



Security Council

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

Note verbale dated 3 November 2020 from the Permanent Mission of the Dominican Republic to the United Nations addressed to the Committee

The Permanent Mission of the Dominican Republic to the United Nations, with reference to the note verbale dated 18 March 2019, has the honour to transmit herewith the updated national action plan¹ and the national report of the Dominican Republic on the implementation of resolution [1540 \(2004\)](#) (see annex), for the 2021 comprehensive review.

¹ The updated National Action Plan is on file with the Secretariat and will also be posted on the website of the Committee in accordance with the established practice of the Committee.



Annex to the note verbale dated 3 November 2020 from the Permanent Mission of the Dominican Republic to the United Nations addressed to the Committee

[Original: Spanish]

Report of the Dominican Republic on the implementation of Security Council resolution 1540 (2004)

The purpose of the present report is to provide updated information on the implementation of Security Council resolution 1540 (2004) by the Government of the Dominican Republic, subsequent to the submission of its second report in 2015.

The Government of the Dominican Republic reaffirms its commitment to prohibiting the development, production, possession, trade, transport, storage, use or any other activity related to nuclear, chemical or biological weapons and their means of delivery, as mandated by the country's Constitution. By extension, the Government of the Dominican Republic is committed to refraining from providing any form of support to non-State actors that attempt to engage in such activities.

Since the submission of its previous report, the Dominican Republic has made significant progress in implementing resolution 1540 (2004), including through the designation, as a national point of contact, of Brigadier General Francisco A. Ovalle Pichardo of the Army of the Dominican Republic, and the promulgation of Organic Act No. 630-16 of the Ministry of Foreign Affairs and Foreign Service, which established the Directorate of Multilateral Security and Defence of the Office of the Deputy Minister for Multilateral Foreign Policy.

As part of its ongoing work to implement resolution 1540 (2004), the cross-sectoral coordination committee has expanded its membership to include representatives of additional relevant institutions, such as the Ministry of Agriculture, the Ministry of Industry and Trade, the Quality Institute and the Financial Intelligence Unit.

Progress made in accordance with resolutions 1540 (2004) and 2325 (2016) includes the following legal and regulatory provisions:

(a) Promulgation of Act No. 155-17, establishing the National Committee against Money-Laundering and the Financing of Terrorism, which is responsible for the system for the prevention, detection and monitoring of the financing of proliferation or any other criminal act related to weapons of mass destruction and their means of delivery.

(b) Progress on the draft bill on the non-proliferation of weapons of mass destruction, which is being reviewed by the executive branch and will then be discussed in the legislative chambers.

(c) As the supervisory entity for the prevention of money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction, the Directorate-General for Internal Revenue has issued the following regulations:

(i) Regulation No. 01-2018, setting forth the obligations of lawyers, notaries, accountants and factoring companies with respect to the prevention of money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction

(ii) Regulation No. 02-2018, setting forth the obligations of legal persons who regularly engage in the purchase and sale of motor vehicles, boats and aircraft

with respect to the prevention of money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction

(iii) Regulation No. 03–2018, relating to real estate agents and construction and fiduciary companies that do not offer services to financial or publicly funded institutions

(iv) Regulation No. 04–2018, setting forth the obligations of merchants of precious metals, precious stones and jewellery, companies or individuals that regularly engage in the purchase and sale of firearms, and pawnbrokers with respect to the prevention of money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction

(d) The Office of the Superintendent of Banks has issued the following circulars related to the prevention of money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction:

(i) Circular No. 003/18, approving and giving effect to the Instructions for the Prevention of Money-Laundering, the Financing of Terrorism and the Proliferation of Weapons of Mass Destruction

(ii) Circular No. 002/18, endorsing and giving effect to the provisions set forth by the National Committee against Money Laundering and the Financing of Terrorism

(e) The Office of the Superintendent of Insurance has issued regulations on the prevention of money-laundering and the financing of terrorism in the insurance sector, approved under decision No. 07-2017.

(f) The Office of the Superintendent of the Securities Market has issued Circular No. C-SIMV-2018-11-MV, Instructions for the Exercise of Due Diligence in the Securities Market, and Circular No. R-CNMV-2018-12-MV, Regulations on the Prevention of Money-Laundering, the Financing of Terrorism and the Proliferation of Weapons of Mass Destruction in the Dominican Securities Market.

(g) By decision No. 104-2017 of the Ministry of Finance, the Directorate of Casinos and Gaming approved regulations on the prevention of money-laundering and the financing of terrorism in casinos, sports betting, lotteries and other gaming activities.

Act No. 155–17 on combating money-laundering and the financing of terrorism has the following objectives related to the proliferation of weapons of mass destruction, as set forth in its article 1 (c) and (d):

(c) Establish the regime for the prevention and detection of money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, and determine reporting entities, their obligations and the prohibitions to which they are subject, as well as the administrative sanctions arising from non-compliance.

(d) Establish the entities responsible for preventing the use of the national economic system in money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

In article 82 of Act No. 155-17, reference is made to the checking of lists established pursuant to Security Council resolutions, as follows:

Reporting entities shall determine whether a client, beneficial owner or potential client is included in the lists established pursuant to United Nations Security Council resolutions [1267 \(1999\)](#), [1988 \(2011\)](#), [1718 \(2006\)](#) and subsequent resolutions, all resolutions related to financial sanctions regimes, Security

Council resolution [1373 \(2001\)](#) and subsequent resolutions, and any other resolutions related to the financing of terrorism and the financing of weapons of mass destruction.

The Dominican Republic applies Decree No. 407–17, Regulations on the Preventive Freezing of Goods and Assets related to Terrorism and the Financing thereof.

In addition, under Act No. 155–17, the National Anti-Money-Laundering Committee was renamed the National Committee against Money-Laundering and the Financing of Terrorism, and its membership was expanded to include the Office of the Superintendent of the Securities Market and the Ministry of Defence. The Ministry of Defence was added in order to incorporate expertise, at the highest level, in countering the financing of terrorism and the proliferation of weapons of mass destruction.

In the same year, the National Committee against Money-Laundering and the Financing of Terrorism drafted the Manual on Preventive Freezing to Counter the Financing of Terrorism and the Proliferation of Weapons of Mass Destruction, a planning, organizational and implementation tool for relevant actors. The Manual sets out the preventive freezing measures to be taken by the appropriate authorities and reporting entities, with the goal of establishing good practices for the prevention of the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

The Dominican Republic is also a State party to various international agreements related to non-proliferation, as set out previously in its 2009 report. That information is hereby supplemented and updated as follows:

- Convention on the Physical Protection of Nuclear Material, for which the instrument of accession was deposited in 2009. On 22 September 2014, the Dominican Republic also accepted the Amendment to the Convention
- Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation, ratified in 2012
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, for which the instrument of accession was deposited in 2009
- Inter-American Convention against Terrorism, ratified in 2006
- Convention on Biological Diversity, ratified in 1996
- Agreement between the Dominican Republic and the Organization for the Prohibition of Chemical Weapons on the Privileges and Immunities of the Organization for the Prohibition of Chemical Weapons, signed on 15 September 2011 and ratified on 27 August 2014
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, signed on 10 April 1972 and ratified on 23 February 1973
- In 2017, the Dominican Republic submitted a report on confidence-building measures pursuant to the Biological Weapons Convention.

The Dominican Republic has also been taking the following action, aimed at establishing controls over dual-use substances and strengthening physical security and protection:

- Improvement of the physical security of the National Centre for the Management of Radioactive Materials and Disused Sources, in which new devices and biometric readers were installed.
- Acquisition of new equipment to support the work of the National Centre for the Management of Radioactive Materials and Disused Sources.
- Dispatch to the Department of Safeguards of the International Atomic Energy Agency declarations pursuant to the additional protocol and nuclear material reports in accordance with the small quantities protocol, both updated to 2019.
- Establishment and maintenance by the Ministry of Environmental Affairs and Natural Resources of a database of up-to-date information on chemical substances subject to controls that are imported into the country.
- The Ministry of Agriculture sent to the United Kingdom for disposal 27.44 metric tons of DDT and 12.20 metric tons of other substances.
- Establishment and implementation by the Directorate-General for Customs of a “one-stop-shop” for foreign trade, enabling fluid and effective communication with the national authorities involved in the import and export of dual-use substances subject to controls.

In a major advance, with the technical guidance of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, the Directorate-General for Customs and other member institutions of the cross-sectoral committee prepared and implemented the national operative list, based on strategic trade in the Dominican Republic.

The establishment of the national operative list marks the expansion and completion of the efforts to identify tariff subheadings, to eight digits of detail, and then incorporate them into the risk management system in order to ensure the early detection of any illicit activity related to goods and dual-use substances subject to controls.

With regard to controls on imports, exports, re-export, end users, transit and trans-shipment, the Dominican Republic, through the Directorate-General for Customs, issues, to customs authorities at ports, airports and border crossings, circulars setting forth their monitoring and inspection obligations in the event that they identify persons or means of transport subject to restrictions established by the Security Council pursuant to resolutions [1540 \(2004\)](#) and [2321 \(2016\)](#).

The Dominican Republic has been submitting annual reports and declarations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, most recently in 2015, 2016, 2017, 2018 and 2019.

Other progress in the area of border control includes the establishment, under the Ministry of Defence, of inter-agency coordinated border management posts, which are also supported by personnel from such institutions as the Directorate-General for Customs, the Ministry of Public Health and the Ministry of Environmental Affairs and Natural Resources.

In 2019, in cooperation with Panama, the Dominican Republic carried out the first peer review between member countries of the Central American Integration System, the second in Latin America and the fourth worldwide. During the review, the two countries, with the guidance of experts from the Security Council Committee established pursuant to resolution [1540 \(2004\)](#) and the Inter-American Committee against Terrorism, conducted an open, informed and voluntary assessment of the progress they had achieved in implementing resolution [1540 \(2004\)](#).