

*Translated from Spanish*

**Permanent Mission of Peru to the United Nations**

7-1-S/104

The Permanent Mission of Peru to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to transmit herewith the matrix containing updated information regarding the measures taken by the Government of Peru in accordance with that resolution.

The Permanent Mission of Peru to the United Nations takes this opportunity to convey to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) the renewed assurances of its highest consideration.

New York, 15 June 2016

Chair of the Security Council Committee  
established pursuant to resolution 1540 (2004)

New York

## 1540 COMMITTEE MATRIX OF PERU

*The information in the matrix originates primarily from national reports and is complemented by official government information, including that made available by intergovernmental 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

<b>State:</b>	<b>Peru</b>
<b>Date of report:</b>	<b>1 November 2004</b>
<b>Date of first addendum:</b>	<b>24 April 2006</b>
<b>Date of second addendum:</b>	<b>14 January 2008</b>

**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	Adopted on 1 July 1968, ratified by Peru on 6 February 1970, entered into force on 3 March 1970	

2	Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)	X	Adopted on 14 February 1967, entered into force for Peru on 4 March 1969	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposited on 29 May 2009	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Approved by Legislative Decision No. 26376 of 25 October 1994, entered into force for Peru on 10 February 1995	
5	2005 Amendment to the CPPNM	X	Ratified by Peru on 27 March 2014, entered into force on 8 May 2016	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Signed by the Government of Peru on 25 September 1996 and approved by the National Congress on 25 September 1997; instrument of ratification deposited on 12 November 1997	
	Code of Conduct on the Safety and Security of Radioactive Sources	X	Peru has applied the Code of Conduct since 2004.	
	Code of Conduct on the Safety of Research Reactors	X	Peru has applied the Code of Conduct since 2004.	
7	Chemical Weapons Convention (CWC)	X	Deposited on 20 July 1995	
8	Biological Weapons Convention (BWC)	X	Deposited on 5 June 1985	
9	Geneva Protocol of 1925	X	Deposited on 13 August 1985	
10	Other Conventions/Treaties	X	<p>State party to 14 of the 19 international conventions and protocols related to legal instruments to combat terrorism, including the following, relevant to resolution 1540 (2004):</p> <ul style="list-style-type: none"> <li>• 1997 International Convention for the Suppression of Terrorist Bombings</li> <li>• International Convention for the Suppression of the Financing of Terrorism</li> </ul> <p>- Protocol for the Protection of the South-East Pacific against Radioactive Contamination  - Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management</p>	

11	International Atomic Energy Agency (IAEA)	X	Peru joined in 1957.	
12	Hague Code of Conduct (HCOG)	X	Signed on 25 November 2002	
13	Other Arrangements			
14	General statement on non-possession of WMD	X	The State reports that it does not possess weapons of mass destruction.	
15	General statement on commitment to disarmament and non-proliferation	X	The State reports that it supports the measures taken to achieve disarmament and prevent proliferation. - Declaration on the South American zone of peace and cooperation (27 July 2002) - Declaration of San Francisco de Quito on the Establishment and Development of the Andean Zone of Peace (12 July 2004)	
16	General statement on non-provision of WMD and related materials to non-State actors	X	The State reports that it considers it essential to address the issue of weapons of mass destruction at the global level, since no country is exempt from the potential for terrorist activities in its territory. It is therefore essential to strengthen measures at the international level to combat that scourge, always with strict respect for human rights. In that regard, we must jointly implement the international instruments on weapons of mass destruction – such as the NPT, the BWC, the CWC and resolution 1540 (2004) – with the goal of preventing the dual use of nuclear material, biological agents and chemical substances, as well as the ability of terrorist groups to manufacture or obtain access to nuclear, biological or chemical weapons. (Security Council open debate on the non-proliferation of weapons of mass destruction: commemorating the tenth anniversary of resolution 1540 (2004) and looking ahead, 7 May 2014)	
	International Health Regulations (World Health Organization (WHO))	X	In consideration of the growth in population, migration and international trade, and the emergence or re-emergence of international disease threats and other public health risks, the Forty-eighth World Health Assembly in 1995 called for a substantial revision of the International Health Regulations adopted in 1969. The draft revision of the Regulations was adopted by the Fifty-eighth World Health Assembly on 23 May 2005 and entered into force on 15 June 2007. The purpose and scope of the International Health Regulations (2005) are to prevent, protect against, control and provide a public health response to the international spread of disease in ways that are commensurate with and restricted to public health risks, and which avoid unnecessary interference with international traffic and trade.	
17	Other <sup>1</sup>	X	Member of: - WHO - World Organization for Animal Health - International Criminal Police Organization (INTERPOL) - World Customs Organization and its Framework of Standards to Secure and Facilitate Global Trade - International Maritime Organization - Organization of American States - World Bank	

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			- International Monetary Fund - Latin American Financial Action Task Force	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or subregional 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?		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	<p><b>NW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to article 1 (a) of the Treaty of Tlatelolco and the NPT</p> <p>Decree-Law No. 18133 of 2 March 1970 (ratification of the NPT)</p> <p><b>CW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC)</p> <p>Act No. 29239 of 29 May 2008 on measures for the control of chemical substances that could be diverted for the manufacture of chemical weapons, through which Peru meets its obligations under the CWC</p>	X	X	X	<p><b>NW/CW/BW</b> Penal Code, article 279</p> <p><b>NW:</b> Penal Code, Legislative Decree No. 635, part XII, Offences against public safety, chapter I, Acts that endanger the public, article 273</p> <p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, part V Implementing regulations for Act No. 29239 of 15 June 2011, part IV, article 30, offences 1 and 5</p>			

				<p>Implementing regulations for Act No. 29239 of 15 June 2011</p> <p>Act No. 26672 of 20 October 1996 establishing the National Council for the Prohibition of Chemical Weapons, article 4</p> <p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p> <p><b>BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) Decree-Law No. 22299 of 10 March 1978 (ratification of the BWC)</p> <p>General Health Act No. 26842, chapter VI, articles 96-99, and chapter VII, articles 100 and 101</p> <p>Regulations on the organization and functions of the Ministry of Health, Supreme Decree No. 001-2003-SA, articles 7 (d) and 35</p>				<p><b>BW:</b> General Health Act No. 26842, part VI, chapter I, articles 130-132, and chapter II, articles 134-136</p> <p>Penal Code, chapter III, articles 286 and 287</p>	
2	acquire	X	X	X	<p><b>NW/CW/BW</b> General procedure: import for consumption (INTA-PG.01-A)</p> <p>Specific procedure: control of restricted goods (INTA-PE.00.06)</p> <p>Supreme Decree No. 133-2013-EF, consolidated text of the Tax Code</p>		X		

					<p><b>NW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to article 1 (a) of the Treaty of Tlatelolco and the NPT Decree-Law No. 18133 of 2 March 1970 (ratification of the NPT)</p> <p><b>CW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to the CWC</p> <p>Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p> <p>Act No. 26672 of 20 October 1996, article 4</p> <p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p> <p><b>BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, together with the BWC Decree-Law No. 22299 of 10 March 1978 (ratification of the BWC)</p> <p>Legislative Decree No. 1161, Regulations on the organization and functions of the Ministry of Health, article 3.</p>				<p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, part V Implementing regulations for Act No. 29239 of 15 June 2011, part IV, article 30, offences 1 and 5</p>	
3	possess	X	X	X	<p><b>NW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to article 1 (a) of the Treaty of Tlatelolco and</p>	X				



				<p>the NPT Decree-Law No. 18133 of 2 March 1970 (ratification of the NPT)</p> <p><b>CW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to the CWC</p> <p>Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p> <p>Act No. 26672 of 20 October 1996, article 4</p> <p>Ministerial Decision No. 343-2012- PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p> <p><b>BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, together with the BWC Decree-Law No. 22299 of 10 March 1978 (ratification of the BWC)</p> <p>General Health Act, article 86</p>			<p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, part V</p> <p>Implementing regulations for Act No. 29239 of 15 June 2011, part IV, article 30, offences 1 and 5</p> <p><b>BW:</b> Penal Code, article 289</p>	
4	stockpile/store		X X	<p><b>CW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to the CWC</p> <p>Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p> <p>Act No. 26672 of 20 October 1996, article 4</p>		X	<p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, part V</p> <p>Implementing regulations for Act No. 29239 of 15 June 2011, part IV, article 30, offences 1 and 5</p>	

				<p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p> <p><b>BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, together with the BWC Decree-Law No. 22299 of 10 March 1978 (ratification of the BWC)</p>				
5	develop		X X	<p><b>CW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to the CWC</p> <p>Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p> <p>Act No. 26672 of 20 October 1996, article 4</p> <p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p> <p><b>BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, together with the BWC Decree-Law No. 22299 of 10 March 1978 (ratification of the BWC)</p> <p>General Health Act No. 26842, chapter VI, articles 96-99, and chapter VII, articles 100 and 101</p>			X	<p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, part V</p> <p>Implementing regulations for Act No. 29239 of 15 June 2011, part IV, article 30, offences 1 and 5</p>

6	transport									
7	transfer		X	X				X		
8	use	X	X	X				X		

**NW/CW/BW:**  
Penal Code, article 288

**CW:**  
Penal Code, article 279-A

Act No. 29239 of 29 May 2008, part V

Implementing regulations for Act No. 29239 of 15 June 2011, part IV, article 30, offences 1 and 5.

**BW:**  
Penal Code, article 292

**CW:**  
Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to the CWC

Act No. 26672 of 20 October 1996, article 4

Act No. 29239 of 29 May 2008

Implementing regulations for Act No. 29239 of 15 June 2011

Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92

**BW:**  
Political Constitution of Peru of 1993, chapter II, articles 55 and 56, together with the BWC

Decree-Law No. 22299 of 10 March 1978 (ratification of the BWC)

**NW/CW/BW:**  
Political Constitution of Peru of 1993, chapter II, articles 55 and 56

International Convention for the Suppression of Terrorist Bombings, adopted November 1997

**NW:**  
Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to

**NW/CW/BW:**  
Decree-Law No. 25475 establishing penalties for crimes of terrorism and procedures for their investigation, pre-trial hearing and trial

				<p>article 1 (a) of the Treaty of Tlatelolco and the NPT Decree-Law No. 18133 of 2 March 1970 (ratification of the NPT)</p> <p>International Convention for the Suppression of Acts of Nuclear Terrorism of 2005</p> <p><b>CW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, in relation to the CWC</p> <p>Act No. 26672 of 20 October 1996, article 4</p> <p>Act No. 29239 of 29 May 2008</p> <p>Implementing regulations for Act No. 29239 of 15 June 2011</p> <p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p> <p><b>BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, together with the BWC Decree-Law No. 22299 of 10 March 1978 (ratification of the BWC)</p> <p>Geneva Protocol of 1925</p>				<p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, part V</p> <p>Implementing regulations for Act No. 29239 of 15 June 2011, part IV, article 30, offences 1 and 5</p>		
9	participate as an accomplice in above-mentioned activities	X	X	X	<p><b>NW/CW/BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56 International Convention for the Suppression of Terrorist Bombings, adopted</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, articles 23 and 27</p> <p>Legislative Decree No. 1194 regulating the immediate process in cases of flagrant</p>	

				<p>November 1997</p> <p>Supreme Decree No. 085-2001-RE of 11 February 2001 approving the accession of Peru to the International Convention for the Suppression of Terrorist Bombings</p> <p>Decree-Law No. 25475 establishing penalties for crimes of terrorism and procedures for their investigation, pre-trial hearing and trial</p> <p><b>CW:</b> Act No. 26672 of 20 October 1996. article 4</p> <p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p>			<p>offence, amending articles 446-448 of the Code of Criminal Procedure</p> <p>Decree-Law No. 25475, article 4, on collaboration with terrorism</p> <p><b>CW:</b> Penal Code, article 279-A</p>			
10	assist in above-mentioned activities	X	X	X	<p><b>NW/CW/BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56</p> <p>International Convention for the Suppression of Terrorist Bombings, adopted November 1997</p> <p>Supreme Decree No. 085-2001-RE of 11 February 2001</p> <p><b>CW:</b> Act No. 26672 of 20 October 1996, article 4</p> <p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, articles 23 and 27</p> <p>Decree-Law No. 25475, article 3</p> <p><b>CW:</b> Penal Code, article 279-A</p>	
11	finance above-mentioned activities	X	X	X	<p><b>NW/CW/BW:</b> Political Constitution of Peru of 1993,</p>	X	X	X	<p><b>NW/CW/BW:</b> Decree-Law No. 25475, articles 2, 3 and 4-A</p>	

				<p>chapter II, articles 55 and 56</p> <p>International Convention for the Suppression of Terrorist Bombings, adopted November 1997</p> <p>Decree-Law No. 25475, article 4</p> <p><b>CW:</b> Act No. 26672 of 20 October 1996. article 4 (d)</p> <p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p>				<p><b>CW:</b> Penal Code, article 279-A</p>		
12	above-mentioned activities related to means of delivery <sup>2</sup>		X	X	<p><b>CW:</b> Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p> <p>Ministerial Decision No. 343-2012-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 92</p> <p><b>BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56, together with the BWC</p> <p>Decree-Law No. 22299 of 10 March 1978 (ratification of the BWC)</p>			X	<p><b>CW:</b> Implementing regulations for Act No. 29239 of 15 June 2011, part IV</p>	
13	involvement of non-State actors in above-mentioned activities	X	X	X	<p><b>NW/CW/BW:</b> Political Constitution of Peru of 1993, chapter II, articles 55 and 56</p> <p>International Convention for the Suppression of Terrorist Bombings, adopted</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, article 10</p> <p>Decree-Law No. 25475, articles 2, 3 and 4-A</p>	

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					November 1997 <b>CW:</b> Act No. 26672 of 20 October 1996, article 4				<b>CW:</b> Penal Code, article 279-A	
14	Other			X	<b>BW:</b> The National Council for the Prohibition of Chemical Weapons (CONAPAQ) is tasked with preparing draft regulations on the implementation of the Biological Weapons Convention.	X	X	X	<b>NW/CW/BW:</b> Decree-Law No. 25475  Director's Decision No. 229-2016-DIRGEN/EMG-PNP established the Department for the Prevention and Investigation of Weapons of Mass Destruction within the International Terrorism Investigation Division of the Counter-Terrorism Executive Directorate of the Peruvian National Police.	

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

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	X	<p><b>NW:</b> INFCIRC/273: Agreement between Peru and IAEA for the application of safeguards in connection with the NPT and the Treaty of Tlatelolco, in force since 1 August 1979</p> <p>Additional Protocol, in force since 23 July 2001. Legislative Decision No. 26376 of 25 October 1994</p> <p>Supreme Decree No. 009-97-EM, Regulations on radiation safety</p> <p><b>CW:</b> Act No. 29239 of 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p> <p><b>BW:</b> General Health Act No. 26842 of 1997, article 86</p>	X	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028 on the use of ionizing radiation.</p> <p>Act No. 28028 of 2003, part VII, annex II, No. 40</p> <p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, articles 26-33 Implementing regulations for Act No. 29239 of 15 June 2011, part IV</p> <p><b>BW:</b> National Health Authority The National Institute of Health is responsible</p>			



									for epidemiological surveillance.	
2	Measures to account for use	X	X	?	<p><b>NW:</b> INFCIRC/273: Agreement between Peru and IAEA for the application of safeguards in connection with the NPT and the Treaty of Tlatelolco, in force since 1 August 1979</p> <p>Additional Protocol, in force since 23 July 2001</p> <p>Legislative Decision No. 26376 of 25 October 1994 relating to regulations on the protection of nuclear materials</p> <p>Supreme Decree No. 009-97-EM, Regulations on radiation safety</p> <p><b>CW:</b> Act No. 29239 of 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p> <p><b>BW:</b> General Health Act No. 26842 of 1997, article 86</p>	X	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028 on the use of radioactive sources</p> <p>Act No. 28028 of 2003, part VII, annex II, No. 40.</p> <p>Supreme Decree No. 009-97-EM, Regulations on radiation safety</p> <p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, articles 26-33 Implementing regulations for Act No. 29239 of 15 June 2011, part IV</p> <p><b>BW:</b> National Health Authority The National Institute of Health is responsible for epidemiological surveillance.</p>	
3	Measures to account for storage	X	X		<p><b>NW:</b> INFCIRC/273: Agreement between Peru and IAEA for the application of safeguards in connection with the NPT and the Treaty of</p>	X	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties</p>	

				<p>Tlatelolco, in force since 1 August 1979</p> <p>Additional Protocol, in force since 23 July 2001</p> <p>Legislative Decision No. 26376 of 25 October 1994 relating to regulations on the protection of nuclear materials</p> <p>Supreme Decree No. 009-97-EM, Regulations on radiation safety</p> <p><b>CW:</b> Act No. 29239 of 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p>				<p>relating to Act No. 28028 on the use of radioactive sources</p> <p>Act No. 28028 of 2003, part VII, annex II, No. 40</p> <p>Supreme Decree No. 009-97-EM, Regulations on radiation safety</p> <p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, articles 26-33 Implementing regulations for Act No. 29239 of 15 June 2011, part IV</p> <p><b>BW:</b> National Health Authority The National Institute of Health is responsible for epidemiological surveillance.</p>		
4	Measures to account for transport	X	X	X	<p><b>NW/CW/BW:</b> Act No. 28256 regulating land transport of hazardous material and waste</p> <p><b>NW:</b> Regulations on the protection of nuclear materials, Legislative Decision No. 26376 of 25 October 1994</p> <p>Supreme Decree No. 009-97-EM, Regulations on radiation safety</p>	X	X	X	<p><b>NW/CW/BW:</b> Act No. 28256, articles 10-13</p> <p><b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028 on the use of radioactive sources</p> <p>Act No. 28028 of 2003, part VII, annex II, No. 40</p> <p>Supreme Decree No. 009-97-EM, Regulations</p>	

									on radiation safety	
5	Other measures for accounting				<b>NW/CW/BW:</b> Decree-Law No. 25475				<b>NW/CW/BW:</b> Decree-Law No. 25475, articles 2, 3 and 4-A  <b>CW:</b> Penal Code, article 279-A	
6	Measures to secure production	X	X	?	<b>NW:</b> Act No. 28028 of 2003 regulating the use of sources of ionizing radiation  Legislative Decision No. 26376 of 25 October 1994  Supreme Decree No. 009-97-EM, Regulations on radiation safety  <b>CW:</b> Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011  <b>BW:</b> General Health Act No. 26842 of 1997, article 86	X	X	X	<b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028 on the use of radioactive sources  Act No. 28028 of 2003, part VII  <b>CW:</b> Penal Code, article 279-A  Act No. 29239 of 29 May 2008, articles 26-33  <b>BW:</b> National Health Authority The National Institute of Health is responsible for epidemiological surveillance.	
7	Measures to secure use	X	X	X	<b>NW:</b> Act No. 28028 of 2003 regulating the use of sources of ionizing radiation  Legislative Decision No. 26376 of 25 October 1994  Supreme Decree No. 009-97-EM, Regulations on radiation safety	X	X	X	<b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028 on the use of radioactive sources  Act No. 28028 of 2003, part VII  Supreme Decree No. 009-97-EM, Regulations on radiation safety	

				<p><b>CW:</b> Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p> <p><b>BW:</b> General Health Act No. 26842 of 1997, article 86</p>			<p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, articles 26-33</p> <p><b>BW:</b> National Health Authority The National Institute of Health is responsible for epidemiological surveillance.</p>			
8	Measures to secure storage	X	X	<p><b>NW:</b> Act No. 28028 of 2003 regulating the use of sources of ionizing radiation</p> <p>Legislative Decision No. 26376 of 25 October 1994</p> <p>Supreme Decree No. 009-97-EM, Regulations on radiation safety</p> <p><b>CW:</b> Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011</p>	X	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028 on the use of radioactive sources</p> <p>Act No. 28028 of 2003, part VII</p> <p>Supreme Decree No. 009-97-EM, Regulations on radiation safety</p> <p><b>CW:</b> Penal Code, article 279-A</p> <p>Act No. 29239 of 29 May 2008, articles 26-33</p> <p><b>BW:</b> National Health Authority The National Institute of Health is responsible for epidemiological surveillance</p>		
9	Measures to secure transport	X	X	X	X	X	X	<p><b>NW/CW/BW:</b> Act No. 28256 regulating land transport of hazardous material and waste</p> <p><b>NW:</b> Act No. 28028 of 2003 regulating the use of sources of ionizing radiation</p>	<p><b>NW/CW/BW:</b> Act No. 28256, articles 10-13</p> <p><b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations,</p>	

					Legislative Decision No. 26376 of 25 October 1994  Supreme Decree No. 009-97-EM, Regulations on radiation safety				monitoring, control, violations and penalties relating to Act No. 28028 on the use of radioactive sources  Act No. 28028 of 2003, part VII  Supreme Decree No. 009-97-EM, Regulations on radiation safety	
10	Other measures for securing	X		X	<b>NW:</b> Legislative Decision No. 26376 of 25 October 1994  Supreme Decree No. 009-97-EM, Regulations on radiation safety  <b>BW:</b> Act No. 27104 of 1999 on the prevention of risks arising from the use of biotechnology (applies only to GMOs)	X		X	<b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028 on the use of radioactive sources  <b>BW:</b> Act No. 27104 of 1999 on the prevention of risks arising from the use of biotechnology (applies only to GMOs)	
11	Regulations for physical protection of facilities/ materials/transports	X	X		<b>NW:</b> Supreme Decree No. 014-2002-EM, Regulations on the physical protection of nuclear materials and facilities  Supreme Decree No. 039-2008-EM  <b>CW:</b> Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011	X	X		<b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028 on the use of radioactive sources  <b>CW:</b> Act No. 29239 of 29 May 2008, articles 26-33	
12	Licensing/ registration of installations/facilities /persons/entities/use /handling of materials	X	X	X	<b>NW:</b> Supreme Decree No. 039-2008-EM  Act No. 28028 of 2003, chapter VII  <b>CW:</b> Act No. 29239 of 2008 Implementing regulations for Act No. 29239 of 15 June 2011, articles 12-15	X	X	X	<b>NW:</b> Supreme Decree No. 039-2008-EM  Act No. 28028 of 2003, part VII  <b>CW:</b> Act No. 29239 of 29 May 2008, articles 26-33 Implementing regulations for Act No. 29239 of 15 June 2011, part IV	

					<b>BW:</b> Act No. 27104 of 1999 on the prevention of risks arising from the use of biotechnology (applies only to GMOs)				<b>BW:</b> Act No. 27104 of 1999 on the prevention of risks arising from the use of biotechnology (applies only to GMOs)	
13	Reliability check of personnel	?			<b>NW:</b> Supreme Decree No. 039-2008-EM  Supreme Decree No. 014-2002-EM, article 20					
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	Act No. 28028 of 18 July 2003, "Act regulating the use of ionizing radiation": regulatory body - Peruvian Institute of Nuclear Energy (IPEN), to verify and inspect nuclear facilities  Decree-Law No. 21875 – IPEN Organic Law	X	Act No. 28028 of 18 July 2003, "Act regulating the use of ionizing radiation": regulatory body - Peruvian Institute of Nuclear Energy (IPEN), to verify and inspect nuclear facilities  Decree-Law No. 21875 – IPEN Organic Law	
2	IAEA Safeguards Agreements	X	Safeguards Agreement INFCIRC/273, in force since 1 August 1979  Additional Protocol, in force since 23 July 2001	X	INFCIRC/273, Agreement between Peru and IAEA for the application of safeguards in connection with the NPT and the Treaty of Tlatelolco, in force since 1 August 1979  Additional Protocol, in force since 23 July 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	X	Expressed support	X	Expressed support	

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	on the Safety and Security of Radioactive Sources					
5	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	Participates	X	Participates	
6	Other Agreements related to IAEA	X	<p>Revised Supplementary Agreement concerning the Provision of Technical Assistance by IAEA: signed</p> <p>Vienna Convention on Civil Liability for Nuclear Damage</p> <p>Convention on Early Notification of a Nuclear Accident</p> <p>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency</p> <p>Convention on Nuclear Safety</p> <p>Cooperation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL)</p>	X	<p>Revised Supplementary Agreement concerning the Provision of Technical Assistance by IAEA: signed</p> <p>Vienna Convention on Civil Liability for Nuclear Damage</p> <p>Convention on Early Notification of a Nuclear Accident</p> <p>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency</p> <p>Convention on Nuclear Safety</p> <p>Cooperation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL)</p>	
7	Additional national legislation/regulations related to nuclear materials including CPPNM		<p>Regulations on the physical protection of nuclear materials and facilities</p> <p>Supreme Decree No. 014-2002-EM of 22 April 2002</p> <p>General Mining Act</p>		Maintenance of physical security systems for nuclear facilities and materials, under the authority of the Peruvian Institute of Nuclear Energy	
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	Act No. 26672 of 20 October 1996 Act No. 29239 of 29 May 2008 Implementing regulations for Act No. 29239 of 15 June 2011, part II	X	National Council for the Prohibition of Chemical Weapons (CONAPAQ) CONAPAQ Technical Secretariat under the Ministry of Production	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Act No. 29239 of 29 May 2008	X	Submitted/CONAPAQ	
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	Act No. 27104 of 1999 on the prevention of risks arising from the use of biotechnology  Supreme Decree No. 108 of 2002	X	Act No. 27104, article 12	
2	Other legislation/regulations related to safety and security of biological materials	X	General Health Act No. 26842 of 1997  Act No. 28804 regulating the declaration of environmental emergencies, articles 2 and 3; and its implementing regulations, Supreme Decree No. 024-2008-PCM, article 4	R	Act No. 28804 regulating the declaration of environmental emergencies, articles 2 and 3; and its implementing regulations, Supreme Decree No. 024-2008-PCM, article 4	
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, indicate source document	Yes			if YES, indicate source document		
		N W	C W	B W		N W	C W	B W			
1	Border control	X	X	X	<p><b>NW/CW/BW:</b> General Customs Act No. 1053</p> <p>Supreme Decree No. 010-2009-EF</p> <p>General procedure: import for consumption-INTA-PG.01-A</p> <p>Specific procedure: control of restricted goods - INTA-PE.00.06</p> <p><b>NW:</b> Ministry of Health - DIGESA Solid and radioactive waste, article 55 of Legislative Decree No. 757, Framework law for private investment growth of 13 November 1991</p> <p>Basel Convention on hazardous waste, approved by Legislative Decision No. 26234 of 21 October 1993</p> <p>Solid Waste Act, Act No. 27314 of 21 July</p>	X	X	X	<p><b>NW/CW/BW:</b> Act No. 29239 of 29 May 2008, articles 26-33</p> <p>Supreme Decree No. 010-2009-EF</p> <p>General Customs Act No. 1053</p> <p>Act No. 28008 on Customs Offences, articles 1 and 4</p>		

				<p>2000</p> <p>Peruvian Institute of Nuclear Energy (IPEN)</p> <p>Act No. 27757 of 19 June 2002 prohibiting imports of used goods, machinery and equipment that use radioactive sources</p> <p>Act No. 28028 of 18 July 2003 regulating the use of sources of ionizing radiation</p> <p>Implementing regulations for Act No. 27757 establishing a control mechanism for the import of sources of ionizing radiation, Supreme Decree No. 001-2004-EM of 25 March 2004</p> <p><b>CW:</b></p> <p>Act No. 29239 of 29 May 2008 on measures for the control of chemical substances that could be diverted for the manufacture of chemical weapons</p> <p>Ministry of Production - Office of Chemical Precursors and Controlled Products (DIQPF)</p> <p>Decree-Law No. 25623 of 21 July 1992 on chemicals and precursors used directly or indirectly to produce cocaine base paste, washed paste, cocaine hydrochloride, raw morphine base, morphine base and heroin and its Regulations approved by Supreme Decree No. 008-93-ITINCI of 4 June 1993, amended by Supreme Decree No. 001-94-IN of 22 February 1994</p> <p>Act No. 26332 of 24 June 1994, amending</p>				
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					Decree-Law No. 25623  Supreme Decree No. 007-97-ITINCI of 23 April 1997 on the inclusion of chemical precursors in the list of controlled products referred to in Decree-Law No. 25623  Legislative Decree No. 846 of 21 September 1996 on ammonium nitrate and its components				
2	Technical support of border control measures					X	X		<b>NW/CW:</b> Detectors and other measures deployed for the 2008 Asia-Pacific Economic Cooperation Summit and the Conference of the Parties to the United Nations Framework Convention on Climate Change held in Lima in 2014
3	Control of brokering, trading in, negotiating or otherwise assisting in the sale of goods and technology	?	?	?	<b>NW/CW/BW:</b> General Customs Act No. 1053  Supreme Decree No. 010-2009-EF  Supreme Decree No. 133-2013-EF  <b>CW:</b> Act No. 29239 of 29 May 2008	?	?	?	<b>NW/CW/BW:</b> General Customs Act No. 1053  Supreme Decree No. 010-2009-EF  Act No. 28008 on Customs Offences, articles 1 and 4  <b>CW:</b> Act No. 29239 of 29 May 2008
4	Enforcement agencies/authorities	X	X	X	<b>NW/CW/BW:</b> Supreme Decree No. 133-2013-EF  <b>CW:</b> Act No. 29239 of 29 May 2008, article 12	X	X	X	<b>NW/CW/BW:</b> National Customs and Tax Administration Authority (SUNAT)  <b>NW:</b> Decree-Law No. 21875, IPEN Organic Law  <b>CW:</b> Act No. 24829 of 1998  Act No. 29239 of 29 May 2008, articles 26-33

5	Export control legislation in place	X	X	<p>Final export General procedures: INTA-PG.02 V6</p> <p><b>NW:</b> Supreme Decree No. 039-2008-EM, Regulations concerning authorizations, monitoring, control, violations and penalties relating to Act No. 28028</p> <p>Compendium of Administrative Procedures approved by Supreme Decree No. 020-2005-EM</p> <p><b>CW:</b> Act No. 29239 of 29 May 2008, part III, chapter 1; part IV</p> <p>Implementing regulations for Act No. 29239 of 15 June 2011, part III, chapter V</p>	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM2.</p> <p>Act No. 28028 of 18 July 2003 regulating the use of ionizing radiation: Regulatory body, part VII</p> <p><b>CW:</b> Act No. 24829 of 1998</p> <p>Act No. 29239 of 29 May 2008, parts III and IV</p> <p>Implementing regulations for Act No. 29239 of 15 June 2011, parts III and IV</p>
6	Licensing provisions	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM</p> <p>Act No. 28028: applies only to radioactive sources</p> <p>Compendium of Administrative Procedures approved by Supreme Decree No. 020-2005-EM</p> <p><b>CW:</b> Act No. 29239 of 2008, articles 12 and 22</p>	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM</p> <p>Act No. 28028 of 2003 regulating the use of ionizing radiation, part VII</p> <p><b>CW:</b> National Customs and Tax Administration Authority (SUNAT) Act No. 24829 of 1998 Implementing regulations for Act No. 29239 of 15 June 2011, part II, chapter III</p>
7	Individual licensing	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM</p>	X	X	<p><b>NW:</b> Supreme Decree No. 039-2008-EM</p>

				Act No. 28028 of 2003: applies only to radioactive sources  Compendium of Administrative Procedures approved by Supreme Decree No. 020-2005-EM  <b>CW:</b> Act No. 29239 of 2008 and its implementing regulations, Decree No. 008-2011, article 22			Act No. 28028 of 2003 regulating the use of ionizing radiation, part VII  <b>CW:</b> Act No. 29239 of 2008 and its implementing regulations of 15 June 2011, part II, chapter III	
8	General licensing	X		<b>NW:</b> Supreme Decree No. 039-2008-EM  Act No. 28028 of 2003: applies only to radioactive sources  Compendium of Administrative Procedures approved by Supreme Decree No. 020-2005-EM	X		<b>NW:</b> Supreme Decree No. 039-2008-EM  Act No. 28028 of 2003 regulating the use of ionizing radiation, part VII	
9	Exceptions from licensing							
10	Licensing of deemed export/visa							
11	National licensing authority	X	X	<b>NW:</b> Peruvian Institute of Nuclear Energy (IPEN), established by Decree-Law No. 21875, as amended by Legislative Decree No. 158  <b>CW:</b> Act No. 29239, article 12	X	X	<b>NW:</b> Technical Office of the National Authority of the Peruvian Institute of Nuclear Energy  Act No. 27757, annex II  <b>CW:</b> Act No. 29239, articles 26-33	
12	Inter-agency review for licences							
13	Control lists		X	? <b>CW:</b> Supreme Decree No. 119-97-EF of 18 September 1997: specific customs tariff subheadings for chemicals listed in the CWC		X	<b>CW:</b> Act No. 29239, articles 26-33	

				Act No. 29239 of 2008  <b>BW:</b> General Health Act No. 26842 of 1997, article 98				
14	Updating of lists							
15	Inclusion of technologies							
16	Inclusion of means of delivery		X	<b>CW:</b> Act No. 29239 of 2008, article 4		X	<b>CW:</b> Act No. 29239 of 2008 and its implementing regulations, Decree No. 008-2011, part III, chapter VI, and part IV	
17	End-user controls							
18	Catch-all clause							
19	Intangible transfers							
20	Transit control	?	X	<b>NW:</b> Supreme Decree No. 014-2002-EM, Regulations on the physical protection of nuclear materials and facilities  <b>CW:</b> Act No. 29239 of 2008 and its implementing regulations, Decree No. 008-2011, article 23		X	<b>CW:</b> Act No. 29239 of 2008 and its implementing regulations, Decree No. 008-2011, part III, chapter VI, and part IV	
21	Trans-shipment control		X	<b>CW:</b> Act No. 29239 of 2008 and its implementing regulations, Decree No. 008-2011, article 23		X	<b>CW:</b> Act No. 29239 of 2008 and its implementing regulations, Decree No. 008-2011, part III, chapter VI, and part IV	
22	Re-export control		X	<b>CW:</b> Act No. 29239 of 29 May 2008, part III, chapter I, and part IV  Implementing regulations for Act No. 29239 of 15 June 2011, part III, chapter V			<b>CW:</b> Act No. 29239 of 29 May 2008, part III, chapter I, and part IV  Implementing regulations for Act No. 29239 of 15 June 2011, part III, chapter V	





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27	Other			X	<b>BW:</b> General Health Act No. 26842 of 1997, article 98					
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## 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)	X	Supreme Decree No. 119-97-EF of 18 September 1997: specific customs tariff subheadings for chemicals listed in the CWC	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested			
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	European Union, Organization for the Prohibition of Chemical Weapons (OPCW), United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC)	
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of contact			
10	Other <sup>4</sup>	X	A national round table on the implementation of Security Council resolution 1540 (2004) was organized by the Government of Peru, the United Nations Office for Disarmament Affairs and UNLIREC in Lima, Peru, on 14 November 2014	

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