



## Security Council

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### Security Council Committee established pursuant to resolution [1540 \(2004\)](#)

#### **Note verbale dated 17 December 2019 from the Permanent Mission of Uruguay to the United Nations addressed to the Chair of the Committee**

The Permanent Mission of Uruguay to the United Nations has the honour to transmit herewith the national report of the Eastern Republic of Uruguay on the implementation of United Nations Security Council resolution [1540 \(2004\)](#) (see annex).



**Annex to the note verbale dated 17 December 2019 from the  
Permanent Mission of Uruguay to the United Nations addressed to  
the Chair of the Committee**

**Report of Uruguay on the implementation of Security Council  
resolution 1540 (2004)**

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The following is the report prepared by the Government of Uruguay on cooperation measures in national legislation designed to prevent illicit trafficking in weapons of mass destruction (nuclear, chemical and biological) and their means of delivery. The purpose of the report is to update the one submitted by the Government in 2004, in accordance with paragraph 4 of Security Council resolution [1540 \(2004\)](#), in which States were called upon to present to the Committee a first report, no later than six months from the adoption of the resolution, on steps they had taken or intended to take to implement the resolution. It also highlights the extensive progress made by Uruguay in the area over the past 15 years.

The Ministry of Foreign Affairs of Uruguay coordinated the drafting of the present report, with contributions from the various ministries and national entities that are members of the Interministerial Working Group on Resolution [1540 \(2004\)](#), as well as other relevant national institutions.

## I. Introduction

Resolution 1540 (2004), adopted at the 4956th meeting of the Security Council, held on 28 April 2004, and subsequent Council resolutions 1673 (2006), 1810 (2008), 1977 (2011), 2055 (2012) and 2325 (2016), pertain to controls to prevent the proliferation of chemical, biological and nuclear weapons and their means of delivery.

Uruguay takes a human rights-based approach to the issue of weapons of mass destruction in general, and to the implementation of resolution 1540 (2004) in particular, which is consistent with the country's historical commitment to pacifism. That approach is also consistent with respect for international law and international humanitarian law, which is in turn closely linked to the traditional thrust of the country's international policy in support of the peaceful settlement of disputes.

No weapons of mass destruction, whether chemical, biological or nuclear, have been developed, produced or acquired in Uruguay. Nevertheless, that is not considered a reason for not moving forward with the implementation of resolution 1540 (2004). On the contrary, implementing the resolution provides an opportunity for Uruguay to highlight the main reason for its commitment to the issue, by demonstrating its contributions with regard to disarmament, international security and world peace.

Under Article 25 and Chapter VII of the Charter of the United Nations, the provisions of resolution 1540 (2004) are binding on all States Members of the United Nations, whether or not they are permanent members of the Security Council. As an original Member of the United Nations and an ardent defender of multilateralism, Uruguay is committed to that principle.

The country's experience as a non-permanent member of the Security Council during the period 2016–2017 impelled further national-level developments in the areas of disarmament and counter-terrorism, which were carried out over a short period of time. Accordingly, most activities relating to the adoption of instruments and the creation of specific national institutions took place between 2015 and 2018.

With regard to non-proliferation, Uruguay is a member of the world's first nuclear-weapon-free zone, established under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). It is also a member of the zone of peace and cooperation of the South Atlantic and has ratified the Treaty on the Non-Proliferation of Nuclear Weapons and the Treaty on the Prohibition of Nuclear Weapons. Uruguay is thus committed to strengthening disarmament and non-proliferation efforts and advocates a world free of nuclear weapons.

Significant progress has also been made at the national authority level in the area of chemical weapons, with active participation in the Organisation for the Prohibition of Chemical Weapons.

Not much progress has been made with regard to biological weapons, either by Uruguay or in the region. The Ministry of Foreign Affairs aims to coordinate national-level actions in that area in the near future, within the framework of the Interministerial Working Group on Resolution 1540 (2004).

Uruguay has, however, made great progress in combating terrorism and money-laundering. The country's national counter-terrorism strategy was approved under Decree No. 180/017 of 3 July 2017 (restricted circulation), which relates to issues and levels of tactical action that must remain confidential. The Strategy is consistent with the country's commitment to effectively and comprehensively addressing the scourge

of terrorism and its adherence to the United Nations Global Counter-Terrorism Strategy, thus reflecting a firm commitment to regional and international peace and security.

The proliferation of weapons of mass destruction and their precursors requires coordinated action and the adoption of relevant measures by all, as well as the adaptation of national legislation and strengthening of institutions to implement existing international frameworks, which Uruguay has greatly improved over the past 15 years.

Uruguay also believes that the exchange of experiences, ideas and knowledge and close national and international coordination are essential to the successful implementation of resolution [1540 \(2004\)](#) and the country's national action plan, adopted on 21 May 2018.

A peer review exercise conducted between Uruguay and Paraguay, the first part conducted in Montevideo, on 20 and 21 August 2019, and the second in Asunción, on 11 and 12 September 2019, was considered to be a very positive example of such coordination.

That review exercise with Paraguay sparked the beginning of a coordinated reflection process in the region with regard to the implementation of resolution [1540 \(2004\)](#). It was also an excellent opportunity to strengthen the country's prevention system, providing a more comprehensive picture of Uruguayan strengths and key vulnerabilities. As a result, the outcomes of the exercise, reflected in the present report, have been leveraged for further progress.

## **II. Legal framework**

The present section of the report contains an outline of the legal framework adopted by Uruguay in response to paragraph 2 of resolution [1450 \(2004\)](#), whereby all States, in accordance with their national procedures, must adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them.

### **A. International legal counter-terrorism instruments**

In keeping with its principled position of opposing the proliferation of weapons of mass destruction, resolving conflicts by peaceful means and combating terrorism in all its forms, Uruguay has signed or ratified most of the existing relevant regional and international instruments.

Since 1963, the international community has established 19 international legal instruments to prevent terrorist acts. Uruguay has ratified 18 of them.

<i>International instruments</i>	<i>National legislation</i>
Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1963	Act No. 14.436 of 7 October 1975
Convention for the Suppression of Unlawful Seizure of Aircraft, 1970	Act No. 14.436 of 7 October 1975
Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971	Act No. 14.436 of 7 October 1975
Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1988	Act No. 16.891 of 12 December 1997
Protocol to amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft, 2014	Act No. 19.716 of 14 December 2018
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973	Act No. 14.742 of 20 December 1977
International Convention against the Taking of Hostages, 1979	Act No. 17.586 of 18 November 2002
Convention on the Physical Protection of Nuclear Material, 1980	Act No. 17.680 of 1 August 2003
Amendment to the Convention on the Physical Protection of Nuclear Material, 2005	Act No. 19.358 of 24 December 2015
Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988	Act No. 17.341 of 25 May 2005
2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation	Act No. 19.312 of 4 February 2015
Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1988	Act No. 17.341 of 25 May 2005
2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf	Act No. 19.312 of 4 February 2015
Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1991	Act No. 17.329 of 9 May 2001
International Convention for the Suppression of Terrorist Bombings, 1997	Act No. 17.410 of 29 October 2001
International Convention for the Suppression of the Financing of Terrorism, 1999	Act No. 17.704 of 27 October 2003
International Convention for the Suppression of Acts of Nuclear Terrorism, 2005	Act No. 19.350 of 30 October 2015
Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation, 2010	Act No. 19.813 of 10 July 2019

The remaining instrument, the Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft of 2010, was submitted to Parliament on 4 April 2017 and again on 19 March 2018.

As part of its involvement with the Organization of American States (OAS), Uruguay ratified the Inter-American Convention against Terrorism, through its Act No. 18.070 of 11 December 2006, and is an active member of the Inter-American Committee against Terrorism. Its national points of contact for the Committee are the Ministry of Defence (Undersecretariat) and the Ministry of Foreign Affairs (Directorate of Multilateral Affairs).

Since 2015, the Secretariat of the Inter-American Committee against Terrorism has provided and continues to provide technical and legal assistance to Uruguay for the development of its national plan of action for the implementation of resolution [1540 \(2004\)](#).

In addition, since 2001, Uruguay has been party to both the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials and the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

At the subregional level, in July 1998, the States parties of the Southern Common Market (MERCOSUR), namely, Argentina, Brazil, Paraguay and Uruguay, together with associated States Bolivia (Plurinational State of) and Chile, declared the region a zone of peace, free from weapons of mass destruction. The declaration of South America as a zone of peace and cooperation, signed by the Presidents of Argentina, Bolivia (Plurinational State of), Brazil, Colombia, Chile, Ecuador, Paraguay, Peru and Venezuela (Bolivarian Republic of) and the representatives of the Heads of State of Guyana, Suriname and Uruguay in Guayaquil, Ecuador, on 27 July 2002, was a corollary to the regional commitment to prevent the proliferation of weapons of mass destruction.

It is also important to note the work of the Working Group on Firearms and Ammunition of MERCOSUR and its associated States, of which Uruguay is a member, and also the MERCOSUR Working Group on the Prevention of Proliferation of Weapons of Mass Destruction, which facilitates the exchange of information and the possible harmonization of legislation on national controls on sensitive and dual-use goods and technologies in order to prevent the proliferation of weapons of mass destruction.

Furthermore, the Ministers of the Interior and Ministers of Security of the States parties of MERCOSUR and the associated States Bolivia (Plurinational State of) and Chile adopted a procedural guide for the inspection of radioactive materials at check points, signed at Margarita Island, Bolivarian Republic of Venezuela, on 7 November 2013.

## **B. National instruments to combat the financing of terrorism**

Adopted on 15 May 2019, Act No. 19.749 served to formalize, systematize and update existing instruments relating to the financing of terrorism and the implementation of targeted financial sanctions against individuals and entities linked to terrorism, its financing and the financing of the proliferation of weapons of mass destruction. The Act is in line with the 19 international instruments and with recommendations 5, 6, 7 and 8 of the Financial Action Task Force. The Act also provides for consideration of the recommendations made to the country by the Security Council Committee established pursuant to resolution [1373 \(2001\)](#) concerning counter-terrorism.

That legislation, combined with Decree No. 136/019, adopted on 16 May 2019, significantly strengthened the country's legal framework, in line with the highest international standards. The legal definition of the crime of financing terrorism was

expanded and strengthened, as was the system for imposing targeted financial sanctions related to terrorism, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

A working group composed of representatives of agencies from the three branches of Government, as well as of the Office of the Public Prosecutor and of the Financial Intelligence and Analysis Unit of the Central Bank of Uruguay, participated in drafting the Act, taking as a starting point a national risk assessment carried out in 2017 with technical assistance from the Inter-American Development Bank. The outcome of that assessment had pointed to an outdated regulatory framework and a lack of authority to counter the financing of terrorism and the proliferation of weapons of mass destruction.

Although the law as adopted was more limited than the bill originally drafted by the working group, it still largely addresses the legal gaps identified and modifies the relevant criminal offences and the obligations of reporting entities in line with international requirements.

The key strengths of the Act include the modification of the legal definition of terrorism and the financing thereof in accordance with the stipulations of international instruments and, in particular, the provisions of the International Convention for the Suppression of the Financing of Terrorism of 1999 and the annexes thereto. The Act also covers the implementation of targeted financial sanctions by financial and non-financial reporting entities, the immediate and prompt freezing of assets or funds and the regulation of activities aimed at combating the financing of terrorism and the proliferation of weapons of mass destruction through coordination among the Financial Intelligence and Analysis Unit of the Central Bank, the National Office for Combating Money-Laundering and the Financing of Terrorism and the Ministry of Foreign Affairs.

### **C. Risk-based national strategy for combating money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction**

By Decree No. 147/018 of 25 May 2018, Uruguay approved updates to its risk-based national strategy for combating money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction, which provides for measures to be taken by the various competent national authorities during the period 2017–2020.

On the basis of the outcome of the national risk assessment conducted with technical support from the Inter-American Development Bank, certain priority areas were identified and a new national strategy was developed.

The new strategy features a detailed action plan with goals and targets, concrete actions to be taken and timelines for mitigating the risks identified in the various areas of the system.

The strategy sets out 16 goals aligned with the threats and vulnerabilities identified through the national risk assessment. It includes goals for the overall strengthening of the system used to combat money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction and goals for improving the subsystem for prevention of money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction, the detection and financial intelligence subsystem and the enforcement subsystem.

The National Office for Combating Money-laundering and the Financing of Terrorism regularly monitors the degree of progress made by all reporting agencies

identified in the strategy with regard to fulfilling the goals. Most of the goals set out in the national strategy show a high degree of implementation. Of the 59 targets, the vast majority have been fully met, are currently in place or have exceeded 60 per cent compliance, including with regard to relevant legislative amendments updating the definitions of money-laundering, the financing of terrorism and ultimate beneficiary.

The strategy is the culmination of a series of decisions taken at the highest level of Government in order to coordinate the efforts of all relevant institutional actors to effectively prevent, detect and suppress the movement of criminal assets within Uruguay. It also reflects the country's strong commitment, both to its own society and to the international community, for mitigating the negative consequences of transnational crimes on national economies and peace among nations.

Ultimately, it represents a major step forward, as its full implementation will significantly strengthen the functioning and effectiveness of the system set up by Uruguay to combat money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction.

#### **D. National instruments on nuclear weapons**

Uruguay is a party to the Non-Proliferation Treaty, which it signed in Washington, D.C., on 1 July 1968 and ratified under Act No. 13.859 of 4 June 1970. That treaty is considered to be the cornerstone of the nuclear non-proliferation and disarmament regime.

On 20 September 2017, Uruguay signed the Treaty on the Prohibition of Nuclear Weapons. On 25 July 2018, the Permanent Representative of Uruguay to the United Nations deposited the instrument of ratification for that treaty, making Uruguay the thirteenth State to do so.

On 14 February 1967, Uruguay signed the Treaty of Tlatelolco and ratified it on 20 August 1968 under Act No. 13.669, thus becoming one of the founding, and active, members of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.

Since the entry into force of the Treaty of Tlatelolco on 25 April 1969, Uruguay has been part of the first densely populated nuclear-weapon-free zone, which inspired the establishment of other zones, namely: South Pacific (South Pacific Nuclear Free Zone Treaty, Treaty of Rarotonga, 1985); Southeast Asia (Treaty on the Southeast Asia Nuclear Weapon-Free Zone, Treaty of Bangkok, 1995); Africa (African Nuclear-Weapon-Free Zone Treaty, Pelindaba Treaty, 1996); Central Asia (Treaty on a Nuclear-Weapon-Free Zone in Central Asia, Semipalatinsk Treaty, 2006); and Mongolia (General Assembly resolution [55/33 S](#)).

By its Act No. 16.384 of 2 June 1993, Uruguay approved the amendments to the Treaty of Tlatelolco adopted pursuant to resolutions 267 (E-V) and 268 (XII) of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean and, by Act No. 16.597 of 14 October 1994, approved further amendments to the same treaty, as adopted by the Agency in its resolution 290 (VII).

By Act No. 14.815 of 30 August 1978, Uruguay became a party to the Convention on the Privileges and Immunities of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.

Uruguay is currently one of five members of the Council of the Agency for the period 2018–2021, and it held the role of President of the body in July and August 2019.

At the regional level, Uruguay is part of the zone of peace and cooperation of the South Atlantic, which was created pursuant to General Assembly resolution [41/11](#) so as to promote peace and security in the region within the framework of strengthening South-South cooperation.

Globally, Uruguay has been a member of the International Atomic Energy Agency (IAEA) since 22 January 1963, and a member of its Board of Governors for the periods 2008–2010, 2012–2014, 2015–2017 and 2018–2020.

Uruguay adopted the Statute of the International Atomic Energy Agency by Law No. 13.098 of 18 October 1962.

The agreement between Uruguay and IAEA for the application of safeguards in connection with the Non-Proliferation Treaty was approved by means of Act No. 14.541 of 20 July 1976.

At the national level, the country is governed by Act No. 19.056 of 2013 on the radiation protection and safety of persons, property and the environment; an emergency response plan for radiological accidents, established under Decree No. 242/005 and updated by Decree No. 180/018; and a national strategy for the management of radioactive waste, approved under Decree No. 329 of October 2007.

With regard to control over the means of delivery of weapons of mass destruction included in resolution [1540 \(2004\)](#), such as ballistic missiles capable of delivering nuclear and other weapons, Uruguay is a member of The Hague Code of Conduct against Ballistic Missile Proliferation of 2002. Despite its non-binding status, the Code of Conduct represents a political commitment whereby the need to strengthen multilateral disarmament and non-proliferation mechanisms is recognized, and in particular it highlights the threat of ballistic missiles as a danger to international peace and security.

Uruguay is also a party to numerous international conventions on nuclear issues, as follows:

- Through Act No. 18.049 of 24 October 2006, the Regional Cooperative Agreement for the Advancement of Nuclear Science and Technology in Latin America and the Caribbean.
- Through Act No. 17.910 of 17 October 2005, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management.
- Through Act No. 17.750 of 26 March 2004, the Protocol Additional to the Agreement between Uruguay and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed in Vienna.
- Through Act No. 17.680 of 1 August 2003, the Convention on the Physical Protection of Nuclear Material.
- Through Act No. 17.588 of 29 November 2002, the Convention on Nuclear Safety.
- Through Act No. 17.348 of 13 June 2011, the Comprehensive Nuclear-Test-Ban Treaty.
- Through Act No. 17.051 of 14 December 1998, the Vienna Convention on Civil Liability for Nuclear Damage and the Optional Protocol Concerning the Compulsory Settlement of Disputes thereto, both adopted in Vienna on 21 May 1963.
- Through Act No. 16.075 of 11 October 1989, the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case

of a Nuclear Accident or Radiological Emergency, both adopted by the IAEA General Conference on 29 September 1986.

- Through Act No. 19.358 of 15 December 2015, the Amendment to the Convention on the Physical Protection of Nuclear Material.
- Through Act No. 19.350 of 30 October 2015, the International Convention for the Suppression of Acts of Nuclear Terrorism.
- Through Act No. 19.408 of 24 June 2016, the agreement to facilitate the provision of technical assistance to the Government of Uruguay by the Government of the United States of America through the Department of Energy.
- Through Act No. 13.684 of 17 September 1968, the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water.
- Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, signed at Washington, D.C., on 7 December 1970

## **E. National instruments on chemical weapons**

On 29 April 1997, Uruguay became a member of the Organisation for the Prohibition of Chemical Weapons, through its Act No. 16.520, by which it ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

By its Act No. 18.885 of 20 January 2012, the Government approved the agreement between Uruguay and the Organisation for the Prohibition of Chemical Weapons on the privileges and immunities of the Organization, signed at The Hague on 20 February 2007.

On 9 September 2004, the executive branch of the Government approved Decree No. 322/04 on the prohibition of chemical weapons. The purpose of the Decree is to comply with national obligations under the Convention on Chemical Weapons of 15 January 1993. Under the Decree, controls are established on toxic chemicals and their precursors, as well as on the facilities and equipment used to produce them, with the aim of preventing them from being diverted into the manufacture of chemical weapons.

Its provisions are applicable to any natural or legal person engaged in the activities described in the Convention, relating to the development, production, stockpiling, acquisition, sale, transfer, import, export, transit, packaging, shipping, possession or ownership of the chemicals listed in schedules 1, 2 and 3 of the Convention and of discrete organic chemicals.

For the purposes of the Decree, the terms chemical weapons, discrete organic chemical, precursor, facility, equipment, purposes not prohibited, inspection, production, processing and consumption shall have the meanings that they have in the Convention.

The Interministerial Committee for the Prohibition of Chemical Weapons was established by Decree No. 16/998 of 22 January 1998 to act as the national authority for the purposes of the Convention.

The Committee is also the entity responsible for exercising the powers of control provided for in the aforementioned Decree, to ensure compliance with the obligations assumed by Uruguay under the Convention.

Further information on the Committee is provided in section III.B, below.

## **F. National instruments on biological weapons**

Under Act No. 15.101 of 24 December 1980, Uruguay ratified the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

While Uruguay has made considerable progress in the nuclear and chemical domains, much remains to be done in the area of biological weapons. The country is therefore currently working diligently in coordination with the support unit for the implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

In that regard, Uruguay has a critical need for technical and legal assistance on biological matters in the future.

The instruments enacted in the country and those adopted by MERCOSUR (resolutions 11/93, 44/93 and 39/96 of the MERCOSUR Common Market Group were incorporated into national law under Decree No. 160/997 and its amending Decree No. 267/998) regulate the manufacture, handling, fractionation, marketing, import, export and labelling of veterinary medicines, and include provisions for veterinary products, authorization requirements, authorization of the use and marketing of pharmacological and biological products, and professional accountability.

The application of good practices in the manufacture of veterinary medicines is also required (Decision 48/11 of the Directorate-General of Livestock Services). That Decision provides that, in accordance with Decree No. 160/997, the Veterinary Laboratories Division may carry out inspections in establishments which manufacture veterinary products in the country of origin.

Since 2015, the conditions for the marketing and use of antibiotics and antimicrobials have been regulated in accordance with the standards and recommendations of relevant international bodies. Antibiotics may only be marketed pursuant to a prescription from the treating veterinarian, in a procedure that establishes responsibilities on the part of the veterinary professional and the user. Retailers must keep the prescriptions on file for at least two years (Decision No. 193A/015).

With regard to official control mechanisms, Uruguay has the National Plan on Biological Waste and microbiological control programmes. The goal of the Plan is to ensure the national monitoring of wastes from veterinary medicines and of environmental contaminants in products of animal origin.

With respect to monitoring the production and marketing of veterinary products, Uruguay established the drug surveillance system in 2016. An electronic system is used to monitor the inventories, sales and destinations of specific veterinary products throughout the chain, from the import of the product or active ingredient for its manufacture in Uruguay, to the sale to the final consumer.

Under Decree No. 353/008 of 21 July 2008, the National Biosecurity Office was established, comprising representatives from the Ministry of Livestock, Agriculture and Fisheries, which chairs it, the Ministry of Public Health, the Ministry of Economic and Financial Affairs, the Ministry of Housing, Land-Use Planning and the Environment, the Ministry of Foreign Affairs, and the Ministry of Industry, Energy and Mining.

The above-mentioned Decree provides that that Office shall approve, after following relevant procedures, new applications related to genetically modified plants

and their parts entering the country, and shall establish guidelines for the national policy on the biosecurity of genetically modified plants and their parts.

Lastly, since 2017, Uruguay has had a national plan for the containment of antimicrobial resistance, in which the abovementioned issues are covered. The strategic priorities covered in the plan which are relevant for the purposes of Security Council resolution 1540 (2004) include monitoring of the use of antimicrobials and microbial resistance, as well as introducing improvements in prevention and control measures in order to promote appropriate, targeted and prudent use of antimicrobials.

## **G. National instruments on hazardous waste**

At the national level, under Decree No. 158/985 of 25 April 1985, the Regulations on Operations and Transport of Dangerous Goods were approved.

Subsequently, under Decree No. 252/989 of 30 May 1989 on the prohibition of the introduction of hazardous wastes, the introduction into areas under national jurisdiction of hazardous wastes of any kind, in any form or under any regime, was prohibited.

In addition, under Decree No. 347/995 of 19 September 1995, the Partial-Scope Agreement on the Facilitation of the Transport of Dangerous Goods, concluded among the Governments of Argentina, Brazil, Paraguay and Uruguay pursuant to article 14 of the Treaty of Montevideo of 1980, whereby members of the Latin American Integration Association may enter into partial-scope agreements, was incorporated into domestic law.

Lastly, under Act No. 17.220 of 30 October 1999, the introduction of hazardous wastes of any kind, in any form or under any regime into areas under national jurisdiction is prohibited (article 1).

Decree-Law No. 10.415 of 13 February 1943 on gases and explosives should also be noted. Articles 8 and 17 of the aforementioned decree were amended under Decree-Law No. 15.075 of 7 November 1980 on the transport of explosive materials.

At the international level, Uruguay plays an active role in negotiations under the auspices of the United Nations Environment Programme, in particular in relation to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants, the Minamata Convention on Mercury and the Strategic Approach to International Chemicals Management. Uruguay hosted the third meeting of the open-ended working group of the Strategic Approach to International Chemicals Management in April 2019, a key meeting in that it served as a direct precursor to the International Conference on Chemicals Management, to be held in 2020, at which the future foundations of the international chemicals agenda will be laid.

The commitment of Uruguay to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, in force since 5 May 1992, is reflected in its active role as a member of the Convention Bureau, on which it served as Vice-President during the periods 2013–2015 and 2015–2017.

Uruguay also plays an effective role in the context of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which has been in force since February 2004. The listing of chemicals in annex III of the Convention is the most controversial issue for some States, as the inclusion of certain chemicals in that annex has led to a ban on

their production and transport. Uruguay supported the inclusion in the annex of certain chemicals which fall under classes I and II established by the World Health Organization, referring to highly toxic and moderately toxic chemicals.

Uruguay is a party to the Stockholm Convention on Persistent Organic Pollutants, ratified under Act No. 17.732 of 31 December 2003, which has been in force since May 2004. The purpose of that Convention is to protect the environment and human health from the adverse effects of persistent organic pollutants. In compliance with that instrument, the national plan for the implementation of the Stockholm Convention in Uruguay for 2017–2030 was developed. That plan is the result of the various inter-agency initiatives and working groups that have increased awareness of the country's situation with regard to persistent organic pollutants and conducted the review and updating in 2006 of the first national implementation plan.

Uruguay is also a party to the Minamata Convention on Mercury, relating to the protection of human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds, which was adopted at the Conference of Plenipotentiaries held in Japan in 2013, and has been in force since August 2017.

Uruguay played a leading role in the negotiations on the text of the Convention beginning in 2010 and, in September 2014, was the second country to ratify it. Uruguay is making progress in identifying alternatives and, in that connection, is strengthening the regulatory and policy framework for the environmentally sound management of the life cycle of products containing mercury and mercury wastes, as well as fully or gradually disposing of devices and products containing it, and introducing mercury-free alternatives.

In the view of Uruguay, the targeted implementation of resolution [1540 \(2004\)](#) is important in order to achieve synergies with implementation efforts made under other conventions related to chemicals and hazardous wastes, such as those mentioned above.

### III. Competent entities

There are currently more entities competent to implement resolution [1540 \(2004\)](#) and carry out controls related to weapons of mass destruction than those listed in the report submitted in December 2004.

- Interministerial Working Group on Resolution [1540 \(2004\)](#)
- Interministerial Committee for the Prohibition of Chemical Weapons
- Coordinating Committee against Money-Laundering and Terrorism Financing
- Interministerial Committee on Preventing, Combating and Eradicating Illicit Trafficking in Small Arms and Light Weapons
- State Strategic Intelligence Office
- Entities established under the National Counter-Terrorism Strategy: the National Counter-Terrorism Coordination Centre and the Interministerial Committee for National Defence
- National Committee on Nuclear Security
- National Office for Combating Money-Laundering and Terrorism Financing
- Working Group on the Financing of the Proliferation of Weapons of Mass Destruction
- Ministry of Defence

- Ministry of the Interior
- Ministry of Foreign Affairs
- Ministry of Livestock, Agriculture and Fisheries
- Ministry of Industry, Energy and Mining
- Ministry of Economic and Financial Affairs, National Customs Directorate
- Central Bank (Financial Intelligence and Analysis Unit)

#### **A. Interministerial Working Group on Resolution 1540 (2004)**

The Interministerial Working Group was established in 2018, following the approval of the national plan of action of May 2018 for the implementation of resolution 1540 (2004). It meets periodically in order to implement the national action plan, is coordinated by the Ministry of Foreign Affairs, and comprises representatives of the Ministry of Industry, Engineering and Mining, the Ministry of Defence, the Ministry of the Interior, the National Office for Combating Money-Laundering and Terrorism Financing, the Ministry of Economic and Financial Affairs (National Customs Directorate), the Central Bank, the Ministry of Public Health, the Faculty of Chemistry of the University of the Republic and the Ministry of Housing, Land-Use Planning and the Environment (National Environmental Protection Directorate).

Efforts have been made to include in the Group representatives of the Office of the Public Prosecutor, the Ministry of Livestock, Agriculture and Fisheries and the National Emergency System, entities which are also involved in the implementation of resolution 1540 (2004).

Work is currently under way on a draft decree to transform the group into an interministerial committee on nuclear, chemical and biological disarmament.

#### **B. Interministerial Committee for the Prohibition of Chemical Weapons**

Under Decree No. 16/998 of 22 January 1998, the Interministerial Committee for the Prohibition of Chemical Weapons was established, which acts as the national authority and functions as a link between Uruguay and the Organisation for the Prohibition of Chemical Weapons, in accordance with article VII of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, to which Uruguay is a State party.

The Interministerial Committee for the Prohibition of Chemical Weapons comprises representatives of the following entities: the Ministry of Foreign Affairs; the Ministry of Defence; the Ministry of Economic and Financial Affairs (National Customs Directorate); the Ministry of Industry, Energy and Mining; and the Faculty of Chemistry and Pharmacy. Pursuant to Decree No. 273/07, a permanent member from the Ministry of the Interior was included.

The Interministerial Committee's responsibilities include: (a) submitting the annual declarations provided for in the Convention; (b) recommending to the executive branch the measures needed to adapt national laws to the requirements of the Convention; (c) cooperating with the inspections required by the Organisation for the Prohibition of Chemical Weapons for compliance with the Convention; and (d) promoting scientific and technical cooperation between the Organisation for the Prohibition of Chemical Weapons and Uruguay as a State Party, in accordance with article X of the Convention.

The Interministerial Committee has submitted the annual declarations and proposed a draft decree to regulate the activities of companies which work with chemical substances and precursors that could be diverted for the manufacture of chemical weapons, which was approved on 9 September 2004, under Decree No. 322/04.

The Interministerial Committee also adapted the Criminal Code to include the new offences that may arise from the use, manufacture, development, storage, marketing or trafficking of chemical weapons. Currently, Act No. 19.205 of 2014 covers all offences related to chemical weapons.

### **C. Coordinating Committee against Money-Laundering and Terrorism Financing**

At the apex of the system against money-laundering, terrorism financing and the proliferation of weapons of mass destruction of Uruguay lies the Coordinating Committee against Money-Laundering and Terrorism Financing, an inter-agency coordinating body par excellence. In coordination with the various entities involved, the Committee plays a central role in the design of national policies on countering money-laundering, terrorism financing and the proliferation of weapons of mass destruction.

The Committee was established in 2007 under Decree No. 245/007 of 2 July 2007, and its competencies were recently expanded pursuant to Act No. 19.574 of 20 December 2017. It acts as a public and central link for national coordination among the various entities comprising the State system for prevention, detection and suppression.

The Committee comprises the Deputy Secretary of the Office of the President of the Republic; the Deputy Ministers of the Interior, Defence, Foreign Affairs, Economic and Financial Affairs, Education and Culture; the Managing Director of the Financial Intelligence and Analysis Unit; the National Secretary for Combating Money-Laundering and Terrorism Financing; and the Chair of the Transparency and Public Ethics Board. The membership of the Coordinating Committee is based on the need to achieve effective coordination among bodies and entities which play an essential role in the national system.

The Committee is responsible for continuously updating the risk assessment on money-laundering and the financing of terrorism, and the national plan of action for the implementation of Security Council resolution [1540 \(2004\)](#) was approved by the Committee on 10 May 2018.

### **D. Interministerial Committee on Preventing, Combating and Eradicating Illicit Trafficking in Small Arms and Light Weapons**

The Interministerial Committee on Preventing, Combating and Eradicating Illicit Trafficking in Small Arms and Light Weapons, comprising representatives of the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Economic and Financial Affairs, the Ministry of Defence, the Ministry of Education and Culture, the Ministry of Public Health and the Ministry of Livestock, Agriculture and Fisheries, was established under Decree No. 498/06 of 20 November 2006.

That Decree provides that the Committee shall act as the national authority in this area by coordinating the efforts of entities responsible for policymaking, as well as investigation and monitoring activities, to prevent, combat and eradicate illicit arms trafficking at the national level. The Committee also serves as a link to the

United Nations and to States participating in the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

In addition, articles 12 and 13 of Decree No. 2605/943 of 7 October 1943 regulating Act No. 19.247 on establishment of offences and amendment of the Criminal Code, regarding weapons and ammunition for the exclusive use of the army, navy and police, and unrestricted arms and ammunition, were amended under Decree No. 231/002 of 18 July 2002. However, Decree No. 231/002 was subsequently repealed pursuant to article 63 of Decree No. 377/016 regulating Act No. 19.247.

## **E. State Strategic Intelligence Office**

Recently, pursuant to Act No. 19.696 of 29 October 2018, the national intelligence system was approved and regulated, and the State Strategic Intelligence Office was established. The Office is a body within the executive branch in which the President of the Republic acts in conjunction with the Ministers of the Interior, Defence, Foreign Affairs, and Economic and Financial Affairs. The Office is tasked with producing strategic State intelligence to advise the executive branch in taking strategic decisions to achieve national objectives.

The State Strategic Intelligence Office is responsible for: (a) developing the national intelligence plan for the information and approval of the executive branch; (b) designing and implementing the intelligence programmes and budgets under the national intelligence plan; (c) coordinating the work of the national intelligence system; (d) processing the information provided by the bodies in the national intelligence system, at the national and international levels, in order to produce strategic State intelligence; (e) liaising with the strategic intelligence agencies of other States; (f) proposing common standards and procedures for all bodies in the national intelligence system; (g) providing for the implementation of intelligence and counter-intelligence measures in order to detect and address the threats set out in the national defence policy, as well as other threats to the State; and (h) submitting the reports referred to in Act No. 19.696, in particular the annual report on intelligence activities, as well as regular periodic reports in accordance with part IV, chapter II, of that Act.

## **F. Entities established under the National Counter-Terrorism Strategy**

Under Decree No. 180/017 of 3 July 2017, Uruguay approved the National Counter-Terrorism Strategy and, by Decision No. 22/2018 of 12 January 2018, established the National Counter-Terrorism Coordination Centre, in which the Ministry of Foreign Affairs participates.

The Centre has a coordinator responsible for advising on, coordinating, planning and overseeing matters related to the National Strategy, a position held by the Secretary of the National Defence Council. The National Defence Council is an advisory and consultative body for the President of the Republic on defence matters. It comprises the President of the Republic, who chairs it, and the Ministers of Defence, the Interior, Foreign Affairs, and Economic and Financial Affairs.

Within the National Defence Council an Interministerial Committee for National Defence was established, which reports to the Council through its standing secretariat and is composed of representatives appointed by the permanent members of the Council, together with representatives of the ministries or competent entities deemed useful for the examination of specific issues addressed by the Council.

The responsibilities of the Interministerial Committee for National Defence include planning and coordinating the actions required for the Council's operation, implementing the agreements adopted, requesting reports on the plans of the various public-administration bodies that contribute to national defence, and carrying out the tasks mandated by the Council.

## **G. National Committee on Nuclear Security**

Established under Decree No. 110/018 of 24 April 2018, the National Committee on Nuclear Security is mainly responsible for drawing up a plan of action in accordance with the country's needs, and for acting as an advisory body on matters related to nuclear security and sustainability.

The Committee's secondary responsibilities include coordinating with various national and international bodies, and participating in the reviews of the Integrated Nuclear Security Support Plan, in accordance with the specifications of the Committee itself and the recommendations of IAEA, as well as in the training activities planned under the Integrated Nuclear Security Support Plan with IAEA.

The Committee operates under the auspices of the Ministry of Industry, Energy and Mining through the National Regulatory Authority for Radiological Protection, which is the coordinating authority, and its permanent members are the Ministry of Defence, the Ministry of the Interior, the Ministry of Economic and Financial Affairs, and the Ministry of Foreign Affairs.

The Committee provides for the work of four subcommittees on matters related to threat prevention and assessment, detection, response to detection, and investigation and further analysis.

At the discretion of the National Committee on Nuclear Security, representatives of other State offices requiring advice may be included in any subcommittee, on a temporary basis and in accordance with their needs.

The Committee and the subcommittees may draw up their own rules of organization and operation.

## **H. National Office for Combating Money-Laundering and Terrorism Financing**

The National Office for Combating Money-Laundering and Terrorism Financing was established under the auspices of the Office of the President of the Republic in 2009, under Decree No. 239/009 of 20 May 2009.

Under Act No. 19.355 of 19 December 2015, it was given legal standing. The National Office for Combating Money-Laundering and Terrorism Financing is a decentralized body with technical independence. It is responsible for preventing the financing of the proliferation of weapons of mass destruction, in accordance with Act No. 19.574 of 20 December 2017, Act No. 19.749 of 15 May 2019, Regulatory Decree No. 379/018 of 12 November 2018, and Regulatory Decree No. 136/019 of 16 May 2019.

The tasks carried out by the National Office for Combating Money-Laundering and Terrorism Financing can be divided into three different areas: national and international coordination, supervision and investigation.

As the body which supervises non-financial reporting entities, it has the power to impose sanctions on entities which fail to comply with their obligations to prevent

money-laundering, terrorism financing and the proliferation of weapons of mass destruction. Those obligations include the verification and checking of lists of persons and entities linked to the financing of the proliferation of weapons of mass destruction against their client databases in order to check for matches.

Under Decree No. 136/019, the country substantially strengthened its framework on the implementation of relevant targeted financial sanctions and comprehensively regulated efforts to counter the financing of the proliferation of weapons of mass destruction, in which the Ministry of Foreign Affairs, the Financial Intelligence and Analysis Unit, and the National Office for Combating Money-Laundering and Terrorism Financing play a leading role.

That Decree sets out the procedures for the distribution and communication of United Nations sanctions lists against persons or entities linked to proliferation financing; for the inclusion and exclusion of persons and entities on those lists; and for the inclusion and exclusion of persons and entities on the national list. It also provides for, inter alia, the steps to be taken by reporting entities and the Financial Intelligence and Analysis Unit to freeze, immediately and without delay, funds or other assets, as well as for addressing cases of homonymity and access to funds.

The responsibilities of the National Office for Combating Money-Laundering and Terrorism Financing include:

1. Coordinating the implementation of national policies on countering money-laundering and terrorism financing, in conjunction with the various bodies involved.
2. Continuously coordinating and implementing the training programmes established by the Coordinating Committee against Money-Laundering and Terrorism Financing.
3. Monitoring compliance by designated non-financial businesses and professions with rules to prevent money-laundering and terrorism financing. To that end, the supervisory body has extensive powers of investigation and oversight and, in particular, may: (a) require designated non-financial businesses and professions, as well as all entities which participated, directly or indirectly, in the transaction or business activity under supervision or investigation, to produce all types of documents, both their own and those of other parties, and require them to appear before the administrative authority to provide the information requested by it; and (b) carry out inspections of movable or immovable property owned or occupied, in any capacity, by reporting entities and all entities which participated, directly or indirectly, in the transaction or business activity under supervision or investigation.
4. Signing agreements with national and international entities for the fulfilment of its responsibilities, for which purpose it must obtain the prior approval of the Office of the President of the Republic.
5. Impose sanctions on designated non-financial business and professions which fail to comply with their obligations.

## **I. Working Group on the Financing of Terrorism and the Proliferation of Weapons of Mass Destruction**

The Working Group on the Financing of Terrorism and the Proliferation of Weapons of Mass Destruction, comprising all State police and military bodies, the Financial Intelligence and Analysis Unit of the Central Bank, the Ministry of Foreign Affairs and the National Counter-Terrorism Coordination Centre, has been

operational since August 2018. It is coordinated by the recently established State Strategic Intelligence Office and the National Office for Combating Money-Laundering and Terrorism Financing.

The Working Group approved a document in which groups vulnerable to terrorism and terrorism financing were identified. On that basis, a list of organizations linked to those vulnerable groups was established so that they could be monitored by the competent authorities.

The Group monitors issues related to the financing of terrorism and the proliferation of weapons of mass destruction. In that regard, the risk assessment under way will be critical to preventing terrorism financing and the proliferation of weapons of mass destruction in the country.

## **J. Ministry of Defence**

Regarding the Ministry's legal framework and its contribution to the implementation of Security Council resolution 1540 (2004), a number of instruments have been adopted over the past decade, namely, Act No. 18.650 of 19 February 2010, which is the national defence framework law; Decree No. 105/014 of 29 April 2014 on national defence policy; Decree No. 129/016 of 13 May 2016 on military defence policy; Decree No. 180/017 (restricted circulation), by which the National Counter-terrorism Strategy was approved; Decree No. 180/018 of 11 June 2018 on the national emergency response plan for radiological incidents and accidents; Act No. 19.677 of 26 October 2018 on the surveillance tasks of the armed forces in the border area, for which implementing regulations are being prepared; and Act No. 19.696 of 29 October 2018 on the national intelligence system.

### **Act No. 18.650: National defence framework law**

Under this Act, national defence policy must take account of the general principles of domestic and international law and must be coordinated with foreign policy. Diplomacy is established as the primary tool for resolving conflicts (peaceful settlement of disputes and cooperation between States).

The Act also establishes the National Defence System, which is responsible for deciding national defence policy.

The National Defence System is made up of the executive and legislative branches and the National Defence Council. The Council is an advisory and consultative body to the President of the Republic on defence matters. It comprises the President, who chairs it, and the Ministers of Defence, the Interior, Foreign Affairs, and Economic and Financial Affairs.

This Act is therefore an example of broad legislative action aimed at helping to combat and mitigate any threat to the international community's general objective of maintaining international peace and security.

Furthermore, title IV "Contributions to defence, preparation of resources to contribute to defence", article 25, provides for the "preparation and availability of human and non-military material resources to meet defence needs in situations of serious threat or crisis" as a power of the executive branch, in keeping with article 35 of the Constitution and the existing mechanisms for cooperation and coordination among the different public authorities.

**Decree No. 105/014: National defence policy**

Decree No. 105/014 within the framework of Act No. 18.650, sets out the main thrust of the Republic's national defence policies and strategies.

To that end, it classifies and analyses the country's national and international interests and objectives.

It recognizes that "the debate on nuclear energy continues, given that many countries wish to use it to meet their energy needs. In addition, the use of nuclear energy for military purposes remains a priority on the international political agenda".

It also states that Uruguay is a signatory to the Treaty on the Non-Proliferation of Nuclear Weapons, whose objective is to prevent the spread of nuclear weapons and foster cooperation in the peaceful uses of nuclear energy, which continues to be of geopolitical importance in the international context.

In addition, it recognizes that "the use of weapons of mass destruction (nuclear, biological or chemical) may have environmental and biological effects that may pose serious threats to Uruguay".

Lastly, this instrument reflects the commitment of Uruguay to pacifism, in keeping with its foreign policy and the international instruments to which it is a party, in the areas of disarmament and non-proliferation of weapons. The intention is to contribute, through diplomacy, to the reduction of regional conflicts and to the creation of zones of peace that are free of nuclear weapons, while respecting the principles of the peaceful settlement of disputes, non-intervention in the internal affairs of States and the self-determination of peoples.

**Decree No. 129/016: Military defence policy**

This decree establishes the general strategic outline of military defence policy based on national defence policy as approved by Decree No. 105/014, which, as already stated, establishes the lines of action for measures to protect national interests and objectives and to prevent or possibly mitigate risks and threats and reduce or eliminate vulnerabilities. Policymaking is steered by the executive branch (Ministry of Defence), within the framework of the Constitution and the laws.

In terms of contributing to international peace and security, the armed forces oversee and take action to manage the prohibitions on the use, proliferation, development and deployment of weapons, in compliance with the relevant international conventions applicable to Uruguay.

Furthermore, the preamble of the Union of South American Nations Constitutive Treaty is relevant at the national and regional level, insofar as integration is considered necessary to ensure that "and a culture of peace prevail in a world free of nuclear weapons and weapons of mass destruction". One of its specific objectives is therefore "coordination among specialized bodies of the Member States, taking into account international norms, in order to strengthen the fight against terrorism, corruption, the global drug problem, human trafficking in persons, trafficking in small and light weapons, transnational organized crime and other threats, as well as for disarmament, the non-proliferation of nuclear weapons and weapons of mass destruction, and demining". Decree No. 129/016 establishes that:

"The oversight necessary to comply with these and other norms is performed by the army's Materiel and Weapons Service. Given the level of responsibility implicit in this task, strict controls are carried out and efforts are coordinated with the other competent State bodies".

### **Decree No. 180/018: National emergency response plan for radiological incidents and accidents**

Pursuant to this instrument, the Ministry of Defence participates in the response plan through the Defence Staff, which will coordinate with the National Emergency System on the action to be taken by the armed forces and will issue the relevant directives, by virtue of the powers granted to it under the national defence framework law for coordination of the activities of the armed forces.

In that regard, the army, through its Civil Affairs Department, will help the National Emergency System, at the latter's request, coordinate the resources of the armed forces in support of the community, and through its Materiel and Weapons Service-Explosives Brigade, will take charge of conducting operations to defuse terrorist devices in the event of threats or actual incidents involving explosives that pose a risk from radiological sources. It will coordinate with the regulatory authority regarding the radiological protection measures to be taken when handling the incident.

In addition, it will be able to support the National Emergency System through its remote and semi-remote operation of equipment in other situations, at the request of the regulatory authority of other technical bodies.

The army, through its Corps of Engineers, is constantly training its personnel, providing specialized training on responding to chemical, biological, radiological and nuclear incidents and other types of incident such as fires and collapses, and on protecting people placed in danger by such incidents.

The army will protect the population in the event of a chemical, biological, radiological or nuclear incident through a specialized sub-unit (section for protection against chemical, biological, radiological and nuclear agents), which is part of the "Ansina" battalion No. 6 of combat engineers.

This is the only sub-unit in the armed forces with the specialist knowledge at the national level to handle threats from radiological sources.

It also delivers, in coordination with the army's School of Engineers, national courses on chemical, biological, radiological and nuclear incidents, particularly for members of the army and the other components of the armed forces. It has become a national and international point of reference in the training of specialists in this area.

The sub-unit currently has 12 officers and 90 junior specialists (including medical, nursing, logistics and other personnel with relevant training).

A response group has also been formed, composed of five individuals in each of the other three military regions (based at a battalion of engineers in each region), in order to be able to deploy throughout the country as a first response.

The army also has an "Emergencies/14" Master Plan, which was drawn up to deal with and respond to different kinds of emergencies. Of particular note are annex No. 10 on radioactive accidents and incidents; annex No. 11 on accidents during the transport of dangerous goods; and annex No. 14 on environmental and other forms of contamination.

The navy's mission is to provide support, through the Naval Prefecture, in the event of an emergency arising from maritime transport, in accordance with the International Maritime Dangerous Goods Code. The navy provides security in the areas under its jurisdiction.

The Uruguayan air force will support the National Emergency System in its area of competence, cooperating with the regulatory authority to fulfil its mission (tasks

relating to radiological monitoring in the air and the transfer of technical personnel and equipment). It also collaborates with the National Emergency System on the rescue and transfer of victims of radiological emergencies.

Uruguay will also collaborate through the National Directorate of Civil Aviation and Aeronautical Infrastructure in the event of an emergency arising from air transport, in accordance with LAR 175 on the safe transport of dangerous goods by air of the Latin American Aeronautical Regulations.

Lastly, upon request, the National Directorate of Health of the armed forces will support the provision of medical assistance to people who have been contaminated and/or exposed.

#### **Act No. 19.677: Surveillance tasks in the border area**

Under this instrument, the armed forces are entrusted with the task of performing surveillance in the border area, which is a 20 km-wide strip of land based on the limits defined in the corresponding international treaties, not including towns. These tasks will support agencies that have jurisdiction and competence in the border area and include conducting patrols, identifying individuals and checking vehicles, and arresting those found committing an offence.

The executive branch will issue implementing regulations that establish the mechanisms for coordination with the other State agencies that have competence in the matter, such as the Ministry of the Interior and the National Customs Directorate of the Ministry of Economic and Financial Affairs.

#### **Participation of the Ministry of Defence in the Interministerial Committee for the Prohibition of Chemical Weapons and the Organisation for the Prohibition of Chemical Weapons**

In 2016, Uruguay reported to the Organisation for the Prohibition of Chemical Weapons via the Ministry of Foreign Affairs that the Ministry of Defence did not have in its storage facilities and ancillary spaces any of the hazardous chemicals contained in Schedules 1, 2 and 3 of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction of 13 January 1993.

In addition, the Ministry of Defence participates actively in the Organisation for the Prohibition of Chemical Weapons. Its representatives have attended more than 50 courses in various domains over the past decade.

### **K. Ministry of the Interior**

The task of the Ministry of the Interior is to govern, execute, monitor and evaluate public security policies, plans and programmes, while ensuring the free exercise of fundamental rights and freedoms.

The Ministry of the Interior is a highly technical and professional entity. It adopts a comprehensive approach to security in which preventing, deterring, suppressing and punishing crime are of the utmost importance. Serving the public interest, it works in cooperation with other government agencies, bodies and social organizations.

Its operational functioning currently focuses on two clearly defined areas: security, and the recently established Directorate of Investigations of the National Police.

Regarding security, the specific objective of a number of entities is to prevent, deter and repress crime. These include the departmental police headquarters, the National Directorate of the Republican Guard and the National Directorate of Traffic Police.

The National Police Investigations Directorate currently coordinates the activities of existing agencies so as to work towards goals set by a unified command.

The National Police Investigations Directorate is composed of the following directorates: (a) General Directorate for Combating Organized Crime and Cooperation with the International Criminal Police Organization (INTERPOL), (b) General Directorate for the Suppression of Illicit Drug Trafficking, (c) General Directorate for Police Information and Intelligence, and (d) Complex Facts Directorate.

It also coordinates with the Prison Research and Analysis Unit and the Technological Analysis Unit.

This allows for overarching information management at the national level, centralizing the activities of these units and coordinating in such a way that improves and operationalizes resources and information in relation to criminal investigations.

A criminal act involving the use of a chemical, biological, radiological or nuclear agent has three distinct phases:

The first is the “threat” phase, which is the time prior to perpetration of the criminal act. The second is the “emergency” phase and refers to the time when the criminal act was carried out. Response and mitigation plans are activated. Lastly, in the “investigation” (or “consequence”) phase, an investigation is carried out to determine the “who, what and how” of the criminal act to prepare for prosecution of the perpetrator.

During each of the three phases, appropriately trained police entities of the Ministry of the Interior take action.

During the “threat” phase, the National Migration Directorate of the Ministry of the Interior monitors and registers individuals entering and leaving the country. The Ministry of the Interior is responsible for internal services relating to migration, control and monitoring of the entry, stay and exit of persons (art. 2, para. 7, Decree No. 574/974 of 12 July 1974).

Border surveillance falls under the jurisdiction of several State agencies, including the Ministry of Public Health (which also serves as the border health police), the Ministry of Defence (National Directorate of Border Crossing Points, which, following the adoption of Act No. 16.977 of October 2018, has extended the surveillance and intervention zone to 20 km within territorial limits, not including towns), and the Ministry of Economic and Financial Affairs (National Customs Directorate). However, responsibility for monitoring and registering the entry and exit of individuals to and from the country lies with the National Migration Directorate of the Ministry of the Interior.

In addition, the General Directorate for Combating Organized Crime and Cooperation with the International Criminal Police Organization (INTERPOL), the General Directorate for Police Information and Intelligence, the Directorate for Police Planning and Strategy, the Unified Command Centre, the National Directorate of Firefighters, the National Directorate of the Republican Guard and the National Directorate of Forensic Police are working actively within the framework of the National Committee on Nuclear Security, with training on nuclear and/or radiological matters as stipulated in Decree No. 110/18.

The Unified Command Centre is responsible for receiving calls and dispatching police services through the 911 service. It has security cameras and state-of-the-art technology at its disposal. A number of its staff members have received training on these situations and participate actively in national activities on nuclear and radiological matters.

The shock troops of the National Directorate of the Republic Guard also have personnel trained in specific aspects of search and recovery relating to nuclear and radiological sources and its K-9 Group has dogs trained to detect possible explosive devices.

With regard to the “emergency” phase, the Ministry of the Interior has a unit specialized in hazardous materials response and environmental protection within the National Directorate of Firefighters, which is the national body responsible for responding to all types of incidents involving the use of chemical, biological, radiological or nuclear agents, including attacks and illegal acts perpetrated by non-State actors using weapons of mass destruction. Its operational base is in Montevideo and it has national jurisdiction.

The unit is responsible not only for responding to incidents but also for providing technical advice to all units of the Ministry of the Interior and relevant training to different national entities.

Lastly, for the “investigation” phase, in which the units of the National Police Investigations Directorate are also actively involved, the National Directorate of Forensic Police has personnel trained in forensic techniques, especially with regard to nuclear and/or radiological matters.

#### **The Ministry of the Interior and Security Council resolution 1540 (2004)**

As already mentioned, the Ministry of the Interior is working in the various areas of work covered by Security Council resolution 1540 (2004) and participating actively in the Interministerial Working Group on Resolution 1540 (2004).

It also participates in other security groups at the national, regional and international level working on matters relating to the resolution. Its participation in each area is detailed below.

#### **National chemical, biological, radiological and nuclear security groups**

##### *(a) National chemical security group*

Pursuant to Decree No. 273/07, the Ministry of the Interior is now represented on the Interministerial Committee for the Prohibition of Chemical Weapons. The current representative is an official from the National Directorate of Firefighters, specifically, from the Department of Hazardous Materials and Environmental Protection, which is particularly well suited to this role.

##### *(b) National nuclear and radiological security group*

Under the aforementioned Decree No. 110/18, the National Committee on Nuclear Security was established. The Ministry of the Interior participates extensively in its various areas of work. The Committee is divided into four subcommittees as follows:

- (i) Prevention and Threat Assessment Subcommittee. The General Directorate for Combating Organized Crime and Cooperation with the International Criminal Police Organization (INTERPOL) and the National Directorate for Police Information and Intelligence participate in this subcommittee on behalf of the Ministry of the Interior.

(ii) Detection and Containment Subcommittee. The National Directorate of Firefighters and the Republican Guard handle detection and containment on behalf of the Ministry of the Interior.

(iii) Response to Detection Subcommittee. Here the relevant entities are the departmental police headquarters and the National Directorate of Firefighters.

(iv) Subcommittee on Investigation and Further Analysis. The Ministry of the Interior is represented by the National Directorate for Police Information and Intelligence, the National Directorate of Forensic Police and the National Directorate of Firefighters.

(c) *National biological security group*

The Ministry of the Interior does not participate in any national biological security groups owing to a lack of training in biosecurity levels. This has been identified as one of the primary challenges in chemical, biological, radiological and nuclear matters at the national level.

**Regional chemical, biological, radiological and nuclear security groups**

(a) *Regional nuclear and radiological security group*

At the regional level, the Ministry of the Interior participates within the framework of the Southern Common Market (MERCOSUR) in the meetings of ministers of the interior and security, which are organized twice a year (when each new pro tempore presidency of the bloc begins), and in the working groups and specialized forums, which meet four times a year. These groups and forums include the specialized forum on terrorism, the specialized forum on migration, the specialized technical group on crime, the specialized technical group on training and, notably, a specialized technical group on illicit trafficking in nuclear/radioactive material. The latter group holds two meetings a year, during which it discusses matters relating to the movement of such substances and any incidents that may have occurred in the countries of the region. A record is kept of any such incidents and alarms are activated and relevant information is shared through points of contact in each country.

In the case of Uruguay, the first point of contact is the specialized chemical, biological, radiological and nuclear emergency response group of the National Directorate of Firefighters (Department of Hazardous Materials and Environmental Protection) and the second point of contact is the General Directorate for Police Information and Intelligence.

(b) *Regional chemical and biological security groups*

The Ministry of the Interior does not currently participate directly in any regional security groups working on these issues that replicate the experience acquired in nuclear and radiological matters.

**International chemical, biological, radiological and nuclear security groups**

At the international level, the National Directorate of Firefighters (Department of Hazardous Materials and Environmental Protection) serves as the national warning focal point for the international emergency centre of the IAEA. The centre is a focal point for information on all international incidents and, should an incident occur, it will be the only means of communication and guaranteed way to warn all countries.

As at the regional level, the Ministry of the Interior does not participate in chemical or biological security matters at the international level.

Upon request, information is sent to the Chemical, Biological, Radiological, Nuclear, Explosives and Vulnerable Targets Subdirectorate of INTERPOL, but there are no dedicated officials in Uruguay.

### **National emergency plans**

#### *Decree No. 180/18: National Nuclear and Radioactive Emergency Response Plan*

Decree No. 180/18, entitled “National Nuclear and Radioactive Emergency Response Plan”, designates the Unified Command Centre as the warning point for nuclear and radioactive emergencies and the Department of Hazardous Materials and Environmental Protection of the National Directorate of Firefighters as the operational response agency to support the entity with jurisdiction (National Regulatory Authority for Radiological Protection).

The plan also includes the departmental headquarters and the General Directorate of Information and Intelligence and the National Directorate of Forensic Police, which will carry out tasks within their respective areas of competence.

#### *Decree No. 332/03: National Response Plan for Dangerous Goods on National Highways and Departmental Roads*

The Department of Hazardous Materials and Environmental Protection of the National Directorate of Firefighters is responsible for handling all incidents involving the transportation of hazardous materials, as the Incident Commander for such cases. It provides a centralized response in coordination and cooperation with the other State authorities involved.

Both plans will be executed under the purview of the National Emergency System of the President of the Republic.

## **L. Ministry of Foreign Affairs**

The Ministry of Foreign Affairs is the political and administrative State entity responsible for planning, directing and executing the country’s foreign policy and its international relations. The Ministry is thus part of the institutional structure relating to disarmament, security and counter-terrorism.

In that connection, the Ministry participates in and is represented on the Coordinating Committee against Money-Laundering and Terrorism Financing, an area in which the national action plan on the implementation of resolution [1540 \(2004\)](#) was adopted in 2018; National Committee on Nuclear Security; National Defence Council; Interministerial Committee for National Defence; National Counter-Terrorism Coordination Centre; and the National Biosecurity Office.

The Ministry also chairs the Interministerial Committee for the Prohibition of Chemical Weapons as the national authority and, through the corresponding diplomatic channel, serves as a continuing link with the Organisation for the Prohibition of Chemical Weapons.

The Ministry also liaises between Uruguay and the Security Council and, in particular, with the Security Council Committee established pursuant to resolution [1373 \(2001\)](#) concerning counter-terrorism. This was reflected in the Committee’s last three visits to the country (in 2012, 2014 and 2017), which aimed to strengthen national institutional capacity to respond to the international threat. The country’s firm commitment to disarmament and counter-terrorism was also clearly demonstrated when it served as a non-permanent member of the Security Council during the 2016–2017 biennium.

With regard to the implementation of Security Council resolution 1540 (2004), the Ministry is responsible for coordinating action with the competent national bodies within the framework of the Interministerial Working Group on Resolution 1540 (2004). In that regard, implementation of resolution 1540 (2004) has been coordinated by the Ministry with the support of the National Office for Combating Money-Laundering and Terrorism Financing and other State bodies.

The Ministry played a noteworthy role in the negotiations of the various international texts adopted in the fields of nuclear, chemical and biological disarmament and counter-terrorism at both the international and regional level.

The Ministry also sponsors and proposes a variety of relevant resolutions in the different spheres of work of the United Nations, including in the Human Rights Council, with an emphasis on terrorism- and human rights-related resolutions.

In terms of cooperation with other international organizations, the Ministry has organized several workshops with the support of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the Organisation for the Prohibition of Chemical Weapons, the World Customs Organization and AEA. In that regard, the Ministry organized the first OPANAL course on disarmament and non-proliferation of nuclear weapons at the Artigas Institute of the Foreign Service from 11 to 15 December 2017. The workshop focused on the background, structure and functioning of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), as well as on recent action by the member States.

Lastly, the Ministry is working on training diplomats on issues related to resolution 1540 (2004), terrorism and disarmament, in order to implement its national action plan. In that connection, the Artigas Institute of the Foreign Service is organizing various courses for diplomats, including courses on the structure and role of the General Directorate for Combating Organized Crime and Cooperation with the International Criminal Police Organization-INTERPOL; an overview and areas of responsibility of INTERPOL Uruguay; computer crimes; cybersecurity; trafficking in persons; drug policies; the transnational nature of financial crime; the Customs Code; customs operations relevant to diplomatic activity; and terrorism.

## **M. Ministry of Livestock, Agriculture and Fisheries**

The Directorate-General of Livestock Services of the Ministry of Livestock, Agriculture and Fisheries is the competent health authority for the registration and ongoing control of veterinary products, including antibiotics (Decree No. 160/997 and subsequent amendments). Within the Directorate-General, the Department for Registration and Control of Veterinary Products of the Veterinary Laboratories Division is responsible for the registration and control of veterinary products from the time they are manufactured or imported until they are marketed, as well as the registration and licensing of processing companies and premises, warehouses and distributors, in accordance with the provisions of Decree No. 24/998 of 28 January 1998.

The aim of Decree No. 177/004 is to implement a monitoring system for the use of veterinary products in livestock, in order to control their use and avoid contamination and/or alteration of the products used in industrial processes and ultimately preserve human and animal health. The measures provided for in the decree include a requirement for establishments producing meat and milk for commercial purposes to keep a record of the use of veterinary products, in the form and under the conditions laid down by the Directorate-General. Likewise, establishments producing

milk for commercial purposes must keep a separate record of the use of antimicrobial drugs, with penalties for non-compliance.

Among the powers conferred upon it by Act No. 19.175, the National Directorate of Water Resources is responsible for the health and food safety of fishery and aquaculture products and issues the relevant certificates at the national and international level.

In order to prevent the spread of disease, certain requirements must be met before live animals can be imported for use in feed or for further breeding. These include the presentation of health certificates of origin, freedom from cholera and freedom from red tide in the case of bivalve molluscs. They must be inspected by personnel from the National Directorate of Water Resources before being transferred to the production site. In addition, those interested in carrying out commercial aquaculture activities must submit to the National Directorate, for its approval, a plan containing technical specifications pursuant to the requirements.

Act No. 19.175 also classifies as a very serious offence the processing, transport or marketing of fishery and aquaculture products that pose a risk to public health and products that do not meet health and safety standards. It also classifies as a serious offence the unauthorized marketing, transport or processing of hydrobiological products for such purposes or without the requisite health and safety checks by the National Directorate.

Based on the scientific observation that the presence of the substances carbadox and olaquinox in animal source foods for human consumption may affect public health, and considering them to be potentially genotoxic and carcinogenic, Decree No. 215/013 prohibits their import, export, manufacture, sale, use, possession and marketing, whether alone or in association with other chemicals, as raw material or finished products or incorporated into animal feed.

Furthermore, supplying food that contains antibiotics increases the risk of antimicrobial resistance in animals and may pose a risk to public health. Therefore, in order to protect consumers, Decree No. 098/2011 prohibits, in principle, the import, manufacture, marketing and use of bovine and ovine animal feed containing growth-promoting antibiotics. The Ministry of Livestock, Agriculture and Fisheries, through the Directorate-General for Agricultural Services, is responsible for monitoring compliance with this decree.

## **N. Ministry of Industry, Energy and Mining**

By Act No. 15.809 of 8 April 1986, the National Directorate of Nuclear Technology was established in the Ministry of Industry, Energy and Mining. It was replaced by the National Regulatory Authority for Radiological Protection established by Act No. 17.930 of 19 December 2005, whose responsibilities, assets, resources and staff will be merged with those of the Radiological Protection and Safety Division of executing unit 008 “National Directorate of Nuclear Energy and Technology” and of the “International Cooperation and Institutional Relations Unit”.

Act No. 19.056 on the radiological protection and safety of persons, goods and the environment, which is regulated by Decree No. 270/014, establishes that the National Regulatory Authority for Radiological Protection is the competent authority to implement this law and its regulations.

The responsibilities of the regulatory authority include promoting and disseminating to users and to the public the instruments relating to radiological protection and safety; preparing and monitoring compliance with such instruments; preparing standards, technical regulations, and codes of practice; authorizing the

import, export and transport of radioactive sources and equipment; issuing facility operating licences and personal authorizations; revoking and suspending licences or authorizations; temporarily or permanently closing facilities and seizing radioactive material; and monitoring and overseeing the management and storage of disused radioactive sources and radioactive waste.

The regulatory authority has sole responsibility in Uruguay for controlling the emission of ionizing radiation. It has technical independence, technical and professional autonomy and powers of sanction. In the event of non-compliance with the prevailing standards, warnings, fines, temporary or permanent closure may be applicable, in addition to the revocation of licences or authorizations, the closure of facilities and the seizure of radioactive material.

## **O. Ministry of Economic and Financial Affairs**

### **National Customs Directorate**

The Ministry of Economic and Financial Affairs, through the National Customs Directorate, has authority over border controls to detect and prevent the illicit trafficking of weapons of mass destruction and their precursors.

The National Customs Directorate has been allocated powers under article 6 (general powers) of Act No. 19.276 of 19 September 2014 on the Customs Code of the Eastern Republic of Uruguay, in particular paragraph (d) on application of rules issued by the competent bodies concerning prohibitions or restrictions on the import and export of goods; and paragraph (m) on the exercise of customs surveillance and prevention and suppression of customs offences.

Articles 8, 9 and 10 of Act No. 19.276 also establish the powers of the National Customs Directorate. Article 8 gives the Directorate the power to enforce compliance, hold goods and inspect warehouses and similar premises.

Under the 2006 cooperation agreement between the National Customs Directorate and the National Regulatory Authority for Radiological Protection, officials assigned to land border posts, Carrasco Airport and the Port of Montevideo have been provided with appropriate instruments for detecting radioactive materials. In this regard, the agreement provides that the Regulatory Authority shall issue an import, export and transit authorization for radioactive material or radiation generating equipment without which Customs cannot issue the respective entry, exit and transit permits for such goods. In turn, the Regulatory Authority is in charge of providing the necessary training for the National Customs Directorate officials involved in such control, and making available to the Directorate, within economic constraints, detection equipment and material.

In the area of customs controls and taking into account paragraph 3 (d) of resolution [1540 \(2004\)](#), the National Customs Directorate, for the purpose of monitoring foreign trade operations moving within the national territory, has developed a risk management system (comprehensive customs intelligence system).

This system is in operation at the three points at which goods are controlled: prior to arrival, at the time of release and after release. Various tools have been developed to define those controls, which we will discuss below.

#### *(a) Prior to arrival*

The work is based on the advance information that is sent electronically by foreign trade operators to the National Customs Directorate, which is evaluated

through predefined risk filters related to security, weapons, chemical precursors, drug trafficking and intellectual property.

Depending on the filtered evaluation, shipments are preselected and evaluated by the team of analysts and the action to be taken is defined accordingly. That response can range from release, scanning, opening, tracking or an alert to the country of destination in the event that the load has no customs destination in Uruguay.

*(b) At the time of release*

In this case the information at our disposal is of better quality since it is the same as is presented in the digital single customs document, containing encrypted information, which makes it possible to combine all the variables detailed in the single customs document for the purpose of defining the selectivity rules.

Uruguay has various types of rules (random, normative and specific-risk), econometric models and decision trees. All the rules are applied in the evaluations of customs declarations.

The control channel (red for a physical check; orange for a documentary check; and green for release of goods) is determined based on that evaluation.

*(c) After the release of goods*

Control at this stage is based on audits of foreign trade companies operating in the country. The National Customs Directorate has the power to audit all operations for the last five years.

These audits are triggered by a model that, based on internal and external variables, selects a list of companies to be audited, which is also based on the background of the operations, complaints and the expertise of the teams that make up the unit responsible for conducting controls.

All audit actions, as well as their background, are recorded in the Mantis, free software that was customized to meet the needs of the audit process, a process with ISO 9001-2015 quality certification.

### **Electronic seal**

The electronic seal changed the way the foreign trade community in Uruguay sees the transit process. Today, all vehicles have electronic devices that protect the load and allow for satellite tracking of transit. With this advance, Customs conducts monitoring throughout the national territory, 24 hours a day, 365 days a year, achieving total presence in the chain of the transit process.

#### *Background*

In Uruguay, there are an average of 70,000 customs operations per year that come under the transit regime. Those figures are increasing with the increase in cargo arrivals, especially maritime shipments to the region. There was previously no effective control system for such a volume of operations, involving goods worth millions of dollars. The “Uruguay Safe Transit” Project arose against this background and in accordance with the customs surveillance strategy of less and better control, aligned with the objective of Customs being part of the transformation of Uruguay into a logistics pole for the regional movement of goods and persons.

#### *Description*

The device, placed on board each vehicle, protects the load and allows for satellite tracking of the transit. The seal sends signals to the National Customs

Directorate monitoring centre, which checks that the assigned route is followed and that there are no excessive delays in the journey. To usher in this initiative, essential decisions had to be taken at the economic, regulatory and technological levels. Cargo agents, shipping agents, customs brokers, international chambers of road transport and national and international truck drivers' unions played active roles in the design of the project to ensure its success. With this regulatory, documentary and technological know-how, on 19 December 2011 the electronic seal was launched, with a strategy of gradual introduction over time, extending the electronic seal requirement to multiple points of origin and destination.

#### *Features*

- (1) Mandatory use of the service nationwide; 100 per cent of shipments in transit are electronically sealed.
- (2) Establishment of the monitoring centre, a special unit in charge of tracking electronically sealed shipments.
- (3) Through the monitoring centre, country-wide transit monitoring is conducted 24 hours a day, 365 days a year, which ensure full coverage throughout the process of transit.
- (4) The monitoring centre, in turn, coordinates incident response, audits and transit analysis. In case of deviations from the route or any other allegedly illicit occurrence, it sends alerts to the Regional Surveillance Headquarters that operate at strategic points in the country.
- (5) Creation of 5 regional surveillance headquarters, at strategic locations in the country, to respond to any incident detected by the monitoring centre.
- (6) The electronic seal service may only be provided by operators with National Customs Directorate-approved systems.
- (7) Thanks to this technology, it is possible to monitor: goods entering or leaving customs areas; vehicles parked in rest areas, stopped off-road or delayed for any reason; alarms for unauthorized exit from the customs area; and broken electronic seals.
- (8) The use of this technology allows for automatic processes in operations (automatic arrival) without the need for the presence of customs officials, thus allowing for human resources to be deployed in other critical control areas.
- (9) The electronic seal ushered in such operations as consolidated cargo transport and consolidated transit, which are in high demand among the main logistics agents involved in foreign trade in Uruguay.

#### *Benefits*

The safeguards offered by this technology have resulted in the following benefits for operators:

- (1) The possibility of overnight schedules for transit shipments.
- (2) The establishment of rest areas where drivers can stop if necessary (for instance, to sleep or obtain supplies).
- (3) Simplification of the declaration process and elimination of paper forms
- (4) A fall in insurance premiums as a result of this technology.

### **Legislation in the Southern Common Market**

On 17 December 1994, MERCOSUR adopted a sectoral agreement on the transport of dangerous goods (Agreement on Facilitation of International Road Transportation of Dangerous Goods), registered as a partial scope agreement within the framework of the 1980 Treaty of Montevideo and signed in Montevideo on 30 December 1994. The agreement defines this type of material as belonging to class 7 and notes that the IAEA recommendations were taken into account in consultation with the United Nations.

Another MERCOSUR decision, MERCOSUR/CMC/Dec. No. 12/00, established a general plan for cooperation and coordination for national security in the area of the illicit trafficking of nuclear and/or radioactive material among the States parties of MERCOSUR, in order to unite efforts and coordinate specific action.

MERCOSUR/CMC/Dec. No. 3/01 established a programme of action to combat the above-mentioned illicit trafficking in the customs sphere; it is supplemented by MERCOSUR/CMC/Dec. No. 1/97, which provides for an extensive range of assistance and cooperation activities among MERCOSUR customs administrations.

The Convention on Cooperation, Exchange of Information, Data Consultation and Mutual Assistance between Customs Administrations of the Southern Common Market was adopted through decision MERCOSUR/CMC/Dec. No. 26/06, establishing procedures for the provision of cooperation and mutual assistance between customs administrations, in order to ensure the proper application of customs laws, facilitate trade and prevent, investigate and suppress customs offences.

The Framework Agreement for the Disposal of the Property Confiscated from Transnational Organized Crime in the Southern Common Market was adopted by decision MERCOSUR/CMC/Dec. No. 05/18, which aims to establish mechanisms for cooperation and negotiation among the States parties that will facilitate disposal of the confiscated illicit proceeds of offences linked to transnational organized crime.

Act No. 19.247 of August 2014 establishes a penalty of from twelve months to twelve years of imprisonment for anyone who imports, exports, acquires, sells, delivers, distributes, transfers or moves firearms, ammunition, explosives or other related materials from or through the national territory to another State without obtaining prior authorization from all the States concerned. This penalty may be increased by one third if the person is a member of a criminal organization.

### **P. Central Bank**

The Central Bank of Uruguay has legal powers to issue regulations that are binding on natural or legal persons under its supervision in order to prevent money laundering (Act No. 17.016 of 28 October 1998, Act No. 17.835 of 23 September 2004, Act No. 18.401 of 24 October 2008 and Act No. 19.574 of 20 December 2017), and through the Superintendency of Financial Services it exercises supervision in this area over the financial system in general including, among others, banks and other financial intermediaries, exchange bureaux, financial services companies, insurance companies, members of stock markets, pension fund administrators and companies that provide fund transfer or remittance services.

In addition, natural or legal persons subject to the control of the Central Bank must inform it of the cross-border transport of cash, precious metals or other monetary instruments in an amount exceeding US\$ 10,000 (Act No. 19.574 of 20 December 2017).

The Central Bank units directly involved in combating money laundering and the financing of terrorism are as follows:

**(a) Superintendency of Financial Services**

The Superintendency of Financial Services was created as a unified superintendency by Act No. 18.401 of 24 October 2008, article 9 of which includes among its responsibilities those relating to the prevention of money-laundering and the financing of terrorism. In turn, article 11 states that the Superintendency shall be responsible for carrying out the functions entrusted to the Bank for the purpose of combating the offences of money-laundering and the financing of terrorism.

**(b) Financial Intelligence and Analysis Unit**

In order to implement the international standards of the Financial Action Task Force, countries must establish financial intelligence units to serve as national centres where suspicious transaction reports, as well as other relevant information, can be received and analysed.

In this regard, Uruguay created the Financial Intelligence and Analysis Unit under the auspices of the Central Bank of Uruguay by means of Circular No. 1.722 of 20 December 2000. Initially, the competencies of the Unit were established by circulars from the Central Bank of Uruguay and later were complemented and strengthened by the provisions of Act No. 17.835, Act No. 18.401 and Act No. 19.574, cited above. Article 10 of Act No. 18.401 incorporates the Financial Intelligence and Analysis Unit into the Charter of the Central Bank of Uruguay, granting it a hierarchical position and powers. In the course of 2009, the Financial Intelligence and Analysis Unit submitted a formal application to join the Egmont Group of Financial Intelligence Units, an organization that brings together financial intelligence units from around the world. This application for membership was finally accepted at the plenary meeting held in Cartagena de Indias, Colombia, in June 2010, and the Financial Intelligence and Analysis Unit of Uruguay became a full member of the Group as of that date.

The competencies of the Financial Intelligence and Analysis Unit are to:

- (1) Receive, request, analyse and submit to the competent judicial authority information on transactions and other information deemed useful to prevent money-laundering and the financing of terrorism.
- (2) Respond to requests for international cooperation in the field of money-laundering and the financing of terrorism.
- (3) Provide advice on training programmes.
- (4) Propose general rules and specific instructions on the matter under its purview.
- (5) Execute the tasks provided for in Act No. 17.835 of 23 September 2004, those assigned by the Superintendency of Financial Services and any others established in the applicable provisions.

Its main functions are to:

- (1) Receive unusual or suspicious transaction reports from all reporting entities, analyse them and inform the criminal justice authorities when, as a result of the analysis carried out, elements arise leading to a presumption that the transaction is linked to some criminal activity or to the financing of terrorism.
- (2) Respond to requests for cooperation from foreign financial intelligence units.
- (3) Disseminate information and cooperate with the criminal justice system.

- (4) Supervise financial reporting entities, as a Unit specialized in risk related to money-laundering and the financing of terrorism and included as part of the supervision model applied by the Superintendency of Financial Services.
- (5) Manage the centralized database.
- (6) Prepare strategic analysis reports for its own use and for other agencies or bodies competent in the field of combating money-laundering and the financing of terrorism.
- (7) Manage the Registry of Holders of Bearer Shares and Final Beneficiaries.

## **IV. Implementation of the Security Council resolution 1540 (2004) National Action Plan**

### **A. National Action Plan**

The Security Council Resolution 1540 (2004) National Action Plan was adopted in May 2018 by the Coordinating Committee against Money-Laundering and Terrorism Financing.

However, the country's efforts to implement resolution 1540 (2004) date back to the adoption of the resolution in question, given that the first report of Uruguay to the Security Council Committee established pursuant to resolution 1540 (2004)<sup>1</sup> was submitted in December 2004.

Also, in November 2005, Uruguay presented the inputs required for the preparation, by the Committee, of its first matrix. The most recent matrix submitted by Uruguay on resolution 1540 (2004) is the one approved by the Committee in 2015. All these documents are available on the Committee's web page.

In 2015, Uruguay expressed its interest in the technical assistance offered by the OAS Inter-American Committee against Terrorism to develop a national action plan for the implementation of resolution 1540 (2004).

In this regard, in 2017, with the assistance of the OAS Inter-American Committee against Terrorism and the Security Council Committee established pursuant to resolution 1540 (2004), workshops were held at the national level in Uruguay to learn about implementation of the resolution with a view to designing a national plan that would reflect the needs of Uruguay; its commercial, economic, political and social context; and commitments already assumed, given that Uruguay is a party to most of the conventions in that field.

The Action Plan,<sup>2</sup> which includes an explanation of the position of Uruguay on disarmament and the non-proliferation of weapons of mass destruction, was shared on 21 May 2018 with the Security Council Committee established pursuant to resolution 1540 (2004) and the OAS Inter-American Committee against Terrorism.

### **B. Priorities of the National Action Plan**

Uruguay decided to work on eight priorities, namely: (1) creation of an institutional framework, (2) identification of aspects not covered in domestic laws, (3) accounting and physical protection of materials, (4) transfer control, (5) financing of the proliferation of weapons of mass destruction, (6) dissemination and awareness-

<sup>1</sup> S/AC.44/2004/(02)/94.

<sup>2</sup> [https://www.un.org/es/sc/1540/documents/Uruguay\\_action-plan.pdf](https://www.un.org/es/sc/1540/documents/Uruguay_action-plan.pdf).

raising in academia and the private sector, (7) strengthening of state capacities and (8) operational scope of the national plan.

Each of those priorities has time limits, which Uruguay has been respecting. The country was able to implement four of the eight established priorities in less than two years. Work continues on the remaining priorities and the country remains on schedule to meet its deadlines.

It must be emphasized that in terms of strategic trade and, in particular, with regard to control lists, Uruguay has a long way to go. That is why the Interministerial Working Group on Resolution 1540 (2004) is working on the development of checklists, aware that this is the most difficult task ahead. The target for achievement of this priority is 24 months after the approval of the Plan (May 2020), meaning it is currently on schedule.

Since Uruguay does not participate in any export control regime, the country has a pressing need for future technical assistance in strategic trade.

### **C. Objectives achieved**

In the 14 months of work since approval of the Plan of Action, Uruguay has managed to achieve four of the eight objectives identified.

To do so, the country has not only created regulations and institutions in that field, but has also promoted and strengthened national and international coordination. The former is characterized by its fluidity, flexibility and openness to different national agencies. On the other hand, there has been international coordination with such international and regional organizations as the United Nations, OAS and MERCOSUR. Important examples include coordination with special United Nations agencies, namely: the Organisation for the Prohibition of Chemical Weapons, the International Atomic Energy Agency, the United Nations Office for Disarmament Affairs, the United Nations Office on Drugs and Crime, the United Nations Environment Programme, the World Health Organization, the World Trade Organization and the International Labour Organization. This reflects the importance Uruguay attaches to working towards implementation of resolution 1540 (2004) supported by close coordination.

It may be noted that Uruguay considers implementation of resolution 1540 (2004) a priority aspect of the Government's foreign policy that has underpinned a nationwide effort that has continued for the last 15 years.

## **V. Cooperation with the Organisation for the Prohibition of Chemical Weapons and the International Atomic Energy Agency**

A number of activities were carried out in the country with the cooperation of both the Organisation for the Prohibition of Chemical Weapons and IAEA to improve the national implementation of paragraphs 3 and 9 of Security Council resolution 1540 (2004).

A few examples include the most recent instance of cooperation with the Organization for the Prohibition of Chemical Weapons in the form of a training-of-trainers course on technical aspects of the transfer regime under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction for representatives from the customs training

facilities of States parties to the Convention in Latin America and the Caribbean, held in Montevideo from 17 to 20 September 2019.

The course was conducted in cooperation with the Organisation for the Prohibition of Chemical Weapons and the World Customs Organization and was aimed at ensuring a wider audience and improving the capacity of the States of the region to implement the transfer regime under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. To achieve that goal, each State party was represented by a group of three participants: a customs trainer, a manager from the customs facility and a representative of the national authority.

In its presentation, the World Customs Organization highlighted the 2015 Punta Cana resolution, issued by the Policy Commission, its highest body, which emerged in response to Security Council resolution [1540 \(2004\)](#). It recognizes the importance of the role of Customs authorities in the fight against terrorism, by virtue of their unique legal powers to control and intercept goods in transit. Furthermore, the Punta Cana resolution invites the world's Customs authorities to include security as part of their mandates, strategic guidelines and missions. The above-mentioned resolution, in turn, supports close cooperation between Customs authorities and other law enforcement agencies, in relation to information-exchange and technical advice or support, such as the joint activity with the Organisation for the Prohibition of Chemical Weapons and the World Customs Organization.

In addition, during the course, special emphasis was placed on issues related to article VI of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, in connection with the development, production, acquisition, stockpiling, transfer and use of chemicals for uses not prohibited by the Convention and related to their peaceful use.

This activity allowed the participants from the different countries to gain expertise in a range of tools that are very useful in the identification of chemicals. These include the harmonized system code booklet provided by the World Customs Organization, the Organisation for the Prohibition of Chemical Weapons online database and handbook on scheduled chemicals. Their effective implementation may lead to an improvement and increase in efficiency in the customs control systems for those chemicals scheduled in the Convention, in compliance with the aforementioned paragraphs of resolution [1540 \(2004\)](#).

Uruguay has also traditionally supported the role of IAEA in encouraging and assisting the development and practical application of atomic energy for peaceful uses. In that regard, the country has worked hard in collaborative efforts with IAEA.

In November 2003 an IAEA mission specializing in the illicit trafficking of radioactive material came to Uruguay to evaluate the technical and human resource capacity of the various Uruguayan national agencies involved, and their capacity to detect radioactive and nuclear material at the country's various border crossings.

In May 2004, an IAEA mission on the physical security of radioactive materials and sources came to Uruguay to assist it in applying the "National Strategy for Regaining Control over Radioactive Sources: An Action Plan for Uruguay". This was a mission to assess the physical security of sources and equipment in Uruguay and a final report was issued recommending actions to be taken and approving security conditions in place at the time.

In addition, in recent years Uruguay has established a series of training courses in coordination with IAEA. For example, a Subregional Workshop on Civil Liability for Nuclear Damage for Latin American Countries was held in Montevideo from 7 to 9 June 2017 for legal experts and senior government officials.

That same year, Uruguay and IAEA held a series of activities with national and foreign specialists within the framework of the meeting of the project for the development of regulatory infrastructure for selected Latin American and Caribbean countries on the control of radioactive sources. In this regard, the initial meeting and other activities were held in Montevideo from 6 to 10 November.

In 2018, Montevideo hosted the Regional Workshop on the Exchange and Coordination of Information on nuclear security, from 27 to 29 November. Its objective was to strengthen national, regional and international capabilities to combat the illicit trafficking in nuclear and other radioactive materials, as well as other incidents involving nuclear security, through improved information-sharing and coordination.

More recently, the regional training course in authorization and inspection for the physical security of radioactive materials and related facilities and the regional training course in advanced medicine and radiation emergency response were held in Montevideo, from 20 to 24 May 2019.

## **VI. Peer review exercise for Paraguay and Uruguay**

As a country committed to eliminating weapons of mass destruction and combatting terrorism, Uruguay believes cooperative relations with other countries must be strengthened to ensure effective implementation of Security Council resolution [1540 \(2004\)](#).

Accordingly, the country highly values the peer review exercise carried out with Paraguay in August and September 2019 and understands that it was of enormous importance.

That exercise was the result of a commitment made by the representatives of Uruguay and Paraguay during their attendance at the subregional conference on strengthening border and customs controls and international and regional cooperation to prevent and combat terrorism and the proliferation of weapons of mass destruction and their means of financing, held in Montevideo from 19 to 21 March 2018.

The purpose of the peer review was to exchange knowledge, experiences and ideas on the implementation of Security Council resolution [1540 \(2004\)](#), as well as to establish various levels of inter-agency cooperation: at the bilateral level (between Paraguay and Uruguay), at the international level (between the 1540 Committee, the OAS Inter-American Committee against Terrorism, Paraguay and Uruguay) and at the national level (among the main actors in the various ministries, agencies, public bodies, private sector and academia involved in the various aspects of preventing and combating the proliferation of weapons of mass destruction).

During the exercise, it was clear there were several challenges common to both countries, mainly with regard to the approval of regulations on strategic trade, especially in the area of drafting and/or adopting export and import control lists for dual-use goods and establishing the catch-all clause, developing protocols for action and deepening the legal and operational framework and capacity-building in the area of biological threats.

One of the main challenges identified was the absence of export regulations fully compliant with paragraph 3 (d) of Security Council resolution [1540 \(2004\)](#).

The review strengthened and highlighted the already excellent relationship between the two countries and demonstrated, once again, their total commitment to respect for international law and the disarmament and non-proliferation regimes.

## Annex

## National Action Plan – priorities met

<i>Priority</i>	<i>Activity</i>	<i>Indicator</i>	<i>Responsible party</i>	<i>Time period</i>	<i>Progress</i>
<b>1. Creation of an institutional framework for the implementation of resolution 1540 (2004)</b>	To establish an inter-agency working group of the competent representatives of the various ministries of the Executive Branch, autonomous bodies and decentralized services, as well as other relevant public and private sector actors.	Establishment of the working group	Ministry of Foreign Affairs	Three months from presentation of the Action Plan	Achieved
<b>2. Identification of issues not covered under domestic legislation with respect to the implementation of resolution 1540 (2004)</b>	Based on a diagnosis, the inter-agency group shall review the national regulatory framework to comply with the obligations set out in paragraph 2 of Security Council resolution 1540 (2004).	Propose legislative reforms needed to fill possible gaps	The Inter-Ministerial Working Group	Nine months from presentation of the Action Plan	Achieved
	Establishment of a regime of administrative sanctions for export controls			12 months since presentation of the Action Plan	In progress
<b>3. Accountability and physical protection of materials</b>	Assess which materials are covered by regulations	Establishment of national instruments for the physical protection of nuclear and radioactive materials.	Ministry of Industry, Energy and Mining; Ministry of Public Health	18 months from presentation of the Action Plan	In progress
<b>4. Transfer controls</b>	Identify the relevant authorities to carry out a study and analysis of possible strategic goods control lists	Submit a recommendation for the adoption of a control list and potential drafting of legislation on transfer controls	The Interministerial Working Group:	24 months from presentation of the Action Plan	In progress
<b>5. Weapons of mass destruction proliferation financing</b>	Consider harmonizing domestic laws on proliferation financing, after adoption of the Anti-terrorism Law.	Harmonization of domestic laws on non-proliferation	The Interministerial Working Group:	12 months from adoption of the Act	Achieved In progress

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<b>6. Dissemination and awareness-raising in academia and the private sector</b>	Establishment of strategic partnerships among State institutions, civil society, the private sector and academia for the implementation of Security Council resolutions.	Dissemination workshops and materials for distribution	The Interministerial Working Group:	24 months from presentation of the Action Plan	Achieved
	Holding of seminars and presentations on the Security Council resolution.				In progress
	Creation of a commission for outreach with the private sector and academia.				In progress
<b>7. Strengthening of State capacity</b>	Security training programmes:	Establishment of protocols for action	Interministerial Working Group and strategic partners: OAS Inter-American Committee against Terrorism, 1540 Committee and United Nations Office for Disarmament Affairs	21 months from presentation of the Action Plan	In progress
	Identification and handling of chemical, biological, radiological or nuclear substances for officials of the Ministry of Defence, Ministry of the Interior, Ministry of Public Health and the National Customs Directorate.				
	Effective border, port and airport security measures, including tactical exercises for comprehensive risk management.				
	Training in police investigation and criminal prosecution techniques in connection with crimes relating to the proliferation of weapons of mass destruction linked to terrorist acts.				
<b>8. Operating context</b>	Training in risk analysis techniques for dual-use goods export controls and trends in export control circumvention.				
	Development of protocols for action on border and transport security for the detection and prevention of illicit trafficking in weapons of mass destruction.	These actions will culminate in the approval of protocols for action	Interministerial Working Group	24 months from presentation of the Action Plan	In progress
	Protection of critical infrastructure against terrorist attacks involving weapons of mass destruction and strengthening of special response groups.				