

1540 COMMITTEE MATRIX OF GUATEMALA

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: GUATEMALA
Date of report: 27 October 2004
Date of first addendum: 3 December 2013

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 22 September 1970	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Tlatelolco, Deposit 6 February 1970	
3	Convention for the Suppression of Acts of Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 23 April 1985	
5	2005 Amendment to the CPPNM			

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 12 January 2012	
7	Chemical Weapons Convention (CWC)	X	Deposit 12 February 2003	
8	Biological Weapons Convention (BWC)	X	Deposit 19 September 1973	
9	Geneva Protocol of 1925	X	Deposit 3 May 1983	
10	Other Conventions/Treaties	X	State party to 12 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1997 International Convention for the Suppression of Terrorist Bombings (12/02/2002) 1999 International Convention for the Suppression of the Financing of Terrorism (12/02/2002) 2005 International Health Regulations Sea-Bed Treaty Inter-American Convention against Terrorism	
11	International Atomic Energy Agency (IAEA)	X	Since 1957	
12	Hague Code of Conduct (HCOC)	X	Subscribed 19 May 2004	
13	Other Arrangements			
14	General statement on non-possession of WMD	X	State reports that it does not possess weapons of mass destruction.	
15	General statement on commitment to disarmament and non-proliferation	X	State reports that it is fully committed to the objectives of non-proliferation treaties.	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it does not provide support to non-State actors that seek WMD.	
17	Other ¹	X	Member of: The World Health Organization (WHO) The World Organisation for Animal Health (OIE) INTERPOL World Customs Organisation (WCO) International Maritime Organisation (IMO) Organization of American State (OAS)	

			World Bank Group International Monetary Fund (IMF) GAFILAT Central American Regional Integration System (SICA)	
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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: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 17, 82, CW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 15, 82, Penal Code Art 287 BW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 16, , 82	X	X	X	NW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126 CW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112, 116, 126 Penal Code Art 287 BW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126	
2	acquire	?	X	?	NW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 17, 82 CW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 15, 82 Penal Code Art 287 BW: Arms and Ammunition Act (Decree-Law	?	X	?	NW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126 CW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112, 116, 126 Penal Code Art 287 BW: Arms and Ammunition Act (Decree-Law	

				No.15-2009) Art. 2, 5, 16, , 82			No.15-2009), Articles 82, 99, 112, 116, 126	
3	possess	X	X	X NW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 17, 82, 97 CW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 15, 82, 97 Penal Code Art 287 BW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 16, 30, 82, 97	X	X	X NW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126 CW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126 Penal Code Art 287 BW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126	
4	stockpile/store	X	X	X NW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 17, , 116 CW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 15, ,116 BW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 16, 116	X	X	X NW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 112,116 CW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 112,116 BW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 112,116	
5	develop							
6	transport	X	X	X NW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 17, 82, 126 (to carry) CW: Arms and Ammunition Act (Decree-Law No.15-2009)	X	X	X NW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126 CW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126	

				Art. 2, 5, 15, 82, 126 (to carry) BW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 2, 5, 16, , 82, 126 (to carry)				BW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 82, 99,112,116,126	
7	transfer	X	X	X NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-2009) Articles 2, 5, 16, 82 (brokering, import, export)	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-2009), Articles 2, 5, 16, 82 (brokering, import, export)	
8	use	?	?	? NW/CW/BW: Penal Code Article 391 (as amended) (terrorism/using explosive material of great destructive power)	?	?	?	NW/CW/BW: Penal Code Article 391 (as amended) (terrorism)	
9	participate as an accomplice in abovementioned activities	X	X	X NW/CW/BW: Penal Code, Art. 35, 37	X	X	X	NW/CW/BW: Penal Code Articles 35, 36, 37, 38, 391	
10	assist in abovementioned activities	X	X	X NW/CW/BW: Penal Code	X	X	X	NW/CW/BW: Penal Code	
11	finance abovementioned activities	X	X	X NW/CW/BW: Law No. 58 - 2005 on terrorism financing, Article 4 and 5	X	X	X	NW/CW/BW: Law 58-2005 on financing terrorism, Article 4 and 5 Special Verification Unit under the Banks Superintendence (FIU)	
12	abovementioned activities related to means of delivery ²	?	X	X NW: Arms and Ammunition Act (Decree-Law No.15-2009), Art 17 CW: Arms and Ammunition Act (Decree-Law No.15-2009), Art 15 BW: Arms and Ammunition Act (Decree-Law No.15-2009)	?	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-2009)	

13	involvement of non-State actors in abovementioned activities	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No. 15-2009) Art. 5 Penal Code	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No. 150-2009) Penal Code	
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

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	NW: INFCIRC/299 and Additional Protocol (28/05/08) and amended SQP (26/04/2011) Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(articles 6 and 7) Health Code, Art 208 CW: Decree 43/74, Act regulating the importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures. BW: Health Code Decree N 36-98 Plant and Animal Health Act Government Agreement 745-99, Regulations of the Plant and Animal Health Act	X	?	X	NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(Chapter X) CW: Decree 43/74, Act regulating the importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures. BW: Health Code Decree N 36-98 Animal Plant Health Act, Art. 36-48 Government Agreement 745-99, Regulations of the Plant and Animal Health Act	
2	Measures to account for use	X	?	X	NW: INFCIRC/299 and Additional Protocol (28/05/08) and amended SQP (26/04/2011) Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(articles 6 and 7) Radiological Safety and Protection Regulations of the Act on the control, use and application	X	?	X	NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(Chapter X) Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation	

				<p>of radioisotopes and ionizing radiation Health Code, Art 208</p> <p>CW: Decree 43/74, Act regulating the importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures.</p> <p>BW: Decree N 36-98 Animal and Plant Health Act Act Art. 6, 11, 20 Government Agreement 745-99 Regulations of the Plant and Animal Health Act</p>				<p>CW: Decree 43/74, Act regulating the importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures.</p> <p>BW: Decree N 36-98 Animal Plant Health Act, Art. 36-48 Government Agreement 745-99 Regulations of the Plant and Animal Health Act</p>		
3	Measures to account for storage	X	?	X	<p>NW: INFCIRC/299 and Additional Protocol (28/05/08) and amended SQP (26/04/2011) Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(articles 2 and 31) Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation Health Code, Art 208</p> <p>CW: Decree 43/74, Act regulation the importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures</p> <p>BW: Decree N 36-98 Animal and Plant Health Act Act Art. 6, 11, 20 Government Agreement 745-99 Regulations of the Plant and Animal Health Act</p>	X	?	X	<p>NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(Chapter X) Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation</p> <p>CW: Decree 43/74, Act regulating the importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures.</p> <p>BW: Decree N 36-98 Animal Plant Health Act, Art. 36-48 Government Agreement 745-99 Regulations of the Plant and Animal Health Act</p>	

4	Measures to account for transport	X	?	X	<p>NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(articles 8 and 25) Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation Health Code, Art 208</p> <p>CW: Decree 43/74, Act regulating the importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures</p> <p>BW: Decree N 36-98 Animal and Plant Health Act Act Articles 6, 11, 20 Government Agreement 745-99 Government Agreement 745-99 Regulations of the Plant and Animal Health Act</p>	X	?	X	<p>NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(Chapter X) Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation</p> <p>CW: Decree 43/74, Act regulating the importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures.</p> <p>BW: Decree N 36-98 Animal Plant Health Act, Articles 36-48 Government Agreement 745-99 Regulations of the Plant and Animal Health Act</p>	
5	Other measures for accounting	X	X	X	<p>NW: Radioactive Waste Management Regulations - Governmental Decision No. 559-98</p> <p>CW: Governmental Decision 54-2003, Regulations for the control of precursors and chemicals</p> <p>BW: Ministerial Agreement 1221-2004</p>	X	X		<p>NW: Radioactive Waste Management Regulations - Governmental Decision No. 559-98, Chapter XI</p> <p>CW: Governmental Decision 54-2003, Regulations for the control of precursors and chemicals, Chapter V</p>	
6	Measures to secure production	X		X	<p>NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation, Regulations on security and radiological protection - (Governmental agreement No. 55-2001, art. 26, 27 46, 47, 174, 186) Radioactive Waste Management Regulations</p>	X		X	<p>NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(Chapter X)</p>	

				<p>— Governmental Decision No. 559-98, Articles 7 and 25 Health Code, Art 208</p> <p>BW: Decree N 36-98 Animal and Plant Health Act Act Art. 6, 11, 20 Ministerial Agreement 1221-2004 Government Agreement 745-99</p>					
7	Measures to secure use	X	X	<p>NW: Decree Law 11- 86 article 8.10 (Act on the control, use and application of radioisotopes and ionizing radiation) Radioactive Waste Management Regulations — Governmental Decision No. 559-98, Article 7 Health Code, Art 208</p> <p>BW: Decree N 36-98 Animal and Plant Health Act Act Art. 6, 11, 20 Ministerial Agreement 1221-2004 Government Agreement 745-99</p>	X	X		<p>NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation,(Chapter X)</p> <p>BW: Decree N 36-98 Animal Plant Health Act, Art. 36-48</p>	
8	Measures to secure storage	X	X	X	X	X	<p>NW/CW/BW: ISPS Code Health Code, Art 106 Regulations for the management of solid hospital wastes (Government Decree 509-2001)</p> <p>NW: Decree- law 11-86 articles 8.10 (Act on the control, use and application of radioisotopes and ionizing radiation Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation Radioactive Waste Management Regulations — Governmental Decision No. 559-98, Article 5 Health Code, Art 208</p>	<p>NW/CW/BW: Regulations for the management of solid hospital wastes (Government Decree 509-2001), Chapter 7</p> <p>NW: Decree- law 11-86 articles 8.10 (Act on the control, use and application of radioisotopes and ionizing radiation Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation</p>	

					2,5,6,7,10,16,20,24,26,143 to 147- on Agricultural plagues and related substances Ministerial Decision No 1221-2004- Regulation for registration of individual and entities interested in conducting activities links to agricultural inputs. Decree No. 36-98 on Animals and Vegetable Sanity art. 32 -Ministry of Agriculture, livestock and feeding (MAGA) regulates the activities of chemicals, chemical pharmaceutical and biological related					
11	Regulations for physical protection of facilities/ materials/ transports	X	X	X	NW/CW/BW: Regulations for the management of solid hospital wastes (Government Decree 509-2001) NW: Radioactive Waste Management Regulations Agreement No 559-98 articles 5-7, 10-11, 19-20, 25, 32-33.	X	X	X	NW/CW/BW: Regulations for the management of solid hospital wastes (Government Decree 509-2001) Chapter 7	
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X		X	NW: Decree Law 11-86 on the control, use and application of radioisotopes and ionizing radiation. Radioactive Waste Management Regulations — Governmental Decision No. 559-98 Health Code, Art. 210 BW: Health Code, Chapter VI Decree-Law No. 36-98 - Plant and Animal Health Act Article 6 and regulations (Ministerial Decision No. 1221- 2004)	X		X	NW: Decree-law 11-86 (Act on the control, use and application of radioisotopes and ionizing radiation chapter X Health Code, Art 226, 230 BW: Health Code, Art. 228 Decree-Law No. 36-98 - Plant and Animal Health Act Articles 36 to 48	
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	Department of Energy: Decree Law 11-86 - Act on the control, use and application of radioisotopes and ionizing radiation, Chapter II Radiological Safety and Protection Regulations - Governmental Decision No. 55-2001	X	Directorate General of Energy, Ministry of Energy	
2	IAEA Safeguards Agreements	X	Safeguards Agreement INFCIRC/299 in force 01 February 1982 Additional Protocol, (28/05/2008)	X	Safeguards Agreement INFCIRC/299 in force 01 February 1982 Additional Protocol, (28/05/2008)	
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					
6	Other Agreements related to IAEA	X	Convention on Early Notification of a Nuclear Accident	X	Convention on Early Notification of a Nuclear Accident	

			Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency Co-operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL)		Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency 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	Radioactive Waste Management Regulations Governmental Decision No. 559-98	X	Radioactive Waste Management Regulations - Governmental Decision No. 559-98	

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	Governmental Decision No. 521-2007	X	Ministry of Foreign Affairs	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Presented initial declaration	X	Presented initial declaration	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Decree-law No. 123-85 on Restricted Substances Art. 3-9, 11-12, 24-36 and Governmental Regulation No. 55/01. Decree Law No 43-74 regulating manufacture, storage, transport, sale import and use of pesticides, art. 1-3, 5, 7,11and 13 Ministerial Decision No. 152/93 Technical supervision procedures (pesticides, fertilizers)	X	Decree No 123/85 article 27 Ministerial Decision No. 152/93 Technical supervision procedures	
5	Other	X	Decree 341-2013, approving the Policy for the Environmentally Management of Chemical Products and Toxic Wastes	X	Ministry of Environment and Natural Resources	

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

State:
Date

{State's name}

(date)

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	Ministerial Decree 393-98 establishing the requirement for the importation, transport, management of GMOs	X	Ministerial Decree 393-98 establishing the requirement for the importation, transport, management of GMOs, Art 10	
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other	X	Ministerial Decree No. 631-2001			

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, and 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: Decree 14-2013, National Customs Law Decree 1-98 Organic Law of the Superintendence of Tax Administration 2. Central American Uniform Custom Code (CAUCA IV) 3. Regulation to the Central American Uniform Custom Code (RECUACA IV).	X	X	X	NW/CW/BW: Superintendence of Tax Administration Ministry of Public Health and Social Welfare Ministry of National Defense Ministry of Interior National Civil Police	
2	Technical support of border control measures	X	?	?	NW/CW/BW: X-ray, radiation detection equipment at the main points of entry	X	?	?	NW/CW/BW: X-ray, radiation detection equipment at the main points of entry	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology									
4	Enforcement agencies/authorities	X	X	X	NW/CW/BW: Decree -Law N.15-2009) Art. 22 NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation Health Code	X	X	X	NW/CW/BW: Ministry of Defence, Directorate for the control of arms and ammunition (DIGECAM) NW: Ministry of Energy and Mines Ministry of Health	

					CW: Ministerial Decision No. 152/93 Technical supervision procedures (pesticides)				CW: Ministry of Agriculture, Livestock and Food	
					BW: Decree 36-98 Plant and Animal Health Act				BW: Ministry of Agriculture, Livestock and Food	
5	Export control legislation in place	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No. 38-89) as amended by Decree-Law No. 74-90 (Arms) NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation, Article 8.10 Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation Health Code CW: Ministerial Decision No. 152/93 Technical supervision procedures BW: Decree N 36-98 Plant and Animal Health Act Government Agreement 745-99, Regulations of the Plant and Animal Health Act	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No. 38-89) as amended by Decree-Law No. 74-90, (Arms) NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation, Chapter X Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation Health Code, Art 226 CW: Ministerial Decision No. 152/93 Technical supervision procedures BW: Decree N 36-98 Plant and Animal Health Act Government Agreement 745-99, Regulations of the Plant and Animal Health Act	
6	Licensing provisions	X	?	?	NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation, Article 8.10 and Chapter IV CW: Ministerial Decision No. 152/93 Technical supervision procedures (pesticides)	X	?	?	NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation, Chapter X CW: Ministerial Decision No. 152/93 Technical supervision procedures (pesticides)	

				BW: Plant and Animal Health Act (phytosanitary and zoo sanitary certificates)			BW: Plant and Animal Health Act (phytosanitary and zoo sanitary certificates)	
7	Individual licensing	X	?	NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation, Article 8.10 and Chapter IV CW: Ministerial Decision No. 152/93 Technical supervision procedures (pesticides)	X	?	NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation, Chapter X CW: Ministerial Decision No. 152/93 Technical supervision procedures (pesticides)	
8	General licensing							
9	Exceptions from licensing							
10	Licensing of deemed export/visa							
11	National licensing authority	X	?	NW: Ministry of Energy and Mines- General Directorate of Energy Ministry of Health CW: Ministry of Agriculture, Livestock and Food BW: Ministry of Agriculture, Livestock and Food	X	?	NW: Ministry of Energy and Mines- General Directorate of Energy Ministry of Health CW: Ministry of Agriculture, Livestock and Food BW: Ministry of Agriculture, Livestock and Food	
12	Interagency review for licenses							
13	Control lists	X		NW: Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation				
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	X	X	NW/CW/BW: Central American Common Customs Code (CAUCA IV) Regulations of the Central American Common Customs Code (RECAUCA IV)				
21	Trans-shipment control	X	X	X	NW/CW/BW: Central American Common Customs Code (CAUCA IV) art. 67 and 70 Regulations of the Central American Common Customs Code (RECAUCA IV)				
22	Re-export control	X	X	X	NW/CW/BW: Central American Common Customs Code (CAUCA IV) Regulations of the Central American Common Customs Code (RECAUCA)				
23	Control of providing funds	X	X	X	NW/CW/BW: Law No. 58 - 2005 on terrorism financing, Article 4 and 5	X	X	X	NW/CW/BW: Law No.58 - 2005 on terrorism financing, Articles 4 and 5 Special Verification Unit under the Banks Superintendence (FIU)
24	Control of providing transport services								
25	Control of importation	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-2009) Art. 82 (arms) Health Code, Art. 73 Act for the Protection of the Environment (Decree 68-86), Art 7 NW: Act on the control, use and application of radioisotopes and ionizing radiation Radiological Safety and Protection Regulations - Governmental Decision No. 55-2001	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No. 38-89) as amended by Decree-Law No. 74-90, Title VI(arms) Act for the Protection of the Environment (Decree 68-86), Title V NW: Act on the control, use and application of radioisotopes and ionizing radiation, Chapter X Radiological Safety and Protection Regulations of the Act on the control, use and

					CW: Decree-Law No. 43-74. Act regulating the Import, Manufacture, Storage, Transport, Sale and Use of Pesticides BW: Decree N 36-98 Plant and Animal Health Act Government Agreement 745-99, Regulations of the Plant and Animal Health Act Ministerial Decree 393-98 establishing the requirement for the importation, transport, management of GMOs			application of radioisotopes and ionizing radiation Health Code, Art 226 CW: Decree-Law No. 43-74: Fines BW: Decree N 36-98 Plant and Animal Health Act Government Agreement 745-99, Regulations of the Plant and Animal Health Act Ministerial Decree 393-98 establishing the requirement for the importation, transport, management of GMOs, Art X		
26	Extraterritorial applicability									
27	Other	X	X	X	NW/CW/BW: Restricted Items Act and its implementing regulations Decree-Law No. 123-85: Licenses activities involving the manufacture, processing, import, export, storage, transport, acquisition, transfer and use of restricted items mentioned in article 2 (items to produce explosives) BW: Ministerial Decision No. 631-2001	X	X	X	NW/CW/BW: The Governments of Guatemala and Mexico signed a memorandum of understanding on the establishment of a high-level border security group (GANSEF) in order to protect their common border	

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	<p>Assistance to enhance the capacity for immediate response to incidents, accidents and malicious acts that might threaten national security (physical security of radioactive sources).</p> <p>Assistance to ensure the electronic transmission of information among the entities involved in authorizing the import and export of chemical, biological and nuclear substances for peaceful purposes.</p>	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	<p>In 2010, the Guatemalan Customs Administration implemented the Authorized Economic Operator Programme, which is based on the best practice recommendations under Pillar 2 of the WCO SAFE Framework of Standards to Secure and Facilitate Global Trade. Under this programme, parties involved in the international trade supply chain can qualify as “trusted operators” in accordance with international standards for administrative security, general security and personnel security. In December 2013, two parties have achieved this status and authorization is pending for several more.</p> <p>The Plan to Counter Organized Crime and Related Activities has been implemented through the Conference of Central American Armed Forces. The Plan provides for regular meetings for the exchange of information among intelligence officers from member countries.</p> <p>Similarly, border unit commanders have held regular meetings for the exchange of information with Mexico, El Salvador and Honduras.</p>	
7	Work with and inform industry	X	The Ministry of Foreign Affairs is working with Guatemala universities by transmitting to them information and invitations to participate in different activities organized by the OPCW	

8	Work with and inform the public			
9	Point of Contact	X	Disarmament and International Security Desk Office on Multilateral Policy Ministry of Foreign Affairs Permanent Mission of Guatemala to the United Nations	
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.