

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

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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	X	No production, use, storage or transport of nuclear, chemical or biological weapons	
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	
4	Biological Weapons Convention (BWC)			
5	Chemical Weapons Convention (CWC)	X	Deposit 19 May 2004	
6	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 30 January 1995	

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 28 October 2009	
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	In force 09 March 2003	
9	Hague Code of Conduct (HCOC)	X	Subscribed	
10	Geneva Protocol of 1925			
11	International Atomic Energy Agency (IAEA)	X	Since 1994	
12	Nuclear Weapons Free Zone/ Protocol(s)			
13	Other Conventions/Treaties	X	State Party to 12 international conventions on Counter-terrorism, including the International Convention for the Suppression of Terrorist Bombings (acceded 27 January 2003); the International Convention for the Suppression of the Financing of Terrorism (acceded 27 January 2003); and the 2005 Protocols to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (12 May 2008)	
14	Other Arrangements			
15	Other	X	1. Member of Oceania Customs Organisation (OCO) 2. Asia Pacific Group FATF	

## OP 2 - Biological Weapons (BW)

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106 and 125	X	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences)	
2	acquire	X		X		
3	possess	X		X		
4	stockpile/store	X		X		
5	develop	X		X		
6	transport					
7	transfer	x	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106 and 125	x	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences)	
8	use	X		X	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences). Also Section 128 (if terrorist intent).	
9	participate as an accomplice in a.m. activities	X		X	Counter Terrorism Act 2002, Section 107-112	
10	assist in a.m. activities	X		X		
11	finance a.m. activities	X	Counter Terrorism Act 2002, Section 120	X	1. Counter Terrorism Act 2002, Sections 120-122 2. Has a Financial Intelligence Unit (FIU)	
12	a.m. activities related to means of delivery			?	Counter Terrorism Act 2002, Section 112	

13	involvement of non-State actors in a.m. activities	X	Counter Terrorism Act 2002, especially Section 125	X	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences)	
14	Other	X	1. Ratified the 2005 SUA Protocols, which would prohibit transport of WMD, among other activities 2. RMI Revised Code 2004, Compact with the US, Amended, Implementation, Section 314: Unless otherwise agreed, the US shall not test, dispose of, discharge biological weapons in the RMI			

## OP 2 - Chemical Weapons (CW)

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106 and 125	X	1. Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences) 2. Weapons Control Act [7MIRC Ch 13], RMI Revised Code 2004, Sections 1302, 1303, 1329	
2	acquire	X		X		
3	possess	X		X		
4	stockpile/store	X		X		
5	develop	X		X		
6	transport			X	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences) 2. Weapons Control Act, Sections 1302, 1303, 1329	
7	transfer	x	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106 and 125	X	1. 1. Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences) 2. Weapons Control Act, Sections 1302, 1303, 1329	
8	use	X		X	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences). Also Section 128 (if terrorist intent).	
9	participate as an accomplice in a.m. activities	X	Counter Terrorism Act 2002, Sections 106-107 and 125	X	Counter Terrorism Act 2002, Section 107-112	
10	assist in a.m. activities	X		X		

11	finance a.m. activities	<b>X</b>	Counter Terrorism Act 2002, Section 120	<b>X</b>	1. Counter Terrorism Act 2002, Sections 120-122 2. Has a Financial Intelligence Unit (FIU)	
12	a.m. activities related to means of delivery			?	Counter Terrorism Act 2002, Section 112	
13	involvement of non-State actors in a.m. activities	<b>X</b>	Counter Terrorism Act 2002, especially Section 125	<b>X</b>	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences)	
14	Other	<b>X</b>	1. Drafting CWC implementing legislation 2. Ratified the 2005 SUA Protocols, which would prohibit transport of WMD, among other activities			

## OP 2 - Nuclear Weapons (NW)

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106 and 125	X	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences) and 136 (Nuclear Material Offences)	
2	acquire	X		X		
3	possess	X		X		
4	stockpile/store	X		X		
5	develop	X		X		
6	transport					
7	transfer	x	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106 and 125	x	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences) and 136 (Nuclear Material Offences)	
8	use	X		X	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 107-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences) and 136 (Nuclear Material Offences). Also Section 128 (if terrorist intent).	
9	participate as an accomplice in a.m. activities	X	Counter Terrorism Act 2002, Sections 106-107 and 125	X	Counter Terrorism Act 2002, Section 107-112	
10	assist in a.m. activities	X		X		

11	finance a.m. activities	<b>X</b>	Counter Terrorism Act 2002, Section 120	<b>X</b>	1. Counter Terrorism Act 2002, Sections 120-122 2. Has a Financial Intelligence Unit (FIU)	
12	a.m. activities related to means of delivery			?	Counter Terrorism Act 2002, Section 112	
13	involvement of non-State actors in a.m. activities	<b>X</b>	Counter Terrorism Act 2002, especially Section 125	<b>X</b>	Counter Terrorism Act 2002, RMI Revised Code 2004, Sections 106-112 (applies to any offense under the Act) and especially 125 (Weapons of Mass Destruction Offences) and 136 (Nuclear Material Offences)	
14	Other	<b>X</b>	Ratified the 2005 SUA Protocols, which would prohibit transport of WMD, among other activities			



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

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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					
8	Measures to secure storage					
9	Measures to secure transport			X	Carriage By Sea Act, Section 405	
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	?	Public Health, Safety and Welfare Act [7 MIRC 1], Sections 103, 106	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 108, Secretary of Health	
12	Licensing/registration of facilities/persons handling biological materials	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 103(u) [last sentence on licenses]	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 108, Secretary of Health	
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:  
Date of Report:

**Marshall Islands**  
23 November 2004

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					
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	Marshall Islands Ports Authority Act 2003, Section 155	
8	Measures to secure storage					
9	Measures to secure transport			X	Carriage By Sea Act, Section 405	
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 103	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 108 Secretary of Health	
12	Licensing of chemical installations/entities/use of materials	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 103(u) [last sentence on licenses]	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 108, Secretary of Health	
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National CWC authority			X	Environmental Protection Authority	
16	Reporting Schedule I, II and III chemicals to OPCW			X	Submitted their initial declaration	
17	Account for, secure or physically protect old chemical weapons					
18	Other legislation/ regulations controlling chemical materials					
19	Other	X	Drafting CWC implementing legislation			

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

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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/653			
2	Measures to account for use	X				
3	Measures to account for storage	X				
4	Measures to account for transport					
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 By Sea Act, Section 405	
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 103 (s)	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 108, Secretary of Health	
12	Licensing of nuclear installations/entities/use of materials	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 103 (s)(u) [last sentence on licenses]	?	Public Health, Safety and Welfare Act [7 MIRC 1], Section 108, Secretary of Health	
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 03 May 2005 2. Additional Protocol in force 03 May 2005	X	1. Safeguards Agreement in force 03 May 2005 2. Additional Protocol in force 03 May 2005	
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			X	Counter-Terrorism Act 2002, section 136 on nuclear materials	
21	Other					

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

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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. Import Duties Act 1989 2. Animal and Plant Inspection Act [8 MIRC 1], Sections 106, 107 on inspection and cargo manifests 3. Marshall Islands Ports Authority Act 2003, Section 153	X	1. Import Duties Act 1989, Sections 215, 221-223 2. Customs Service 3. Marshall Islands Ports Authority Act 2003, Sections 154-159 4. Animal and Plant Inspection Act, Section 104: Chief of Agriculture and Quarantine Inspectors and Section 111	
2	Technical support of border control measures	X	Counter Terrorism Act, 2002, Section 118(2)(d) on r&d and information exchange on detection methods of sensitive materials and cross-border movement of nuclear, chemical and biological materials	X	Counter Terrorism Act, 2002, Section 118(2)(d) on r&d and information exchange on detection methods of sensitive materials and cross-border movement of nuclear, chemical and biological materials	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities			X	Customs Service	
5	Export control legislation in place			X	Counter Terrorism Act, 2002, Section 125 (1) (a), except as authorised by Cabinet	
6	Licensing provisions				1. animal health certificate required for importation 2. permit at discretion of Chief of Agriculture or phytosanitary certificate for importation	
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	X	1. Import Duties Act 1989, Section 209 2. Animal and Plant Inspection Act [8 MIRC 1], Section 108	X	1. Import Duties Act 1989, Customs Officer 2. Animal and Plant Inspection Act [8 MIRC 1], Section 108
21	Trans-shipment control				
22	Re-export control	X	Import Duties Act 1989, Section 208	X	Import Duties Act 1989, Customs Officer
23	Control of providing funds				
24	Control of providing transport services				
25	Control of importation	X	1. Import Duties Act 1989 2. Animal and Plant Inspection Act 3. RMI Quarantine Requirements for Animals 4. RMI Requirement for Importation of Seeds and Plants	X	1. Customs Service 2. Chief of Agriculture, permit at discretion of Chief of Agriculture or phytosanitary certificate for importation 3. animal health certificate required for importation 4. Counter Terrorism Act, 2002, Section 125 (1) (a), except as authorised by Cabinet
26	Extraterritorial applicability				
27	Other	X	Counter Terrorism Act 2002, Section 125 prohibits the import and export of weapons of mass destruction by non-state agents	X	Counter Terrorism Act 2002, Section 118(2)(b) on entry/exit data exchange; Section 124 obligation to report cross-border movement

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

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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. Import Duties Act 1989 2. Marshall Islands Ports Authority Act 2003, Section 153	X	1. Import Duties Act 1989 2. Customs Service 3. Marshall Islands Ports Authority Act 2003, Sections 154-159	
2	Technical support of border control measures	X	Counter Terrorism Act, 2002, Section 118(2)(d) on r&d and information exchange on detection methods of sensitive materials and cross-border movement of nuclear, chemical and biological materials	X	Counter Terrorism Act, 2002, Section 118(2)(d) on r&d and information exchange on detection methods of sensitive materials and cross-border movement of nuclear, chemical and biological materials	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Weapons Control Act, Sections 1302, 1303, 1329	X	Weapons Control Act, Sections 1302, 1303, 1329	
4	Enforcement agencies/authorities			X	Customs Service	
5	Export control legislation in place			X	Counter Terrorism Act, 2002, Section 125 (1) (a), except as authorised by Cabinet	
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority	X	Weapons Control Act, Sections 1310-1318	X	1. Weapons Control Act, Section 1329 2. Attorney General	
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	X	Import Duties Act 1989, Section 209	X	Import Duties Act 1989, Customs Officer	
21	Trans-shipment control					
22	Re-export control	X	Import Duties Act 1989, Section 208	X	Import Duties Act 1989, Customs Officer	
23	Control of providing funds					
24	Control of providing transport services					
25	Control of importation	X	Weapons Control Act, Sections 1310-1318, 1323	X	1. Weapons Control Act, Sections 1310-1318, 1323 2. Counter Terrorism Act, 2002, Section 25 (1) (a), except as authorised by Cabinet	
26	Extraterritorial applicability					
27	Other	X	Counter Terrorism Act 2002, Section 125 prohibits the import and export of weapons of mass destruction by non-state agents	X	Counter Terrorism Act, 2002, Section 24: obligation to report cross-border movement	



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

State:  
Date of Report:

**Marshall Islands**  
23 November 2004

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. Import Duties Act 1989 2. Marshall Islands Ports Authority Act 2003, Section 153	X	1. Import Duties Act 1989, Sections 215, 221-223 2. Customs Service 3. Marshall Islands Ports Authority Act 2003, Sections 154-159	
2	Technical support of border control measures	X	Counter Terrorism Act, 2002, Section 118(2)(d) on r&d and information exchange on detection methods of sensitive materials and cross-border movement of nuclear, chemical and biological materials	X	Counter Terrorism Act, 2002, Section 118(2)(d) on r&d and information exchange on detection methods of sensitive materials and cross-border movement of nuclear, chemical and biological materials	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities			X	Customs Service	
5	Export control legislation in place			X	Counter Terrorism Act, 2002, Section 25 (1) (a), except as authorised by Cabinet	
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	<b>X</b>	Import Duties Act 1989, Section 209	<b>X</b>	Import Duties Act 1989, Customs Officer	
21	Trans-shipment control					
22	Re-export control	<b>X</b>	Import Duties Act 1989, Section 208	<b>X</b>	Import Duties Act 1989, Customs Officer	
23	Control of providing funds					
24	Control of providing transport services	<b>?</b>	SUA Convention 2005 Protocol makes unauthorized transfer of special nuclear materials an offense			
25	Control of importation			<b>X</b>	Counter Terrorism Act, 2002, Section 25 (1) (a), except as authorised by Cabinet	
26	Extraterritorial applicability					
27	Other	<b>X</b>	Counter Terrorism Act 2002, Section 125 prohibits the import and export of weapons of mass destruction by non-state agents	<b>X</b>	Counter Terrorism Act, 2002, Section 24: obligation to report cross-border movement	

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

State:

Date of Report:

**Marshall Islands**

23 November 2004

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	1. Requires assistance with completing a review of its current national legislation in order to determine what further steps must be taken; 2. Needs particular assistance with implementation of trans-shipment controls	
5	Assistance in place (bilateral/plurilateral/multilateral)			
6	Information for industry			
7	Information for the public	X	In the process of developing a system to issue public announcements to raise awareness of the provisions of the key multilateral non-proliferation treaties and the Counter Terrorism Act, 2002	page 5 of the report