

1540 COMMITTEE MATRIX OF PANAMA

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: PANAMA
Date of report: 12 July 2005
Date of first addendum: 24 February 2006
Date of second addendum: 9 September 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 13 January 1977	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Tlatelolco, deposit 11 June 1971	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposit 21 June 2007	
4	Convention on Physical Protection of Nuclear	X	Deposit 1 April 1999	

	Material (CPPNM)			
5	2005 Amendment to the CPPNM			
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 23 March 1999	
7	Chemical Weapons Convention (CWC)	X	Deposit 07 October 1998	
8	Biological Weapons Convention (BWC)	X	Deposit 20 March 1974	
9	Geneva Protocol of 1925	X	Deposit 4 December 1970	
10	Other Conventions/Treaties	X	State party to 15 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): <ul style="list-style-type: none"> • 1997 International Convention for the Suppression of Terrorist Bombings • 1999 International Convention for the Suppression of the Financing of Terrorism Inter-American Convention against Terrorism International Health Regulation (2005) Partial Test Ban Treaty Sea-Bed Treaty Rotterdam Convention Stockholm Convention Basel Convention	
11	International Atomic Energy Agency (IAEA)	X	Since 1966	
12	Hague Code of Conduct (HCOC)	X	Subscribed 4 April 2003	
13	Other Arrangements	X	Proliferation Security Initiative Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	State reports that it does not manufacture nuclear, biological or chemical weapons	
15	General statement on commitment to disarmament and non-proliferation	X	State reports that it has signed international and regional conventions on disarmament and non-proliferation of WMD, and that its foreign policy is based on the principle of peaceful settlement of disputes.	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it has a steadfast commitment to confronting and combating terrorism in all its forms and manifestations	
17	Other ¹	X	Member of: The World Health Organization (WHO)	

			<p>The World Organisation for Animal Health (OIE)</p> <p>INTERPOL</p> <p>World Customs Organisation (WCO)</p> <p>International Maritime Organisation (IMO)</p> <p>Organization of American State (OAS)</p> <p>Central American Regional Integration System (SICA)</p> <p>World Bank</p> <p>International Monetary Fund (IMF)</p> <p>Financial Action Task Force of Latin America (GAFILAT)</p> <p>Regional Agreement on the Transboundary Movement of Hazardous Wastes</p> <p>US/Panama Ship boarding Agreement</p>	
--	--	--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

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	NW/CW/BW: Penal Code, Art. 295 CW/BW: Penal Code, Article 445	?	X	X	NW/CW/BW: Penal Code, Art. 295 CW/BW: Penal Code, Article 445	
2	acquire									
3	possess	X	X	X	NW/CW/BW: Firearms, munitions and related materials act (27 May 2011), Arts. 11 and 88 Law No 14,30 October 1990, art. 7- Official Gazette -6 November 1990	X	X	X	NW/CW/BW: Firearms, munitions and related materials act (27 May 2011), Arts. 11 and 88	
4	stockpile/store	X	X	X	NW/CW/BW: Firearms, munitions and related materials act (27 May 2011), Arts. 11 and 88 CW/BW: Penal Code, Article 445	X	X	X	NW/CW/BW: Firearms, munitions and related materials act (27 May 2011), Arts. 11 and 88 CW/BW: Penal Code, Article 445	
5	develop		X	X	CW/BW: Penal Code, Article 445		X	X	CW/BW: Penal Code, Article 445	
6	transport	X	X	X	NW/CW/BW: Firearms, munitions and related materials act (27 May 2011), Arts. 11 and 88 (carry)	X	X	X	NW/CW/BW: Firearms, munitions and related materials act (27 May 2011), Arts. 11 and 88 (carry)	
7	transfer		X	X	CW/BW: Penal Code, Article 445		X	X	CW/BW: Penal Code, Article 445	

8	use	X	X	X	NW/CW/BW: Law No 14, 30 October 1990 art. 7- Official Gazette - 6 November 1990 Penal Code, Article 293 (radioactive) Law 50 (2003) amendment to the Criminal Code, Art 264 A (terrorism)	X	X	X	NW/CW/BW: Penal Code, Article 293 (radioactive) Law 50 (2003) amendment to the Criminal Code, Art 264 A (terrorism)
9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Penal Code, Article 44-46 Law 50 (2003) amendment to the Criminal Code, Art 264 A (terrorism)	X	X	X	NW/CW/BW: Penal Code, Article 44-46 Law 50 (2003) amendment to the Criminal Code, Art 264 A (terrorism)
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Law 50 (2003) amendment to the Criminal Code, Art 264 A (terrorism)	X	X	X	NW/CW/BW: Law 50 (2003) amendment to the Criminal Code, Art 264 A (terrorism)
11	finance abovementioned activities	X	X	X	NW/CW/BW: Penal Code article: 288 Executive Decree 947 (5 December 2014) FIU	X	X	X	NW/CW/BW: Penal Code article: 288 Financial Intelligence Unit
12	abovementioned activities related to means of delivery ²		X	X	CW/BW: Firearms, munitions and related materials act (27 May 2011)		X	X	CW/BW: Firearms, munitions and related materials act (27 May 2011)
13	involvement of non-State actors in abovementioned activities	X	X	X	NW/CW/BW: Law No 14, 30 October 1990 art. 7- Official Gazette - 6 November 1990 Penal Code, Article 293 (radioactive) Law 50 (2003) amendment to the Criminal Code, Art 264 A (terrorism)	X	X	X	NW/CW/BW: Penal Code, Article 293 (radioactive) Law 50 (2003) amendment to the Criminal Code, Art 264 A (terrorism)
14	Other	X	X	X	NW/CW/BW: Executive Decree 195 (18 October 2007) on the procedure to abide by the UNSC resolutions Executive Decree 448 (28 December 2011) establishing the Council for Coordination in Combating International Terrorism				

				<p>NW: Act No. 5, 26 October 1976, entered into force in Panama 13 January 1977(ratification of the NPT)</p> <p>CW: CWC Approved by Act No. 48, 15 July 1998, entered into force 6 November 1998 Law No 14, 30 October 1990, Art. 7- Official Gazette -6 November 1990</p> <p>BW: BWC Approved by Act No. 7, 8 November 1973, entered into force 26 March 1975</p>				
--	--	--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	--

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 Materials ³

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			NW: INFCIRC/316, amended SQP and additional Protocol Executive Decree No. 1194/1992 (protection ionizing radiations)	X			NW: Executive Decree No. 1194/1992 (protection ionizing radiations)			
2	Measures to account for use	X			NW: INFCIRC/316, amended SQP and additional Protocol Executive Decree No. 1194/1992 (protection ionizing radiations)	X			NW: Executive Decree No. 1194/1992 (protection ionizing radiations)			
3	Measures to account for storage	X			NW: INFCIRC/316, amended SQP and additional Protocol Executive Decree No. 1194/1992 (protection ionizing radiations)	X			NW: Executive Decree No. 1194/1992 (protection ionizing radiations)			
4	Measures to account for transport	X			NW: Executive Decree No. 1194/1992 (protection ionizing radiations)	X			NW: Executive Decree No. 1194/1992 (protection ionizing radiations)			
5	Other measures for accounting		?	?	CW/BW: Law No. 1 of 10 January 2001 on medicines and other chemical substances							
6	Measures to secure production											

7	Measures to secure use	X			<p>NW: Resolutions Nos. 27/1995, 110/1995, 76/1997, 75/1997 Resolution 60 of 1999 on the operation of telecobalt therapy equipment Ministry of Health Executive Decree No. 330 pf 2004 amending Executive Decree 1194/92 approving the regulations on radiological protection and stipulating other provisions.</p>				
8	Measures to secure storage	?	?	?	<p>NW/CW/BW: ISPS Code</p>				
9	Measures to secure transport	X	X	X	<p>NW: Resolution of the Ministry of Health No. 7/1996: Norms on safe transportation of radioactive materials</p> <p>NW/CW/BW: Law No.19 of June 1997 Organic Law of Panama Canal Authority Maritime Regulations for the Navigation through the Panama Canal ISPS Code</p>	X	X	X	<p>NW: Resolution of the Ministry of Health No. 7/1996: Norms on safe transportation of radioactive materials</p> <p>NW/CW/BW: Maritime Regulations for the Navigation through the Panama Canal ISPS Code</p>
10	Other measures for securing								
11	Regulations for physical protection of facilities/materials/ transports	X			<p>NW: Executive Decree No. 1194/1992 (protection ionizing radiations)</p>				
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X			<p>NW: Resolution of the Ministry of Health No. 8/1996 to approve the Rules for notification, registration and licensing of radioactive materials and equipment, Updated in OG No. 24802 -May 2003</p>				
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	Ministry of Health	X	Ministry of Health	
2	IAEA Safeguards Agreements	X	INFCIRC/316 in force 23 March 1984 and amended SQP Additional Protocol in force 11December 2001	X	INFCIRC/316 in force 23 March 1984 and amended SQP Additional Protocol in force 11December 2001	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database	X	Participates	X	Participates	
6	Other Agreements related to IAEA	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)	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)	
7	Additional national legislation/regulations related to nuclear materials including CPPNM					

8	Other					
---	-------	--	--	--	--	--

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. 64 of 06 May 2002: establishes the Technical Secretariat of the National Authority	X	Ministry of Health	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Submitted (initial declaration)	X	Submitted (initial declaration)	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other	X	Executive Decree 305/2002 establishing licensing of certain controlled substances Executive Decree 100/2004 (Technical Interinstitutional Advisory Body to the National CWC authority)	X	Executive Decree 305/2002 establishing licensing of certain controlled substances Executive Decree 100/2004 (Technical Interinstitutional Advisory Body to the National CWC authority)	

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	Penal Code, art 299	X	Penal Code, art 299	
2	Other legislation/ regulations related to safety and security of biological materials	?	Law No. 66 of 10 November 1947 to approve the Sanitary Code			
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: Decree Law No.1 of 13 February 2008 establishing the National Customs Authority and Stipulating provisions regarding Custom regime Law No. 18 of 3 June 1997 Organic Law of the National Police (Border Police)	X	X	X	NW/CW/BW: National Customs Authority National Police Container Technical Inspection Unit Risk Analysis Group	
2	Technical support of border control measures	X	X	X	NW/CW/BW: Cabinet Decree 49 on non-intrusive verification (6 December 2006)	X	X	X	NW/CW/BW: X-ray inspection of containers Radiation portal monitors Portable spectrometers Participates in Megaport Initiative Container Security Initiative (CSI)	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology									
4	Enforcement agencies/authorities	X	X	X	NW: Executive Decree No. 1194 of 3 December 1992 Directorate-General for Health Ministry of Health CW: Executive -Decree N.64 of 6 May 2002 designating the Ministry of Health	X	X	X	NW/CW/BW: 1. Directorate-General for Health Ministry of Health 2. Directorate General of Customs 3. Judicial Technical Police CW/BW: Ministry of Agricultural Development	

				BW: Ministry of Health				
5	Export control legislation in place	X		NW: Executive Decree No. 1194 of 3 December 1992 (sources or ionizing radiation)	X		NW: Art. 3 - Executive Decree No. 1194 of 3 December 1992(sources or ionizing radiation)	
6	Licensing provisions	X		NW: Executive Decree No. 1194 of 3 December 1992(sources or ionizing radiation)	X		NW: Art. 3 - Executive Decree No. 1194 of 3 December 1992 (sources or ionizing radiation)	
7	Individual licensing	X		NW: Executive Decree No. 1194 of 3 December 1992 (sources or ionizing radiation)	X		NW: Art. 3 - Executive Decree No. 1194 of 3 December 1992	
8	General licensing							
9	Exceptions from licensing							
10	Licensing of deemed export/visa							
11	National licensing authority	X	?	NW: Directorate-General for Health Ministry of Health CW: Directorate-General for Health Ministry of Health				
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: Decree Law No.1 of 13 February 2008 establishing the National Customs Authority Maritime Regulations for the Navigation through the Panama Canal				
21	Trans-shipment control	?	?	?	NW/CW/BW: Decree Law No.1 of 13 February 2008 establishing the National Customs Authority Law 56 (6 August 2008) on the Ports of Panama				
22	Re-export control	?	?	?	NW/CW/BW: Decree Law No.1 of 13 February 2008 establishing the National Customs Authority				
23	Control of providing funds	X	X	X	NW/CW/BW: Penal Code article: 288 Executive Decree 947 (5 December 2014) FIU	X	X	X	NW/CW/BW: Penal Code article: 288 Executive Decree 947 (5 December 2014) FIU
24	Control of providing transport services								
25	Control of importation	X	X	X	NW/CW/BW: Firearms, munitions and related materials act (27 May 2011), Arts. 11 and 63 (prohibition to import) CW/BW: Law No. 8 of 7 June 1991 prohibiting the importation of toxic wastes and pollutants into the territory of the Republic of Panama	X	X	X	NW/CW/BW: Firearms, munitions and related materials act (27 May 2011), Arts. 11 and 63 (prohibition to import) CW/BW: Law No. 8 of 7 June 1991 prohibiting the importation of toxic wastes and pollutants into the territory of the R of Panama- Art. 3
26	Extraterritorial applicability								
27	Other			X	CW: Executive Decree 305/2002 establishing licensing of certain controlled substances Law No. 13 of 21 April 1995 approving the regional Agreement on Transboundary Movements of Hazardous Wastes Law No. 21 of 6 December 1990 approving the Basel Convention for Control of Transboundary Movements of Hazardous Wastes and Toxic Disposal	X	X	X	NW/CW/CW: National Police, Information and Investigation Directorate shares information with international organizations combating the proliferation of WMD and their means of delivery

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			
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	X	1540 Focal Point, Coordinator, General Directorate of Antiterrorism Analysis and Chief, Antiterrorism Department, Ministry of Foreign Affairs Alternate 1540 Focal Point, Deputy Director, General Directorate of Antiterrorism Analysis, Ministry of Foreign Affairs)	
10	Other ⁴	X	Workshop with officials of the Government of Panama on the implementation of resolution 1540 (2004) and the development of National Implementation Action Plan organized by the Government of Panama and the Executive Secretariat of the Organization of American States (OAS) Inter-American Committee against Terrorism (CICTE). (Panama City 18 December 2014)	

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.