

Job 21-00488 (communication from Morocco on implementation of Nuclear Terrorism Convention – fair copy)

Translated from French

Measures taken by the Kingdom of Morocco to implement article 2 of the International Convention for the Suppression of Acts of Nuclear Terrorism, in particular legislative measures

Malicious acts involving nuclear and radioactive materials as defined in article 2 of the International Convention for the Suppression of Acts of Nuclear Terrorism are criminalized at the national level under several laws and legal instruments enacted by the Moroccan legislature with a view to suppressing acts of nuclear terrorism.

The following are the main national legislative instruments in this area:

1. **Act No. 03-03**, on combating terrorism, promulgated by means of Royal Decree (Dahir) No. 1-03-140 of 28 May 2003, articles 218-1, 218-7 (use, manufacture and production), 218-4 and 218-6 (participation and assistance in terrorist acts) of which cover acts of nuclear terrorism, albeit without mentioning them by name;
2. **Act No. 43-05**, on combating money-laundering, pursuant to which the Financial Intelligence Unit was established;
3. **The Criminal Code**, articles 129, 130, 293 and 294 of which cover terrorist activities in general;
4. **Act No. 142-12**, on the safety and security of nuclear and radiological materials and the establishment of the Moroccan Nuclear and Radiation Safety and Security Agency, which provides for a set of criminal and administrative penalties applicable to nuclear facilities and activities;
5. **Act No. 12-02**, on civil liability for nuclear damage, article 18 of which states: “Nothing in this Act shall exclude the liability of any natural person who, through an act or omission intended to cause damage, has caused nuclear damage for which the operator is not liable under articles 15 and 16 of this Act”;
6. **Act No. 42.18**, on export controls on dual-use goods, both civilian and military, and related services, adopted on 14 July 2020, which provides that dual-use goods shall be subject to controls if, based on intelligence, there is a presumption that such goods are wholly or partially intended to contribute to the proliferation of weapons of mass destruction.