

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

State:  
Date of Report:

**Kiribati**  
**1 May 2006**

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1 General statement on non-possession of WMD			
2 General statement on commitment to disarmament and non-proliferation			
3 General statement on non-provision of WMD and related materials to non-State actors	X	Does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use weapons of mass destruction or their means of delivery	
4 Biological Weapons Convention (BWC)			
5 Chemical Weapons Convention (CWC)	X	Deposit 7 September 2000	
6 Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 18 April 1985	

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

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

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 and 1673. 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

7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Deposit 7 September 2000	
8	Convention on Physical Protection of Nuclear Material (CPPNM)			
9	Hague Code of Conduct (HCOC)	X	Subscribing State	
10	Geneva Protocol of 1925			
11	International Atomic Energy Agency (IAEA)			
12	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Rarotonga, deposit 28 October 1986	
13	Other Conventions/Treaties	X	<p>State Party to Waigani Convention (Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region)</p> <p>State Party to international conventions on counter-terrorism:</p> <ul style="list-style-type: none"> <li>- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents</li> <li>- International Convention against the Taking of Hostages</li> <li>- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation</li> <li>- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf</li> <li>- International Convention for the Suppression of Terrorist Bombings</li> <li>- International Convention for the Suppression of the Financing of Terrorism</li> <li>- International Convention for the Suppression of Acts of Nuclear Terrorism</li> </ul>	
14	Other Arrangements	X	<p>Member of Pacific Island Forum (PIF)</p> <p>Member of Oceania Customs Organisation (OCO)</p>	
15	Other	X	Partnership Agreement between the members of the African, Caribbean and Pacific Group of States and of the European Community and its Member States (Cotonou Agreement)	

## OP 2 - Biological Weapons (BW)

State:  
Date of Report:

**Kiribati**

1 May 2006

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, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce			X	Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
2	acquire			X		
3	possess			X		
4	stockpile/store			X		
5	develop			X		
6	transport					
7	transfer	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005: provide			
8	use	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 3			
9	participate as an accomplice in a.m. activities			X	Penal Code 1977	
10	assist in a.m. activities	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 14	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 14	
11	finance a.m. activities	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10	X	1. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 2. Proceeds of Crime (Amendment) Act 2005 renames the Financial Intelligence Unit and creates more offences for money laundering	

Matrix as approved by the 1540 Committee on 30 December 2010

12	a.m. activities related to means of delivery			X	Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
13	involvement of non-State actors in a.m. activities	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005	X	Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
14	Other					

## OP 2 - Chemical Weapons (CW)

State:  
Date of Report:

**Kiribati**

1 May 2006

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, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce	X	Chemical Weapons (Prohibition) Act of 2006, Section 5	X	1. Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8	
2	acquire	X	Chemical Weapons (Prohibition) Act of 2006, Section 5	X	2. Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
3	possess			X	Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
4	stockpile/store	X	Chemical Weapons (Prohibition) Act of 2006, Section 5	X	1. Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8	
5	develop	X	Chemical Weapons (Prohibition) Act of 2006, Section 5	X	2. Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991	
6	transport					
7	transfer	X	1. Chemical Weapons (Prohibition) Act of 2006, Section 5 2. Measures to Combat Terrorism and Transnational Organised Crime Act 2005: provide	X	Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8	
8	use	X	1. Chemical Weapons (Prohibition) Act of 2006, Section 5 2. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 3	X	1. Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8 2. Penal Code 1977, Section 218	

Matrix as approved by the 1540 Committee on 30 December 2010

9	participate as an accomplice in a.m. activities			X	Penal Code 1977	
10	assist in a.m. activities	X	1. Chemical Weapons (Prohibition) Act of 2006, Section 5 2. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 14	X	1. Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8 2. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 14	
11	finance a.m. activities	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10	X	1. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 2. Proceeds of Crime (Amendment) Act 2005 renames the Financial Intelligence Unit and creates more offences for money laundering	
12	a.m. activities related to means of delivery			X	Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991, re toxins only	
13	involvement of non-State actors in a.m. activities	X	1. Chemical Weapons (Prohibition) Act of 2006 2. Measures to Combat Terrorism and Transnational Organised Crime Act 2005	X	1. Chemical Weapons (Prohibition) Act of 2006, Sections 5 and 8 2. Section 62B, Penal Code (Cap.67) as amended by Criminal Law and Procedure (Patriation) Act 1991 to amend the Penal Code, etc.re toxins only	
14	Other					

## OP 2 - Nuclear Weapons (NW)

State:  
Date of Report:

**Kiribati**

1 May 2006

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, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce			X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35: alters	
2	acquire			X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35: receives	
3	possess			X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35	
4	stockpile/store					
5	develop					
6	transport			X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 34	
7	transfer	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005: provide	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 35	
8	use	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Sections 3 and 35	X		
9	participate as an accomplice in a.m. activities			X	Penal Code 1977	
10	assist in a.m. activities	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 14	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 14	

11	finance a.m. activities	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10	X	1. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 2. Proceeds of Crime (Amendment) Act 2005 renames the Financial Intelligence Unit and creates more offences for money laundering	
12	a.m. activities related to means of delivery					
13	involvement of non-State actors in a.m. activities	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005	X	Penal Code 1977	
14	Other					



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

State:

**Kiribati**

Date of Report:

**1 May 2006**

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, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use			X	Penal Code (Cap 67), Section 176	
8	Measures to secure storage					
9	Measures to secure transport			X	Carriage of Goods by Sea Ordinance, Section 6	
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing/registration of facilities/persons handling biological materials					
13	Reliability check of personnel					
14	Measures to account for/secure/physically protect means of delivery					
15	Regulations for genetic engineering work					

16	Other legislation/ regulations related to safety and security of biological materials				
17	Other				

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

State:

**Kiribati**

Date of Report:

**1 May 2006**

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, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	Chemical Weapons (Prohibition) Act of 2006, Sections 11-12	X	Chemical Weapons (Prohibition) Act of 2006, Sections 11-24	
2	Measures to account for use	X		X		
3	Measures to account for storage	X		X		
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use			X	Penal Code (Cap 67), Section 232	
8	Measures to secure storage			X	Carriage of Goods by Sea Ordinance, Section 6	
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing of chemical installations/entities/use of materials					
13	Reliability check of personnel					
14	Measures to account for/secure/physically protect means of delivery					
15	National CWC authority	X	Ministry of Foreign Affairs and Immigration	X	Ministry of Foreign Affairs and Immigration	

16	Reporting Schedule I, II and III chemicals to OPCW				
17	Account for, secure or physically protect old chemical weapons				
18	Other legislation/ regulations controlling chemical materials				
19	Other	?	Legislation under development that will enable to meet obligations under the Chemical Weapons Convention		

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

State:

**Kiribati**

Date of Report:

**1 May 2006**

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, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	INFCIRC 390			
2	Measures to account for use	X				
3	Measures to account for storage	X				
4	Measures to account for transport	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 34: Permission needed from the Minister for transport	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 34	
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport			X	Carriage of Goods by Sea Ordinance, Section 6	
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing of nuclear installations/entities/use of materials					
13	Reliability check of personnel					
14	Measures to account for/secure/physically protect means of delivery					

15	National regulatory authority					
16	IAEA Safeguards Agreements	X	1. Safeguards Agreement, in force 19 December 1990 2. Additional Protocol, <i>signed</i> 9 November 2004			
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources					
19	Other Agreements related to IAEA					
20	Additional national legislation/regulations related to nuclear materials including CPPNM					
21	Other	?	Steps underway to ratify the Additional Protocol			

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

State:

**Kiribati**

Date of Report:

**1 May 2006**

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 measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Customs Act 2005, Sections 8-16 2. Customs (Amendment) Act No. 9 of 2001 3. Kiribati Ports Authority Act 1990	X	1. Customs Act 2005, Sections 107 and 116 2. Quarantine Ordinance, Sections 58 and 82 3. Health Authority	
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities			X	Kiribati Customs Service	
5	Export control legislation in place	?	Customs Act 2005, Sections 58-59	?	Customs Act 2005, Sections 107 and 116	
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority	X	Plant Ordinance, Sections 5-8: Imports	X	1. Plant Ordinance, Section 4 2. Chief Agricultural Officer	

12	Interagency review for licenses					
13	Control lists	X	Customs Act 2005, Section 62: Comptroller to supply lists of prohibited and restricted imports and exports	X	Plant Ordinance, Section 8: All disease germs, microbes and disease agents capable of producing disease in man; All cultures, viruses and substances containing or likely to contain disease germs, microbes or disease agents	
14	Updating of lists					
15	Inclusion of technologies					
16	Inclusion of means of delivery					
17	End-user controls					
18	Catch all clause					
19	Intangible transfers					
20	Transit control					
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds	?	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10	?	1. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 2. Proceeds of Crime (Amendment) Act 2005 renames the Financial Intelligence Unit and creates more offences for money laundering	
24	Control of providing transport services					



25	Control of importation	<b>X</b>	1. Customs Act 2005, Sections 56-57 2. Control of Plant Importation, Plant Ordinance	<b>X</b>	1. Customs Act 2005, Sections 107 and 116 2. Control of Plant Importation, Plant Ordinance. Section 16	
26	Extraterritorial applicability					
27	Other					

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

State:

**Kiribati**

Date of Report:

**1 May 2006**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Customs Act 2005, Sections 8-16 2. Customs (Amendment) Act No. 9 of 2001 3. Kiribati Ports Authority Act 1990	X	1. Customs Act 2005, Sections 107 and 116 2. Kiribati Customs Service also does border management	
2 Technical support of border control measures					
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4 Enforcement agencies/authorities			X	Kiribati Customs Service	
5 Export control legislation in place	X	1. Chemical Weapons (Prohibition) Act of 2006, Section 9 2. Customs Act 2005, Sections 58-59	X	1. Chemical Weapons Prohibition Act of 2006, Section 9 2. Secretary of the Ministry of Foreign Affairs 3. Customs Act 2005, Sections 107 and 116	
6 Licensing provisions					
7 Individual licensing					
8 General licensing					
9 Exceptions from licensing					

10	Licensing of deemed export/visa					
11	National licensing authority	X	Chemical Weapons (Prohibition) Act of 2006, Section 9: Ministry of Foreign Affairs	X	Secretary of the Ministry of Foreign Affairs	
12	Interagency review for licenses					
13	Control lists	X	Chemical Weapons (Prohibition) Act of 2006, Sections 3 and 30			
14	Updating of lists					
15	Inclusion of technologies					
16	Inclusion of means of delivery					
17	End-user controls					
18	Catch all clause					
19	Intangible transfers					
20	Transit control					
21	Trans-shipment control					
22	Re-export control					
23	Control of providing funds	X	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10	X	1. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 2. Proceeds of Crime (Amendment) Act 2005 renames the Financial Intelligence Unit and creates more offences for money laundering	
24	Control of providing transport services					

25	Control of importation	X	1. Chemical Weapons (Prohibition) Act of 2006, Section 9 2. Customs Act 2005, Sections 56-57	X	1. Chemical Weapons Prohibition Act of 2006, Section 9 2. Secretary of the Ministry of Foreign Affairs 3. Customs Act 2005, Sections 107 and 116	
26	Extraterritorial applicability					
27	Other					

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

State:

**Kiribati**

Date of Report:

**1 May 2006**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Customs Act 2005, Sections 8-16 2. Customs (Amendment) Act No. 9 of 2001 3. Kiribati Ports Authority Act 1990	X	1. Customs Act 2005, Sections 107 and 116 2. Kiribati Customs Service also does border management	
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities			X	Kiribati Customs Service	
5	Export control legislation in place	?	Customs Act 2005, Sections 58-59	?	Customs Act 2005, Sections 107 and 116	
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority					

12	Interagency review for licenses				
13	Control lists				
14	Updating of lists				
15	Inclusion of technologies				
16	Inclusion of means of delivery				
17	End-user controls				
18	Catch all clause				
19	Intangible transfers				
20	Transit control				
21	Trans-shipment control				
22	Re-export control				
23	Control of providing funds	?	Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10	?	1. Measures to Combat Terrorism and Transnational Organised Crime Act 2005, Section 10 2. Proceeds of Crime (Amendment) Act 2005 renames the Financial Intelligence Unit and creates more offences for money laundering
24	Control of providing transport services				
25	Control of importation	?	Customs Act 2005, Sections 56-57	?	Customs Act 2005, Sections 107 and 116
26	Extraterritorial applicability				
27	Other				

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

State:  
Date of Report:

**Kiribati**

1 May 2006

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	?	Does not consider it necessary at this time to implement national control lists for goods which may be used to develop weapons of mass destruction	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	Welcomes any assistance that may be available to help it implement this resolution, in particular in the areas of legislative drafting and border security	
5	Assistance in place (bilateral/plurilateral/multilateral)	X	The OPCW-OCO organized dedicated sub-regional training course for customs authorities and representatives of CWC National Authorities from Pacific Island States, including Solomon Islands, on Technical Aspects of the Transfers' regime of the CWC, Nadi, Fiji, 30 June- 2 July 2010	
6	Information for industry			
7	Information for the public			