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Note verbale datée du 14 décembre 2016, adressée au Président du Comité par la Mission permanente de la Slovaquie auprès de l'Organisation des Nations Unies

La Mission permanente de la République slovaque auprès de l'Organisation des Nations Unies présente ses compliments au Comité du Conseil de sécurité créé par la résolution 1540 (2004) et a l'honneur de lui faire tenir le rapport actualisé de la Slovaquie pour 2016, conformément au paragraphe 4 de la résolution 1540 (2004) (voir annexe I) ainsi que le tableau mis à jour¹ aux fins de sa publication sur le site Internet du Comité (voir annexe II).

¹ Comme en a convenu le Comité, ce tableau a été reproduit tel qu'il a été présenté par la Slovaquie, uniquement dans sa version originale anglaise.



**Annexe de la note verbale datée du 14 décembre 2016 adressée
au Président du Comité par la Mission permanente de la Slovaquie
auprès de l'Organisation des Nations Unies**

**Rapport actualisé de la Slovaquie sur la mise en œuvre
de la résolution 1540 (2004) en 2016**

La résolution 1540 (2004) du Conseil de sécurité est un outil important pour faire face au risque que représente la prolifération des armes de destruction massive et empêcher les acteurs non étatiques de s'en procurer. La Slovaquie a salué l'adoption unanime de la résolution par un soutien sans équivoque, gage de sa politique bien établie d'hostilité à la prolifération des armes de destruction massive et de leurs vecteurs, politique que n'a cessé de concrétiser toute une série de dispositions législatives et exécutives et de mesures coercitives.

Le présent rapport est une mise à jour de celui que la Slovaquie a présenté en 2004 conformément au paragraphe 4 de la résolution 1540 (2004). Il rend compte en termes généraux de la situation actuelle concernant les mesures législatives, exécutives, coercitives et les autres dispositifs renvoyant à certaines dispositions précises de la résolution. Le tableau actualisé fait partie intégrante du rapport et donne plus de détails sur la mise en œuvre de la résolution.

La Slovaquie est fermement résolue à appliquer la résolution 1540 (2004) et prête à coopérer pleinement avec le Comité.

Adhésion aux instruments internationaux

En tant qu'État successeur de la République fédérale tchèque et slovaque, la Slovaquie est ou est devenue, depuis sa création le 1^{er} janvier 1993, partie aux instruments internationaux ci-après qui concernent l'interdiction de l'utilisation des armes de destruction massive ou leur non-prolifération :

1. Traité sur la non-prolifération des armes nucléaires;
2. Convention sur la protection physique des matières nucléaires et son amendement de 2005;
3. Traité sur l'Antarctique;
4. Traité sur les principes régissant les activités des États en matière d'exploration et d'utilisation de l'espace extra-atmosphérique, y compris la Lune et les autres corps célestes;
5. Traité interdisant de placer des armes nucléaires et d'autres armes de destruction massive sur le fond des mers et des océans ainsi que dans leur sous-sol;
6. Traité interdisant les essais d'armes nucléaires dans l'atmosphère, l'espace extra-atmosphérique et sous l'eau;
7. Traité d'interdiction complète des essais nucléaires;
8. Convention sur l'interdiction de la mise au point, de la fabrication, du stockage et de l'emploi des armes chimiques et sur leur destruction (Convention sur les armes chimiques);

9. Convention sur l'interdiction de la mise au point, de la fabrication et du stockage des armes bactériologiques (biologiques) ou à toxines et sur leur destruction;

10. Protocole concernant la prohibition d'emploi à la guerre de gaz asphyxiants, toxiques ou similaires et de moyens bactériologiques.

L'accord conclu entre la Tchécoslovaquie et l'Agence internationale de l'énergie atomique (AIEA) pour l'application de garanties dans le cadre du Traité sur la non-prolifération a été signé en 1972 afin d'empêcher que l'énergie nucléaire ne soit détournée de ses utilisations pacifiques vers la fabrication d'armes nucléaires ou d'autres dispositifs explosifs nucléaires (voir INFCIRC/173). En 2005, lorsque la Slovaquie a adhéré à l'accord conclu entre la Belgique, le Danemark, l'Allemagne, l'Irlande, l'Italie, le Luxembourg, les Pays-Bas, la Communauté européenne de l'énergie atomique et l'AIEA aux fins de l'application des paragraphes 1 et 4 de l'article III du Traité (et de son protocole) (voir INFCIRC/193), les accords pour l'application de garanties de l'AIEA et leur protocole additionnel sont entrés en vigueur pour la Slovaquie.

La Slovaquie est également membre de presque tous les régimes de contrôle des exportations – le Groupe de l'Australie, les Arrangement de Wassenaar sur le contrôle des exportations d'armes classiques et de biens et technologies à double usage, le Groupe des fournisseurs nucléaires et le Comité Zangger – et cherche activement à devenir membre du Régime de contrôle de la technologie des missiles, dont elle applique les directives au niveau national dans le cadre de son contrôle des exportations. Elle a également souscrit au Code de conduite international contre la prolifération des missiles balistiques. Ces structures internationales apportent une contribution importante au contrôle des exportations des matières et technologies susceptibles d'être utilisées pour fabriquer des armes de destruction massive et leurs vecteurs, afin de renforcer le régime de non-prolifération et d'empêcher les terroristes d'acheter ces matières sensibles.

La Slovaquie est aussi devenue membre d'un groupe plus large d'États partenaires favorables à l'Initiative de sécurité contre la prolifération et à ses principes. Cette initiative vise à arrêter le trafic d'armes de destruction massive, de vecteurs et de matières connexes en provenance ou à destination d'États ou d'acteurs non étatiques qui suscitent des préoccupations en matière de prolifération. La Slovaquie est aussi membre de l'Initiative mondiale de lutte contre le terrorisme nucléaire, qui cherche à renforcer les capacités mondiales de prévention, de détection et d'intervention face au terrorisme nucléaire. Elle est déterminée à mettre en œuvre la Déclaration de principes de l'Initiative mondiale, qui respecte les dispositions de la résolution 1540 (2004).

Mesures législatives

La Slovaquie a adopté dans sa législation nationale un large éventail de mesures conçues pour empêcher la prolifération d'armes de destruction massive, y compris par des acteurs non étatiques.

Dans la législation du pays, les principaux textes concernant la résolution 1540 (2004) sont les suivants : loi n° 541/2004 sur l'utilisation pacifique de l'énergie nucléaire (loi sur l'énergie atomique), loi n° 129/1998 sur l'interdiction des armes chimiques (loi sur l'interdiction des armes chimiques) et loi n° 218/2007 sur l'interdiction des armes biologiques, telle que modifiée (loi sur l'interdiction des

armes biologiques). Ces textes sont complétés par la loi n° 39/2011 sur les biens à double usage et la loi n° 392/2011 sur le commerce de produits du secteur de la défense. Les textes précédemment cités et le Code pénal (loi n° 300/2005) définissent les sanctions infligées en cas d'infraction à leurs dispositions.

Les dernières évolutions dans le domaine de la biologie ont entraîné l'adoption de la loi n° 263/2015, qui fixe les règles et conditions régissant l'accès aux ressources génétiques et l'emploi des avantages découlant de leur utilisation.

Mesures exécutives

Au niveau de l'exécutif, la mise en œuvre des engagements et mesures pris en matière de non-prolifération est coordonnée par différentes institutions, dont le Ministère de l'économie, le Ministère de la santé, le Ministère de l'environnement et l'Autorité de réglementation nucléaire.

Le Ministère des affaires étrangères et européennes est le point de contact en matière d'application et d'assistance concernant la résolution 1540 (2004) et coordonne également la préparation du rapport national à l'intention du Comité.

Le Ministère de l'économie joue le rôle d'autorité nationale pour la Convention sur les armes chimiques et coordonne les tâches liées au contrôle des exportations des produits du secteur de la défense et des biens à double usage. S'agissant du régime de contrôle des exportations, le Ministère des affaires étrangères et européennes et le Service de renseignement slovaque ont une influence décisive (pouvoir de veto) et leurs avis sont contraignants lors de l'octroi d'autorisations d'exportation.

Avec son organe d'application, l'Autorité régionale de santé publique située à Banská Bystrica, le Ministère de la santé est l'autorité nationale chargée de la Convention sur l'interdiction de la mise au point, de la fabrication et du stockage des armes bactériologiques (biologiques) ou à toxines et sur leur destruction.

Conformément à la loi n° 263/2015, le Ministère de l'environnement est l'autorité nationale de réglementation chargée de l'utilisation des ressources génétiques.

L'Autorité de réglementation nucléaire exerce le contrôle de l'État sur la sûreté des installations nucléaires, notamment en matière de gestion des déchets radioactifs, du combustible irradié et des autres phases du cycle du combustible nucléaire, sur les matières nucléaires, y compris leur inspection et leur enregistrement, et sur la protection physique des installations et matières nucléaires. C'est le principal organisme d'application des engagements relatifs à la sûreté et à la sécurité nucléaires conformément aux obligations, accords et engagements internationaux.

Dans l'exercice de ses responsabilités en tant que principale autorité de réglementation de l'utilisation des ressources génétiques, le Ministère de l'environnement coopère avec le Ministère de l'économie et d'autres organismes, l'Institut central de contrôle et de tests dans le domaine de l'agriculture (Ministère de l'agriculture et du développement rural), l'Institut d'État de contrôle des drogues (Ministère de la santé), l'Institut d'État de contrôle des substances médicales, biologiques et vétérinaires et l'Autorité de santé publique de la République de Slovaquie (Ministère de la santé).

Mesures coercitives

Ces mesures sont principalement du ressort du Ministère de l'économie, de l'Autorité de réglementation nucléaire, du Ministère de l'intérieur, du Ministère des finances et d'autres services chargés de l'application des lois.

Le Ministère de l'économie contrôle le commerce de marchandises sensibles. L'Autorité de réglementation nucléaire surveille tous les mouvements des produits nucléaires ou dérivés. Au sein du Ministère de l'intérieur, le Bureau de la police criminelle de la Direction de la police (Police Presidium) enquête sur les activités criminelles liées à des substances dangereuses. Le Bureau des enquêtes criminelles du Ministère des finances est chargé de l'application concrète des principes qui concernent l'exportation ou le transit des biens soumis à contrôle. Les services précédemment cités ont accès aux informations utiles fournies par le Service de renseignement slovaque.

Mesures en faveur de l'application de la résolution

Une large part des opérations d'information menées par l'administration à l'intention du secteur d'activité considéré visent à encourager l'application de la résolution. Après avoir surtout concerné les interactions élémentaires entre, d'une part, les ministères et organismes compétents qui sont juridiquement responsables des politiques de non-prolifération et de contrôle des exportations et, d'autre part, le secteur d'activité considéré, les mesures sont progressivement axées sur l'action.

Parmi les activités du Gouvernement visant à encourager le respect de la résolution figurent la coopération avec la Chambre du commerce et de l'industrie slovaque (un séminaire sur les procédures et la politique d'autorisation a ainsi été organisé à l'intention des exportateurs par le Ministère des affaires étrangères et européennes en coopération avec le Ministère de l'économie en 2015) et des consultations périodiques avec les exportateurs sur des questions spécifiques.

Activités au sein de l'Union européenne

Depuis qu'elle est membre de l'Union européenne (UE), la Slovaquie a œuvré afin de contribuer activement aux activités menées contre la prolifération des armes de destruction massive et de leurs vecteurs, et à la mise en œuvre d'une stratégie de l'UE ciblant cette prolifération.

La Slovaquie a régulièrement appuyé les documents de l'UE liés à l'application de la stratégie dans différents domaines (nucléaire, chimique et biologique), notamment les décisions du Conseil de l'Union européenne en faveur de la résolution 1540 (2004).

Assistance aux autres États

La Slovaquie a, dans la mesure de ses capacités, adopté une position active sur la question de l'assistance internationale en matière de non-prolifération. Les activités et ressources liées à l'assistance ont principalement été fournies par l'intermédiaire des institutions internationales concernées, notamment l'Union européenne, l'AIEA (via l'Autorité de réglementation nucléaire) et l'Organisation pour l'interdiction des armes chimiques (Ministère de l'économie/Autorité nationale pour la Convention sur les armes chimiques).

La Slovaquie reconnaît, comme le Conseil de sécurité, que certains États pourront avoir besoin d'aide pour appliquer les dispositions de la résolution 1540 (2004) et est prête à examiner toute demande précise d'aide.

Annex II to the note verbale dated 14 December 2016 from the Permanent Mission of Slovakia to the United Nations addressed to the Chair of the Committee

Matrix of Slovakia, as updated in December 2016

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

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

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

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

State:

Slovakia

Date:

14 December 2016

	<i>Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.</i>	<i>YES</i>	<i>If YES, relevant information (i.e. signing, accession, ratification, etc.)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official website)</i>
1	Nuclear Non-Proliferation Treaty (NPT)	X	Succession 1 January 1993 (further referred as "NPT Succession")	
2	Nuclear Weapons Free Zone/ Protocol(s)			
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Ratified 28 March 2006; Deposited 28 March 2006	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Succession 1 January 1993	

<i>Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.</i>		<i>YES</i>	<i>If YES, relevant information (i.e. signing, accession, ratification, etc.)</i>	<i>Remarks (information refers to the page of the English version of the national report or an official website)</i>
5	2005 Amendment to the CPPNM	X	Ratified 19 October 2007; deposited 7 March 2013	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT)	X	Ratified 3 March 1998	
7	Chemical Weapons Convention (CWC)	X	Signed 14.01.1993, ratified 17. 10.1995, deposited 27.10.1995, in force 29.4.1997	
8	Biological Weapons Convention (BWC)	X	Succession 1 January 1993 (further referred as “BWC Succession”)	
9	Geneva Protocol of 1925	X	Succession 1 January 1993	
10	Other Conventions/Treaties	X	1. EURATOM Treaty 2. Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof (Seabed Treaty) — Succession 1 January 1993 3. Antarctic Treaty — Succession 1 January 1993 4. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (Outer Space Treaty) — Succession 1 January 1993 5. Slovakia ratified 14 UN conventions and Protocols on Terrorism (including 1999 International Convention for the Suppression of the Financing of Terrorism, 1997 International Convention for the Suppression of Terrorist Bombings, 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf)	

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	If YES, relevant information (i.e. signing, accession, ratification, etc.)	Remarks (information refers to the page of the English version of the national report or an official website)
11	International Atomic Energy Agency (IAEA)	X	Member since 1993	
12	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
13	Other Arrangements	X	1. Australia Group (AG) 2. Nuclear Suppliers Group (NSG) 3. Wassenaar Arrangement (WA) 4. Zangger Committee (ZC) 5. Proliferation Security Initiative (PSI) 6. Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	Slovakia does not possess any WMD	
15	General statement on commitment to disarmament and non-proliferation	X	European Union Strategy against Proliferation of WMD. WMD clause in European Union-Third countries Agreements.	
16	General statement on non-provision of WMD and related materials to non-State actors	X	Slovakia does not provide WMD and related materials to non-State actors.	
17	Other ¹	X	Member of EU, IMO, INTERPOL, CoE, OIE, OSCE, WHO, WCO/signed WCO Declaration on implementation of Framework of Standards to secure and facilitate global trade (SAFE Framework of Standards), Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), Egmont Group, Revised Cotonou Partnership Agreement (CPA II)	

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

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

State: Slovakia

Date: 14 December 2016

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
1	Manufacture/produce	X	X	X	NW: 1. NPT Succession 2. Act 541/2004 on the Peaceful Use of Nuclear Energy as amended (further referred as <u>Atomic Act</u>) CW: Act 129/1998 on Prohibition of Chemical Weapons (further referred as <u>CW Prohibition Act</u>) BW: 1. BWC Succession 2. Act 218/2007 on Prohibition of Biological Weapons (further referred as <u>BW Prohibition Act</u>)	X	X	X	NW/CW/BW: Act 300/2005 Penal Code as amended (further referred as <u>Penal Code</u>), § 298, 299, 419 NW: Atomic Act, § 3 CW: CW Prohibition Act, § 41 BW: BW Prohibition Act, § 23, 24	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
2	Acquire	X	X	X	NW: 1. NPT Succession 2. Atomic Act CW: CW Prohibition Act BW: 1. BWC Succession 2. BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act, § 3 CW: CW Prohibition Act, § 41 BW: BW Prohibition Act, § 23, 24	
3	Possess	X	X	X	NW: 1. NPT Succession 2. Atomic Act CW: CW Prohibition Act BW: 1. BWC Succession 2. BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act, § 3 CW: CW Prohibition Act, § 41 BW: BW Prohibition Act, § 23, 24	
4	Stockpile/store	X	X	X	NW: 1. NPT Succession 2. Atomic Act CW: CW Prohibition Act BW: 1. BWC Succession 2. BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act, § 3 CW: CW Prohibition Act, § 41 BW: BW Prohibition Act, § 23, 24	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
5	Develop	X	X	X	NW: 1. NPT Succession 2. Atomic Act CW: CW Prohibition Act BW: 1. BWC Succession 2. BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act, § 3 CW: CW Prohibition Act, § 41 BW: BW Prohibition Act, § 23, 24	
6	Transport	X	X	X	NW: 1. NPT Succession 2. Atomic Act CW: CW Prohibition Act BW: 1. BWC Succession 2. BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act, § 3 CW: CW Prohibition Act, § 41 BW: BW Prohibition Act, § 23, 24	
7	Transfer	X	X	X	NW: 1. NPT Succession 2. Atomic Act CW: CW Prohibition Act BW: 1. BWC Succession 2. BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act, § 3 CW: CW Prohibition Act, § 41 BW: BW Prohibition Act, § 23, 24	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
8	Use	X	X	X	NW: 1. NPT Succession 2. Atomic Act CW: CW Prohibition Act BW: BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act, § 3 CW: CW Prohibition Act, § 41 BW: BW Prohibition Act, § 23, 24	
9	Participate as an accomplice in above-mentioned activities	X	X	X	NW/CW/BW: Penal Code	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419	
10	Assist in above-mentioned activities	X	X	X	NW/CW/BW: Penal Code	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419	
11	Finance above-mentioned activities	X	X	X	NW/CW/BW: 1. Penal Code 2. Banking Act n. 483 of 2001 amending with the introduction of § 56a the Foreign Economic Relations Act n. 42 of 1980 3. Act No 297/2008 on the prevention of money laundering and terrorist financing	X	X	X	NW/CW/BW: 1. Penal Code, § 21 in connection to § 232, 233, 298, 299 and 419 2. Act No 297/2008 on the prevention of money laundering and terrorist financing, §32, 33	

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document of national implementation law	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
12	Above-mentioned activities related to means of delivery ²	X	X	X	BW: BW Prohibition Act, § 3 Means of delivery NW, BW, CW: 1. Council Regulation (EC) n. 428/2009 2. Act 39/2011 on Dual Use Items	X	X	X	BW: BW Prohibition Act, § 23, 24 Means of delivery NW, BW, CW: Act 39/2011 on Dual Use Items, § 32, 33	
13	Involvement of non-State actors in above-mentioned activities	X	X	X	NW/CW/BW: Penal Code	X	X	X	NW/CW/BW: Penal Code, §§ 298, 299 and 419	
14	Other									

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

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

Date: 14 December 2016

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW*		NW	CW	BW		
1	Measures to account for production	X	X	X	NW: 1. Atomic Act and relevant regulations of the Nuclear Regulatory Authority of the Slovak Republic (further referred as <u>NRA SR</u>) 2. Commission Regulation (EURATOM) 302/2005 on the application of EURATOM safeguards (Commission Regul. 302/2005/EURATOM) 3. INFCIRC/193 (accession 2005) CW: CW Prohibition Act BW: BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act and relevant regulations of the Nuclear Regulatory Authority of the Slovak Republic (further referred as <u>NRA SR</u>), including the State System of Accounting for and Control of Nuclear Materials (SSAC) based on the IAEA Safeguards Agreement and the Additional Protocol CW: 1. CW Prohibition Act and relevant regulations of Ministry of Economy as the National Authority for prohibition of CW 2. Act 67/2010 on chemical substances and preparations (further referred as <u>Chemical Act</u>) BW: BW Prohibition Act and relevant regulations of Ministry of Health as the National Authority for prohibition of BW	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW*		NW	CW	BW		
2	Measures to account for use	X	X	X	NW: 1. Atomic Act + relevant NRA SR regulations 2. Commission Regul. 302/2005/EURATOM 3. INFCIRC/193 (accession 2005) CW: CW Prohibition Act BW: BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act and relevant regulations of the NRA SR, including the SSAC CW: 1. CW Prohibition Act and relevant regulations of Ministry of Economy 2. Chemical Act BW: BW Prohibition Act and relevant regulations of Ministry of Health	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW*		NW	CW	BW		
3	Measures to account for storage	X	X	X	NW: 1. Atomic Act + relevant NRA SR regulations 2. Commission Regulation 302/2005/EURATOM 3. INFCIRC/193 (accession 2005) CW: CW Prohibition Act BW: BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298, 299, 419 NW: Atomic Act + relevant NRA SR regulations concerning the storage of nuclear material, including the SSAC CW: 1. CW Prohibition Act and relevant regulations of Ministry of Economy 2. Chemical Act BW: BW Prohibition Act and relevant regulations of Ministry of Health	
4	Measures to account for transport	X	X	X	NW: Atomic Act + relevant NRA SR regulations CW: 1. Council Directive 2008/68/EC 2. CW Prohibition Act BW: Council Directive 2008/68/EC	X	X	X	NW: Atomic Act + relevant NRA SR regulations, including the SSAC CW: 1. CW Prohibition Act and regulations of Ministry of Economy 2. Chemical Act BW: BW Prohibition Act and relevant regulations of Ministry of Health	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW*		NW	CW	BW		
5	Other measures for accounting	X			NW: 1. Council Directive 2003/122/ EURATOM 2. Directive 96/29/EURATOM	X			NW: The State System of Accounting for and Control of Nuclear Materials (SSAC) based on the Safeguards Agreement between the IAEA and the Slovak Government. The regulatory activity in the field of the accounting for and control of nuclear materials also includes review and processing of the reports of any nuclear material inventory change sent to the NRA SR by nuclear material users, elaboration and submission of advance notifications, special and accountancy reports for the IAEA	
6	Measures to secure production	X	X		NW: Atomic Act + relevant NRA SR regulations CW: 1. Directive 98/24/EC 2. CW Prohibition Act 3. Chemical Act	X	X	X	NW: 1. Atomic Act + relevant NRA SR regulations, including the SSAC and control of high activity sealed radioactive sources (HASS) 2. Penal Code, § 298 CW: 1. Penal Code, § 298 2. Chemical Act BW: Penal Code, § 298	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW*		NW	CW	BW		
7	Measures to secure use	X	X	X	NW: Atomic Act + relevant NRA SR regulations CW: 1. Directive 98/24/EC 2. CW Prohibition Act 3. Chemical Act BW: 1. Directive 2000/54/EC 2. Regulation (EC) of the European Parliament and the Council n. 851/2004 3. BW Prohibition Act	X	X	X	NW: 1. Atomic Act + relevant NRA SR regulations, including the SSAC and control of HASS 2. Penal Code, § 298 CW: 1. Penal Code, § 298 2. Chemical Act BW: Penal Code, § 298	
8	Measures to secure storage	X	X	X	NW: Atomic Act + relevant NRA SR regulations CW: 1. Directive 98/24/EC 2. CW Prohibition Act 3. Chemical Act BW: 1. Directive 2000/54/EC 2. BW Prohibition Act	X	X	X	NW: 1. Atomic Act + relevant NRA SR regulations, including the SSAC and control of HASS 2. Penal Code, § 298 CW: 1. Penal Code, § 298 2. Chemical Act BW: Penal Code, § 298	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW*		NW	CW	BW		
9	Measures to secure transport	X	X	X	NW: Council Directive 2008/68/EC CW: 1. Council Directive 2008/68/EC 2. Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures 3. CW Prohibition Act BW: Council Directive 2008/68/EC	X	X	X	NW: 1. Directive 92/3 EURATOM: prior notification of shipments 2. Route charting by NRA SR CW: 1. Party to ADR and RID agreements 2. Penal Code, § 298 BW: 1. Party to ADR and RID agreements 2. Penal Code, § 298	
10	Other measures for securing	X	X	X	NW/CW/BW: Act 355/2007 on Public Health Protection	X	X	X	NW/CW/BW: Act 355/2007 on Public Health Protection	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW*		NW	CW	BW		
11	Regulations for physical protection of facilities/ materials/ transports	X	X	X	NW: Atomic Act CW: Act 67/2010 (Chemical Act) BW: BW Prohibition Act	X	X	X	NW: Protection system and a set of technical tools and organizational measures to prevent unauthorized use of facilities, materials, etc. CW: Act 67/2010 (Chemical Act), §38 BW: BW Prohibition Act, §23, §24	
12	Licensing/ registration of installations/ facilities/ persons/entities/ use/handling of materials	X	X	X	NW: Atomic Act CW: 1. CW Prohibition Act 2. Chemical Act BW: 1. Directive 2000/54/EC 2. BW Prohibition Act	X	X	X	NW/CW/BW: Penal Code, § 298 NW: Atomic Act CW: 1. CW Prohibition Act, § 41 2. Chemical Act, §38 BW: BW Prohibition Act, §23, §24	
13	Reliability check of personnel	X	X	X	NW: Atomic Act CW: CW Prohibition Act BW: BW Prohibition Act	X	X	X	NW: Atomic Act CW: CW Prohibition Act, §§ 11, 12: A responsible person shall be deemed to have a clean criminal record for the purposes hereof if such person, who: a) was not convicted for an offence whose merits are connected with the activity to be licensed, b) was not convicted for deliberate offence.) BW: BW Prohibition Act, §12	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW*		NW	CW	BW		
14	Measures to account for/secure/physically protect means of delivery									

³ Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument)).

OP 3 (a) and (b) — Account for/Secure/Physically protect NW including Related Materials (NW specific)**State:** Slovakia**Date:** 14 December 2016

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, source document	YES	If YES, source document	
1	National regulatory authority	X	Nuclear Regulatory Authority of the Slovak Republic (NRA SR) Act No. 575/2001 as Amended (Act on Competences) Act 541/2004 on the Peaceful Use of Nuclear Energy as amended (Atomic Act)	X	Nuclear Regulatory Authority of the Slovak Republic (NRA SR)	
2	IAEA Safeguards Agreements	X	INFCIRC/193 (Accession 2005)	X	Nuclear Regulatory Authority of the Slovak Republic, Penal Code	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support	X	Point of contact: Public Health Authority of the Slovak Republic (Ministry of Health) http://www.uvzsr.sk/en/	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, source document	YES	If YES, source document	
5	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	Participates	X	Participates	
6	Other Agreements related to IAEA	X	1. Convention on Early Notification of a Nuclear Accident, in force 1993 2. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, in force 1993 3. Convention on Nuclear Safety, in force 1996 4. Vienna Convention on Civil Liability for Nuclear Damage, in force 1995 5. Revised Supplementary Agreement Concerning the provision of technical Assistance by the IAEA, in force 1995 6. Agreement on the Privileges and immunities of the IAEA, in force 1993 7. Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention, in force 1995 8. Joint Convention on the safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, 2001	X	1. Convention on Early Notification of a Nuclear Accident, in force 1993 2. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, in force 1993 3. Convention on Nuclear Safety, in force 1996 4. Vienna Convention on Civil Liability for Nuclear Damage, in force 1995 5. Revised Supplementary Agreement Concerning the provision of technical Assistance by the IAEA, in force 1995 6. Agreement on the Privileges and immunities of the IAEA, in force 1993 7. Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention, in force 1995 8. Joint Convention on the safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, 2001	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, source document	YES	If YES, source document	
7	Additional national legislation/ regulations related to nuclear materials including CPPNM					
8	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect CW including Related Materials (CW specific)
State: Slovakia

Date: 14 December 2016

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, source document	YES	If YES, source document	
1	National CWC authority	X	Ministry of Economy (CW Prohibition Act, § 3) Act No. 129/1998 on the Prohibition of Chemical Weapons (CW Prohibition Act)	X	Ministry of Economy (CW Prohibition Act, § 3)	
2	Reporting Schedule I, II and III chemicals to OPCW	X	CW Prohibition Act	X	CW Prohibition Act, §3	
3	Account for, secure or physically protect “old chemical weapons”	X	CW Prohibition Act	X	CW Prohibition Act, §5	
4	Other legislation/ regulations controlling chemical materials	X	Act 67/2010 on chemical substances and preparations (Chemical Act)	X	Chemical Act, §§ 33-38 (administrative offences, fines)	
5	Other					

OP 3 (a) and (b) — Account for/Secure/Physically protect BW including Related Materials (BW specific)**State:** Slovakia**Date:** 14 December 2016

<i>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?</i>		<i>National legal framework</i>		<i>Enforcement: civil/criminal penalties and others</i>		<i>Remarks</i>
		<i>YES</i>	<i>If YES, source document</i>	<i>YES</i>	<i>If YES, source document</i>	
1	Regulations for genetic engineering work	X	Directive 2001/18/EC of the European Parliament and of the Council on the deliberate release into the environment Regulation (EC) No 1830/2003 of the European Parliament and of the Council concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC Directive 2009/41/EC of the European Parliament and of the Council on the contained use of genetically modified micro-organisms Act 151/2002 on use of genetic technologies and genetically modified organisms, as amended Act 263/2015 on terms and conditions for access to genetic resources and utilizing benefits resulting from their use	X	Act 151/2002 on use of genetic technologies and genetically modified organisms, as amended Act 263/2015 on terms and conditions for access to genetic resources and utilizing benefits resulting from their use; § 10-11 Offences; Ministry of Environment as the National Regulation Authority for use of genetic resources; cooperation with Ministry of Economy and other agencies, e.g.: – Central Control and Testing Institute in Agriculture/Ministry of Agriculture – State Institute for Medicament Control/Ministry of Health – Institute for State Control of Veterinary Biologicals and Medicaments – Public Health Authority of the Slovak Republic/Ministry of Health Act No. 300/2005 Penal Code, § 161, §309	

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	If YES, source document	YES	If YES, source document	
2	Other legislation/ regulations related to safety and security of biological materials	X	Regulation of Ministry of Environment No. 399/2005 (as amended by reg. 312/2008 and reg. 86/2013) on implementation of the Act No. 151/2002 on use of genetic technologies and genetically modified organisms, as amended	X	Regulation of Ministry of Environment No. 399/2005 (as amended by reg. 312/2008 and reg. 86/2013) on implementation of the Act No. 151/2002 on use of genetic technologies and genetically modified organisms, as amended	
3	Other					

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

State:

Slovakia

Date:

14 December 2016

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
1	Border control	X	X	X	NW/CW/BW: 1. Council Regulation no. 2913/1992 (Community Customs Code) 2. Commission Regulation no. 2454/1993 (Implementing Provisions to the Community Customs Code) 3. EU Regulation no. 648 of 13 April 2005 (Security Amendment) 4. Regulation (EC) No 1889/2005 on controls of cash entering or leaving the Community 5. Customs Act 199/2004 6. Penal Code	X	X	X	NW/CW/BW: 1. Customs Act 199/2004 2. Act No. 333/2011 on Financial Administration (incl. custom offices and Financial Administration/Office of Criminal Investigation) 3. Penal Code, §§ 255-257, 294, 295, 298, 299	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW		NW	CW	BW		
					If YES, source document				If YES, source document	
2	Technical support of border control measures	X			NW: 1. Council Regulation no. 2913/1992 (Community Customs Code) 2. EU Regulation no. 648 of 13 April 2005 (Security Amendment) 3. New Computerised Transit System (NCTS) — Security and Safety Aspects is to be updated in its features as required by Regulation (EC) 648/2005	X			NW: Portable x-ray, pagers for detection of radioactive substances	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	X	X	NW/CW/BW: Council regulation (EC) No 428/2009 — Community regime for the control of exports, transfer, brokering and transit of dual-use items (Council Regulation (EC) n. 428/2009 as amended) Act 39/2011 on Dual Use Items	X	X	X	NW/CW/BW: 1. Act 39/2011 on Dual Use Items 2. Act 392/2011 on Trade with Defence Industry Products	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
4	Enforcement agencies/ authorities	X	X	X	1. Customs Act 199/2004 2. Memoranda on co-operation between the customs authorities and technical research institutes in 2004. The memoranda provide for an important tool in identifying, specifying and categorizing of various potential dual-use items				NW/CW/BW: Ministry of Finance/Financial Administration (Custom Offices, Office of Criminal Investigation) Ministry of Interior/Criminal Police Bureau	
5	Export control legislation in place	X	X	X	NW/CW: 1. Council Regulation (EC) n. 428/2009 2. Council Regulation No. 2913/1992 (Community Customs Code) 3. Commission Regulation No. 2454/1993 (Implementing Provisions of the Community Customs Code) 4. Act 39/2011 on Dual Use Items 5. Act No. 392/2011 on trade with defence industry products 6. Customs Act 199/2004 CW: CW Prohibition Act BW: BW Prohibition Act	X	X	X	NW/CW/BW: 1. Act 39/2011 on Dual Use Items 2. Act 392/2011 on Trade with Defence Industry Products CW: CW Prohibition Act, § 19 (Highly dangerous chemicals may be exported or imported only if the licence is issued for export and import of highly dangerous chemicals for the research, medical, pharmaceutical or protective purposes) BW: BW Prohibition Act	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW		NW	CW	BW		
					If YES, source document				If YES, source document	
6	Licensing provisions	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 2. Act 39/2011 on Dual Use Items 3. Act 392/2011 on Trade with Defence Industry Products CW: 1. CW Prohibition Act 2. Act No. 392/2011 on trade with defence industry products	X	X	X	NW/CW/BW: 1. Act 39/2011 on Dual Use Items 2. Act 392/2011 on Trade with Defence Industry Products CW: CW Prohibition Act, §. 21-24	
7	Individual licensing	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 as amended 2. Act 39/2011 on Dual Use Items CW: 1. CW Prohibition Act 2. Act No. 392/2011 on trade with defence industry products	X	X	X	NW/CW/BW: 1. Act 39/2011 on Dual Use Items 2. Act 392/2011 on Trade with Defence Industry Products 3. Customs Act No. 199/2004, Art. 73	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
8	General licensing	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 as amended 2. Act 39/2011 on Dual Use Items CW: 1. CW Prohibition Act 2. Act 392/2011 on Trade with Defence Industry Products	X	X	X	NW/CW/BW: 1. Act 39/2011 on Dual Use Items 2. Act 392/2011 on Trade with Defence Industry Products	
9	Exceptions from licensing	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 as amended 2. Act 39/2011 on Dual Use Items	X	X	X	NW/CW/BW: An authorization shall be required for intra-Community transfers of dual-use items listed in Annex IV. Items listed in Part 2 of Annex IV shall not be covered by a general authorization	
10	Licensing of deemed export/visa	X	X	X	NW/CW/BW: Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
11	National licensing authority	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009, Art. 9: for all other exports for which an authorisation is required under the Regulation, leaves to the national authorities the final decision as to whether to grant a national, global or individual export licence 2. Act 39/2011 on Dual Use Items 3. Act 392/2011 on Trade with Defence Industry Products	X	X	X	NW: Nuclear Regulatory Authority — ÚJD CW: Ministry of Economy, Division of Trade Measures (CWC National Authority, National Authority for Export Control of Military and Dual-Use Goods) BW: BWC National Authority/ Ministry of Health	
12	Inter-agency review for licences	X	X	X	NW/CW/BW: 1. Council regulation (EC) No 428/2009 Community regime for the control of exports, transfer, brokering and transit of dual-use items sets up a Coordination Group (Article 23) chaired by the Commission, at which each Member State is represented 2. Act 39/2011 on Dual Use Items 3. Act 392/2011 on Trade with Defence Industry Products	X	X	X	NW: Nuclear Regulatory Authority — ÚJD CW: Ministry of Economy, Ministry of Foreign and European Affairs, Ministry of Defence, Ministry of Interior, Financial Administration/Office of Criminal Investigation, Slovak Intelligence Service BW: BWC National Authority/ Ministry of Health	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
13	Control lists	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 as amended 2. Act 39/2011 on Dual Use Items	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009, Annex 1 2. Common Military List of the European Union as amended 3. Regulation of Ministry of Economy as periodically amended: List of Defence Industry Products	
14	Updating of lists	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 as amended 2. Act 39/2011 on Dual Use Items	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009, Art. 15; The lists of dual-use items set out in Annex I and Annex IV shall be updated in conformity with the relevant obligations and commitments, and any modification thereof, that each Member State has accepted as a member of the international non-proliferation regimes and export control arrangements, or by ratification of the relevant international treaties	
15	Inclusion of technologies	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 as amended 2. Act 39/2011 on Dual Use Items	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009, Art. 24	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
16	Inclusion of means of delivery	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 as amended 2. Act 39/2011 on Dual Use Items	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009, Art. 24	
17	End-user controls	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 2. EU Regulation n. 648/2005 (Security Amendment) 3. Act 39/2011 on Dual Use Items 4. Act 392/2011 on Trade with Defence Industry Products	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009, Art. 24 2. EU Regulation n. 648/2005 (Security Amendment), Article 1.14 3. Act 39/2011 on Dual Use Items	
18	Catch all clause	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009, Art. 4, 24	
19	Intangible transfers	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009	X	X	X	NW/CW/BW: Act 39/2011 on Dual Use Items, §28	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
20	Transit control	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 2. EU Regulation no. 648/2005 (Security Amendment) 3. Act 39/2011 on Dual Use Items 4. Act 392/2011 on Trade with Defence Industry Products 5. Customs Act No. 199/2004 §§ 15-16 CW: CW Prohibition Act, § 25 (Transit of highly dangerous chemical through the Slovak Republic shall take place only with certificate provided by the Ministry to the transport contractor)	X	X	X	NW/BW/CW: Council Regulation (EC) n. 428/2009, Art. 4, 24 CW: Act 129/1998, § 41	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
21	Trans-shipment control	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 2. EU Regulation no. 648/2005 (Security Amendment) 3. Act 39/2011 on Dual Use Items 4. Act 392/2011 on Trade with Defence Industry Products 5. Customs Act No. 199/2004 §§ 15-16	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 2. Customs Act No. 199/2004 §§ 15-16	
23	Control of providing funds				Council Regulation (EC) No. 2580 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism					

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES			If YES, source document	YES			If YES, source document	
		NW	CW	BW		NW	CW	BW		
24	Control of providing transport services	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 2. EU Regulation no. 648/2005 (Security Amendment) 3. Act 39/2011 on Dual Use Items 4. Act 392/2011 on Trade with Defence Industry Products 5. Customs Act No. 199/2004 §§ 15-16	X	X	X	NW/CW/BW: 1. Council Regulation (EC) n. 428/2009 2. Customs Act No. 199/2004 §§ 15-16	

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc.				Remarks
		YES				YES				
		NW	CW	BW		NW	CW	BW		
					If YES, source document				If YES, source document	
25	Control of importation	X	X	X	NW/CW/BW: 1. EU Regulation no. 648/2005 (Security Amendment), Article 1.14 2. Council Regulation No. 2913/1992 (Community Customs Code) 3. Commission Regulation No. 2454/1993 (Implementing Provisions of the Community Customs Code) 4. Customs Act 199/2004 5. Act 39/2011 on Dual Use Items CW: 1. CW Prohibition Act 2. Decree of the Government of the Slovak Republic No. 390/1997 on custom duties	X	X	X	NW/CW/BW: Customs Act No. 199/2004 § 73	
26	Extraterritorial applicability				N/A				N/A	
27	Other				N/A				N/A	

OP 6, 7 and 8 (d) — Control lists, Assistance, Information**State:****Slovakia****Date:****14 December 2016**

<i>Can information be provided on the following issues?</i>		<i>YES</i>		<i>Remarks</i>
1	Control lists — items (goods/equipment/materials/technologies)	X	COUNCIL REGULATION (EC) No 428/2009 as amended — Community regime for the control of exports, transfer, brokering and transit of dual-use items Relevant regulations of Ministry of Economy	
2	Control lists — other			
3	Assistance offered	X	Prepared to consider any specific request from States lacking the legal and regulatory infrastructure or implementation experience	
4	Assistance requested		N/A	
5	Point of Contact for assistance	X	Ministry of Foreign and European Affairs of the Slovak Republic, Department of Disarmament and Counter-Terrorism, tel.: +421 2 5978 3621, fax: +421 2 5978 3629	
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry	X	Seminars and individual consultations with industry on export controls	
8	Work with and inform the public	X	Information dissemination via Government websites	
9	Point of Contact	X	Ministry of Foreign and European Affairs of the Slovak Republic, Department of Disarmament and Counter-Terrorism, tel.: +421 2 5978 3621, fax: +421 2 5978 3629	
10	Other ⁴			

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