

APPROVED 1540 COMMITTEE MATRIX

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), 1977 (2011), 2055 (2012) and 2325 (2016). 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.

Matrix entries are only indicators of fact and not indicators of the degree of compliance under resolution 1540 (2004) and its successor resolutions. Thus:

An “X” in any data field signifies only that the 1540 Committee considers that a State has taken the steps required, and/or has provided specific references to the applicable legal basis or executive behaviour as evidence of such steps. An “X” against any data field does not necessarily signify that a State has met in full its 1540 obligations for that data field.

A “?” in any data field signifies that the references to legislative or other measures may not be directly relevant or are incomplete.

A “NA” (Not Applicable) in any data field signifies that the data field is not applicable to that State where through legally binding instruments States specified that they do not possess related materials or facilities.

A blank in any data field signifies that there is insufficient information available to enter an “X” or “?” against a particular data field.

State: **Republic of Guatemala**

Date of Report: **27 October 2004**

Dates of Additional Reports: **3 December 2013**

Date of Approval: **9 December 2020**

I. OP 1 and related matters from OP 5, OP 8 (a), (b), (c) and OP10

Adherence to legally binding instruments, membership of organisations, participation in arrangements and statements made.	Relevant information (i.e. signing, deposit of instrument of 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)	Deposit 22 September 1970	
2 Nuclear Weapons Free Zone/ Protocol(s)	Treaty of Tlatelolco: Deposit 6 February 1970	
3 International Convention for the Suppression of Acts of Nuclear Terrorism	Deposit 26 September 2018	
4 Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit 23 April 1985	
5 2005 Amendment to the CPPNM		
6 Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit 12 January 2012	
7 Chemical Weapons Convention (CWC)	Deposit 12 February 2003	
8 Biological Weapons Convention (BWC)	Deposit 19 September 1973	
9 Geneva Protocol of 1925	Deposit 3 May 1983	
10 1997 International Convention for the Suppression of Terrorist Bombings	Deposit 12 February 2002	
11 1999 International Convention for the	Deposit 12 February 2002	

	Suppression of the Financing of Terrorism		
12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation		
13	2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf		
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation		
15	Other relevant regional legally binding instruments	Inter-American Convention against Terrorism: Deposit 3 January 2006	
16	International Atomic Energy Agency (IAEA)	Since 1957	
17	Directly relevant Arrangements	Hague Code of Conduct (HCoC)	
18	Statement on non-provision of WMD and related materials to non-State actors	State reports that it does not provide support to non-State actors that seek WMD.	
19	Membership in relevant international, regional or sub-regional organisations	The World Health Organization (WHO) The World Organisation for Animal Health (OIE) INTERPOL World Customs Organization (WCO) - SAFE Framework International Maritime Organization (IMO) Organization of American States (OAS) World Bank Group International Monetary Fund (IMF) GAFILAT Central American Regional Integration System (SICA) Inter-Parliamentary Union (IPU)	

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

National legislation which prohibits persons or entities to engage in one of the following activities and its enforcement		National legal framework						Enforcement and civil/criminal penalties			Remarks
		X / ?			Source document of national implementation law	X / ?			Source document		
		N W	C W	B W		N W	C W	B W			
1	manufacture	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09) Arts. 2, 15, 16, 17, 82						
2	acquire	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09) Arts. 2, 15, 16, 17, 82	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09). Art. 120		
3	possess	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09). Arts. 2, 5, 15, 16,17, 82, 112	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09). Art. 112		
4	develop										
5	transport	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09). Arts. 2, 5, 17, 82, 126 (to carry)	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09), Arts. 118, 120, 126		
6	transfer	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09). Arts. 2, 15, 16, 17, 82, 120 (brokering, import, export)	X	X	X	NW/CW/BW: Arms and Ammunition Act (Decree-Law No.15-09). Art. 120		
7	use	?			NW: Penal Code Art. 391 (as amended) (terrorism/using explosive material of great destructive power)	?			NW: Penal Code Art. 391 (as amended) (terrorism)		
8	attempt to engage in abovementioned activities	X	X	X	NW/CW/BW: Penal Code. Art. 14	X	X	X	NW/CW/BW: Penal Code. Art. 63		

9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Penal Code. Arts. 35 and 37	X	X	X	NW/CW/BW : Penal Code Arts. 35, 36, 37, 63
10	assist in abovementioned activities								
11	finance abovementioned activities	X	X	X	NW/CW/BW: Law No. 58 - 2005 on terrorism financing, Arts. 4 and 5 Decree No. 67 – 2001, Art 33 on the creation of the Special Verification Unit	X	X	X	NW/CW/BW: Law No. 58-2005 on financing terrorism. Arts. 4 and 5 Decree No. 67 – 2001, Art 33 on the creation of the Special Verification Unit Special Verification Unit under the Banks Superintendence (FIU)
12	abovementioned activities related to means of delivery ¹	?	X	X	NW: Arms and Ammunition Act (Decree-Law No.15-09). Art. 17 CW: Arms and Ammunition Act (Decree-Law No.15-09). Art. 15 BW: Arms and Ammunition Act (Decree-Law No.15-09). Art. 16				

1. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons that are specially designed for such use.

III. OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials ²

Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials		National legal and/or regulatory framework				Enforcement and civil/criminal penalties				Remarks
		X / ?			Source document	X / ?			Source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	?	X	<p>NW: INFCIRC/299 and Additional Protocol (28 May of 2008) and SQP (26 April of 2011) Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation. Art 8.10 Decree No. 90/97 on Health Code. Art. 208</p> <p>CW: Decree No. 43/74, on regulation of importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93. Technical supervision procedures</p> <p>BW: Decree No. 36/98. Plant and Animal Health Act. Art 6 f)</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>CW: Decree No. 43/74, on regulation of importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures</p> <p>BW: Decree No. 36/98. Animal Plant Health Act. Art. 36, 43</p>	
2	Measures to account for use	X	?	X	<p>NW: INFCIRC/299 and Additional Protocol (28 May of 2008)) and amended SQP (26 April of 2011) Decree-law No 11/86 on the control, use and application of radioisotopes and ionizing radiation. Art. 8.10 Radiological Safety and Protection Regulations of the Act on control, use and application of radioisotopes and ionizing radiation. Art. 4 Decree No. 90/97 on Health Code. Art. 208</p> <p>CW: Decree No. 43/74, on regulation of</p>	X	?	X	<p>NW: Decree-law No. 11/86 on control, use and application of radioisotopes and ionizing radiation (Chapter X) Radiological Safety and Protection Regulations of the Act on control, use and application of radioisotopes and ionizing radiation. Art. 177</p> <p>CW: Decree No. 43/74, on regulation of importation,</p>	

				importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures BW: Decree No. 36-98. Animal and Plant Health Act. Art. 6 f)			production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures BW: Decree No. 36-98. Animal Plant Health Act. Art. 36		
3	Measures to account for storage	X	?	X	X	?	X	NW: INFCIRC/299 and Additional Protocol (28/05/08) and amended SQP (26/04/2011) Radiological Safety and Protection Regulations of the Act on control, use and application of radioisotopes and ionizing radiation. Arts. 4 and 38 Decree No. 90/97 on Health Code. Art 208 CW: Decree No. 43/74, on regulation of importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93. Technical supervision procedures BW: Decree No. 36-98. Animal and Plant Health Act. Art. 6 f) Regulations for the management of solid hospital wastes (Governmental Agreement 509-2001). Art. 10	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 control, use and application of radioisotopes and ionizing radiation. Art. 177 CW: Decree No. 43/74, on regulation of importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93. Technical supervision procedures BW: Decree No. 36-98. Animal Plant Health Act. Art. 36 Regulations for the management of solid hospital wastes (Governmental Agreement 509-2001). Art. 10
4	Measures to account for transport	X	?	X	X	?	X	NW: Decree-law No. 11/86 on control, use and application of radioisotopes and ionizing radiation. Art. 8.10 Radiological Safety and Protection Regulations of the Act on control, use and application of radioisotopes and ionizing radiation. Arts. 4 and 38 Decree No. 90/97 on Health Code. Art. 208 CW: Decree No. 43/74, Act regulating the	NW: Decree-law No. 11/86 on control, use and application of radioisotopes and ionizing radiation, (Chapter X) Radiological Safety and Protection Regulations of the Act on control, use and application of radioisotopes and ionizing radiation. Art. 177 CW: Decree No. 43/74, Act regulating the

					importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93 Technical supervision procedures BW: Decree No. 36-98. Animal and Plant Health Act. Art. 20 Regulations for the management of solid hospital wastes (Governmental Agreement 509-2001). Arts. 10 and 25 10)				importation, production, storage, transport, sale and use of pesticides Ministerial Decision No. 152/93. Technical supervision procedures. BW: Decree No. 36-98. Animal and Plant Health Act. Art. 36 Regulations for the management of solid hospital wastes (Governmental Agreement 509-2001). Arts. 10 and 25 10)	
5	Measures to secure production	N A			NW: SQP	N A			NW: SQP	
6	Measures to secure use	N A			NW: SQP	N A			NW: SQP	
7	Measures to secure storage	N A	?	?	NW/CW/BW: ISPS Code NW: SQP	N A			NW: SQP	
8	Measures to secure transport		?	?	NW/CW/BW: ISPS Code NW/CW: Regulation of the Central American Common Custom Code (RECAUCA), Arts. 234, 242 and 243 on transport of dangerous goods					
9	Physical protection measures	N A			NW: SQP	N A			NW: SQP	
10	Personnel Reliability									

2. 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))

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

Measures to establish domestic controls to prevent the proliferation of NW, and their means of delivery; controls over related materials		Source document	Remarks
1	National regulatory authority	Directorate General of Energy, Ministry of Energy and Mines Decree Law No. 11-86 - Act on control, use and application of radioisotopes and ionizing radiation, Chapter II	
2	Licensing of nuclear installations/entities/ use of materials	Decree Law No. 11-86 on control, use and application of radioisotopes and ionizing radiation. Radioactive Waste Management Regulations — Governmental Agreement No. 559-98 Decree No. 90/97 on Health Code. Art. 210	
3	IAEA Safeguards Agreements	Safeguards Agreement INFCIRC/299 in force 1 February 1982 Additional Protocol (28 May 2008)	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Expressed support	
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	Expressed support	
6	IAEA Incident and Trafficking Database		
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)		
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5		

9	Other Agreements related to IAEA	Convention on Early Notification of a Nuclear Accident (Deposit 8 August 1988) Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (Deposit 8 August 1988) Co-operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL) (Deposit 25 August 2010)	
10	National legislation and regulations related to nuclear material including CPPNM		

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

Measures to establish domestic controls to prevent the proliferation of CW, and their means of delivery; controls over related materials		Source document	Remarks
1	National CWC authority	National Authority for the Prohibition of Chemical Weapons. Ministry of Foreign Affairs Governmental Decision No. 521-2007	
2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials		
3	Old or abandoned chemical weapons		

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

Measures to establish domestic controls to prevent the proliferation of BW, their means of delivery; controls over related materials	Source document	Remarks
1 Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	Decree-Law No. 36-98 - Plant and Animal Health Act. Art. 6 and regulations (Ministerial Decision No. 1221- 2004)	

VII. OP 3 (c) and (d) and related matters from OP 6 - Controls of NW, CW and BW, including Related Materials

Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery including related materials		National legal framework					Enforcement and civil/criminal penalties					Remarks
		X /?			Source document	X /?			Source document			
		N W	C W	B W		N W	C W	B W				
1	Border control to detect, deter, prevent and combat illicit trafficking	X	X	X	<p>NW/CW/BW: Decree No. 14-2013, National Customs Law Central American Uniform Custom Code (CAUCA IV). Art 63 and 64 Regulation to the Central American Uniform Custom Code (RECAUCA IV). Art. 5 o) and r) Inter-institutional Coordination Agreement to exercise coordinated controls on the entry and exit of people, goods and means of transport at border posts, seaports and airports in the Republic of Guatemala</p>	X	X	X	<p>NW/CW/BW: Superintendence of Tax Administration Ministry of Public Health and Social Welfare Ministry of National Defense Ministry of Interior National Civil Police</p>			
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	<p>NW/CW/BW: Central American Uniform Customs Code (CAUCA IV). Art. 6 Regulations to the Central American Uniform Custom Code (RECAUCA IV). Art. 5 o) Decree -Law No. 15-09). Art. 22</p> <p>NW: Decree-law No. 11/86 on control, use and application of radioisotopes and ionizing radiation. Art 5 Decree No. 90/97 on Health Code. Art. 208</p> <p>CW: Ministerial Decision No. 152/93. Technical supervision procedures (pesticides)</p> <p>BW: Decree 36-98 Plant and Animal Health Act</p>	X	X	X	<p>NW/CW/BW: Ministry of Defense, Directorate for the control of arms and ammunition (DIGECAM)</p> <p>NW: Ministry of Energy and Mines Ministry of Health</p> <p>CW: Ministry of Agriculture, Livestock and Food</p> <p>BW: Ministry of Agriculture, Livestock and Food</p>			

3	Border control detection measures	X			<p>NW: X-ray, radiation detection equipment at the main points of entry Central American Uniform Custom Code (CAUCA IV). Art. 9, 63 and 64 Regulation to the Central American Uniform Custom Code (RECAUCA IV). Arts. 5 o) and r) and 9 Decree 20-2006. Legal Provisions to Strengthening the Tax Administration. Art. 55 on customs control Superintendence of Tax Administration Resolution SAT-DSI.817-2018 Administrative Provisions related to the use and non-intrusive control of temporary customs warehouse</p>	X			<p>NW: X-ray, radiation detection equipment at the main points of entry Superintendence of Tax Administration</p>	
4	Control of brokering									
5	Export control legislation in place	X	X	X	<p>NW/CW/BW: Arms and Ammunition Act (Decree-Law No. 38-89) as amended by Decree-Law No. 74-90 (Arms) Arms and Ammunition Act (Decree-Law No.15-09). Arts. 82, 120</p> <p>NW: Decree-law No 11/86 on control, use and application of radioisotopes and ionizing radiation, Art. 8.10 Radiological Safety and Protection Regulations of the Act on the control, use and application of radioisotopes and ionizing radiation. Art. 37 Decree 90/97 on Health Code. Art. 208</p> <p>CW: Ministerial Decision No. 152/93. Technical supervision procedures on pesticides</p>	X	X	X	<p>NW/CW/BW: Arms and Ammunition Act (Decree-Law No. 38-89) as amended by Decree-Law No. 74-90, (Arms) Arms and Ammunition Act (Decree-Law No.15-09). Arts. 120</p> <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. Art. 177</p> <p>CW: Ministerial Decision No. 152/93. Technical supervision procedures on pesticides</p>	
6	Licensing provisions and Authority	X	?	?	<p>NW: Decree-law No. 11/86 on control, use and application of radioisotopes and ionizing radiation, Art. 8.10 and Chapter IV</p>	X	?	?	<p>NW: Ministry of Energy and Mines- General Directorate of Energy Ministry of Health</p>	

					<p>CW: Ministerial Decision No. 152/93. Technical supervision procedures (pesticides)</p> <p>BW: Plant and Animal Health Act (phytosanitary and zoo sanitary certificates)</p>				<p>CW/BW: Ministry of Agriculture, Livestock and Food</p>	
7	Control lists of materials, equipment and technology									
8	Intangible technology transfers									
9	Inclusion of means of delivery									
10	End-user controls									
11	Catch all clause									
12	Transit control	X	X	X	<p>NW/CW/BW: Central American Common Customs Code (CAUCA IV). Arts. 94 and 95 Regulations of the Central American Common Customs Code (RECAUCA IV). Title IV UA Ministerial Resolution No. 44-2018 and 72-2019. Mandatory Use of Radio Frequency Labels (RFID) or its equivalent, for all means of land freight transportation, with license plates of the States Parties, that cross the integrated Border posts of the States Parties, and carry out operations of the International Customs Transit Regime, under the Regulations of the International Terrestrial Transit Superintendence of Tax Administration Resolution SAT-DSI-871-2017 Start-up and Control of the Electronic Label for Subjects Obligated in the Office of Internal Customs Transits.</p>					
13	Trans-shipment control	X	X	X	<p>NW/CW/BW: Central American Common Customs Code (CAUCA IV) Arts. 67 and 70</p>					

					Regulations of the Central American Common Customs Code (RECAUCA IV). Title IV, Chapter V, Section II				
14	Re-export control	X	X	X	NW/CW/BW: Central American Common Customs Code (CAUCA IV). Art. 107 Regulations of the Central American Common Customs Code (RECAUCA). Chapter XV				
15	Control over financing of exports/transshipments that would contribute to proliferation								
16	Control over services related to exports/transshipments that would contribute to proliferation including transportation								

VIII. OP 7 and 8 (d) - Assistance, Work with and inform Industry and Public, and other Information

1	Assistance offered	
2	Assistance Point of Contact (for assistance providers only)	
3	Assistance requested	
4	Action taken to work with and inform industry	The Ministry of Foreign Affairs is working with Guatemalan universities by transmitting to them information and invitations to participate in different activities organised by the OPCW.
5	Action taken to work with and inform the public	
6	Point of Contact	<p>Ambassador Ana Isabel Carrillo Fabián Director General of International Multilateral and Economic Relations, Ministry of Foreign Affairs Tel: +502-2410-0000 Email: digrime@minex.gob.gt, dipom@minex.gob.gt</p> <p>Ms. María del Rosario Estrada Girón First Secretary Permanent Mission of Guatemala to the United Nations Tel: 646-459-2553 ext. 228 Email: mrestrada@minex.gob.gt</p>
7	Voluntary National Implementation Action Plan (NAP)	
8	1540 Committee visits to States	