



# UN Programme of Action

## National Reporting Tool

Guatemala

2016

### SECTION 1: POINTS OF CONTACT

#### Sources National Coordination Agency

- PoA II.4 1. Has your country established a National Coordination Agency or other body responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects?
- a) Name of agency : Dirección General de Control de Armas y Municiones del Ministerio de la Defensa Nacional
- b) Address : 12 Avenida 31-09 zona 5, ciudad de Guatemala
- c) Contact details :
- i) Contact person : Director General de Control de Armas y Municiones
- ii) Telephone number(s) : (+502) 2444-3450
- iv) Email : correodigecam@digecam.mil.gt

#### Sources National Point of Contact

- PoA II.5, 24 2. Does your country have a National Point of Contact designated to act as a liaison on matters relating to the implementation of the UN Programme of Action on Small Arms (PoA)?
- 2.1. Details:
- a) Name : Ministerio de Relaciones Exteriores
- b) Organization or agency : Dirección de Política Multilateral
- c) Address : 2a. Avenida, 4-17, zona 10, ciudad.
- d) Telephone number(s) : (+502) 2410-0190 y (+502) 2410-0100
- f) Email : dipom@minex.gob.gt y digrime@minex.gob.gt
- ITI 25 2.2 Is the National Point of Contact identified above also responsible for exchanging information and liaising on matters relating to the International Tracing Instrument (ITI)?

### SECTION 2: MANUFACTURE

#### Sources Laws, regulations and administrative procedures

- PoA II.2 3. Are there any SALW manufactured in your country?

#### Sources International assistance

- PoA III.6 4. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures regarding SALW manufacture?
- 4.1 What kind of assistance do you require?  
Capacitación en cuanto a la fabricación de armas de fuego, tráfico ilícito (e-trace, sistema IBIS), y en asistencia legal, administrativa y judicial.
- 4.2 Has your country developed a project proposal for assistance?

### SECTION 3: INTERNATIONAL TRANSFERS

#### Sources Laws, regulations and administrative procedures

- PoA II.2, 12 5. Does your country have laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?
- PoA II.11 5.1. List laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW.  
1. Ley de Armas y Municiones, Decreto 15-2009 2. Reglamento de la Ley de Armas y Municiones, Acuerdo Gubernativo 85-2011

## Sources Licensing and authorisation

PoA II.11	5.2. Does a person or an entity who transfers SALW require a licence or other form of authorisation to transfer SALW from/into your country?	Yes ▼
PoA II.3	5.3. Is it a criminal offence to trade SALW without a licence or authorisation, or to do so in a manner that is in contradiction to the terms of a licence or authorisation, in your country?	Yes ▼
PoA II.11	5.4. What kind of documentation does your country require prior to authorising an export of SALW to another country?	
PoA II.12	a) An end-user certificate (EUC) from the importing country i) What elements does an end-user certificate in your country contain (check relevant boxes)? 1) Detailed description (type, quantity, characteristics) of the SALW or technology <input checked="" type="checkbox"/> 2) Contract number or order reference and date <input type="checkbox"/> 3) Final destination country <input checked="" type="checkbox"/> 4) Description of the end-use of the SALW <input checked="" type="checkbox"/> 5) Exporter's details (name, address and business name) <input checked="" type="checkbox"/> 6) End-user information (name, position, full address and original signature) <input checked="" type="checkbox"/> 7) Information on other parties involved in the transaction <input type="checkbox"/> 8) Certification by the relevant government authorities of the authenticity of the end-user <input type="checkbox"/> 9) Date of issue <input checked="" type="checkbox"/> 10) Other <input type="checkbox"/>	Yes ▼
PoA II.12	b) Other types of end-user documentation 5.5. Does your country verify or seek to authenticate EUCs or other types of end-user documentation provided? 5.5.1 Details: Se hace de acuerdo con los requisitos establecidos en el Artículo 8 de la Ley de Armas y Municiones. Artículo 8. Exportación de armas de fuego y municiones. Las personas individuales o jurídicas autorizadas para la fabricación de armas de fuego y municiones, no necesitarán licencia especial de la DIGECAM para exportarlas, siempre que tal actividad se incluya en el objeto del negocio. Deberán previamente solicitar a la DIGECAM, por escrito, un certificado de autorización de transferencias de lotes de armas de fuego, sus piezas, componentes y municiones, que tendrá validez de un (1) año, debiendo remitir lo siguiente: a) Formulario de solicitud emitido por la DIGECAM. b) Listado de armas de fuego con su respectivo número de serie, marca, modelo, calibre. c) Listado de municiones, con su respectivo número de lote, marca y calibre. d) Licencia o certificación de importación del país de destino. e) Indicación del destinatario y la cantidad de la exportación. En toda exportación deberán utilizar certificados autenticados de usuario final. Para obtener una licencia de exportación de armas y municiones deben cumplirse con los mismos requisitos de la importación, además cumplir con lo establecido en el artículo 98 de la Ley de Armas y Municiones.	Yes ▼
	5.6. Does your country have measures in place aimed at preventing the forgery and misuse of EUCs or other types of end-user documentation? 5.6.1 Details: Verificación del cumplimiento de los requisitos establecidos en el Artículo 8 del Reglamento de la Ley de Armas y Municiones y de la autenticidad de la documentación presentada en su versión original.	Yes ▼

## Sources Post-delivery controls

5.7. When exporting, does your country require a Delivery Verification Certificate (DVC) to confirm that SALW have reached their intended end-user or intended importer in the importing State?	No ▼
5.8. After exporting, does your country verify or seek to authenticate DVCs provided?	No ▼
5.9. When importing, does your country grant the right to the exporting State to conduct a physical check at the point of delivery?	Yes ▼

## Sources Marking at import

ITI 8b	5.10. Does your country require that SALW imported into your country be marked at the time of import?	Yes ▼
	5.10.1. Who is required to mark the SALW? La Dirección General de Control de Armas y Municiones (DIGECAM) del Ministerio de la Defensa Nacional	
	5.10.2. What information is included in the marking on import (check relevant boxes)? a) Country of import <input type="checkbox"/> b) Year of import <input type="checkbox"/> c) Other <input checked="" type="checkbox"/> Marca GUA.	
	5.10.3. Are there exceptions to the requirement to mark imported SALW?	No ▼
	5.10.4. If marked SALW imported into your country do not bear a <i>unique</i> marking when they arrive, does your country require that they be given such a marking?	Yes ▼

**5.10.4.1 Details:**

El Artículo 38 de la Ley de Armas y Municiones y el Artículo 49 de su Reglamento, establecen que en el caso de los componentes específicos, tales como los cañones, marcos y cajones de mecanismos que no posean su número de serie, le será estampado uno por la Dirección General de Control de Armas y Municiones (DIGECAM). En cuanto a las armas de fuego, según el Reglamento de la Ley de Armas y Municiones, en el Artículo 52 se establece que cuando un arma de fuego carezca de número de serie de fábrica, la DIGECAM realizará la evaluación técnica para determinar la legítima fabricación de la misma, y de ser así, procederá al marcaje de dicha arma, asignándole un número que la identifique. Todas las armas importadas se marcarán con la leyendo GUA.

**Sources Record-keeping**

PoA II.9; ITI 12 **5.11. Does your country require that exporters and importers of SALW keep records of their activities?** Yes ▾

**5.11.1. What information must be recorded (check relevant boxes)?**

- a) Quantity of SALW traded
- b) Type or model of SALW traded
- c) Markings appearing on transferred SALW
- d) Transactions 
  - i) Identity of buyer/seller
  - ii) Country SALW are to be delivered to or purchased from
  - iii) Date of delivery
- e) Other

**5.11.2. How long must records of transfers be kept?** Indefinitely ▾

**Sources Actions taken during the reporting period**

PoA II.6 **5.12. During the reporting period, was action taken against groups or individuals engaged in transferring SALW illegally (e.g. prosecution)?** No ▾

**Sources International assistance**

PoA III.6 **6. Does your country wish to request assistance in developing laws, regulations or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?** No ▾

**SECTION 4: BROKERING**

**Sources Laws, regulations and administrative procedures**

PoA II.14 **7. Does your country have laws, regulations and/or administrative procedures governing brokering of SALW?** Yes ▾

**7.1. List laws and/or administrative procedures regulating SALW brokering in your country.**  
1. Ley de Armas y Municiones, Decreto 15-2009 2. Reglamento de la Ley de Armas y Municiones

**8.1.1 Are those laws and procedures part of the national arms export control system?** --- Select --- ▾

**7.2. Does your country require registration of SALW brokers?** Yes ▾

**7.3. Does your country require a licence, permit or other authorisation for each brokering transaction?** Yes ▾

**8.4. Does your country have measures to validate the authenticity of documentation submitted by the broker?** --- Select --- ▾

**7.4. Does your country regulate activities that are closely associated with the brokering of SALW?** Yes ▾

**7.4.1. If so which of the following activities are regulated when undertaken in connection with the brokering of SALW (check relevant boxes)?**

- a) Acting as dealers or agents
- b) Providing technical assistance
- c) Training
- d) Transport
- e) Freight forwarding
- f) Storage
- g) Finance
- h) Insurance

- i) Maintenance
- j) Security
- k) Other services

**Sources**      **Actions taken during the reporting period**

7.5 During the reporting period, was action taken against groups or individuals engaged in illegal brokering (e.g. prosecution)? No ▾

**Sources**      **International assistance**

PoA III.6      8. Does your country wish to request assistance in developing laws, regulations or administrative procedures to regulate SALW brokering? No ▾

**SECTION 5: STOCKPILE MANAGEMENT**

**Sources**      **Laws, regulations and administrative procedures**

PoA II.17      9. Does your country have standards and procedures relating to the management and security of SALW held by the armed forces, police or any other entity authorised to hold SALW? Yes ▾

PoA II.17      9.1. If so, which of the following provisions are included in these standards and procedures (check relevant boxes)?

- a) Appropriate locations for stockpiles
- b) Physical security measures
- c) Control of access to stocks
- d) Inventory management and accounting control
- e) Staff training
- f) Security, accounting and control of SALW held or transported by operational units or authorised personnel
- g) Procedures and sanctions in the event of theft or loss
- h) Other

**Sources**      **Surplus**

PoA II.18      9.2. When stocks are identified as surplus, what actions does your country take with regard to the surplus (check relevant boxes)?

- a) Officially declare as surplus
- b) Take out of service
- c) Record by type, lot, batch, and serial number
- d) Store separately
- e) Other

9.3. In disposing of the surplus stocks, which of the following methods may be used (check relevant boxes)?

- a) Destruction
- b) Sale to another State
- c) Donation to another State
- d) Transfer to another state agency
- e) Sale to civilians
- f) Sale or transfer to legal entities (e.g. museums, private security companies, etc.)
- g) Other

## Sources Actions taken during the reporting period

PoA II.19 9.4. During the reporting period, has your country destroyed surplus stocks? No ▼

## Sources International assistance

PoA II.29; III.6 10. Does your country wish to request assistance in developing standards and procedures on stockpile management? No ▼

PoA III.6; 14 11. Does your country wish to request assistance in developing capacity for the destruction of weapons? Yes ▼

**11.1. What kind of assistance do you require?**

Apoyo técnico, logístico y financiero para destrucción de excedentes.

11.2. Has your country developed a project proposal for assistance? No ▼

### SECTION 6: COLLECTION

## Sources Collection

12. During the reporting period, did your country collect any SALW? Yes ▼

PoA II.21 12.1. How many SALW were collected?

**12.2. What action was taken with respect to the SALW collected (check relevant boxes)?**

a) Stored securely pending further action

b) Marked

c) Registered or recorded

d) Destroyed

e) Other

## Sources International assistance

PoA III.6 13 Does your country wish to request assistance in building capacity for confiscation and seizure of the illicit SALW? Yes ▼

**13.1. What kind of assistance do you require?**

Logística, técnica y financiera. Capacitación técnica-legal, judicial, penal y administrativa.

13.2. Has your country developed a project proposal for assistance? No ▼

### SECTION 7: MARKING AND RECORD KEEPING

## Sources Marking

ITI 8d 14. Does your country take measures to ensure that all SALW in the possession of government armed and security forces for their own use are duly marked? Yes ▼

**14.1. Describe the markings that are applied to government-held stocks.**

Se incorpora la denominación "Estado-GUA".

ITI 8c 14.2. When government stocks are transferred to civilians or private companies in your territory, are such stocks marked to indicate that your government transferred the stocks? --- Select --- ▼

ITI 8e 15. Does your country encourage manufacturers of SALW to develop measures against the removal or alteration of markings? --- Select --- ▼

### Record-keeping

- PoA II.9 16. Does your country have standards and procedures related to keeping of records for all marked SALW in its territory? Yes ▾
- 16.1. What records relating to SALW are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, SALW held by State agencies such as the armed forces etc)?  
Intermediación, importación, venta, tenencia y portación y comercialización.
- ITI 12 a,b 16.2. How long does the government keep such records?  
Por tiempo indefinido.
- ITI 13 163. In the event that they go out of business, are companies engaged in SALW activities (e.g. manufacturing, importing, exporting etc) required to submit all records held by them to the government? Yes ▾

### Sources International assistance

- PoA III.6, ITI 27 17. Does your country wish to request assistance in building capacity for record-keeping? Yes ▾
- 17.1. What kind of assistance do you require?  
Adquisición de equipo especial de marcaje.
- 17.2. Has your country developed a project proposal for assistance? No ▾

## SECTION 8: INTERNATIONAL TRACING

### Sources Laws, regulations and administrative procedures

- PoA II.10; ITI 14, 24 18. Does your country have procedures in place to trace SALW? Yes ▾

### Sources Tracing requests

- ITI 25; 31a 18.1. Which government agency is responsible for making a tracing request to another country?  
Instituto Nacional de Ciencias Forenses, Policía Nacional Civil, esta última a través de la INTERPOL.
- ITI 17 18.2. What information does the designated agency include in a tracing request? (check relevant boxes)
- a) Circumstances under which the SALW was found
  - b) Reasons why the SALW is considered to be illegal or illicit
  - c) The intended use of the information being sought
  - d) Any markings on the SALW
  - e) Type/calibre of SALW
  - f) Other

### Sources Cooperation with INTERPOL

- PoA II.37; ITI 33 19. During the reporting period, has your country cooperated on the issue of tracing SALW with the International Criminal Police Organization (INTERPOL)? Yes ▾

### Sources International assistance

- PoA II.36; III.6; ITI 27 2420. Does your country wish to request assistance in developing procedures to trace SALW? Yes ▾
- &n 20.1. What kind of assistance do you require?  
Capacitación técnica y cooperación financiera para implementar procedimientos de rastreo.
- 20.2. Has your country developed a project proposal for assistance? No ▾

PoA III.10; ITI 2521. Has your country considered providing assistance to examine technologies to improve the tracing and detection of illicit SALW?

Yes ▼

&n [21.1. Details](#)

Se ha trabajado en el establecimiento de enlaces con otros países a través del sistema de rastreo E-Trace.

**SECTION 9: INTERNATIONAL COOPERATION & ASSISTANCE**

**Sources Assistance requested / received / provided**

PoA III.3, 6 2622. During the reporting period, in addition to the assistance requested/received mentioned in the Sections 2-8 above, has your country requested / received / provided assistance to implement the PoA and ITI?

No ▼

&n

**Any further comments on PoA and ITI, including implementation challenges and opportunities?**

Aún no se cuenta con un sistema que permita el rastreo de armas pequeñas y ligeras, situación que dificulta la investigación. El tema de la implementación de medidas de seguridad física eficientes y de manejo de arsenales siguen siendo un reto importante en la esfera del combate al tráfico ilícito de armas pequeñas y ligeras. El intercambio de información en casos de rastreo de tráfico ilícito de armas pequeñas y ligeras es fundamental, por lo que es necesaria la adopción de medidas de confianza para incentivar y agilizar esta práctica. Las autoridades nacionales competentes han hecho ver que la fabricación de armas pequeñas y ligeras con nuevas tecnologías y nuevos materiales, convierten en obsoletos los equipos de marcaje y/o disminuyen su efectividad, por lo que debería promoverse el intercambio de tecnología.

**Additional information may be uploaded/attached, if necessary:**

**SECTION 10: INFORMATION TO BE SUBMITTED**

**Information on national marking practice**

2823. Pursuant to paragraph 31 of the International Tracing Instrument, States will provide the Secretary-General with the following information, updating it when necessary:

- a) National marking practices related to marking used to indicate country of manufacture and/or country of import as applicable.

**Additional information such as images and illustrations may be uploaded/attached, if necessary:**

Note: Relevant information might have been provided in questions 4.2.1, 4.2.2 and 18.1 in this report.