

1540 COMMITTEE MATRIX OF ECUADOR

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 (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:

ECUADOR

Date of report:

7 April 2005

Date of first addendum:

10 January 2008

Date of Committee approval:

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 web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 7 March 1969	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Tlatelolco, deposit 11 February 1969	
3	Convention for the Suppression of Acts of Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 17 January 1996	

5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 12 November 2001	
7	Chemical Weapons Convention (CWC)	X	Deposit 6 September 1995	
8	Biological Weapons Convention (BWC)	X	Deposit 12 March 1975	
9	Geneva Protocol of 1925	X	Deposit 16 September 1970	
10	Other Conventions/Treaties	X	State party to 11 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1999 International Convention for the Suppression of the Financing of Terrorism (09/12/2003) Inter-American Convention against Terrorism International Health Regulation (2005)	
11	International Atomic Energy Agency (IAEA)	X	Since 3 March 1958	
12	Hague Code of Conduct (HCOC)	X	Subscribed	
13	Other Arrangements			
14	General statement on non-possession of WMD	X	State indicated in the Conference on Disarmament in 2013 that “Ecuador condemns nuclear weapons and other WMD”	
15	General statement on commitment to disarmament and non-proliferation	X	State indicated in the Conference on Disarmament in 2013 that “as long as nuclear weapons and other WMD exist, the grave threat of their use subsist for the survival of humankind..”	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it refrains from providing any support to non-State actor and exercises control over all activities designed to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery	
17	Other ¹	X	Member of: The World Health Organization (WHO) The World Organisation for Animal Health (OIE) INTERPOL World Customs Organisation (WCO) and its 2005 Framework of Standards to Secure and Facilitate Global Trade (SAFE Framework of Standards) International Maritime Organisation (IMO) Organization of American State (OAS) World Bank International Monetary Fund	

			Financial Action Task Force of Latin America (GAFILAT)	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

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

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X	X	X	NW/CW/BW: Penal Code (2014) Arts 254 and 362 NW: Constitution 2008 articles 417-422 and 425 in conjunction article 1 a) of the Treaty of Tlatelolco and the NTP CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC Act on the Manufacture, Import, Export, Sale and Possession of Weapons, Ammunitions, Explosives and Related Materials art. 4 (Objectives and scope) BW: Constitution 2008 articles 417-422 and 425 in conjunction with the BWC	X	X	X	NW/CW/BW: Penal Code (2014) Arts. 254 and 362	
2	acquire	X	X	X	NW/CW/BW: Penal Code (2014) Art. 362 NW: Constitution 2008 articles 417-422 and 425 in conjunction with article 1 a) of the Tlatelolco Treaty and the NTP	X	X	X	NW/CW/BW: Penal Code (2014) Art. 362	

					CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC BW: Constitution 2008 articles 417-422 and 425 in conjunction with the BWC					
3	possess	X	X	X	NW/CW/BW: Penal Code (2014) Arts. 254 and 362 NW: Constitution 2008 articles 417-422 and 425 in conjunction with article 1 b) of the Treaty of Tlatelolco CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC 2. Act on the Manufacture, Import, Export, Sale and Possession of Weapons, Ammunitions, Explosives and Related Materials" BW: Constitution 2008 articles 417-422 and 425 conjunction with the BWC	X	X	X	NW/CW/BW: Penal Code (2014) Arts. 254 and 362	
4	stockpile/store	X	X	X	NW/CW/BW: Penal Code (2014) Arts 254 and 362 NW: Constitution 2008 articles 417-422 and 425 in conjunction with article 1 b) of Tlatelolco Treaty CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC Act on the Manufacture, Import, Export, Sale and Possession of Weapons, Ammunitions, Explosives and Related Materials, art. 4 BW: Constitution 2008 articles 417-422 and 425 in conjunction with BWC	X	X	X	NW/CW/BW: Penal Code (2014) Arts. 254 and 362	

5	develop	X	X	X	NW/CW/BW: Penal Code (2014) Arts 254 and 362 CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC BW: Constitution 2008 articles 417-422 and 425 in conjunction with the BWC	X	X	X	NW/CW/BW: Penal Code (2014) Arts. 254 and 362	
6	transport	X	X	X	NW/CW/BW: Penal Code (2014) Arts 254 and 362	X	X	X	NW/CW/BW: Penal Code (2014) Arts. 254 and 362	
7	transfer	X	X	?	NW/CW/BW: Penal Code (2014) Arts. 254 and 362 CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC Act on the Manufacture, Import, Export, Sale and Possession of Weapons, Ammunitions, Explosives and Related Materials art. 4 (import, export, trade) BW: Constitution 2008 articles 417-422 and 425 in conjunction with the BWC	X	X	X	NW/CW/BW: Penal Code (2014) Arts 254 and 362	
8	use	X	X	X	NW/CW/BW: Penal Code (2014) Art 254 and 362 NW: Constitution 2008 articles 417-422 and 425 in conjunction with the Treaty of Tlatelolco CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC BW:	X	X	X	NW/CW/BW: Penal Code (2014) Art 254 and 362	

					Constitution 2008 articles 417-422 and 425 in conjunction with the 1925 Geneva Protocol					
9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Penal Code (2014) , Art 43	X	X	X	NW/CW/BW: Penal Code (2014) , Art 43	
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Penal Code (2014) , Art 42. 3 CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC	X	X	X	NW/CW/BW: Penal Code (2014) , Art 42. 3	
11	finance abovementioned activities	X	X	X	NW/CW/BW: Penal Code (2014) Art 362 and 367	X	X	X	NW/CW/BW: Penal Code (2014) Art 362 and 367	
12	abovementioned activities related to means of delivery ²		X	X	CW/BW: Penal Code (2014) Art 362 CW: Constitution 2008 articles 417-422 and 425 in conjunction with the CWC BW: Constitution 2008 articles 417-422 and 425 in conjunction with the BWC		X	X	CW/BW: Penal Code (2014) Art 362	
13	involvement of non-State actors in abovementioned activities	X	X	X	NW/CW/BW: Penal Code (2014) Arts 254 and 362	X	X	X	NW/CW/BW: Penal Code (2014) Arts 254 and 362	
14	Other	X			NW: Penal Code (2014) Art 366	X			NW: Penal Code (2014) Art 366	

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

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	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	X		NW: INFCIRC/231, amended SQP and Additional Protocol (24/10/2001) CW: Act on the manufacture, import, export, sale and possessives Weapons, ammunitions, explosives and related materials- Art. 4		X		CW: Act on the manufacture, import, export, sale and possessives Weapons, ammunitions, explosives and related materials- Art. 31	
2	Measures to account for use	X		?	NW: INFCIRC/231, amended SQP and Additional Protocol (24/10/2001) Law on public and State Security, Art. 2 Rules on Radiological Safety BW: Law on public and State Security, Art. 2					
3	Measures to account for storage	X	X		NW: INFCIRC/231, amended SQP and Additional Protocol (24/10/2001) CW: Act on the manufacture, import, export, sale and possessives Weapons, ammunitions, explosives and related materials- Art. 5		X		CW: Act on the manufacture, import, export, sale and possessives Weapons, ammunitions, explosives and related materials- Art. 31	

4	Measures to account for transport	X	X	X	NW/CW/BW: Law on the transport by land, traffic and road safety, Art 49 and Regulations (Title VI)				
5	Other measures for accounting		?		CW: Act on the manufacture, import, export, sale and possessives Weapons, ammunitions, explosives and related materials- Art. 5		?	CW: Act on the manufacture, import, export, sale and possessives Weapons, ammunitions, explosives and related materials- Art. 31	
6	Measures to secure production								
7	Measures to secure use								
8	Measures to secure storage	X			NW: Rules on Radiological Safety, Art 37 (radioactive sources)				
9	Measures to secure transport	X	X	X	NW/CW/BW: Law on the transport by land, traffic and road safety, Art 49 and Regulations Title VI			:	
10	Other measures for securing								
11	Regulations for physical protection of facilities/materials/ transports								
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X			NW: Rules on Radiological Safety, Title II, Chapter I (radioactive sources)	X		NW: Rules on Radiological Safety, Art. 34 (radioactive sources)	
13	Reliability check of personnel								
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)

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	Executive Decree 978 (2008)	X	Vice-Ministry for Nuclear Control and Applications (Ministry of Electricity and Renewable Resources)	
2	IAEA Safeguards Agreements	X	INFCIRC/231 (in force 10 March 1975) and amended SQP Additional Protocol in force 24 October 2001	X	INFCIRC/231 (in force 10 March 1975) and amended SQP Additional Protocol in force 24 October 2001	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
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	
5	IAEA Incident and Trafficking Database	X	Participates	X	Participates	
6	Other Agreements related to IAEA	X	Co-operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL)	X	Co-operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL)	
7	Additional national legislation/regulations related to nuclear materials including					

	CPPNM					
8	Other	X	Approved INSSP	X	Approved INSSP	

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

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	Executive Decree No. 246-A	X	Ministry of Foreign Affairs	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Initial declaration	X	Initial declaration	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other					

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

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	
1	Regulations for genetic engineering work	X	Constitution (2008) Art 401 Law 37/1999 Environmental Management			
2	Other legislation/ regulations related to safety and security of biological materials	X	Law for the conservation and sustainable use of biodiversity, Title IV Chapter VI	X	Law for the conservation and sustainable use of biodiversity, Title VIII	
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

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	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	NW/CW/BW: Organic Code for the Production, Trade and Investment	X	X	X	NW/CW/BW: National Customs Service Combined Armed Forces Command has set up 17 weapons-control units as well as border controls at national level	
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	X		NW: Rules on Radiological Safety Executive Decree 978 (2008) CW: Act on the Manufacture, Import, Export, Sale and Possession of Weapons, Ammunitions, Explosives and Related Materials	X	X		NW: Vice-Ministry for Nuclear Control and Applications (Ministry of Electricity and Renewable Resources) CW: Ministry of Defence	
5	Export control legislation in place	X	X	X	NW/CW/BW: Penal Code , Art 362 CW: Act on the Manufacture, Import, Export, Sale	X	X	X	NW/CW/BW: Penal Code , Art 362 CW: Act on the Manufacture, Import, Export, Sale	

					and Possession of Weapons, Ammunitions, Explosives and Related Materials				and Possession of Weapons, Ammunitions, Explosives and Related Materials	
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	?	?	?	NW/CW/BW: Organic Code for the Production, Trade and Investment					
21	Trans-shipment control									
22	Re-export control	X	X	X	NW/CW/BW: Penal Code , Art 362	X	X	X	NW/CW/BW: Penal Code , Art 362	
23	Control of providing funds	X	X	X	NW/CW/BW: Penal Code (2014) Art 362 and 367	X	X	X	NW/CW/BW: Penal Code (2014) Art 362 and 367	
24	Control of providing transport services	X	X	X	NW/CW/BW: Regulations of the Law on the transport by					

					land, traffic and road safety, Art. 54					
25	Control of importation	X	X	x	NW/CW/BW: Penal Code , Arts 254 and 362 NW: Rules on Radiological Safety (radioactive sources) CW: Act on the Manufacture, Import, Export, Sale and Possession of Weapons, Ammunitions, Explosives and Related Materials	X	X	X	NW/CW/BW: Penal Code , Arts 254 and 362 NW: Rules on Radiological Safety, (radioactive sources) CW: Ministry of Defence to prohibit import of weapons	
26	Extraterritorial applicability									
27	Other									

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

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	(Date of Request: 7 April 2005) Regarding domestic controls: Support needed in the form of resources, equipment and staff training for the prevention and control of WMD and their means of delivery Advice with a view to amending regulations for the existing Act on the Manufacture, Import, Export, Sale and Possession of Weapons, Ammunition, Explosives and Related Materials with regard to the management of WMD	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
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.