



7-1-S/094

The Permanent Mission of Peru to the United Nations, presents its compliments to the Security Council Committee established pursuant to resolution 1540 (2004), and has the honor to refer its Notes SCA/5/2020/(03) and SCA/5/2020/(05) related to the updated draft matrix for Peru prepared by the Panel of Experts.

In this regard, the Permanent Mission of Peru would like to submit attached the draft matrix of Peru, which has been examined and evaluated by the Peruvian authorities and containing the relevant and latest information about the measures established by the Government of Peru in compliance of resolution 1540.

The Permanent Mission of Peru to the United Nations avails itself of this opportunity to renew to the Security Council Committee established pursuant to resolution 1540 (2004), the assurances of its highest consideration.

New York, June 16, 2020



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

New York.-

DRAFT 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 Peru
Date of Report:	1 November 2004
Dates of Additional Reports:	14 January 2008 (National Submission) 15 June 2016 (National Submission)
Last Revised:	23 December 2015

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)	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) without protocol(s)	Adopted on 14 February 1967. Entered into force for Peru on 4 March 1969.	
3 International Convention for the Suppression of Acts of Nuclear Terrorism	Instrument of ratification deposited by Peru on 29 May 2009. Entered into force on 28 June 2009.	
4 Convention on Physical Protection of Nuclear Material (CPPNM)	Approved by Legislative Decision No. 26376 of 28 October 1994 (making a reservation to article 17.2 on means of dispute settlement). Entered into force for Peru on 10 February 1995.	
5 2005 Amendment to the CPPNM	Adopted in July 2005. Entered into force for Peru on 8 May 2016.	
6 Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Signed by Peru on 25 September 1996. Approved by the National Congress on 25 September 1997.	
7 Treaty on the Prohibition of Nuclear Weapons	Signed by Peru on 20 September 2017.	
8 Chemical Weapons Convention (CWC)	Signed by Peru on 14 January 1993. Instrument of ratification deposited on 20 July 1995. Entered into force on 29 April 1997.	

9	Biological Weapons Convention (BWC)	Signed by Peru on 10 April 1972. Ratified on 5 June 1985. Entered into force on 26 March 1975.	
10	Geneva Protocol of 1925	Peru deposited the instrument of ratification on 13 August 1985.	
11	1997 International Convention for the Suppression of Terrorist Bombings	Peru deposited the instrument of ratification on 10 November 2001.	
12	1999 International Convention for the Suppression of the Financing of Terrorism	Signed by Peru on 14 September 2000 and ratified on 10 November 2001.	
13	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation	Approved on 14 October 2005 and entered into force on 28 July 2010.	
14	2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf	Approved on 14 October 2005 and entered into force on 28 July 2010.	
15	Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 12 August 1949	Adopted by Legislative Decision No. 12412. Instrument of ratification deposited on 15 February 1956. In force in Peru since 15 August 1956.	
16	Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 12 August 1949	Adopted by Legislative Decision No. 12412. Instrument of ratification deposited on 15 February 1956. In force in Peru since 15 August 1956.	
17	Geneva Convention relative to the Treatment of Prisoners of War, 12 August 1949	Adopted by Legislative Decision No. 12412. Instrument of ratification deposited on 15 February 1956. In force in Peru since 15 August 1956.	

18	Geneva Convention relative to the Protection of Civilian Persons in Time of War, 12 August 1949	Adopted by Legislative Decision No. 12412. Instrument of ratification deposited on 15 February 1956. In force in Peru since 15 August 1956.	
19	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)	Adopted by Legislative Decision No. 25029. Instrument of ratification deposited on 27 June 1989. In force in Peru since 14 January 1990.	
20	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)	Adopted by Legislative Decision No. 25029. Instrument of ratification deposited on 27 June 1989. In force in Peru since 14 January 1990.	
21	Rome Statute of the International Criminal Court	Adopted by Legislative Decision No. 27517. Instrument of ratification deposited on 10 November 2001. In force in Peru since 1 July 2002.	
	Other relevant regional legally binding instruments		
22	Protocol for the Protection of the South East Pacific against Radioactive Contamination Joint Convention on the safe management of nuclear spent fuel and nuclear waste Inter-American Convention against Terrorism (6 September 2003)	Adopted on 3 June 2002 and ratified by Peru on 9 June 2003.	

23	International Atomic Energy Agency (IAEA)	Peru deposited the instrument of ratification on 30 September 1957.	
	Directly relevant Arrangements		
24	The Hague Code of Conduct against Ballistic Missile Proliferation	Signed by Peru on 25 November 2002.	
25	Statement on non-provision of WMD and related materials to non-State actors	Peru considers it essential to strengthen measures to combat the use of weapons of mass destruction by terrorists. 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 “Commemorating the Tenth Anniversary of Resolution 1540 (2004) and Looking Ahead” 7 May 2014	
27	40 recommendations of the Financial Action Task Force	Under the memorandum of understanding signed by the States of the Financial Action Task Force of Latin America (formerly known as the South American Financial Action Task Force on Money Laundering) on 8 December 2000, Peru must implement the 40 recommendations on combating money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction. The implementation of these recommendations is subject to mutual evaluation. Recommendations 6 and 7 of the Financial Action Task Force concern financial penalties relating to terrorism, the financing of terrorism and the proliferation of weapons of mass destruction. The tenth immediate outcome identified by the Financial Action Task Force assesses the effectiveness of the measures taken by a State, pursuant to Security Council resolutions, against persons and entities involved in terrorism and the financing of terrorism. The eleventh immediate outcome identified by the Financial Action Task Force assesses the effectiveness of the measures taken by a State, pursuant to Security Council resolutions, against persons and entities involved in the proliferation of weapons of mass destruction.	
28	Security Council resolution 1373 (2001)	Requires States to prevent and suppress the funding of any terrorist act, and freeze the funds, other financial assets and economic resources of persons who commit or intend to commit terrorist acts	This resolution is linked to recommendation 6 of the Financial Action Task Force and immediate outcome 10.
29	Security Council resolution 1718 (2006)	Requires States to freeze the funds, other financial assets and economic resources of persons or entities designated by the Committee or by the Security Council as being engaged in the nuclear-related, other weapons of mass destruction-related and ballistic missile-related programmes of the Democratic People's Republic of Korea	This resolution is linked to recommendation 7 of the Financial Action Task Force and immediate outcome 11.

30	Security Council resolution 2231 (2015)	Requires States to freeze the funds, other financial assets and economic resources of persons or entities designated by the Committee or the Security Council as having engaged in, directly associated with or provided support for the proliferation-sensitive nuclear activities undertaken by Iran contrary to its commitments in the Joint Comprehensive Plan of Action	
31	International Health Regulations (2005)	From 1996 to 2005, the World Health Organization (WHO) and its member States worked on updating the International Health Regulations. The new revised version – International Health Regulations (2005) – was adopted by the World Health Assembly on 23 May 2005.	
19	Membership in relevant international, regional or sub-regional organisations	<p>World Health Organization (WHO)</p> <p>World Organization for Animal Health (OIE)</p> <p>INTERPOL</p> <p>World Customs Organization (WCO) and its Framework of Standard to Secure and Facilitate Global Trade</p> <p>International Maritime Organization (IMO)</p> <p>Member of the Organization of American State (OAS)</p> <p>World Bank</p> <p>International Monetary Fund (IMF)</p> <p>Member of the Financial Action Task Force of Latin America (GAFILAT)</p>	

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/produce	X	X	X	<p>NW: Political Constitution of Peru, Chap. II articles 55 and 56 (ratification of international agreements)</p> <p>Decree-Law No. 21875 – Organic Act on the Peruvian Nuclear Energy Institute (IPEN)</p> <p>Act No. 28028 on the use of ionizing radiation sources</p> <p>CW: Act No. 26672 establishing the National Council for the Prohibition of Chemical Weapons, article 4 (a)</p> <p>Act No. 29239 (29 May 2008) on measures for the control of chemical substances that could be diverted for the manufacture of chemical weapons.</p> <p>Supreme Decree No 008-2011-PRODUCE , which regulates Act No. 29239 Supreme Decree No. 002-2017-PRODUCE, Regulations on the organization and functions of the Ministry of Production, article 100</p> <p>BW: Decree-Law No.22999, which ratified the BWC</p>	X	X	X	<p>NW: Decree-Law No. 21875 - Organic Act on the Peruvian Nuclear Energy Institute</p> <p>Act No. 28028 on the use of ionizing radiation sources</p> <p>Penal Code, articles 273 and 279</p> <p>CW: Penal Code, article 279-A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No. 29239, articles 26 to 33</p> <p>Implementing regulations for Act No.29239, articles 30 to 35</p> <p>BW:</p>	

				<p>General Health Act No. 26842, articles 96, 97, 98, 99, 100 and 101</p> <p>Regulations on the organization and functions of the National Institute for Health of the Ministry of Health</p> <p>Supreme Decree No. 001-2003-SA, articles 7 (d) and 35</p> <p>Terrorism:</p> <p>Act No. 635 - Penal Code Decree-Law No. 25475</p> <p>Directorate Resolution No. 229- DIRGENPNP/EMG-PNP establishing the Department for the Prevention and Investigation of Weapons of Mass Destruction of the Counter-Terrorism Directorate of the national police of Peru</p>			<p>General Health Act No. 26842, articles 130 to 136</p> <p>Penal Code, articles 286 and 287</p> <p>Terrorism:</p> <p>Decree-Law No. 25475, article 4, establishing the penalties for crimes of terrorism and the procedures for investigation, prosecution and trial</p>		
2	acquire	X	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>CW: Act No. 26672</p> <p>Act No. 29239 and its implementing regulations</p> <p>BW: Decree-Law No 2299 Legislative Decree No. 1161 Regulations on the organization and functions of the Ministry of Health</p>	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code, article 279</p> <p>CW: Penal Code, Art 279 A Act No. 26672, article 4 (a) Act No. 29239, articles 26 to 33 Implementing regulations for Act No. 29239, articles 30 to 35</p>	

					<p>Terrorism: Penal Code</p> <p>Decree-Law No. 25475</p> <p>Directorate Resolution No. 229- DIRGENPNP/EMG-PNP</p>				<p>Terrorism: Decree-Law No. 25475, article 4</p>	
3	possess	X	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>CW: Act No. 26672</p> <p>Act No. 29239 and its implementing regulations</p> <p>BW: Decree-Law N° 22299</p> <p>General Health Act, article 86</p> <p>Terrorism: Penal Code</p> <p>Decree-Law No. 25475</p> <p>Directorate Resolution No. 229- DIRGENPNP/EMG-PNP</p>	X	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code</p> <p>CW: Penal Code, Art 279 A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No.29239, articles 26 to 33</p> <p>Act No. 29239</p> <p>BW: Penal Code, article 289</p> <p>Terrorism: Decree-Law No. 25475, article 4</p>	
4	Stockpile/store		X	X	<p>CW: Act No. 26672</p> <p>BW: Decree-Law No. 22299</p>			X	<p>CW: Penal Code, article 279-A Act No. 26672, article 4 (a)</p>	
5	develop	X			<p>NW: Decree-Law No. 21875</p>	X	X	X	<p>NW: Decree-Law No. 21875</p>	

			X	X	<p>Act No. 28028</p> <p>CW: Act No. 26672</p> <p>Act No. 29239 and its implementing regulations</p> <p>BW: Decree-Law No. 22999</p> <p>General Health Act, No. 26842, articles 96, 97, 98, 99, 100 and 101</p>			<p>Act No. 28028 Penal Code, article 279</p> <p>CW: Penal Code, Art 279 A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No. 29239, articles 26 to 33</p> <p>Implementing regulations for Act No. 29239, articles 30 to 35</p>	
6	transport		X		<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Implementing regulations for Legislative Decree No. 1147</p> <p>Supreme Decree No. 015-2014-DE. Chapter III, Radioactive Nuclear Material, articles 344 to 351</p> <p>Monitoring plan of the Port Captain with the support of IPEN</p> <p>Hazardous materials: International Civil Aviation Organization document No. 9284 and Dangerous Goods Regulations of the International Air Transport Association (Peruvian Aviation Regulations - RAP 110)</p> <p>Act No. 28256 regulating the transport by land of hazardous materials and waste, found in the Orange Book of the United Nations</p>		X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code</p> <p>Supreme Decree No. 015-2014-DE, implementing regulations for Legislative Decree No. 1147, article 749.1</p> <p>Hazardous materials: Regulations governing aeronautical offences and penalties, approved by Ministerial Resolution No. 361-2011-MTC/002</p> <p>Supreme Decree No. 021-2008-MTC on the regulation of transport by land of hazardous materials and wastes, article 106</p> <p>Legislative Decree No. 1147, articles 5 (18), 10 and 19</p>	<p>Weapons of mass destruction: Act No. 29380 on the creation of the Superintendency of the Transport by Land of Persons, Cargo and Goods, gives powers to its inspectors in the entity responsible for ensuring that transport companies transfer hazardous materials and waste in an appropriate manner</p>

				<p>Implementing regulations for Act No. 28256, approved by Supreme Decree No. 021-2008-MTC</p> <p>Legislative Decree No. 1147 on strengthening the armed forces within the national maritime authority, the General Directorate of Captaincies and Coastguards, article 2, 6); G articles 4, 5 (1), (2), (3), (8) and (9), 6 and 18</p> <p>Supreme Decree No. 015-2014-DE, implementing regulations for Legislative Decree No. 1147, articles 16, 302 to 330 and 331 to 351</p> <p>NW, CW, BW: Decree-Law No. 25632 and amendments thereto, Framework Act on Payment Receipts, article 3, paragraph 1, and its implementing regulations, article 3</p> <p>Superintendency Decision No. 007-99/SUNAT and amendments (reference guidelines)</p> <p>Article 17 – Rules for the transfer of goods</p> <p>Terrorism: Penal Code</p> <p>Decree-Law No. 25475</p> <p>Directorate Resolution No. 229- DIRGENPNP/EMG-PNP</p>				<p>Terrorism: Decree-Law No. 25475, article 4</p>		
7	transfer	X	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p>	X	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code, article 279</p>	

				<p>CW: Act No. 26672</p> <p>Act No. 29239 and its implementing regulations</p> <p>BW: Decree-Law No. 22299</p>			<p>CW: Penal Code. article 279-A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No.29239, articles 26 to 33</p> <p>Implementing regulations for Act No. 29239, , articles 30 to 35</p> <p>BW: Penal Code, article 292</p>	
8	use	X	X	X	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>CW: Act No. 2672</p> <p>Act No. 29239 and its implementing regulations</p> <p>BW: Decree-Law No. 22299</p> <p>Terrorism: Penal Code</p> <p>Decree-Law No. 25475</p> <p>Directorate Resolution No. 229- DIRGENPNP/EMG-PNP</p>	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code, article 273</p> <p>CW: Penal Code, article 279-A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No. 29239, articles 26 to 33</p> <p>Implementing regulations for Act No. 29239, articles 30 to 35</p> <p>Terrorism: Decree-Law No. 25475, article 4</p> <p>Act No. 29936</p>

9	attempt to engage in abovementioned activities	X		<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>CW: Act No. 26672</p>	X		<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code, articles 273 and 279</p> <p>CW: Penal Code, article 279-A</p> <p>Act No. 26672, article 4 (d)</p> <p>NW, CW, BW: Penal Code, articles 16 (Attempt) and 19 (Participation of various actors in the attempt)</p> <p>Terrorism: Decree-Law No. 25475, article 4 Act No. 29936</p>	
10	participate as an accomplice in abovementioned activities	X		<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>CW: Act No. 26672</p>	X		<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code, articles 273 and 279-A</p> <p>CW: Penal Code, article 279-A Act No. 26672, article 4 (d)</p> <p>NW/CW/BW: Penal Code, articles 23 (Responsibility, indirect responsibility and joint responsibility), 24 (Incitement), 25 (Primary involvement and secondary involvement) and 27 (Acting on behalf of another person)</p> <p>Decree-Law No. 25475 establishing the penalty for crimes of terrorism and procedures for the</p>	

								investigation, prosecution and trial, article 4 (Involvement in terrorism) Terrorism: Decree-Law No. 25475, article 4 Act No. 29936
11	assist in abovementioned activities	X	X		NW: Decree-Law No. 21875 Act No. 28028 CW: Act No. 26. Terrorism: Decree-Law No. 25475 Directorate Resolution No. 229- DIRGENPNP/EM-PNP	X	X	NW: Decree-Law No. 21875 Act No. 28028 Penal Code, articles 273 and 279 CW: Penal Code, article 279-A Act No. 26672, article 4 (d) Terrorism: Decree-Law No. 25475, article 4 Act No. 29936
12	finance abovementioned activities	X			NW: Decree-Law No. 21875 Act No. 28028 Financing: Act No. 27693 establishing the Peruvian Financial Intelligence Unit, amended by Act No. 30437 Article 3, No. 12 "Functions and powers of the Peruvian Financial Intelligence Unit"	X		NW: Decree-Law No. 21875 Act No. 28028 Penal Code Financing: Superintendency of Banks, Insurance and Private Pension Fund Administrators Decision No. 2755-2018, regulations governing offences and penalties

				<p>Superintendency of Banks, Insurance and Private Pension Fund Administrators Decision No. 3862-2016 of 16 July 2016 on the mechanisms and procedures for the freezing of funds and other assets of the persons or entities involved in terrorism, the financing of terrorism or the financing of the proliferation of weapons of mass destruction that are listed in Security Council resolutions</p> <p>Public Registries Decision No. 273-2018 SUNARP/SN, approving Directive No. 07-2018-SUNARP/SN on the procedure for the introduction and registration of administrative asset freezing measures of the Peruvian Financial Intelligence Unit</p> <p>Terrorism: Penal Code</p> <p>Decree-Law No. 25475</p> <p>Act No. 29936</p>			<p>Terrorism: Decree-Law No. 25475, article 4</p> <p>Act No. 29936</p>	
13	abovementioned activities related to means of delivery ¹	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>CW: Act No. 29239 and its implementing regulations</p> <p>BW: Decree-Law No. 22299</p>	X		<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code, articles 273 and 279</p> <p>CW: Implementing regulations for Act No. 29239, articles 30 to 35 Penal Code, articles 279 and 279-A</p>	<p>CW: Under the definition of chemical weapons in article 4 of Act No. 29239, the term also covers their means of delivery (para. (b) and (c))</p>

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		NW: Safeguards Agreement between IAEA and Peru and its Additional Protocol INFCIRC/273 CW: Act No. 26672 Act No. 29239 and its implementing regulations	X	X		NW: Decree-Law No. 21875 Act No.28028 Penal Code CW: Penal Code, article 279-A Act No. 26672, article 4 (a) Act No. 29239 articles 26 to 33 Implementing regulations for Act No 29239., articles 30 to 35	
2		X	X		NW: Safeguards Agreement between IAEA and Peru and its Additional Protocol INFCIRC/273 CW: Act No. 26672	X	X		NW: Decree-Law No. 21875 Penal Code CW: Penal Code, article 279-A	

	Measures to account for use			Act No. 29239 and its implementing regulations			Act No. 26672, article 4 (a) Act No. 29239, articles 26 to 33 Implementing regulations for Act No. 29239, articles 30 to 35	
3	Measures to account for storage	X	X	<p>NW: Safeguards Agreement between IAEA and Peru and its Additional Protocol</p> <p>INFCIRC/273</p> <p>CW: Act No. 26672</p> <p>Act No. 29239 and its implementing regulations</p>	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code</p> <p>CW: Penal Code, article 279-A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No. 29239, articles 26 to 33</p> <p>Implementing regulations for Act No. 29239, articles 30 to 35</p>	
4	Measures to account for transport	X		<p>NW: Safeguards Agreement between IAEA and Peru and its Additional Protocol</p> <p>INFCIRC/273</p>	X		<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code</p>	
5	Measures to secure production	X	X	<p>NW: Safeguards Agreement between IAEA and Peru and its Additional Protocol</p> <p>INFCIRC/273</p>	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p>	<p>CW: Relates to standards for the safety of people, processes and</p>

				<p>CW: Act No. 26672</p> <p>Act No. 29239, articles 14 to 20</p> <p>Implementing regulations for Act No. 29239, articles 7 to 20</p> <p>Terrorism: Directorate Resolution No. 229-2016-DGPNP/EMG, this police unit will coordinate with the various entities for preventive purposes</p>			<p>Penal Code</p> <p>CW: Penal Code, article 279-A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No. 29239, articles 26 to 33</p> <p>Implementing regulations for Act No. 29239, articles 30 to 35</p>	<p>facilities. For people, this means the workplace safety and health standards (on the provision of personal protection equipment and supplementary insurance for hazardous work)</p>
6	Measures to secure use	X	X	<p>NW: Safeguards Agreement between IAEA and Peru and its Additional Protocol</p> <p>INFCIRC/273</p> <p>CW: Act No. 26672</p> <p>Act No. 29239, articles 14 to 20</p> <p>Implementing regulations for Act No. 29239, articles 7 to 20</p>	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code</p> <p>CW: Penal Code, article 279-A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No. 29239, articles 26 to 33</p> <p>Implementing regulations for Act No. 29239, articles 30 to 35</p>	
7	Measures to secure storage	X	X	<p>NW: Safeguards Agreement between IAEA and Peru and its Additional Protocol</p>	X	X	<p>NW: Decree-Law No. 21875</p>	

				<p>INFCIRC/273</p> <p>CW: Act No. 26672</p> <p>Act No. 29239, articles 14 to 20</p> <p>Implementing regulations for Act No. 29239, articles 7 to 20</p>			<p>Act No. 28028</p> <p>Penal Code</p> <p>CW: Penal Code, article 279-A</p> <p>Act No. 26672, article 4 (a)</p> <p>Law No. 29239, articles 26 to 33</p> <p>Implementing regulations for Act No. 29239, articles 30 to 35</p>		
8	Measures to secure transport	X	X	X	<p>NW: Safeguards Agreement between IAEA and Peru and its Additional Protocol</p> <p>INFCIRC/273</p> <p>CW: Act No. 28256 regulating the transport by land of hazardous materials and waste</p> <p>BW: Ministerial Resolution No. 463-2019/MINSA - Technical Health Standards on Preparation, Packaging and Documentation for the Safe Transport of Infectious Substances</p> <p>Legislative Decree No. 1147, articles 8, 11, 12, 13 and 14</p> <p>Supreme Decree No. 015-2014-DE, implementing regulations for Legislative Decree No. 1147, articles 159 to 188</p>	X	X	<p>NW: Decree-Law No. 21875</p> <p>Act No. 28028</p> <p>Penal Code</p> <p>CW: Act No. 28256 on the Ministry of Transport and Communications, articles 10 to 13</p>	

9	Physical protection measures	X			NW: Supreme Decree No. 014-2002-EM (Regulations for physical protection of nuclear materials and installations)	X			NW: Decree-Law No. 21875 Act No. 28028 Penal Code
10	Personnel Reliability				NW: Supreme Decree No. 039-2008-EM Supreme Decree No. 014-2002-EM, article 20				

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	Peruvian Nuclear Energy Institute (IPEN) – National Authority Technical Office Act No. 28028 on the use of ionizing radiation sources, article 3	
2	Licensing of nuclear installations/entities/ use of materials	Supreme Decree No. 039-2008-EM 2. Act No. 28028 of 2003, Chapter VII Supreme Decree No. 039-2008-EM Act No. 28028 of 2003, Title VII Implementing regulations for Act. No. 28028, approved by Supreme Decree No. 039-2008-EM, which establishes that IPEN, through the National Authority Technical Office, has the power to authorize, monitor, control, inspect and punish users of ionizing radiation	
3	IAEA Safeguards Agreements	Safeguards Agreement with IAEA in force since 1 August 1979 (INFCIRC/273)	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Peru expressed its political support for this international legal instrument in 2004	
5	IAEA Code of Conduct on the Safety of Research Reactors	Peru expressed its political support for this international legal instrument in 2004	
6	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	Peru expressed its political support for this international instrument in 2004 and an administrative agreement on the import and export of radioactive sources with the Canadian Nuclear Safety Commission, signed on 6 October 2011, is in force	

7	IAEA Incident and Trafficking Database	Peru participates and has a national point of contact in the Incident and Trafficking Database (ITDB)	Put full name
8	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)	Integrated Nuclear Security Support Plan (INSSP) updated with IAEA in February 2018 and national point of contact designated	
9	Applying the physical protection recommendations in INFCIRC/225/Rev.5	The recommendations in INFCIRC/225/Rev. 5 were taken into account when receiving new fuel elements for the RP-10 nuclear reactor	
10	Other Agreements related to IAEA	<p>Convention on Early Notification of a Nuclear Accident, entered into force for Peru on 17 August 1995</p> <p>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, entered into force for Peru on 17 August 1995</p> <p>Nuclear Safety Convention, approved by the National Congress through Legislative Decision No. 26798 of 16 May 1997</p> <p>Joint Convention on the safe management of nuclear spent fuel and nuclear waste, entered into force for Peru on 8 May 2016</p>	
11	National legislation and regulations related to nuclear material including CPPNM	<p>Act No. 28028 on the use of ionizing radiation sources and its implementing regulations approved by Supreme Decree No. 039-2008-EM</p> <p>Regulations on the physical protection of nuclear materials and facilities, approved by Supreme Decree No. 014-2002-EM</p>	

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	<p>Act No. 26672 establishing the National Council for the Prohibition of Chemical Weapons</p> <p>Act No. 29239 on measures for the control of chemical substances that could be diverted for the manufacture of chemical weapons and its implementing regulations, approved by Supreme Decree No. 008-2011-PRODUCE, establishes the functions and responsibilities of the National Council for the Prohibition of Chemical Weapons</p>	<p>Act No. 26672, article 2</p> <p>Act No. 29239, article 5</p> <p>Implementing regulations for Act No. 29239, article 6</p>
2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials	<p>Act No. 29239 on measures for the control of chemical substances that could be diverted for the manufacture of chemical weapons</p> <p>Implementing regulations for Act No. 29239, approved by Supreme Decree No. 008-2011-PRODUCE</p>	<p>Act No. 29239, articles 14 to 23</p> <p>Implementing regulations for Act No. 29239, articles 7 to 20</p>
3	Old or abandoned chemical weapons	<p>Act No. 29239 on measures for the control of chemical substances that could be diverted for the manufacture of chemical weapons</p> <p>Implementing regulations for Act No. 29239, approved by Supreme Decree No. 008-2011-PRODUCE</p>	<p>Act No. 29239, article 34</p> <p>Implementing regulations for Act No. 29239, article 41</p>

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	Act No. 27104 on the prevention of risks of biotechnology that applies to modified living organisms (GMOs) only, approved on 7 May 1999	

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: Act No. 28028</p> <p>Act. No. 27757 prohibiting imports of used goods, machinery and equipment that use radioactive sources and its implementing regulations</p> <p>CW: Act No. 29239 and its implementing regulations</p> <p>BW: General Health Act No. 26842, articles 82 to 86</p> <p>Ministerial Resolution No. 793-2006/MINSA establishing the National Focal Point for contact with the World Health Organization</p> <p>NW/CW/BW: General Customs Act, articles 10 and articles 162, 164 and 165 on exercising customs authority</p> <p>Implementing regulations for the Act, approved by Supreme Decree No. 010-2009-EF, article 225 on preventive measures and article 226 on extraordinary control measures</p>	X	X	X	<p>CW: Act No.29239, articles 26 to33 Implementing regulations for Act No. 29239, articles 30 to 35 Act No. 28008, Customs Offences Act, articles 8 and 9</p>	

					Customs Offences Act, article 8 on trafficking in prohibited or restricted goods and article 9 on the penalty for an attempt to commit an offence, and its implementing regulations, approved by Supreme Decree No. 121-2003-EF					
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	Terrorism: Decree-Law No. 25475 Directorate Resolution No. 229- DIRGENPNP/EMG-PNP	X	X	X	Terrorism: Penal Code, articles 279 and 279-A Decree-Law No. 25475, article 4	
3	Border control detection measures	X	X	X	NW: Act No. 28028 Act No. 27757 NW, CW, BW: General Customs Act, article 10 Implementing regulations for the Act, Supreme Decree No. 010-2009-EF, articles 225 and 226	X			NW: Penal Code NW, CW, BW: Act No. 28008 on Customs Offences and its implementing regulations (Supreme Decree No. 121-2003-EF) Special operations, inspections and customs control to combat illicit trafficking in goods and for the establishment of service roles in extraordinary control measures – Regulation PE.02.01	Non-intrusive inspection equipment and a full Non-intrusive Inspection System are available. Execution of Extraordinary Control Measures – Regulation PG.02
4	Control of brokering	X	X	X	NW/CW/BW: General Customs Act, article 10				Customs control Post-customs clearance Regulation PE.01.09 Customs inspection of	

										foreign trade operators Regulation PE.01.10
5	Export control legislation in place	X	X		<p>NW: Act No. 27757</p> <p>CW: Act No. 29239 and its implementing regulations</p> <p>NW, CW, BW: General Customs Act, articles 60, 62 and 63</p> <p>Implementing regulations for the Act, articles 81 to 85</p>	X	X		<p>CW: Act No. 29239, articles 19, 24 and 25</p> <p>Implementing regulations for Act No. 29239, articles 22 to 27</p>	
6	Licensing provisions and Authority	X	X		<p>NW: Act No. 28028</p> <p>CW: Act No. 29239 and its implementing regulations</p>			X	<p>CW: Act No.29239, articles 12, 22 and 23</p> <p>Implementing regulations for Act No. 29239, articles 7 to 16</p>	
7	Control lists of materials, equipment and technology	X	X		<p>NW: Act No. 27757</p> <p>CW: Act No. 29239</p> <p>NW, CW, BW: General Customs Act, article 186</p>	X			<p>CW: Act No. 29239, article 3</p>	

				Implementing regulations for the Act, articles 142, 165 and 194 Restricted goods procedure – DESPA-PE.00.06				
8	Intangible technology transfers							
9	Inclusion of means of delivery		X	CW: Act No. 29239, article 4		X		
10	End-user controls		X	CW: Act No. 29239 and its implementing regulations NW, CW, BW: General Customs Act, articles 10, 104 and 109 Tax Code, article 62 Supreme Decree No. 085-2007-EF Post-clearance customs inspection procedure – Regulation PE.01.09		X	CW: Act No. 29239, article 20 Implementing regulations for Act No. 29239, articles 17 to 20	
11	Catch all clause			Organic Customs Act - Decree-Law No. 26020, article 2 Act No. 24829, articles 1 and 2				
12	Transit control		X	CW: Act No. 29239, article 4 NW, CW, BW: General Customs Act, articles 10 and 92 Implementing regulations for the General Customs Act, articles 120 and 125 Implementing regulations for the General Customs Act, article 125, which prohibits the internal transit of nuclear waste and other		X	CW: Implementing regulations for Act No. 29239, article 23	

				<p>dangerous goods on which there are restrictions</p> <p>Transit procedures, DESPA PG.08</p> <p>International customs transit of goods CNA-ALADI - DESPA-PG.27</p>				
13	Trans-shipment control		X X	<p>CW: Implementing regulations for Act No. 29239</p> <p>BW: Act No. 26842, article 98</p> <p>NW, CW, BW: General Customs Act, articles 10 and 95 (definition of trans-shipment)</p> <p>Implementing regulations for the General Customs Act, article 129</p> <p>Trans-shipment procedure DESPA PG.11</p>			X	<p>CW: Implementing regulations for Act No. 29239, article 23</p>
14	Re-export control		X	<p>NW: Act No. 28028</p> <p>Act No. 27757</p> <p>CW: Implementing regulations for Act No. 29239, articles 22 and 23, establish the responsibility of the National Customs and Tax Administration for re-export control</p> <p>NW, CW, BW: General Customs Act, articles 53 and 68</p> <p>Implementing regulations for the General Customs Act, articles 73 and 92</p>				<p>CW: Implementing regulations for Act No. 29239, article 23</p> <p>In the General Customs Act, re-export is covered in the regime for temporary admission for re-export in the same State and the regime for temporary admission for active improvement; these regimes are fully monitored and the goods are subject to mandatory</p>

									physical examination
15	Control over financing of exports/transshipments that would contribute to proliferation		X		<p>CW: Act No. 26672 and its implementing regulations</p> <p>Terrorism: Decree-Law No. 25475, article 4</p> <p>Act No. 29936</p> <p>Directorate Resolution No. 229- DIRGENPNP/EMG</p>		X	<p>)</p> <p>CW: Penal Code, article 279-A</p> <p>Act No. 26672, article 4 (a)</p> <p>Act No. 29239, articles 26 to 33</p>	
16	Control over services related to exports/transshipments that would contribute to proliferation including transportation								
17	Import control legislation in place		X		<p>CW: Act No. 29239 and its implementing regulations</p>		X	<p>CW: Act No. 29239, articles 19, 24 and 25</p> <p>Implementing regulations for Act No. 29239, articles 21 to 27</p>	

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

1	Assistance offered	United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean
2	Assistance Point of Contact (for assistance providers only)	
3	Assistance requested	1540 Committee
4	Action taken to work with and inform industry	Work carried out with the Chemical Industry Committee of the National Society of Industry to develop training sessions and/or workshops in the framework of article XI of the Chemical Weapons Convention
5	Action taken to work with and inform the public	Various activities such as talks, workshops and outreach
6	Point of Contact	<p>Ambassador Ricardo Morote Canales, Director of Security and Defence, Ministry of Foreign Affairs Tel.: +51-1-204-2496 Email: rmorote@rree.gob.pe</p> <p>Counsellor Carlos Rios, Deputy Director of International Security, Control and Disarmament, Ministry of Foreign Affairs Tel: +51-1-204-2505 Email: crioss@rree.gob.pe</p> <p>Attorney Milagros Winkelried, Legal Specialist, Directorate of Security and Defence, Ministry of Foreign Affairs Tel: +51-1-204-3107 Email: mwinkelried@rree.gob.pe</p>
7	Voluntary National Implementation Action Plan (NAP)	Road map (National Action Plan), 27 July 2017
8	1540 Committee visits to States	National Round Table organized by the Government of Peru, UNODA and UNLIREC in Lima, Peru, 14 November 2014 and November 2018