EU Council Decision to include WMD provisions in agreements with third countries	
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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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce	1. Biological Weapons Convention (Implementation) Act 2. Weapons and Ammunition Act	Economic Offences Act, Arts. 1(1) to 6(4)	Weapons and Ammunition Act of 5 July 1997 (Wet wapens en munitie) ²⁰²
2	acquire	Biological Weapons Convention (Implementation) Act		BWC Implementation Act of 25 March 1981 (Uitvoeringswet verdrag biologische wapens) ²⁰³
3	possess	1. Biological Weapons Convention (Implementation) Act 2. Weapons and Ammunition Act		

²⁰² <http://wetten.overheid.nl/>

²⁰³ <http://wetten.overheid.nl/>

4	stockpile/store	Biological Weapons Convention (Implementation) Act	Economic Offences Act, Arts. 1(1) to 6(4)	Criminal Code (Wetboek van Strafrecht) ²⁰⁴
5	develop	Biological Weapons Convention (Implementation) Act	Economic Offences Act, Arts. 1(1) to 6(4)	
6	transport	Biological Weapons Convention (Implementation) Act		
7	transfer	1. Biological Weapons Convention (Implementation) Act 2 . Weapons and Ammunition Act		
8	use			
9	participate as an accomplice in a.m. activities		Criminal Code:- complicity (Section 48)	
10	assist in a.m. activities		Criminal Code: participation, subornation and material support (Section 47), participation in a criminal organization (Sections 140 and 140 a)	
11	finance a.m. activities			

²⁰⁴ <http://wetten.overheid.nl/>

12	a.m. activities related to means of delivery	Biological Weapons Convention (Implementation) Act (Section 4)	Economic Offences Act, Arts. 1(1) to 6(4)	
13	Extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC ²⁰⁵
2 Measures to secure transport	Law requires physical protection of dangerous goods including biological agents	Security plan for transport	

²⁰⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Decree on Financial Involvement concerning Strategic Goods: military materials	Economic Offences Act, Art. 1 (1)	Economic Offences Act of 22 June 1950 (Wet op de economische delicten) ²⁰⁶
2	Enforcement agencies/authorities	Import and Export Act, article 19: FIOD-ECD (export) and Customs	1. Economic Offences Act, Arts. 17 to 27 2. Act regarding Supervisory Provisions	Import and Export Act of 05 July 1962 (In- en uitvoerwet) ²⁰⁷
3	Export control legislation in place	1. Strategic Goods (Import and Export) Decree: import, export, transit controls of military materials, military technology, and dual-use items 2. EC Dual-use Export Control Regulation No.	1. Strategic Goods (Import and Export) Decree: right to carry out controls, to investigate and prosecute criminal offences and impose penalties 2. Economic Offences Act: degree of penalty	Strategic Goods Import and Export Decree of 26 April 1963 (In- en uitvoerbesluit strategische goederen) ²⁰⁸

²⁰⁶ <http://wetten.overheid.nl/>

²⁰⁷ <http://wetten.overheid.nl/>

²⁰⁸ <http://wetten.overheid.nl/cgi-bin/sessioned/browsercheck/continuation=02819-002/session=032877094254200/action=javascript-result/javascript=yes>

		1334/2000: applies to dual-use items		
4	Licensing provisions	EC Dual-use Export Control Regulation No. 1334/2000	1. Strategic Goods (Import and Export) Decree 2. Economic Offences Act: degree of penalty	
5	Individual licensing	1. Strategic Goods (Import and Export) Decree: import, export, transit controls of military materials, military technology, and dual-use items 2. EC Dual-use Export Control Regulation No. 1334/2000: applies to dual-use items 3. Decree on Financial Involvement concerning Strategic Goods: military materials		
6	General licensing	1. EU Council Regulation 1334/2000		

7	Exceptions from licensing	2. With regard to Belgium and Luxembourg the Strategic Goods (import and Export) Decree is not in force due to special Customs arrangements under the Benelux Treaty		Council Regulation (EC) No 1334/2000 ²⁰⁹
8	Licensing of deemed export/visa			
9	National licensing authority	Central Im-Export Agency (Centrale Dienst In- en Uitvoer)		
10	Interagency review for licenses	EU Member States consult each other		
11	Control lists	1. EU Council Regulation 1334/2000, Annexes 1 and 4		
12	Updating of lists	2. Netherlands Military Goods List		
13	Inclusion of technologies	Strategic Goods (Import and Export) Decree : military technology	Economic Offences Act, Art. 1 (1)	
14	Inclusion of means of delivery	1. Strategic Goods (Import and Export) Decree : military goods	Economic Offences Act, Art. 1 (1)	
15	End-user controls	2. EU Council Regulation 1334/2000		

²⁰⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

16	Catch all clause	Authorization of non-listed items: Im- and Export Act, article 2a(6)	Economic Offences Act, Art. 1 (1)	
17	Intangible transfers	1. Strategic Goods (Import and Export) Decree : military goods 2. EU Council Regulation 1334/2000	Economic Offences Act, Art. 1 (1)	
18	Transit control	Strategic Goods (Import and Export) Decree: transit controls of military materials, military technology, and dual-use items including penalties	Economic Offences Act, Art. 1 (1)	
19	Trans-shipment control	Strategic Goods (Import and Export) Decree : military materials, military technology and dual-use items	Economic Offences Act, Art. 1 (1)	
20	Re-export control			
21	Control of providing funds	Foreign Financial Relations Act 1994: license requirement for financial transactions involving transit and brokering of war materials	Economic Offences Act, Art. 1 (1)	
22	Control of providing transport services			
23	Control of importation	-	-	

24	Extraterritorial applicability			
25	Other	1. New customs legislation will be developed 2. Establishing a contiguous zone for carrying out checks in an earlier stage of the logistic chain is in process		

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Awareness programmes for Dutch companies, universities or research institutions; education of industries to comply with export control and CWC obligations; also meetings with industry on EU level	
2	Information for the public	Information on government websites, publications and leaflets	
3	Assistance offered	Netherlands is prepared to provide assistance to States lacking legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the provisions of the resolution; requests on assistance should be directed to the head of the Division of Nuclear Affairs and Non-proliferation of the Security Policy Department of the Netherlands Ministry of Foreign Affairs	

5	Assistance in place (bilateral/plurilateral/multilateral)	Netherlands has provided funds for and participated in seminars to encourage States to become party to the CWC; EU contributes to G8 Global partnership EU Joint Action in support of the BTWC	EUJA BTWC ²¹⁰
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Poland

BW Related Conventions, Treaties and Arrangements

Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 25 January 1973	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 04 February 1929	
3	Chemical Weapons Convention (CWC)	Deposit 23 August 1995	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

²¹⁰ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

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/Reference
		indicate source document of national implementation law	indicate source document	
1	manufacture/produce		Penal Code of 6 June 1997, Chapter XVI	Penal Code of 6 June 1997, Chapter XVI (English, unofficial) ²¹¹
2	acquire			
3	possess		Penal Code of 6 June 1997, Chapter XVI, Art. 121	
4	stockpile/store		Penal Code of 6 June 1997, Chapter XVI, Art. 121	
5	develop			
6	transport			
7	transfer			
8	use		Penal Code of 6 June 1997, Chapter XVI, Art. 120 and 121	

²¹¹ http://www.era.int/domains/corpus-juris/public_pdf/polish_penal_code2.pdf

9	participate as an accomplice in a.m. activities		Penal Code of 6 June 1997, art. 258	Penal Code of 6 June 1997, Art. 206-316 (English, unofficial) ²¹²
10	assist in a.m. activities	-	Penal Code of 6 June 1997, Chapter XVI, Art. 121	
11	finance a.m. activities	Law on Counteracting the Financing of Terrorism of 16 November 2000 as amended on 27 September 2002	Penal Code, Chapter V	Penal Code of 6 June 1997, General Part (English, unofficial) ²¹³
12	a.m. activities related to means of delivery			
13	extraterritorial applicability			

²¹² http://www.era.int/domains/corpus-juris/public_pdf/polish_penal_code3.pdf

²¹³ http://www.era.int/domains/corpus-juris/public_pdf/polish_penal_code1.pdf

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
Licensing/registration of facilities/persons handling biological materials	1. Law on infectious diseases of 06 September 2001 2. Directive 2000/54/EC 3. The Ordinance of the Minister of Health of 3rd July 2002 concerning characteristics cards for hazardous substances and preparations 4. The Ordinance of the Minister of Environment		<u>Law on infectious diseases of 6 September 2001</u> ²¹⁴

²¹⁴ <http://www.abc.com.pl/serwis/du/2001/1384.htm>

		<p>of 29th November 2002 concerning the list of pathogenic organisms and their classification, and also the measures required for the respective degrees of containment (Journal of Laws of 16th December 2002)</p> <p>5. The Ordinance of the Minister of Health of 11th July 2002 on the marking of packaging of hazardous substances and hazardous preparations (Journal of Laws No. 140, item 1173)</p> <p>6. The Law („gene law”) of 22nd June 2001 (Journal of Laws, No. 76, item 811, and of 2002, No. 25, item 253, No. 41, item 365)</p> <p>7. The Ordinance of the Minister of Environment of 6th June 2002 concerning applications for permits to conduct activity involving GMOs</p>		Directive 2000/54/EC ²¹⁵
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²¹⁵ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000L0054:EN:HTML>

		<p>8. The Law of 11th May 2001 on the health requirements for food and feeding</p> <p>9. The Ordinance of the Minister of Health of 2nd June 2003 on the criteria to be met by organisational units conducting tests on chemical substances and preparations, and on control of the fulfilment of those criteria (Journal of Laws No. 116, item 1103)</p>		-
2	Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	<p>Council Directive 94/55/EC²¹⁶</p> <p>Council Directive 96/49/EC²¹⁷</p>

²¹⁶ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31994L0055:EN:HTML>

²¹⁷ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31996L0049:EN:HTML>

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?		National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
		indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Law of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security as amended on 2 July 2004	License is required for forwarding services, shipment and loading services, brokering and technical assistance grant, loan, leasing	
2	Enforcement agencies/authorities		1. Internal Security Agency 2. Foreign Intelligence Agency 3. Border Guard 4. Police 5. Customs Service 6. Border Sanitary Inspectors/ Stations	

3	Export control legislation in place	1. Law of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance for the security of the State and to maintaining international peace and security as amended on 2 July 2004	Law of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security as amended on 2 July 2004	Law of 29 November 2000 as amended on 2 July 2004 (in English, unofficial) ²¹⁸
4	Licensing provisions	2. Council Regulation (EC) 1334/2000 3. Ordinance of the Minister of Economy of 28 August 2006 on the list of military goods 4. Ordinance of the Minister of the Environment of 06 June 2002 (GMO)	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	Council Regulation (EC) No 1334/2000 ²¹⁹
5	Individual licensing	Law of 29 November 2000 on foreign trade as amended on 2 July 2004	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	
6	General licensing	Law of 29 November 2000 on foreign trade as amended on 2 July 2004	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	

²¹⁸ [http://disarmament2.un.org/committee1540/Datasheets/Poland PolNonProlif.pdf](http://disarmament2.un.org/committee1540/Datasheets/Poland%20PolNonProlif.pdf)

²¹⁹ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32000R1334:EN:HTML>

7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 394/2006	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	Council Regulation (EC) No 394/2006 ²²⁰
8	Licensing of deemed export/visa			
9	National licensing authority	Ministry of Economy and Labour		
10	Interagency review for licenses	Minister of Economy cooperates with Ministers of Foreign Affairs, National Defence, Finance, Internal Affairs, Head of Internal Security Agency, President of the National Atomic Energy Agency and Head of Foreign Intelligence Agency	Minister of Energy should consult with other institutions before issuing licenses	
11	Control lists	1. EC Regulation No. 1334/2000, updated by the Regulation No. 394/2006 2. Ordinance of the Minister of Economy of 28 August 2006 on the list of military goods		

²²⁰ <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=OJ:L:2006:074:0001:01:EN:HTML>

12	Updating of lists	Regularly updates its export control lists		
13	Inclusion of technologies			
14	Inclusion of means of delivery			
15	End-user controls	Ministry of Economy demands submission of an International Import Certificate or end-user statement	1. Internal system of control 2. Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	
16	Catch all clause	Law of 29 November 2000 on foreign trade as amended on 2 July 2004		
17	Intangible transfers	Law of 29 November 2000 on foreign trade as amended on 2 July 2004		
18	Transit control	Law of 29 November 2000 on foreign trade as amended on 2 July 2004		
19	Trans-shipment control	Law of 29 November 2000 on foreign trade as amended on 2 July 2004		

20	Re-export control	Law of 29 November 2000 on foreign trade as amended on 2 July 2004		
21	Control of providing funds			
22	Control of providing transport services	Law of 29 November 2000 on foreign trade as amended on 2 July 2004		
23	Control of importation	1. Law of 29 November 2000 on foreign trade as amended on 2 July 2004 2. Ordinance of the Minister of Economy of 28 August on the list of military goods	Under Polish law: fines up to 200.000 PLN and imprisonment up to 10 years	
24	Extraterritorial applicability			

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	EU Commission organizes regular meetings with industry Involves industry in joint efforts against identified or possible terrorist organizations in pursuit of international peace and stability; harmonizes actions taken by the industry and the Polish administration with those taken by the EU Member States to prevent proliferation of WMD Ministry of Economy and Labour has a series of training schemes for business that cover university-level schools and research, development and technology centres.
2	Information for the public	
3	Assistance offered	Willing to offer assistance in implementing the provisions of the resolution; activity in this regard will be directed to the States of Central and Eastern Europe; ready to provide assistance in building legal and administrative infrastructure; ready to host, by the end of 2005, an international conference on the UNSCR 1540 (2004)
4	Assistance in place (bilateral/plurilateral/multilateral)	EU Joint Action in support of the BTWC EUJA BTWC ²²¹

²²¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:065:0051:01:EN:HTML>

Portugal

BW Related Conventions, Treaties and Arrangements		
Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 15 May 1972	http://disarmament.un.org:8080/TreatyStatus.nsf
2 Geneva Protocol of 1925	Deposit 01 July 1930	
3 Chemical Weapons Convention (CWC)	Deposit 10 September 1996	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce		1. Penal Code, art. 274, 275, 300: toxic (toxins) only 2. Code of Military Justice, art. 82	
2 acquire			CÓDIGO DE JUSTIÇA MILITAR Lei n.º 100/2003, de 15 de Novembro
3 possess		1. Penal Code, art. 274, 275, 300: toxic (toxins) only 2. Code of Military Justice, art. 82	
4 stockpile/store		1. Penal Code, art. 274, 275, 300: toxic (toxins) only 2. Code of Military Justice, art. 82	
5 develop		1. Penal Code, art. 274, 275, 300: toxic (toxins) only	

			2. Code of Military Justice, art. 82	
6	transport		1. Penal Code, art. 274, 275, 300: toxic (toxins) only 2. Code of Military Justice, art. 82	
7	transfer			
8	use			
9	participate as an accomplice in a.m. activities		Penal Code, art. 274, 275, 300: toxic (toxins) only	
10	assist in a.m. activities			
11	finance a.m. activities			
12	a.m. activities related to means of delivery		Law 52/2003 of 22 August (Combating Terrorism)	Lei no 52/2003 de combate ao terrorismo
13	extraterritorial applicability			

Protection of BW Related Materials

	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/Reference
		indicate source document of national implementation law	indicate source document	
1	Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC		Directive 2000/54/EC
2	Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Council Directive 94/55/EC
				Council Directive 96/49/EC

Export/Import Controls of BW Related Materials			
Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Decree Law 360/99	Customs	
2 Enforcement agencies/authorities	1.EU Dual-use Regulation 1334/2000 2.Council Regulation (EC) No. 1505/2004 3. Decree Law 436/91 of 08 November 1991 4. Decree Law 371/80, 11 September 1980 5. Decree Law 1/86, 2 January 1986 6. Decree 439/94, 29 June 1994	1. Decree Law 436/91 of 08 November 1991 2. Decree Law 371/80, 11 September 1980 3. Decree Law 1/86, 2 January 1986 4. Decree 439/94, 29 June 1994	Decreto-Lei n.º 436/91 de 08-11-1991
3 Export control legislation in place			

4	Licensing provisions	1. Decree Law 436/91 of 08 November 1991 2. Decree Law 371/80, 11 September 1980 3. Decree Law 1/86, 2 January 1986 4. Decree 439/94, 29 June 1994	1. Decree Law 436/91 of 08 November 1991 2. Decree Law 371/80, 11 September 1980 3. Decree Law 1/86, 2 January 1986 4. Decree 439/94, 29 June 1994
5	Individual licensing		
6	General licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004	
7	Exceptions from licensing		
8	Licensing of deemed export/visa	1. Decree Law 436/91, 8 November 1991 2. Decree 439/94, 29 June 1994 (Ministry of Finance; Ministry of Defence)	1. Decree Law 436/91, 8 November 1991 2. Decree 439/94, 29 June 1994
9	National licensing authority	EU Dual-Use Regulation 1334/2000: Coordination before issuing licences	Council Regulation (EC) No 1334/2000
10	Interagency review for licenses	1. Council Regulation (EC) No. 1504/2004, plus 2. Decree Law 371/80, 11 September 1980 3. Decree Law 1/86, 2 January 1986 4. Decree Law 436/91,	1. Decree Law 371/80, 11 September 1980 2. Decree Law 1/86, 2 January 1986 3. Decree Law 436/91, 8 November 1991 4. Decree 439/94, 29 June 1994 Portaria n.º 439/94 de 29 de Junho

		8 November 1991 5. Decree 439/94, 29 June 1994		
11	Control lists	Regularly updated		
12	Updating of lists	Council Regulation (EC) No. 1504/2004		<u>Council Regulation (EC) No 1504/2004</u>
13	Inclusion of technologies			
14	Inclusion of means of delivery	Internal regulations of national licensing authorities		
15	End-user controls	EU Dual Use Regulation 1334/2000		
16	Catch all clause	EU Dual Use Regulation 1334/2000	Decree Law 436/91, 8 November	
17	Intangible transfers	1. Decree Law 371/80, 11 September 1980 2. Decree Law 1/86, 2 January 1986	1. Decree Law 371/80, 11 September 1980 2. Decree Law 1/86, 2 January 1986	
18	Transit control	1. Decree Law 436/91, 8 November 1991 2. Decree 439/94, 29 June 1994	1. Decree Law 436/91, 8 November 1991 2. Decree 439/94, 29 June 1994	
19	Trans-shipment control			
20	Re-export control			

21	Control of providing funds			
22	Control of providing transport services	1. Decree Law 371/80, 11 September 1980 2. Decree 436/91, 8 November 1991 3. Decree 439/94, 29 June 1994	1. Penal Code, art. 275 2. Decree Law 371/80, 11 September 1980 3. Decree 436/91, 8 November 1991 4. Decree 439/94, 29 June 1994	
23	Control of importation			
24	Extraterritorial applicability			
25	Other	Reviewing the status of national rules and regulations		

Information and Assistance

Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	Pursue official contacts with private companies operating in this field in order to spread information on the existing rules on the matter and to stress proliferation risks
2	Information for the public	Portuguese Customs (DGAIEC - Ministry of Finance) web page
3	Assistance offered	Assistance and protection course for 1st responders of Portuguese speaking countries
4	Assistance in place (bilateral/plurilateral/multilateral)	Assistance and protection course for 1st responders of Portuguese speaking countries EU Joint Action in support of the BTWC EUJA BTWC

Romania

BW Related Conventions, Treaties and Arrangements			
Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 25 July 1979	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 23 August 1929	
3	Chemical Weapons Convention (CWC)	Deposit 15 February 1995	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA)	see websites of respective arrangements
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	
2 acquire	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	
3 possess	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	
4 stockpile/store			
5 develop	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	

6	transport	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism, Chapter IV
7	transfer	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism, Chapter IV
8	use	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism, Chapter IV
9	participate as an accomplice in a.m. activities	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism, Chapter IV
10	assist in a.m. activities	Law 535/2004 concerning prevention and combating terrorism, Chapter IV	Law 535/2004 concerning prevention and combating terrorism
11	finance a.m. activities	1. Law no. 466/2002 2. Law 535/2004, Chapter III	1. Law no. 466/2002 2. Law no. 656/2002 3. Law 535/2004, Chapter IV
12	a.m. activities related to means of delivery		
13	extraterritorial applicability		

Protection of BW Related Materials			
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/Reference
	indicate source document of national implementation law	indicate source document	
1	Licensing/registration of facilities/persons handling biological materials		
2	Measures to secure transport		

Export/Import Controls of BW Related Materials			
Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, approved by Law no. 595/2004	1. Penal Code, art. 312 2. Law no. 387/2003, Chapter V 3. Law no. 301/2004 (Penal Code) 4. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004	Law No. 387/2003 on the export controls of dual-use goods and technologies

2	Enforcement agencies/authorities	Law no. 602 of 30 December 2004: National Customs Authority	1. National Agency for Export Control (ANCEX); National Customs Authority; Division for Economic Investigation; Border Police 2. Law no. 387/2003, Chapter V 3. Law no. 301/2004 (Penal Code) 4. Law no. 56/1997, modified and republished 2004 5. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004	Government Ordinance No. 158/1999 on the import and export controls of strategic goods
3	Export control legislation in place	1. Government Decision no. 594/1992 2. Government Ordinance no. 31/1994 3. Law no. 93/1994 4. Government Ordinance no. 158/1999 5. Law no. 387/2003 6. Government Ordinance no. 158/1999, approved by Law no. 595/2004	1. Penal Code, art. 302 2. Law no. 387/2003 3. Government Ordinance no. 158/1999, approved by Law no. 595/2004 4. Law no. 301/2004 (Penal Code) 5. Law no. 56/1997, modified and republished in 2004 6. Government	Law No. 595/2004 to approve the Government Ordinance No. 158/1999 on the import and export controls of strategic goods

			Resolution 920/2005 concerning function of ANCEX 7. Law no. 595/2004 concerning the military products export and import schedule	
4	Licensing provisions		1. Law no. 387/2003 2. Government Ordinance no. 158/1999, approved by Law no. 595/2004 3. Government Resolution 920/2005 concerning function of ANCEX 4. Law no. 595/2004 concerning the military products export and import schedule	
5	Individual licensing	Law no. 387/2003 Government Ordinance no. 158/1999, approved by Law no. 595/2004	Law no. 387/2003 Government Ordinance no. 158/1999, approved by Law no. 595/2004	
6	General licensing			

7	Exceptions from licensing			
8	Licensing of deemed export/visa			
9	National licensing authority	1. National Agency for Export Control - ANCEX (Government Decision No. 594/1992, which must be correlated with the provisions of Government Decision no. 920/2005) 2. Law no. 387/2003, Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004)		
10	Interagency review for licenses	1. Interministerial Council (Law no. 387/2003, Ordinance no 158/1999, modified and approved by Law no 595/2004) 2. Inter-departmental Group for Non-proliferation 3. Interministerial Council for Counter-terrorism		
11	Control lists	1. Government Decision no. 467/1999, annex 1 2. Government Decision no. 20/2000 3. Government Decision No. 844/2001 4. Government Decision no. 861/2004 5. Government Decision No. 983/2005		Government Decision No. 844/2001 – control list of arms, ammunition and other military goods that are subject to export controls
				Government Decision No. 983/2005 to approve the lists of dual-use goods and technologies that are subject to export controls regime
12	Updating of lists	1. Government Decision no. 861/2004 and other updates 2. Government Decision No. 983/2005		

13	Inclusion of technologies	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004
14	Inclusion of means of delivery	1. Government Decision no. 594/1992 2. Government Decision no. 467/1999, Annex 1 3. Government Decision no. 861/2004 4. Law no. 387/2003 5. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004 3. Government Resolution 983/2005 concerning double use technology and substances catalogue coming under control schedule 4. Government Resolution 844/2001 concerning military products catalogue coming under control schedule
15	End-user controls	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004	1. International Import Certificate 2. Law no. 387/2003 3. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004
16	Catch all clause	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, modified and approved by Law no.	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004

		595/2004	
17	Intangible transfers	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004	1. Law no. 387/2003 2. Government Ordinance no. 158/1999, modified and approved by Law no. 595/2004
18	Transit control	1. Government Ordinance no. 158/1999, approved by Law no. 595/2004 2. Law no. 387/2003	1. Government Ordinance no. 158/1999, approved by Law no. 595/2004, concerning military products export and import schedule 2. Law no. 387/2003
19	Trans-shipment control	1. Government Ordinance no. 158/1999, approved by Law no. 595/2004 2. Law no. 387/2003	1. Government Ordinance no. 158/1999, approved by Law no. 595/2004 2. Law no. 387/2003
20	Re-export control	1. Government Ordinance no. 158/1999, approved by Law no. 595/2004 2. Law no. 387/2003	1. Government Ordinance no. 158/1999, approved by Law no. 595/2004 2. Law no. 387/2003
21	Control of providing funds		
22	Control of providing transport services		

23	Control of importation	1. Government Ordinance no. 158/1999, approved by Law no. 595/2004 2. Law no. 387/2003	1. Delivery Verification Certification 2. Government Ordinance no. 158/1999, approved by Law no. 595/2004 Law no. 387/2003
24	Extraterritorial applicability	Applies to Romanian natural persons and residents abroad	
25	Other		

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry		
2	Information for the public		
3	Assistance offered	Romania is willing to contribute its share in providing assistance, as appropriate, in response to requests	
4	Assistance in place (bilateral/plurilateral/multilateral)	EU Joint Action in support of the BTWC	EUJA BTWC

Slovakia

BW Related Conventions, Treaties and Arrangements		
Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 17 May 1993	http://disarmament.un.org:8080/TreatyStatus.nsf
2 Geneva Protocol of 1925	Deposit 22 September 1933	
3 Chemical Weapons Convention (CWC)	Deposit 27 October 1995	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA)	see websites of respective arrangements
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce		Penal Code - Law No. 300/2005, Articles 298 and 419	<u>300/2005 Trestny zakon</u>
2 acquire	Act 179/1998 on trading with military equipment, Article 2		<u>Act No. 179 of 1998 (English, unofficial)</u>
3 possess			
4 stockpile/store			
5 develop			
6 transport			
7 transfer	Act 179/1998 on trading with military equipment, Article 2		
8 use			
9 participate as an accomplice in a.m. activities			
10 assist in a.m. activities			

11	finance a.m. activities			
12	a.m. activities related to means of delivery			
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC	Penal Code - Law No. 300/2005, Article 298	Directive 2000/54/EC
			300/2005 Trestny zakon
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	1. Party to ADR and RID agreements 2. Penal Code, Article 298	Council Directive 94/55/EC
			Council Directive 96/49/EC
			300/2005 Trestny zakon

Export/Import Controls of BW Related Materials			
Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	1. Act 26/2002 2. Act 179/1998	1. Act 26/2002 2. Act 179/1998	Act No. 179 of 1998 (English, unofficial)
2 Enforcement agencies/authorities		Customs Directorate	
3 Export control legislation in place	1. Commission Regulation (EC) No. 1334/2000 2. Council Regulation (EC) No. 1505/2004 3. Act 26/2002 4. Act 179/1998	1. Act 26/2002 2. Act 179/1998	Council Regulation (EC) No 1334/2000
4 Licensing provisions			
5 Individual licensing			

6	General licensing			
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		Council Regulation (EC) No 1504/2004
8	Licensing of deemed export/visa			
9	National licensing authority	Ministry of Economy		
10	Interagency review for licenses	Ministry of Economy, Ministry of Foreign Affairs		
11	Control lists	Council Regulation (EC) No. 1504/2004		
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	1. Council Regulation (EC) No. 1504/2004 2. Act 26/2002	Act 26/2002	
14	Inclusion of means of delivery			
15	End-user controls	1. Council Regulation (EC) No. 1504/2004 2. Act 26/2002		
16	Catch all clause			
17	Intangible transfers		Act 26/2002	
18	Transit control	Act 26/2002		
19	Trans-shipment control			
20	Re-export control	Act 26/2002	Act 26/2002	

21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation	Act 26/2002	Act 26/2002	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Relationship with industry through individual consultations; seeking more action-oriented approach to industry and public organises regular meetings with industry	EU Commission
2	Information for the public	Information dissemination via Government web sites and publications	
3	Assistance offered	Prepared to consider any specific request from States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the provisions of the resolution	
4	Assistance in place (bilateral/plurilateral/multilateral)	EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security EU Joint Action in support of the BTWC	EUJA BTWC

Slovenia

BW Related Conventions, Treaties and Arrangements		
Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 07 April 1992	http://disarmament.un.org:8080/TreatyStatus.nsf
2 Geneva Protocol of 1925		
3 Chemical Weapons Convention (CWC)	Deposit 11 June 1997	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA)	see websites of respective arrangements
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce		Penal Code, article 310, as amended	Penal Code as of 28 September 2004 (English, unofficial)
2 acquire		Penal Code, article 310, as amended	
3 possess			
4 stockpile/store		Penal Code, article 310, as amended	
5 develop			
6 transport			
7 transfer		Penal Code, article 310, as amended	
8 use			
9 participate as an accomplice in a.m. activities		Penal Code, article 335	
10 assist in a.m. activities		Penal Code, article 335: person in public administration	

11	finance a.m. activities		Penal Code, article 338a	
12	a.m. activities related to means of delivery		Penal Code, article 310, as amended	
13	extraterritorial applicability			

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1	Licensing/registration of facilities/persons handling biological materials	Directive 2000/54/EC	Directive 2000/54/EC
2	Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	Council Directive 94/55/EC
			Council Directive 96/49/EC

Export/Import Controls of BW Related Materials		
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Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Draft law on strategic goods will provide new legal basis for brokering	1. Penal Code, article 310, as amended 2. License required	Penal Code as of 28 September 2004 (English, unofficial)
2 Enforcement agencies/authorities		Police Force, Customs Administration	
3 Export control legislation in place	1. Export of Dual-Use Goods Act of 2000 2. Commission Regulation (EC) No. 1334/2000 3. Council Regulation (EC) No. 1505/2004 4. Customs Service Act of 1999 5. Defense Act of 1994 as amended	1. Export of Dual-Use Goods Act of 2001 as amended 2. European Customs Rules Implementation Act of 2004	Act Regulating the Export of Dual-Use Goods of 2004 (English, unofficial)
4 Licensing provisions			Law on Defence No. 012-01/94-167 (English, unofficial)

5	Individual licensing	Case-by-case		
6	General licensing			
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		
8	Licensing of deemed export/visa			
9	National licensing authority	Ministry of the Economy (in cooperation with the National Chemical Bureau)		
10	Interagency review for licenses	Interagency Commission	Members should consult with other members before issuing licenses	
11	Control lists	Council Regulation (EC) No. 1504/2004		Council Regulation (EC) No 1504/2004
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	Council Regulation (EC) No. 1504/2004		
14	Inclusion of means of delivery	Council Regulation (EC) No. 1504/2004		
15	End-user controls	1. Export of Dual-Use Goods Act of 2001 as amended, arts. 5 and 11 2. Regulation on Executing of Export Control of Dual-Use Goods 3. EU Regulation 1334/2000, art. 4		Council Regulation (EC) No 1334/2000
16	Catch all clause	1. Export of Dual-Use Goods Act of 2001 as amended, arts. 5 and 11 2. Regulation on Executing of Export Control of Dual-Use Goods		

17	Intangible transfers	1. Export of Dual-Use Goods Act of 2001 as amended, arts. 5 and 11 2. Regulation on Executing of Export Control of Dual-Use Goods 3. EU Regulation 1334/2000, art. 2		
18	Transit control	Planned amendment of EU Regulation 1334/2000		
19	Trans-shipment control	Planned amendment of EU Regulation 1334/2000		
20	Re-export control			
21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation		Penal Code, articles 310 and 335	
24	Extraterritorial applicability			
25	Other			

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	1. Government bodies organize seminars to explain the legal obligations 2. EU Commission organises regular meetings with industry	
2	Information for the public		
3	Assistance offered	Prepared to provide assistance in response to specific requests	

4	Assistance in place (bilateral/plurilateral/multilateral)	EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security EU Joint Action in support of the BTWC	EUJA BTWC
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Spain

BW Related Conventions, Treaties and Arrangements			
Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?		indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1	Biological Weapons Convention (BWC)	Deposit 20 June 1979	http://disarmament.un.org:8080/TreatyStatus.nsf
2	Geneva Protocol of 1925	Deposit 22 August 1929	
3	Chemical Weapons Convention (CWC)	Deposit 03 August 1994	
4	Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements
5	Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce		Criminal Code, articles 566 and 567(enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003): production	Criminal Code - Organic Law 10/1995 of 23 November 1995 as amended
2 acquire		Criminal Code, articles 566 and 567 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003): acquisition and sale	
3 possess		Criminal Code, articles 566 and 567 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003): possession or storage	
4 stockpile/store		Criminal Code, articles 566 and 567(enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003): possession or storage	
5 develop		Criminal Code, articles 566 and 567 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003): development	

6	transport		Criminal Code, article 568 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003): transport
7	transfer		Criminal Code, articles 566, 567 and 568 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003): trade and trafficking
8	use		Criminal Code, article 566 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003): use
9	participate as an accomplice in a.m. activities		Criminal Code, articles 573, 576, 577 and 578 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003)
10	assist in a.m. activities		Criminal Code, articles 576 and 577 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003)
11	finance a.m. activities		Criminal Code, articles 575, 576 and 577 (enacted by Organic Laws 2/2000 of 07 January 2000 and 15/2003 of 25 November 2003)
12	a.m. activities related to means of delivery		
13	extraterritorial applicability		

Protection of BW Related Materials			
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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	1. Law 15/1994 on Biosecurity 2. Royal Decree 951/1997 3. Law 31/1995 4. Royal Decree 664/1997 5. Directive 2000/54/EC	Law 15/1994 on Biosecurity, Chapter VI: offences and sanctions	Law 15/1994 Royal Decree 951/1997 Law 31/1995 Royal Decree 664/1997
2 Measures to secure transport	1. Royal Decree 2115/1998 2. Royal Decree 1566/1999 3. Directive 94/55/EEC and 96/49/EEC	Party to ADR and RID agreements	Royal Decree 2115/1998

				Royal Decree 1566/1999 Council Directive 94/55/EC Council Directive 96/49/EC
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Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Royal Decree 1782/2004 which approves the Regulations on foreign trade control of defence material, other material and dual-use materials and technology		Royal Decree 1782/2004
2 Enforcement agencies/authorities		1. Customs administration to investigate and prosecute banned activities 2. Ministry of Economy Trade and Tourism 3. Ministry of Industry,	

3	Export control legislation in place	1. Council Regulation (EC) No. 1334/2000 of 22 June 2000 2. Regulation (EC) No. 1504/2004 of 19 July 2004 3. Royal Decree 1782/2004 of 30 July 2004	1. Criminal Code 2. Organic Law 12/1995 of 12 December 1995 3. Royal Decree 1782/2004	Criminal Code - Organic Law 10/1995 of 23 November 1995 as amended
4	Licensing provisions		Royal Decree 1782/2004	Council Regulation (EC) No 1334/2000
5	Individual licensing	Royal Decree 1782/2004	1. Royal Decree 1782/2004 Organic Law 12/1995	2.
6	General licensing	Royal Decree 1782/2004		
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in Annex IV of Regulation 1504/2004		Council Regulation (EC) No 1504/2004
8	Licensing of deemed export/visa	Royal Decree 1782/2004	1. Organic Law 12/1995 of 12 September 1995 on suppression of smuggling 2. Royal Decree 1649/1998 3. Criminal Code	
9	National licensing authority	Ministry of Industry, Trade and Tourism		
10	Interagency review for licenses	Interministerial Council for Defence and Dual-Use Material (JIMDU)		

11	Control lists	1. Council Regulation (EC) No. 1504/2004 2. Royal Decree 1782/2004 3. Order of the Ministry of Industry, Trade and Tourism 60/2006		
12	Updating of lists	Regularly updated		
13	Inclusion of technologies	Royal Decree 1782/2004		
14	Inclusion of means of delivery	Royal Decree 1782/2004		
15	End-user controls	Royal Decree 1782/2004	1. Organic Law 12/1995 of 12 September 1995 on suppression of smuggling 2. Royal Decree 1649/1998 3. Criminal Code	
16	Catch all clause	Royal Decree 1782/2004		
17	Intangible transfers	Royal Decree 1782/2004		
18	Transit control	Royal Decree 1782/2004: defence material		
19	Trans-shipment control	Royal Decree 1782/2004: defence material		
20	Re-export control	Royal Decree 1782/2004: defence material		
21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation	1. Royal Decree 1782/2004	Royal Decree 1782/2004	

		2. Order of the Ministry of Industry, Trade and Tourism 60/2006		
24	Extraterritorial applicability	Royal Decree 1782/2004		
25	Other	Special registry for foreign-trade operators (Royal Decree 1782/2004)		

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Objectives are achieved through public information on laws and commitments. Aspects of collaboration with Industry and public are: for instance, awareness-raising and information on the security risks posed by the proliferation of WMD. Nuclear Safety Council, ANPAQ, etc and industry hold meetings and seminars	
2	Information for the public	Objectives are achieved through public information on laws and commitments. Aspects of collaboration with Industry and public are: for instance, awareness-raising and information on the security risks posed by the proliferation of WMD.	
3	Assistance offered	Provides regularly bilateral technical assistance in the field of export control and legal implementation of the international instruments, in particular to Spanish speaking countries	
4	Assistance in place (bilateral/plurilateral/multilateral)	EU contribution to G 8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security EU Joint Action in support of the BTWC	EUJA BTWC

Sweden

BW Related Conventions, Treaties and Arrangements		
Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 05 February 1976	http://disarmament.un.org:8080/TreatyStatus.nsf
2 Geneva Protocol of 1925	Deposit 25 April 1930	
3 Chemical Weapons Convention (CWC)	Deposit 17 June 1993	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
		indicate source document of national implementation law	
1 manufacture/produce		Act on Criminal Responsibility for Terrorist Crimes (SFS 2003:148): terrorist intent	SFS 2003:148 as of 24 April 2003 (English, unofficial)
2 acquire			
3 possess		Act on Criminal Responsibility for Terrorist Crimes (SFS 2003:148): terrorist intent	
4 stockpile/store		Act on Criminal Responsibility for Terrorist Crimes (SFS 2003:148): terrorist intent	
5 develop			
6 transport		Act on Criminal Responsibility for Terrorist Crimes (SFS 2003:148): terrorist intent	
7 transfer		Act on Criminal Responsibility for Terrorist Crimes (SFS 2003:148): terrorist intent	

8	use		1. Act on Criminal Responsibility for Terrorist Crimes (SFS 2003:148), Sections 2 and 3: terrorist intent 2. Penal Code	
9	participate as an accomplice in a.m. activities		1. Penal Code, Chapter 23, Section 4 2. Act on Criminal Responsibility for Terrorist Crimes (SFS 2003:148)	Penal Code (SFS 1962:700) as of 1999 (English, unofficial)
10	assist in a.m. activities			
11	finance a.m. activities		Act on Criminal Responsibility for the Financing of Particular Serious Crime: in some cases (SFS 2002:444)	SFS 2002:444 as of 30 May 2002 (English, unofficial)
12	a.m. activities related to means of delivery		1. Penal Code, Chapter 23, Section 2 2. Military Equipment Act (SFS 1992:1300)	SFS 1992:1300 with amendments (English, unofficial)
13	extraterritorial applicability		Courts have universal jurisdiction: principle of extraterritoriality	

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	Notification or permission by the Work Environment Authority (SWEA)	SWEA controls handling of work with biological agents	
2 Measures to secure transport	Council Directives 94/55/EEC and 96/49/EEC	1. Act on Transport of Dangerous Goods (SFS 2006:263) 2. Party to ADR and RID agreements	Council Directive 94/55/EC
			Council Directive 96/49/EC
			SFS 2006:263

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology		
2	Enforcement agencies/authorities	Custom Act (SFS 2000:1306)	Swedish Customs Service, Coast Guard, Police
			SFS 2000:1306

3	Export control legislation in place	1. Commission Regulation (EC) No. 1334/2000 2. Act on the Control of Dual-use Items and Technical Assistance (SFS 2000:1064) and respective Ordinance (SFS 2000:1217) 3. Supplementary provisions issued by the Swedish Customs (TFS 1997: 35 and TFS 2000:29)	1. Act on Penalties for Smuggling (SFS 2000:1225) 2. Act on the Control of Dual-use Items and Technical Assistance (SFS 2000:1064)	Lag 2000:1064, uppdaterad: t.o.m. SFS 2005:317
4	Licensing provisions	Act on the Control of Dual-use Items and Technical Assistance (SFS 2000:1064) and respective Ordinance (SFS 2000:1217)		TFS 2000:29
5	Individual licensing	General, global and individual licenses		
6	General licensing	General, global and individual licenses		
7	Exceptions from licensing	Within the Community free circulation of all goods, exceptions are listed in EC Regulation 1334/2000		
8	Licensing of deemed export/visa			
9	National licensing authority	Swedish Inspectorate of Strategic Products		
10	Interagency review for licenses		EU members should consult with other members before issuing licenses	

11	Control lists	Council Regulation (EC) No. 1334/2000		
12	Updating of lists	Annually updated		
13	Inclusion of technologies	Council Regulation (EC) No. 1334/2004		
14	Inclusion of means of delivery			
15	End-user controls	For individual and global licenses		
16	Catch all clause	Council Regulation (EC) No. 1334/2000		Council Regulation (EC) No 1334/2000
17	Intangible transfers	Council Regulation (EC) No. 1334/2000		
18	Transit control			
19	Trans-shipment control			
20	Re-export control	Council Regulation (EC) No. 1334/2000		
21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation			
24	Extraterritorial applicability		Courts have universal jurisdiction	
25	Other			

Information and Assistance		
Can information be provided on the following issues ?		Remarks/Reference
1	Information for industry	EU Commission organizes regular meetings with industry. Swedish authorities are engaged in outreach activities towards industry and academic institutions. Swedish Inspectorate of Strategic Products has a dialogue with chemical industry. The Association of Chemical Industry takes a part in this work.
2	Information for the public	Web: www.isp.se
3	Assistance offered	Technical support and advice to promote implementation of the CWC will continue. Assistance might to some extent also be geared towards specific requests for help to implement Resolution 1540.
5	Assistance in place (bilateral/plurilateral/multilateral)	EU contribution to G8 Global Partnership to enhance nuclear safety and security, chemical weapons destruction, re-employment of former scientists, export control and border security. EU Joint Action in support of the BTWC EUJA BTWC

United Kingdom

BW Related Conventions, Treaties and Arrangements		
Is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks/Reference
1 Biological Weapons Convention (BWC)	Deposit 26 March 1975	http://disarmament.un.org:8080/TreatyStatus.nsf
2 Geneva Protocol of 1925	Deposit 09 April 1930	
3 Chemical Weapons Convention (CWC)	Deposit 13 May 1996	
4 Other Arrangements	1. Australia Group (AG) 2. Wassenaar Arrangement (WA) 3. Missile Technology Control Regime (MTCR)	see websites of respective arrangements
5 Other	EU Council Decision to include WMD provisions in agreements with third countries	

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/Reference
	indicate source document of national implementation law	indicate source document	
1 manufacture/produce	Biological Weapons Act (1974)	Biological Weapons Act (1974)	Biological Weapons Act (1974)
2 acquire	Biological Weapons Act (1974)	Biological Weapons Act (1974)	
3 possess	Biological Weapons Act (1974)	Biological Weapons Act (1974)	
4 stockpile/store	Biological Weapons Act (1974)	Biological Weapons Act (1974)	
5 develop	Biological Weapons Act (1974)	Biological Weapons Act (1974)	
6 transport	1. Biological Weapons Act (1974) 2. Anti-terrorism, Crime and Security Act (2001)	1. Biological Weapons Act (1974) 2. Anti-terrorism, Crime and Security Act (2001)	Anti-terrorism, Crime and Security Act (2001)
7 transfer	1. Biological Weapons Act (1974) 2. Anti-terrorism, Crime and Security Act (2001), Section 43	1. Biological Weapons Act (1974) 2. Anti-terrorism, Crime and Security Act (2001), Section 43	S.I. 2007 No. 929 The Schedule 5 to the Anti-Terrorism, Crime and Security Act 2001 (Amendment) Order 2007

8	use	Anti-terrorism, Crime and Security Act (2001), Section 113	Anti-terrorism, Crime and Security Act (2001), Section 113
9	participate as an accomplice in a.m. activities	1. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act 2. Biological Weapons Act (1974) 3. Anti-terrorism, Crime and Security Act (2001), extraterritorial applicability only	1. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act 2. Biological Weapons Act (1974) 3. Anti-terrorism, Crime and Security Act (2001): extraterritorial applicability only
10	assist in a.m. activities	1. Biological Weapons Act (1974) 2. Anti-terrorism, Crime and Security Act (2001): extraterritorial applicability only 3. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act	1. Biological Weapons Act (1974) 2. Anti-terrorism, Crime and Security Act (2001): extraterritorial applicability only 3. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act

11	finance a.m. activities	1. Biological Weapons Act (1974) 2. Accessories and Abettors Act 1861: aid, abet, procure or counsel a prohibited activity under the Biological Weapons Act	1. Biological Weapons Act (1974) 2. Anti-terrorism, Crime and Security Act (2001): extraterritorial applicability only	
12	a.m. activities related to means of delivery	Biological Weapons Act (1974)	Biological Weapons Act (1974)	
13	extraterritorial applicability	Biological Weapons Act (1974)	Biological Weapons Act (1974)	

Protection of BW Related Materials

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/Reference
	indicate source document of national implementation law	indicate source document	
1 Licensing/registration of facilities/persons handling biological materials	1. European Commission Directive on Biological agents 2000/54/EC 2. Control of Substances Hazardous to Health (COSHH) regulations 3. Genetically Modified Organisms (Contained Use) Regulations (2000) 4. Specified Animal Pathogens Order (1998) SAPO 5. Plant Health (Great Britain) Order (1993) 6. European Commission Directive 95/44/EC		Directive 2000/54/EC Genetically Modified Organisms (Contained Use) Regulations (2000) S.I. 2005 No. 2466 The Genetically Modified Organisms (Contained Use) (Amendment) Regulations 2005 Specified Animal Pathogens Order (1998) SAPO S.I. 2006 No. 1506 The Specified Animal Pathogens (Amendment) (England) Order 2006 Welsh S.I. 2006 No. 2981 (W.272) The Specified Animal Pathogens (Amendment) (Wales) Order 2006 Scottish S.I. 2007 No.30 The Specified Animal Pathogens Amendment (Scotland) Order 2007 Plant Health (Great Britain) 1987 S.I. 2006 No. 2307 The Plant Health (England) (Amendment) Order 2006 Scottish S.I. 2006 No. 474 The Plant Health (Scotland) Amendment Order 2006 Directive 95/44/EC

2	Measures to secure transport	1. Regulation 24 of the Carriage of Dangerous Goods by Road Regulations (1996) as amended 2. Code of Practice for the security of dangerous goods by road	Party to ADR and RID agreements	Code of Practice for the security of dangerous goods by road
				Regulation 24 of the Carriage of Dangerous Goods by Road Regulations

Export/Import Controls of BW Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework	Enforcement: civil/criminal penalties and others	Remarks/Reference
	indicate source document of national implementation law	indicate source document	
1 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	Trade in Goods (Control) Order (2003)	Trade in Goods (Control) Order (2003)	Trade in Goods (Control) Order (Statutory Instrument No. 2765 of 2003)

2	Enforcement agencies/authorities	Customs and Excise Management Act (1979)	Customs officers, police, coastguard, armed forces, Restricted Enforcement Unit (REU)	Customs and Excise Management Act (1979)
3	Export control legislation in place	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)	Export Control Act (2002)
4	Licensing provisions	1. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 2. Trade in Goods (Control) Order (2003)	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)	Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (No. 2764 of 2003)
5	Individual licensing			
6	General licensing	1. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 2. Trade in Goods (Control) Order (2003)	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)	Trade in Goods (Control) Order (Statutory Instrument No. 2765 of 2003)
7	Exceptions from licensing	European Council Regulation 1504/2004: Community General Export Authorisation		Council Regulation (EC) No 1504/2004

8	Licensing of deemed export/visa	Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)	Export Control Act (2002)	
9	National licensing authority	Export Control Organisation (ECO), Department of Trade and Industry (DTI)		
10	Interagency review for licenses	Export Control Organisation (ECO), DTI		CPC or CPIC
11	Control lists	Legislation enables to control items listed by MTCR, NSG, ZC, AG and WA		
12	Updating of lists	Regularly updates lists		
13	Inclusion of technologies	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)		
14	Inclusion of means of delivery	Export Control Act (2002): long-range missiles		
15	End-user controls	Export Control Act (2002)	Export Control Act (2002)	
16	Catch all clause	Export Control Act (2002)	Export Control Act (2002)	
17	Intangible transfers	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003)	

18	Transit control	Customs and Excise Management Act (1979)	Customs and Excise Management Act (1979)	
19	Trans-shipment control	1. Open General Transshipment License (OGTL) 2. Individual Transshipment License (if consistent with Consolidated Criteria)		
20	Re-export control	No distinction between export and re-export goods		
21	Control of providing funds			
22	Control of providing transport services			
23	Control of importation	1. Importation of Animal Pathogens Order IAPO (1980) 2. Plant Health (Great Britain) Order (1993)	Customs and Excise Management Act (1979)	Plant Health (Great Britain) 1987
24	Extraterritorial applicability	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)	1. Export Control Act (2002) 2. Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order (2003) 3. Trade in Goods (Control) Order (2003)	
25	Other		Council Regulation No. 1334/2000 binds Member States to consult each other	

Information and Assistance

Can information be provided on the following issues ?			Remarks/Reference
1	Information for industry	Close working relationship with industry through an ongoing series of industry-government seminars and workshops and through establishing joint task forces and committees; some 20 seminars on the Export Control Act; a programme of regional seminars continues; Export Control Advisory Committee with representatives from Trade Associations and the Government Export Control Community has been set up to discuss areas of concern. Government also provides advice and assistance to industry and academia in meeting their obligations under various disarmament and non-proliferation legislation	
2	Information for the public	Relevant information is disseminated through government web sites, publications and leaflets.	
3	Assistance offered	UK is willing to provide assistance as appropriate in response to specific requests from States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the provisions of SCR 1540.	
5	Assistance in place (bilateral/plurilateral/multilateral)	Bilateral/multilateral and EU work continuing, aimed at providing guidance and technical advice on export control implementation and co-ordination. EU Joint Action in support of the BTWC	EUJA BTWC