

Information Note¹

- Event:** Regional workshop for Central Asian States (CAS) on UN Security Council Resolution 1540 (2004) “Legal / Regulatory Requirements for Strategic Trade Controls”.
- Organiser:** Organisation for Security and Co-operation in Europe (OSCE), with the support of the US.
- Date and Venue:** 18- 20 May 2016 Vienna, Austria
17 May 2016
- Consultations with the Provisional Technical Secretariat (PTS) of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty (CTBTO), Vienna, Austria.
- Meeting with 1540 Group of Friends, OSCE, Vienna, Austria.
- Participants:** *States:* Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.
Organisations: International Atomic Energy Agency (IAEA), Organisation for the Prohibition of Chemical Weapons (OPCW), Organisation for Security and Co-operation in Europe (OSCE), UN Office for Disarmament Affairs (UNODA), United Nations Office on Drugs and Crime – Terrorism Prevention Branch (UNODC), 1540 Committee Group of Experts, Federal Office of Economics and Export Control (BAFA), U.S. State Department
Other Participants: Interexport Management Systems Ltd., Oerlikon Business Services GmbH,

1. Background

Operative paragraphs 3 c) and d) of resolution 1540 (2004) decided that all States:

“...shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end ... shall develop and maintain appropriate and effective border controls ... and develop and maintain effective national export and transshipment controls...”

Implementation of these obligations requires Member States to develop and maintain the appropriate legislative and regulatory framework.

Resolution 1977 (2011) encourages the 1540 Committee, with the support of necessary relevant expertise, to actively engage in dialogue with States on the implementation of resolution 1540 (2004), including through visits to States at their invitation. Operative paragraph 7 of resolution 1540 (2004) recognises that some States may require assistance in implementing the provisions of the resolution.

¹ For information - not an official report. The views expressed here do not necessarily represent those of the 1540 Committee or of the organisers or participants in the event.

On 14 March 2016 the OSCE invited members of the 1540 Group of Experts to participate in a regional workshop for CAS to assist in the development of legislation to implement obligations of 1540 resolution in the field of export and border controls. The regional workshop was supported with funds from the US.

In accordance with the Work Plan for the Comprehensive Review, bilateral consultations by the 1540 Committee Experts with the PTS of the CTBTO and a meeting with the 1540 Group of Friends, OSCE have been arranged on the day preceding the Regional workshop for CAS.

2. Overview

The objective of the regional workshop for CAS was to raise awareness on essential components of an effective export control system, including displaying ways for the development of a legal system, including licensing procedures and interagency cooperation and effective related border controls. In this context the workshop also sought to determine areas of regional co-operation in the matters of non-proliferation and strategic trade controls. The workshop focussed on outlining ways of addressing gaps in legal and regulatory frameworks for strategic trade controls, tackling country specific needs and providing for mechanisms to close existing gaps, taking into consideration regional and national priorities.

The workshop also provided an opportunity for participating States to share information on their own national initiatives, to exchange experiences and lessons learned and to confer with the Experts and assistance providers present.

The workshop offered an opportunity for the 1540 Committee Experts to raise the profile of resolution 1540 (2004) among the participants and facilitate the implementation of resolution 1540 (2004).

3. Highlights

The agenda of the workshop was divided into three sessions. Day 1 focused on giving an overview of legal and regulatory requirements under resolution 1540 (2004) concentrating on operative paragraph 3 c) and d) and presenting effective practices in the implementation of such laws and regulations. The session included presentations on licensing and enforcement measures, including a presentation by an industry representative on the important role industry plays in the implementation of effective export control laws. On Day 2, ample time for work in break-out groups was provided. Participants had the opportunity to discuss legal and regulatory requirements, licensing and enforcement questions, share experiences with their colleagues from the region but also to enhance their interagency cooperation. Day 3 focused on an overview of capacity-building and international assistance programmes in the framework of resolution 1540 (2004).

Participating States also provided an overview on their implementation efforts such as completion of 1540 national reports, development and revision of laws and regulations on export control, regulatory framework for identification centres, development and amendment of physical protection of CBRN materials, use of detection equipment to counter illicit trafficking (border and customs agencies), as well as training on detection of WMD-related materials. National strategies on education and training in the CBRN field, outreach to the public and industry and appointment of points of contact and responsible authorities were also addressed in national presentations.

Ways of reviving the plans for the peer review between Kyrgyzstan and Tajikistan, initiated in 2014, were also discussed.

Representatives of UNODA, UNODC, IAEA, OPCW and BAFA as well as the US State Department's EXBS programme presented different assistance possibilities or capacity building programmes available to the OSCE Participating States.

The 1540 Committee Expert explained the clearinghouse mechanism of the 1540 Committee and encouraged participants to keep the Committee updated on existing requests and on possible offers for assistance.

Consultations with the PTS of the CTBTO

The 1540 Committee Expert conducted consultations with three representatives of the PTS of the CTBTO to discuss outcomes of past and prospects of future cooperation between the 1540 Committee and the CTBTO. The benefits of information sharing and the benefits of using synergies were discussed. The 1540 Committee Expert also briefed the CTBTO representatives on the Comprehensive Review of the implementation of the resolution, highlighting the interest of the 1540 Committee in receiving contributions to the Review from relevant international and regional organisations.

Meeting with the 1540 Group of Friends, the OSCE

The 1540 Committee Expert provided a presentation on key aspects, state of implementation and on the Comprehensive Review of resolution 1540 (2004). The 1540 Committee's work process and architecture was also described and its match-making role in the provision of assistance to Member States was highlighted. The 1540 Committee Expert noted recent developments related to the 2016 Comprehensive Review of the resolution and called on the participants to consider further options to support the work of the Committee and the implementation of resolution 1540 (2004).

4. Additional Comments

For further information, please contact the 1540 Committee Experts by e-mail at 1540experts@un.org.