



Misión Permanente de Costa Rica ante las Naciones Unidas

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MCRONU-CS-27-2008

La Misión Permanente de Costa Rica ante las Naciones saluda muy atentamente al Presidente del Comité del Consejo de Seguridad establecido por la resolución 1540 (2004) relativa a la proliferación de armas de destrucción de masas, y tiene el honor de referirse a su nota S/AC.44/2007/ODA/OC.97 donde solicita que Costa Rica le presente información actualizada sobre qué medidas el país ha adoptado en cumplimiento de las obligaciones en materia de proliferación vertical de las armas de destrucción de masas impuestas por la resolución 1540 (2004) y 1673 (2006).

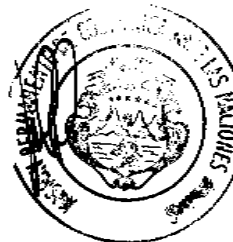
Al respecto, la Misión Permanente de Costa Rica tiene el honor de presentar adjunto, en seguimiento de la nota ECR-724-2007 del 14 de diciembre del 2007, la matriz con información actualizada por parte de nuestras autoridades correspondientes.

Asimismo, el Gobierno de Costa Rica desea manifestar una vez más que como país sin ejército, no posee ningún tipo de armas de destrucción de masas, ya sean químicas, biológicas o nucleares. De la misma forma, el Gobierno de Costa Rica reitera su compromiso con el desarme general y completo, y la no proliferación.

La Misión Permanente de Costa Rica ante las Naciones Unidas aprovecha esta oportunidad para reiterar al Presidente del Comité del Consejo de Seguridad establecido por la resolución 1540 (2004), las seguridades de su más alta consideración.

Nueva York, 15 de enero del 2008

**Presidente del Comité del
Consejo de Seguridad establecido
en virtud de la resolución 1540 (2004)
Nueva York**



OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:
Date of Report:
Date of Revision:

Costa Rica
04 August 2004
15 december 2007

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	Y E S	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1 General statement on non-possession of WMD	X	Costa Rica does not possess any WMD	page 1 of the report
2 General statement on commitment to disarmament and non-proliferation	X	<i>The Americas as a Biological and Chemical Weapons Free Region</i>	http://www.oas.org/juridico/english/ga05/ga05.doc#_Toc113097744
3 General statement on non-provision of WMD and related materials to non-State actors	X	<i>The OAS Support to the 1540 UNSCR</i>	www.oas.org/37AG/Docs/english/2333.doc AG/RES.2107(XXXV-O/05)
4 Biological Weapons Convention (BWC)	X	Ratified 17 December 1973	http://disarmament.un.org:80/80/TreatyStatus.nsf
5 Chemical Weapons Convention (CWC)	X	Ratified 07 February 1996	page 1 of the report
6 Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 03 March 1970	http://disarmament.un.org:80/80/TreatyStatus.nsf
7 Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Deposit 25 September 2001	http://disarmament.un.org:80/80/TreatyStatus.nsf
8 Convention on Physical Protection of Nuclear Material (CPPNM)	X	In force 01 June 2003	http://www.iaea.org/Publications/Documents/Conventions/cppn_status.pdf
9 Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	http://www.minbuza.nl/default.asp?CMS_ITEM=858DD6DAE6BE4DF2ABABD1FE0A25AB3CX3X45455X99
10 Geneva Protocol of 1925			
11 International Atomic Energy Agency (IAEA)	X	Since 25 March 1965	http://www.iaea.org/About/Policy/MemberStates
12 Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Tlatelolco, deposit 25 August 1969	http://disarmament.un.org:80/80/TreatyStatus.nsf

13	Other Conventions/Treaties	X	1.State Party of 12 conventions against terrorism 2.Sea-bed Treaty 3.Inter-American Convention on Transparency 4.CCWC 5.APM Convention Mine-Ban Convention	http://disarmament2.un.org/TreatyStatus.nsf/952a13b8945f4b07852568770078d9c2?Search
14	Other Arrangements			
15	Other			

OP 2 - Biological Weapons (BW)

State:
Date of Report:

Costa Rica
04 August 2004

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	Art. 7 of the Constitution International treaties higher level than laws Law 7530 Arms and Explosives Act, Law N° 5367 of the 11 october 1973(BW)	X	Law 7530 Arms and Explosives Act, Articles 25, 26 and 83. 94	page 1 of the report http://programamckee.cr/leyes/7530-armas.htm
2 acquire	X	Art. 7 of the Constitution International treaties higher level than laws, Law N° 5367 of the 11 october 1973(BW)		Law 7530 Arms and Explosives Act, Article 89	http://www.sre.gob.mx/anopaq/2006/nacionales/costarica.ppt#278,5,Decreto 29893-S (2002) Comisi3n Asesora
3 possess	X		X		http://www.asamblea.go.cr/proyecto/constitu/const3.htm
4 stockpile/store	X		X		
5 develop	X				
6 transport					
7 transfer	X	Art. 7 of the Constitution: International treaties have higher level than laws		Arms and Explosives Act, Articles 26 and 83	page 1 of the report http://programamckee.cr/leyes/7530-armas.htm link above mentioned
8 use	X		X		
9 participate as an accomplice in a.m. activities					
10 assist in a.m. activities					
11 finance a.m. activities					

12	a.m. activities related to means of delivery	X	Art, 18 Decree 25120-SP		http://www.glin.gov/view.action?
13	involvement of non-State actors in a.m. activities				
14	Other	X	1- Arms and Explosives Act, Article 26: prohibition of introduction into the country. 2- The advisory Commission in Detection and prevention of biological weapons and chemical was created by Decree N°29893-S of the 10 october 2001.		page 1 of the report

OP 2 - Chemical Weapons (CW)

State:
Date of Report:

Costa Rica
04 August 2004

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	Art. 7 of the Constitution: International treaties have higher level than laws 1. Arms and Explosives Act, 2. Law No. 7571 of February 1996 (CWC) 3. Decree 33015-S-RE, Regulation of the Law N° 7571 and others of the 20 of april of 2006	X	Arms and Explosives Act, Article 26 and 83, 89, 90, 94 Penal Code art. 250	<i>page 1 of the report</i> http://programamckee.cr/leyes/7530-armas.htm
2 acquire	X		X		
3 possess	X		X		
4 stockpile/store	X		X		
5 develop	X		X		
6 transport	X	Decree 33015-S-RE (art. 14)	X	Decree 33015-S-RE (art. 18)	
7 transfer	X	1. Arms and Explosives Act, Articles 25 and 26, 2. Law No. 7571 of February 1996 3. Decree #33015, Regulation of the Law N° 7571 and others of the 20 of april of 2006		Arms and Explosives Act, Article 26 and 83.	<i>page 1 of the report</i>
8 use	X		X		
9 participate as an accomplice in a.m. activities					
10 assist in a.m. activities	X	Act No.7571 of 07 february 1996, Art, 4			
11 finance a.m. activities					
12 a.m. activities related to means of delivery	X	Art. 18 Decree 25120-SP			
13 involvement of non-State actors in a.m. activities					
14 Other	X	Arms and Explosives Act, Article 26: prohibition of introduction into the country, Decree #33015, Regulation of the Law N° 7571 of the and others of the 20 of april of 2006: establishing the National Council for the Prohibition of Chemical Weapons.			<i>page 1 of the report</i>

OP 2 - Nuclear Weapons (NW)

State:
Date of Report:

Costa Rica
04 August 2004

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	Law N°3641 of the 16 of December of 1965			
2 acquire	X	Law N°4369 of the 13 of August of 1969			http://www.asamblea.go.cr/proyecto/constitu3.htm
3 possess	X	Law N°4419 of the 18 of September of 1969			
4 stockpile/store	X	Law N°6558 of the 03 of September of 1979			
5 develop	X	Art. 7 of the Constitution: International treaties have higher level than laws			
6 transport					
7 transfer					
8 use	X	Law N°7819 of the 01 of September of 1998			
9 participate as an accomplice in a.m. activities					
10 assist in a.m. activities					
11 finance a.m. activities					
12 a.m. activities related to means of delivery					
13 involvement of non-State actors in a.m. activities					
14 Other	X	Law N°6361 of the 05 of September of 1979			

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

State:
Date of Report:

Costa Rica
04 August 2004

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 ?		Y E S	National legal framework	Enforcement: civil/criminal penalties and others		Remarks
			if YES, indicate source document	Y E S	if YES, indicate source document	
1	Measures to account for production					
2	Measures to account for use					
3	Measures to account for storage					
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport	x	<i>Regulation of the Central American Common Custom Code (RECAUCA) art. 50:securing transport of hazardous goods</i>			
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing/registration of facilities/persons handling biological materials					
13	Reliability check of personnel					
14	Measures to account for/secure/physically protect means of delivery					

15	Regulations for genetic engineering work				
16	Other legislation/ regulations related to safety and security of biological materials				
17	Other				

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

State:
Date of Report:

Costa Rica
04 August 2004

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 ?		Y E S	National legal framework	Enforcement: civil/criminal penalties and others	Remarks
			if YES, indicate source document	Y E S	
1	Measures to account for production	X	Act No. 7571 of 07 February 1996		page 1 of the report
2	Measures to account for use	X			
3	Measures to account for storage	X			
4	Measures to account for transport				
5	Other measures for accounting				
6	Measures to secure production				
7	Measures to secure use				
8	Measures to secure storage				
9	Measures to secure transport	x	<i>Regulation of the Central American Common Custom Code (RECAUCA) art. 50:securing transport of hazardous goods</i>		
10	Other measures for securing				
11	Regulations for physical protection of facilities/materials/ transports				
12	Licensing of chemical installations/entities/use of materials	X	<i>National Chemical Weapons Authority(art. 4 p.3- Decree 33015-S-RE)</i>		
13	Reliability check of personnel				
14	Measures to account for/secure/physically protect means of delivery				

15	National CWC authority	<input checked="" type="checkbox"/>	National Chemical Weapons Authority			page 2 of the report http://www.opcw.org/docs/directory/section4.pdf
16	Reporting Schedule I, II and III chemicals to OPCW	<input type="checkbox"/>				
17	Account for, secure or physically protect old chemical weapons	<input type="checkbox"/>				
18	Other legislation/ regulations controlling chemical materials	<input type="checkbox"/>				
19	Other	<input type="checkbox"/>				

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

State:
Date of Report:

Costa Rica
04 August 2004

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 ?		Y E S	National legal framework	Enforcement: civil/criminal penalties and others		Remarks
			if YES, indicate source document	Y E S	if YES, indicate source document	
1	Measures to account for production	X				
2	Measures to account for use	X	<i>INFCIRC/278, General law of Health, Law 8201 Art. 146</i>			http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf
3	Measures to account for storage	X				
4	Measures to account for transport					
5	Other measures for accounting					
6	Measures to secure production					
7	Measures to secure use					
8	Measures to secure storage					
9	Measures to secure transport	x	<i>Regulation of the Central American Common Custom Code (RECAUCA) art. 50:securing transport of hazardous goods</i>			
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports					
12	Licensing of nuclear installations/entities/use of materials					
13	Reliability check of personnel					
14	Measures to account for/secure/physically protect means of delivery					

15	National regulatory authority				
16	IAEA Safeguards Agreements	X	1. Safeguards Agreement, in force 22 November 1979 2. Additional Protocol, signed 12 December 2001		http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources				
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources				
29	Other Agreements related to IAEA	X			http://ola.iaea.org/FactSheets/CountryDetails.asp?country=CR
20	Additional national legislation/regulations related to nuclear materials including CPPNM		The Commission of Atomic Energy created by means of the Basic Law of Atomic Energy for Pacific Uses, Law No.4383, of the 18 of August of 1969.		
21	Other				

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of BW including Related Materials**

State:
Date of Report:

Costa Rica
04 August 2004

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of 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	
1	Border control	X	<i>The Central American Uniform Customs Code LAW N°8360, (CAUCA III, its Spanish acronym), in vigor from the 19 of November of 2003, Decree # 31347/2003. art. 40, 41, Regulation of the Central American Common Custom Code (RECAUCA)</i>		The Central American Uniform Customs Code LAW N°8360, (CAUCA III, its Spanish acronym), in vigor from the 19 of November of 2003, Decree # 31347/2003.(CAUCAIII) art.100	http://www.crecex.com/asesoria-juridica/legislacion-consulta/aduanas/CAUCA-III.pdf
2	Technical support of border control measures					http://www.minec.gob.sv/dato/media/downloads/legislacion/recauca.pdf
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	<i>The Central American Uniform Customs Code LAW N°8360, (CAUCA III). Law 7530- Arms and Explosives Act, Article 3, 12 Regulation of the Central American Common Custom Code (RECAUCA)</i>			
4	Enforcement agencies/authorities	X		X		
5	Export control legislation in place	X	<i>The Central American Uniform Customs Code LAW N°8360, (CAUCA III). Art. 83, 84 RECAUCA, Art. 121</i>	X	<i>Law 7530- Arms and Explosives Act, Article 91, 94</i>	
6	Licensing provisions					
7	Individual licensing					
8	General licensing					

9	Exceptions from licensing				
10	Licensing of deemed export/visa				
11	National licensing authority				Comisión Asesora Armas Biológicas y Químicas
12	Interagency review for licenses				
13	Control lists				
14	Updating of lists				
15	Inclusion of technologies				
16	Inclusion of means of delivery				
17	End-user controls				
18	Catch all clause				
19	Intangible transfers				
20	Transit control	x		x	
21	Trans-shipment control	x	1. The Central American Uniform Customs Code LAW N°8360, (CAUCA III).Art. 83, 84 2. Regulation of the Central American Common Custom Code (RECAUCA)Art.133 to art. 145		Central American Common Custom Code (CAUCA III) Art. 72 and 101
22	Re-export control	x			
23	Control of providing funds				
24	Control of providing transport services				
25	Control of importation	X	Law 7530 Arms and Explosives Act	X	Control of hazardous material Law 7530 Arms and Explosives page 2 of the report
26	Extraterritorial applicability				
27	Other				

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of CW including Related Materials**

State:
Date of Report:

Costa Rica
04 August 2004

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		Y E S	if YES, indicate source document	Y E S	if YES, indicate source document	
1	Border control	X	<i>The Central American Uniform Customs Code LAW N°8360, (CAUCA III). art 40 . 41 Regulation of the Central American Common Custom Code (RECAUCA</i>			http://www.crecex.com/asesoria-juridica/legislacion-consulta/aduanas/CAUCA-III.pdf
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology					
4	Enforcement agencies/authorities		<i>The Central American Uniform Customs Code LAW N°8360, (CAUCA III).83, 84 Decree 33015-S-RE(ANAQ) Regulation of the Central American Common Custom Code (RECAUCA)135 to 145</i>			
5	Export control legislation in place	X		X	<i>Law 7530- Arms and Explosives Act,Article 91, 94 Decree 33015-S-RE Art. 18</i>	http://www.crecex.com/asesoria-juridica/legislacion-consulta/aduanas/CAUCA-III.pdf
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority	X	<i>Decree 33015-S-RE (ANAQ)</i>	X		
12	Interagency review for licenses					
13	Control lists	X	<i>Decree 33015-S-RE,(ANAQ and Custom Authorities)</i>			

14	Updating of lists				
15	Inclusion of technologies				
16	Inclusion of means of delivery				
17	End-user controls				
18	Catch all clause				
19	Intangible transfers				
20	Transit control	x		x	
21	Trans-shipment control		1. The Central American Uniform Customs Code LAW N°8360, (CAUCA III). 2. Regulation of the Central American Common Custom Code (RECAUCA)		Central American Common Custom Code (CAUCA III) Art.100
22	Re-export control	x		x	
23	Control of providing funds				
24	Control of providing transport services				
25	Control of importation			Law 7530- Arms and Explosives Act, Article 91, 94 Decree 33015-S-RE Art. 18 Control of hazardous material	page 2 of the report
26	Extraterritorial applicability				
27	Other				

**OP 3 (c) and (d) and related matters from OP 6, and OP 10 -
Controls of NW including Related Materials**

State:
Date of Report:

Costa Rica
04 August 2004

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		Y E S	if YES, indicate source document	Y E S	if YES, indicate source document	
1	Border control	X	<i>The Central American Uniform Customs Code LAW N°8360, (CAUCA III)Art. 40 , 41 Decreto Ejecutivo 31347/2003 Regulation of the Central American Common Custom Code (RECAUCA)</i>			http://www.crecex.com/asesoria-juridica/legislacion-consulta/aduanas/CAUCA-III.pdf
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	<i>The Central American Uniform Customs Code LAW N°8360, (CAUCA III). Regulation of the Central American Common Custom Code (RECAUCA)</i>			http://www.crecex.com/asesoria-juridica/legislacion-consulta/aduanas/CAUCA-III.pdf
4	Enforcement agencies/authorities					
5	Export control legislation in place					
6	Licensing provisions					
7	Individual licensing					
8	General licensing					
9	Exceptions from licensing					
10	Licensing of deemed export/visa					
11	National licensing authority					
12	Interagency review for licenses					

13	Control lists				
14	Updating of lists				
15	Inclusion of technologies				
16	Inclusion of means of delivery				
17	End-user controls				
18	Catch all clause				
19	Intangible transfers				
20	Transit control	x	.The Central American Uniform Customs Code LAW N°8360, (CAUCA III).Art. 83,84 Regulation of the Central American Common Custom Code (RECAUCA)135 to 145	x	Central American Common Custom Code (CAUCA III) Art. 100
21	Trans-shipment control	x		x	
22	Re-export control	x		x	
23	Control of providing funds				
24	Control of providing transport services				
25	Control of importation			Control of hazardous material	page 2 of the report
26	Extraterritorial applicability				
27	Other				

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State:
Date of Report:

Costa Rica
04 August 2004

Can information be provided on the following issues ?	Y E		Remarks
1	Control lists - items (goods/ equipment/materials/technologies)		
2	Control lists - other		
3	Assistance offered		
4	Assistance requested		
5	Assistance in place (bilateral/plurilateral/multilateral)		
6	Information for industry		
7	Information for the public		