

## Information Note<sup>1</sup>

<b>Event</b>	Visit to the United States at the invitation of the United States Government to discuss the implementation of resolution 1540 (2004)
<b>Date and Venue</b>	12-16 September 2011, Washington, DC, and its environs
<b>Organizer</b>	Government of the United States
<b>Host country participants</b>	Departments of Agriculture (USDA), Commerce, Defense, Health and Human Services (HHS), Homeland Security (DHS), Justice (DOJ), State, and Treasury, and some of their specialized sub-units, including the Animal and Plant Health Inspection Service (APHIS) of USDA, the Bureau of Industry and Security (BIS) of Commerce, the Centers for Disease Control and Prevention (CDC) of HHS, Customs and Border Protection (CBP) of DHS, the Domestic Nuclear Detection Office (DNDO) of DHS, the Federal Bureau of Investigation (FBI) of DOJ, Immigration and Customs Enforcement (ICE) of DHS and the National Institutes of Health (NIH) of HHS. In addition, it met with the independent regulatory body, the Nuclear Regulatory Commission (NRC), and with officials from the National Security Council (NSC) of the Executive Office of the President, University of Maryland, the USDA Molecular Diagnostic Lab, the Plant Germplasm Quarantine Facility, the CPHST Beltsville Laboratory at the USDA National Center for Applied Protection, the mock laboratory used for the National Biosafety and Biocontainment Training Program for BSL-III and IV at the NIH and the National Targeting Center.
<b>Visiting participants</b>	1540 Committee members and experts, UN Office for Disarmament Affairs (UN ODA)

## Background

The final document of the Comprehensive Review of the Status of implementation of resolution 1540 (2004) stipulates that the 1540 Committee should conduct country specific visits, at the invitation of the host State. On 22 of December 2010, the United States Government extended an invitation to the 1540 Committee, and

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suggested consultations to establish a mutually acceptable timeframe and modalities for the visit. While these consultations were in progress, the UN Security Council adopted resolution 1977 on 25 April 2011, which *inter alia* encourages the 1540 Committee to conduct visits to Member States at their invitation.

In this context, the 1540 Committee and the United States decided to include a preparatory visit to Washington,DC, as part of their consultations. Many US government entities participated in the discussions of the preparatory visit with both a Committee member and Committee experts, which took place on 7 July 2011. The visit helped the 1540 Committee obtain a baseline understanding of the roles and activities related to implementation of the resolution across the US government, assisted the US government participants in understanding the role of the 1540 Committee, developed agreed modalities, and identified issues for further discussion.

### **Objectives of 1540 Participation**

The objectives of September visit were the following:

- focus on US domestic implementation of resolution 1540, including the current status of implementation, the implementation challenges the US faces, and its likely further steps including the development of its next implementation action plan;
- identify effective practices and lessons learned on implementing the resolution and on conducting country visits;
- meet with relevant US agencies that would participate in the visit and provide questions for each on them on implementation covering challenges, next steps, effective practices and lessons learned;
- receive briefings from US agencies;
- meet with civil society and industry representatives;
- prepare a mutually agreed report on the results of the visit.

### **Highlights**

- Throughout the visit, US officials and the documentation they made available demonstrated the strong commitment of the US Government to combat the proliferation of weapons of mass destruction (WMD), their means of delivery and any illicit trafficking of related materials, including through the implementation of resolution 1540. This commitment to the implementation of resolution 1540 could be observed at all levels, ranging from high officials to laboratory employees. The briefings by many departments and agencies revealed a wide scope of efforts undertaken by the US Government to implement the resolution.
- In accordance with the mandate of the 1540 Committee, the visit was neither an inspection, nor simply an endeavour to collect information. The briefings were accompanied by dialogue and question and answer sessions that helped to focus on problems and challenges of interest to all parties to the visit and potentially other UN Member States. Not only did the 1540 Committee delegation reach a better understanding of US implementation,

challenges, next steps and lessons learned, but US officials were given a good chance to get first-hand information from the members of the Committee on many aspects of its activity, especially taking into account resolution 1977 (2011).

- The visit took place in the atmosphere of high transparency and openness. The multinational 1540 Committee delegation got clearance for all members to visit several closely controlled sites, including a nuclear research reactor and biological laboratories, where they had free discussions with the personnel on site and saw various security measures from periphery protection to treatment of dangerous by products of laboratory work. Several Member States will find these practical experiences of value.
- Coordination across US federal agencies establishes the cornerstone for almost all efforts to implement the resolution;
- At the same time, creating cooperation among federal, US state, and local authorities has proven challenging, yet essential, in many implementation activities;
- The visit revealed the efforts by the Government to make industry and academia partners in implementing resolution 1540 and in combating proliferation and WMD terrorism efforts, especially in the field of enforcement;
- Contacts with civil society during the visit demonstrated that some non-government organizations strongly support implementation of the resolution, and have long-term interests and programs to support WMD non-proliferation and counter WMD terrorism, that US officials believed could make positive contributions to their work and that of the 1540 Committee in facilitating implementation of the resolution.

The 1540 Committee also learned several lessons regarding the conduct of these visits to Member States, such as:

- The visit confirmed the importance of having Committee members and experts participate in the event. The presence of the Committee members, especially the representative of the Chair and coordinators of Committee Working Groups, gave added *gravitas* and official status to the visit, and allowed representatives of the Chairman to deliver the message to high level US officials on the readiness of the Committee for close cooperation with the host country;
- The presence of Committee members also contributed to the implementation of 1540 Committee public diplomacy for the visit, such as in press conferences, and the delegation noted the value of the host country adopting and coordinating its own public diplomacy with that of the 1540 Committee, especially in involving individual departments and agencies;
- The intensive and efficient use of time during the meetings, on the trips to the facilities and in informal discussion provided a wealth of information for the 1540 Committee delegation, but it did not always leave time for reflection and analysis. Thus, for the future, the 1540 Committee might consider composing larger delegations, including experts from relevant international organizations, and allow sub-sets of the delegations to take responsibility for even more intensive meetings with their respective counterparts as well as larger plenary or roundtable sessions;

- The fruitfulness of the visit was a direct result of good preparation and close cooperation by the 1540 Committee and the host country organizers and other relevant stakeholders, particularly the preparatory visit and regularized conference calls among all parties in the build-up to the visit. Nonetheless, even more preparatory exchanges, particularly on challenges and next steps, would have been useful. Improving familiarity of the 1540 Committee delegation with the host country legal system and executive branch before the visit would help, and the presence of one or more members of the delegation with deep understanding of law or of the government system of the host country may be essential; and,
- As briefers referred to prospective legislation on several occasions during the visit, engaging with legislators, especially regarding challenges and likely next steps, could be an important part of a country visit program and will also help raising awareness on the activities of the 1540 Committee.
- Last but not least, the country visits constitute an important step in enhancing the visibility and transparency of the activities of the Committee and those of the Member States in implementing the resolution; in the process of elaborating a new matrix template or upgrading the existing one; and in compiling a technical reference guide for Member States with best practices in UNSCR 1540 implementation, especially in areas with lower compliance such as securing and controlling biological materials – as described in the 1540 Committee report S/2011/579.

**Additional Comments**

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