

# APPROVED 1540 COMMITTEE MATRIX

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008), 1977 (2011), 2055 (2012) and 2325 (2016). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

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

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

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

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

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

<b>State:</b>	<b>Kingdom of Spain</b>
<b>Date of Report:</b>	<b>26 October 2004</b>
<b>Dates of Additional Reports:</b>	<b>22 March 2006</b>
	<b>8 February 2008</b>
	<b>11 March 2014</b>
<b>Date of Approval:</b>	<b>9 December 2020</b>

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

Adherence to legally binding instruments, membership of organisations, participation in arrangements and statements made.	Relevant information (i.e. signing, deposit of instrument of accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)	
1	Nuclear Non-Proliferation Treaty (NPT)	Deposit 5 November 1987	
2	Nuclear Weapons Free Zone/ Protocol(s)		
3	International Convention for the Suppression of Acts of Nuclear Terrorism	Deposit 22 February 2007	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit 6 October 1991	
5	2005 Amendment to the CPPNM	Deposit 11 September 2011	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit 31 July 1998	
7	Chemical Weapons Convention (CWC)	Deposit 3 August 1994	
8	Biological Weapons Convention (BWC)	Deposit 20 June 1979	
9	Geneva Protocol of 1925	Deposit 22 August 1929	
10	1997 International Convention for the Suppression of Terrorist Bombings	Deposit 30 April 1999	
11	1999 International Convention for the Suppression of the Financing of Terrorism	Deposit 9 April 2002	

12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation	Deposit 16 April 2008	
13	2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf	Deposit 16 April 2008	
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation	Signed 10 September 2010	
15	Other relevant regional legally binding instruments	EURATOM Treaty	
16	International Atomic Energy Agency (IAEA)	Member since 1957	
17	Directly relevant Arrangements	Nuclear Suppliers Group (NSG) Zangger Committee (ZC) Australia Group (AG) Missile Technology Control Regime (MTCR) Wassenaar Arrangement (WA) Proliferation Security Initiative (PSI) Container Security Initiative (CSI) Global Initiative to combat Nuclear Terrorism (GICNT) Global Partnership Partnership Against Impunity for the Use of Chemical Weapons	
18	Statement on non-provision of WMD and related materials to non-State actors	State reports that it “fully assumes its responsibilities and commitments in the struggle against the proliferation of weapons of mass destruction and neither supports nor collaborates in any way with non-State actors participating in [attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery]”.	
19	Membership in relevant international, regional or sub-regional organisations	European Union (EU) Financial Action Task Force against Money Laundering (FATF) International Civil Aviation Organization (ICAO) International Maritime Organization (IMO) International Monetary Fund (IMF)	

	<p>Inter-Parliamentary Union (IPU) INTERPOL Organization for Security and Cooperation in Europe (OSCE) World Bank Group World Customs Organization (WCO) World Health Organization (WHO) World Organisation for Animal Health (OIE)</p>	
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## II. OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

National legislation which prohibits persons or entities to engage in one of the following activities and its enforcement		National legal framework						Enforcement and civil/criminal penalties			Remarks
		X / ?			Source document of national implementation law	X / ?			Source document		
		N W	C W	B W		N W	C W	B W			
1	manufacture	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, as amended, Article 566</p> <p><b>NW:</b> Constitution of Spain, Section 96, in conjunction with NPT ratification law</p> <p><b>CW:</b> Constitution of Spain, Section 96, in conjunction with CWC ratification law, in force since 29 April 1997</p> <p><b>BW:</b> Constitution of Spain, Section 96, in conjunction with BTWC ratification law of 1 June 1979</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, as amended, Articles 566 and 567</p> <p><b>NW:</b> Penal Code, as amended, Article 345</p>		
2	acquire	X	X	X	<p><b>NW/ CW/BW:</b> Penal Code, as amended, Articles 566 and 567</p> <p><b>NW:</b> NPT ratification law</p> <p><b>CW:</b> CWC ratification law</p> <p><b>BW:</b> BTWC ratification law</p>	X	X	X	<p><b>NW/ CW/BW:</b> Penal Code, as amended, Articles 566 and 567</p> <p><b>NW:</b> Penal Code, as amended, Article 345</p>		
3	possess	X	X	X	<p><b>NW/ CW/BW:</b> Penal Code, as amended, Articles 566 and 567</p>	X	X	X	<p><b>NW/ CW/BW:</b> Penal Code, as amended, Articles 566 and 567</p>		

					<b>NW:</b> Penal Code, as amended, Article 345				<b>NW:</b> Penal Code, as amended, Article 345	
4	develop	X	X	X	<b>NW/CW/BW:</b> Penal Code, as amended, Article 566 No. 2  <b>CW:</b> CWC ratification law in force since 29 April 1997  <b>BW:</b> BTWC ratification law	X	X	X	<b>NW/CW/BW:</b> Penal Code, as amended, Articles 566 and 567	
5	transport	X	X	X	<b>NW/CW/BW:</b> Penal code, as amended, Article 574  <b>NW:</b> Penal Code, as amended, Article 345  <b>CW/BW:</b> Penal Code, as amended, Article 568 (transport)	X	X	X	<b>NW/CW/BW:</b> Penal code, as amended, Article 574  <b>NW:</b> Penal Code, as amended, Article 345  <b>CW/BW:</b> Penal Code, as amended, Articles 348, 568 (transport)	
6	transfer	X	X	X	<b>NW/CW/BW:</b> Penal Code, as amended, Articles 566, 567 and 568  <b>NW:</b> Penal Code, as amended, Article 345  <b>BW:</b> BTWC ratification law	X	X	X	<b>NW/CW/BW:</b> Penal Code, as amended, Articles 566, 567 and 568 (trade and trafficking)  <b>NW:</b> Penal Code, as amended, Article 345	
7	use	X	X	X	<b>NW/CW/BW</b> Penal Code, as amended, Article 566 No. 2  <b>NW:</b> Penal Code, as amended, Articles 341, 343 and 345	X	X	X	<b>NW/CW/BW</b> Penal Code, as amended, Article 566 No. 2  <b>CW/BW:</b> Penal Code, as amended, Article 566 (use)  <b>NW:</b> Penal Code, as amended, Articles 341, 343 and 345	

					<p><b>CW:</b> CWC ratification law</p> <p><b>BW:</b> Constitution of Spain, Section 96, in conjunction with 1997 Convention for the Suppression of Terrorist Bombings</p> <p>BTWC ratification law</p>				
8	attempt to engage in abovementioned activities	X	X	X	<p><b>NW/CW/BW</b> Penal Code, as amended, Article 15</p>	X	X	X	<p><b>NW/CW/BW</b> Penal Code, as amended, Article 15</p>
9	participate as an accomplice in abovementioned activities	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, as amended, Articles 27-29</p>	X	X	X	<p><b>CW/BW:</b> Penal Code, as amended, Articles 573, 576, 577 and 578</p> <p><b>NW:</b> Penal Code, as amended, Articles 341, 343 and 345</p>
10	assist in abovementioned activities	X	X	X	<p><b>NW:</b> Penal Code, as amended, Articles 27-29</p> <p><b>CW:</b> CWC ratification law</p> <p><b>BW:</b> BTWC ratification law</p>	X	X	X	<p><b>CW/BW:</b> Penal Code, as amended, Articles 576 and 577</p> <p><b>NW:</b> Penal Code, as amended, Articles 27-29, 576 and 577</p>
11	finance abovementioned activities	X	X	X	<p><b>NW/CW/BW:</b> Law 12/2003, dated 21 May, on prevention and freezing of terrorist financing, as amended by the Law 10/2010 of 28 April</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, as amended, Articles 575, 576 and 577</p>

12	abovementioned activities related to means of delivery <sup>1</sup>		X	X	<b>CW/BW:</b> Constitution of Spain, Section 96 , in conjunction with CWC, BTWC		X	X	<b>CW/BW:</b> Penal Code, as amended, Articles 573, 575, 576 and 577	
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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 <sup>2</sup>

Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials		National legal and/or regulatory framework				Enforcement and civil/criminal penalties				Remarks
		X /?			Source document	X /?			Source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	X		<p><b>NW:</b> Law 25/1964 on nuclear energy</p> <p>Royal Decree 1836/1999 which approves the regulations on nuclear and radioactive installations</p> <p>INFCIRC/193 and INFCIRC/540</p> <p>Royal Decree 1308/2011, Articles 3, 9 and 10</p> <p><b>CW:</b> Law 49/1999 on measures for controlling chemical substances that could be diverted for the production of CW, Articles 2, 9, 10, 11</p> <p>Royal Decree 78/2019, 22 February, on measures for controlling chemical substances that could be diverted for the production of CW, Title II (Information)</p>	X	X		<p><b>NW:</b> Law 25/1964 on nuclear energy, Chapters XIII and XIV</p> <p><b>CW:</b> Law 49/1999 on measures for controlling chemical substances that could be diverted for the production of CW, Title IV, Chapter I</p> <p>Royal Decree 78/2019, 22 February, on measures for controlling chemical substances that could be diverted for the production of CW, Title III (Verification)</p>	
2	Measures to account for use	X	X	X	<p><b>NW:</b> Law 25/1964 on nuclear energy</p> <p>Royal Decree 1836/1999 which approves the regulations on nuclear and radioactive installations</p> <p>INFCIRC/193 and INFCIRC/540</p> <p>Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources, Articles 3, 9 and 10</p>	X	X		<p><b>NW:</b> Law 25/1964 on nuclear energy, Chapters XIII and XIV</p> <p>Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources, Chapter VIII (infractions and penalties)</p>	

				<p><b>CW:</b> Law 49/1999 on measures for controlling chemical substances that could be diverted for the production of CW, Articles 2, 9, 10, 11</p> <p>Royal Decree 78/2019, 22 February, on measures for controlling chemical substances that could be diverted for the production of CW, Title II (Information)</p> <p><b>BW:</b> Directive No 2000/54/EC</p> <p>Royal Decree 664/1997 on the protection of workers against the risks of biologic agents during work, Articles 4 and 9</p>			<p><b>CW:</b> Law 49/1999 on measures for controlling chemical substances that could be diverted for the production of CW, Title IV, Chapter I</p> <p>Royal Decree 78/2019, 22 February, on measures for controlling chemical substances that could be diverted for the production of CW, Title III (Verification)</p>	
3	Measures to account for storage	X	X	<p><b>NW:</b> Law 25/1964 on nuclear energy</p> <p>Royal Decree 1836/1999 which approves the regulations on nuclear and radioactive installations</p> <p>INFCIRC/193 and INFCIRC/540</p> <p>EURATOM Regulation No 302/2005 of 8 February 2005 on the application of EURATOM safeguards</p> <p>Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources, Articles 3, 9 and 10</p> <p><b>CW:</b> Law 49/1999 on measures for controlling chemical substances that could be diverted for the production of CW, Articles 2, 9, 10, 11</p> <p>Royal Decree 78/2019, 22 February, on measures for controlling chemical substances that could be diverted for the production of CW, Title II (Information)</p>	X	X	<p><b>NW:</b> Law 25/1964 on nuclear energy, Chapters XIII and XIV</p> <p>Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources, Chapter VIII (infractions and penalties)</p> <p>EURATOM Treaty, Article 83</p> <p><b>CW:</b> Law 49/1999 on measures for controlling chemical substances that could be diverted for the production of CW, Title IV, Chapter I</p> <p>Royal Decree 78/2019, 22 February, on measures for controlling chemical substances that could be diverted for the production of CW, Title III (Verification)</p>	

4	Measures to account for transport	X	X	X	<p><b>NW/CW/BW:</b> Party to ADR and RID agreements</p> <p>Council Directive No 2008/68/EC on the inland transport of dangerous goods (adapting ADR, RID for intra-EU transfers ), as amended</p> <p><b>NW:</b> Law 25/1964 on nuclear energy</p> <p>Royal Decree 1836/1999 which approves the Regulations on nuclear and radioactive installations</p> <p>INFCIRC/193 and INFCIRC/540</p> <p>EURATOM Regulation No 302/2005 of 8 February 2005 on the application of EURATOM safeguards, Article 26</p> <p>Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources, Articles 3, 9 and 10</p>	X	X	X	<p><b>NW/CW/BW:</b> Party to ADR and RID agreements</p> <p><b>NW:</b> Law 25/1964 on nuclear energy, Chapters XIII and XIV</p> <p>Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources, Chapter VIII (infractions and penalties)</p>
5	Measures to secure production	X			<p><b>NW:</b> Law 25/1964 on nuclear energy, Articles 38, 40 and 84 as amended by Article 16 of Act 24/2005</p> <p>Royal Decree 1836/1999 which approves the Regulations on nuclear and radioactive installations</p> <p>Royal decree 738/2001 which approves the Regulations to protect the health of workers against ionizing radiation</p> <p>Royal Decree 1308/2011, Articles 3, 9 and 10</p>	X			<p><b>NW:</b> Law 25/1964 on nuclear energy, Chapters XIII and XIV</p>
6	Measures to secure use	X			<p><b>NW:</b> Law 25/1964 on nuclear energy, Articles 28, 38, 40 and 84, as amended by Article 16 of Act 24/2005</p>	X			<p><b>NW:</b> Law 25/1964 on nuclear energy, Chapters XIII and XIV</p>

				<p>Royal Decree 1836/1999 which approves the Regulations on nuclear and radioactive installations</p> <p>Royal decree 738/2001 which approves the Regulations to protect the health of workers against ionizing radiation</p>					
7	Measures to secure storage	X	X	<p><b>NW:</b> Law 25/1964 on nuclear energy, Articles 28, 38, 40 and 84, as amended by Article 16 of Act 24/2005</p> <p>Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources</p> <p>Royal Decree 1836/1999 which approves the Regulations on nuclear and radioactive installations</p> <p>Royal decree 738/2001 which approves the Regulations to protect the health of workers against ionizing radiation</p> <p><b>CW:</b> Council Directive No 98/24/EC</p>	X			<p><b>NW:</b> Law 25/1964 on nuclear energy, Chapters XIII and XIV</p>	
8	Measures to secure transport	X	X	X	<p><b>NW/CW/BW:</b> Royal Decree 2115/1998</p> <p>Royal Decree 1566/1999</p> <p>Royal Decree 412/2001 (transport of hazardous good by rail) updated by Order ITC/254/2007</p> <p>Royal Decree 1308/2011, Articles 3, 9 and 10</p> <p>Party to ADR and RID agreements</p>	X	X	X	<p><b>NW/CW/BW:</b> Party to ADR and RID agreements</p>

				<p>EU Directive No 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (adapting ADR, RID for intra-EU transfers), as amended</p> <p><b>CW:</b> Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006</p>				
9	Physical protection measures	X	X	<p><b>NW:</b> Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources</p> <p>Law 25/1964</p> <p>Royal Decree 1086/2015 modifying Royal Decree 1308/2011, of 26 September, on physical protection of nuclear facilities and materials and radioactive sources</p> <p><b>BW:</b> Directive No 2000/54/EC (Protection of workers exposed to biological agents at work includes containment measures to reduce risks), Annex</p>	X		<p><b>NW:</b> Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources</p>	
10	Personnel Reliability							

2. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

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

Measures to establish domestic controls to prevent the proliferation of NW, and their means of delivery; controls over related materials		Source document	Remarks
1	National regulatory authority	Nuclear Safety Council (Law 15/1980 of 22 April 1980) Ministry of Industry, Trade and Tourism (Law 25/1964) Law 36/2015, of 28 September, on National Security (an inter-ministerial body on non-proliferation was established under this law)	
2	Licensing of nuclear installations/entities/ use of materials	Law 25/1964 on Nuclear Energy (for facilities; production, use and storage of materials) Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources	
3	IAEA Safeguards Agreements	INFCIRC/193 (5 April 1989) Additional Protocol (30 April 2004 (Royal Decree 1206/2003))	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Notification pursuant to GC(47)/RES/7.B	
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources		
6	IAEA Incident and Trafficking Database	Participation, regular reporting.	
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)		

8	Applying the physical protection recommendations in INFCIRC/225/Rev.5	INFCIRC/225/Rev.5 implemented through Royal Decree 1308/2011 and its amendment on physical protection of nuclear facilities and materials and radioactive sources.	
9	Other Agreements related to IAEA	Convention on Early Notification of a Nuclear Accident Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency Convention on Nuclear Safety Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management	
10	National legislation and regulations related to nuclear material including CPPNM	Royal Decree 1308/2011 and its amendment on physical protection of nuclear facilities and materials and radioactive sources	

**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>National Authority for the Prohibition of Chemical Weapons – ANPAQ (Ministry of Foreign Affairs, European Union and Cooperation) (Royal Decree 663/1997 of 12 May)</p> <p>Chemical Weapons Verification Laboratory “La Marañosa” designated on 16 August 2004 (Annex 8 of the OPCW 2009 Annual Report on Implementation)</p> <p>Law 36/2015, of 28 September, on National Security (an inter-ministerial body on non-proliferation was established under this law)</p>	
2	Licensing/registration of installations/facilities/ persons/entities/use/ handling of related materials	<p>Law 49/1999 on measures for controlling chemical substances that could be diverted for the production of CW, Title IV, Chapter I</p> <p>Royal Decree 78/2019, 22 February, on measures for controlling chemical substances that could be diverted for the production of CW</p>	
3	Old or abandoned chemical weapons		



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

Measures to establish domestic controls to prevent the proliferation of BW, their means of delivery; controls over related materials	Source document	Remarks
1 Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	Law 36/2015, of 28 September, on National Security (an inter-ministerial body on non-proliferation was established under this law)	

**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><b>NW/CW/BW:</b> Council Regulation (EU) No 952/2013 (Union Customs Code), as amended, especially Articles 264 and 267</p> <p>Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community</p> <p>Organic Law 12/1995 of 12 December on Suppression of Smuggling, as amended</p> <p>Royal Decree 1649/1998</p>	X	X	X	<p><b>NW/CW/BW:</b> Organic Law 12/1995 of 12 September on Suppression of Smuggling, as amended</p> <p>Royal Decree 1649/1998</p>			
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	<p><b>NW/CW/BW:</b> Resolution 20 July 1992 of the State Agency of Fiscal Administration on the organization and functions of customs inspectors</p> <p>Council Regulation (EU) No 952/2013 (Union Customs Code), as amended, especially Article 198</p>	X	X	X	<p><b>NW/CW/BW:</b> Department of Customs and Special Taxes in the State Agency of Fiscal Administration</p> <p>Civil Guard (Guardia Civil) in the Ministry of Interior</p>			
3	Border control detection measures	X	X	X	<p><b>NW/CW/BW:</b> Union Customs Code, as amended, Articles 13, 15 and Title IX</p>	X	X	X	<p><b>NW/CW/BW:</b> Union Customs Code, as amended, Article 22</p> <p>Scanners and X-ray</p>			

4	Control of brokering	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 5</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p> <p>Royal Decree 679/2014 of 1 August 2014</p>	X	X	?	<p><b>NW/CW/BW:</b> Penal Code, as amended</p> <p>Organic Law 12/1995 of 12 December on Suppression of Smuggling, as amended</p> <p>Council Regulation (EC) No 428/2009 of 5 May 2009, Article 24 (Each Member State shall take appropriate measures to ensure proper enforcement of all the provisions of this Regulation. In particular, it shall lay down the penalties applicable to infringements of the provisions of this Regulation or of those adopted for its implementation. Those penalties must be effective, proportionate and dissuasive)</p>
5	Export control legislation in place	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p> <p>Royal Decree 679/2014 of 1 August 2014</p> <p>Royal Decree 494/2020 of 28 April, amending Royal Decree 679/2014, to implement a post shipment verification procedure</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, as amended</p> <p>Organic Law 12/1995 of 12 December on Suppression of Smuggling, as amended</p>
6	Licensing provisions and Authority	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Articles 3, 4, 5, 9, Chapter III (intra-Community transfers do not require an authorisation, except for items listed in Annex IV and items listed in Part 2 of Annex IV shall not be covered by a general authorisation (Article 22)), Annexes II (EU General Export Authorisations) and IIIa and b (models)</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, as amended</p> <p>Organic Law 12/1995 of 12 December on Suppression of Smuggling, as amended</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p> <p>Ministry of Industry, Trade and Tourism Ministry of Economic Affairs and Digital Transformation (MINECO)</p>

					Royal Decree 679/2014 of 1 August 2014  <b>NW:</b> Royal Decree 1308/2011 on physical protection of nuclear facilities and materials and radioactive sources				Ministry of Foreign Affairs, European Union and Cooperation Directorate-General for Energy Policy and Mines	
7	Control lists of materials, equipment and technology	X	X	X	<b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Article 2 (“dual-use items shall mean items, including software and technology...”), Annex I  Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items  Royal Decree 679/2014 of 1 August	X	X	X	<b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Annex I  Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items  Royal Decree 679/2014 of 1 August	
8	Intangible technology transfers	X	X	X	<b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Article 2  Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items  Royal Decree 679/2014 of 1 August	X	X	X	<b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, Article 24  Royal Decree 679/2014 of 1 August  Penal Code, as amended, Articles 282 bis, 576, 577	
9	Inclusion of means of delivery	X	X	X	<b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Annex I  Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items  Royal Decree 679/2014 of 1 August	X	X	X	<b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, Article 24  Royal Decree 679/2014 of 1 August	

10	End-user controls	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p> <p>Royal Decree 679/2014 of 1 August</p> <p>Royal Decree 494/2020 of 28 April, amending Royal Decree 679/2014, to implement a post shipment verification procedure</p>	X	X	X	<p><b>NW/CW/BW:</b> Organic Law 12/1995 of 12 September on suppression of smuggling, as amended</p> <p>Royal Decree 1649/1998</p> <p>Penal Code, as amended</p> <p>Royal Decree 679/2014 of 1 August</p>
11	Catch all clause	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Article 4</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p> <p>Royal Decree 679/2014 of 1 August</p>	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, Article 24</p> <p>Royal Decree 679/2014 of 1 August</p>
12	Transit control	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Article 6</p> <p>Council Regulation (EU) No 952/2013 (Union Customs Code), as amended, especially Articles 5, 141, 158, 210, and chapter on transit, Articles 226, 233</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p> <p>Royal Decree 679/2014 of 1 August</p>	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, Article 24</p> <p>Organic Law 12/1995 of 12 September on suppression of smuggling, as amended</p>
13	Trans-shipment control	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended</p>	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Article 24</p>

				<p>Council Regulation (EU) No 952/2013 (Union Customs Code), as amended</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p> <p>Royal Decree 679/2014 of 1 August</p>			<p>Organic Law 12/1995 of 12 September on suppression of smuggling, as amended</p>		
14	Re-export control	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, as amended, Article 2 (defines “re-export” as an “export” for the purposes of the Regulation)</p> <p>Council Regulation (EU) No 952/2013 (Union Customs Code), as amended, Article 270</p> <p>Law 53/2007 of 28 December on control of foreign trade in defence material and dual-use items</p>	X	X	X	<p><b>NW/CW/BW:</b> Council Regulation (EC) No 428/2009 of 5 May 2009, Article 24</p> <p>Organic Law 12/1995 of 12 September on suppression of smuggling, as amended</p>
15	Control over financing of exports/transshipments that would contribute to proliferation	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, as amended, Articles 282 bis and 576 bis</p> <p>Royal Decree 679/2014 of 1 August</p> <p>Directive (EU) No 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (and Spanish national transpositions thereof: Law 10/2010 and Penal Code)</p>	X	X	X	<p><b>NW/CW/BW:</b> Penal Code, as amended, Articles 282 bis and 576 bis</p>
16	Control over services related to exports/transshipments that would contribute to proliferation including transportation	X	X	X	<p><b>NW/CW/BW:</b> Organic Law 12/1995 of 12 September on suppression of smuggling, as amended</p> <p>Royal Decree 679/2014 of 1 August</p>	X	X	X	<p><b>NW/CW/BW:</b> Organic Law 12/1995 of 12 September on suppression of smuggling, as amended</p>

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

1	Assistance offered	Assistance in the field of export controls and commodity identification training (dual use technology), with a special focus on Spanish-speaking countries.
2	Assistance Point of Contact (for assistance providers only)	<p>Mr Miguel Ángel Fuentes Peniza            Chief, Chemical and Conventional Disarmament            Ministry of Foreign Affairs, European Union and Cooperation            Directorate-General for Foreign Policy and Security, Non-Proliferation Department            Email: <a href="mailto:mangel.fuentes@maec.es">mangel.fuentes@maec.es</a></p> <p>Mr David Izquierdo Ortiz de Zarate            Counsellor, Permanent Mission of Spain to the United Nations            Tel: +1 212-661-1050            Fax: +1 212-949-7247            Email: david.izquierdo@maec.es</p>
3	Assistance requested	
4	Action taken to work with and inform industry	Regular contacts with relevant industry associations, organisation of seminars to update industry on new trends and legislation and, on a case-by-case approach, individual meetings with certain companies when a particular technology, equipment or substance is of concern.
5	Action taken to work with and inform the public	Public information campaigns
6	Point of Contact	<p>Mr Miguel Ángel Fuentes Peniza            Chief, Chemical and Conventional Disarmament            Ministry of Foreign Affairs, European Union and Cooperation            Directorate-General for Foreign Policy and Security, Non-Proliferation Department            Email: <a href="mailto:mangel.fuentes@maec.es">mangel.fuentes@maec.es</a></p> <p>Mr David Izquierdo Ortiz de Zarate            Counsellor, Permanent Mission of Spain to the United Nations            Tel: +1 212-661-1050            Fax: +1 212-949-7247            Email: david.izquierdo@maec.es</p>

7	Voluntary National Implementation Action Plan (NAP)	Submitted 27 May 2015
8	1540 Committee visits to States	