



VERTIC's CBRN-UNSCR 1540 Legislative Assistance

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2012 INLA Congress, Manchester UK

9 October 2012



Our two projects on CBRN implementation

- Additional Protocol adherence and implementation:
 - Pilot project (2011-2012)
 - Full-phase project (2012-2013)
 - Technical delivery by: Arms Control & Disarmament Programme (*will become Verification & Monitoring Programme late 4Q*)
- CBRN instruments adherence and implementation / UNSCR 1540 implementation:
 - Phase 1 (Chemical and Biological Weapons Conventions) (2008-2012)
 - Phase 2 (CBRN instruments and UNSCR 1540) (2012-)
 - Technical delivery by: National Implementation Measures Programme



Additional Protocol Project

- Pilot Phase:
 - UK FCO's Strategic Programme Fund Project 142
 - Contract delivery: 2011-12
- Key outcomes:
 - Surveyed demand in three regions (Europe, North and Central Africa and South Asia). Approached 11 States.
 - Conducted initial assessment of all States as basis for discussion, then engaged in discussion at 2011 IAEA General Conference.
 - Positive initial responses from the majority of States approached by us. There is demand for legislation!



Additional Protocol Project

- Full phase:
 - UK FCO's Strategic Programme Fund
 - Contract delivery: 2012-2013
 - Hope to continue project beyond 2013 (subject to further funding)
- Key activities:
 - Production of ratification, implementation packages; outreach products.
 - Up to nine country assessments surveying administrative conditions, fuel cycle factors, status of international obligations, and relevant national legislation.
 - Technical Assistance Visits (TAVs) (up to two visits in FY 12/13).



Additional Protocol Project

- Coordination and consultation:
 - Very keen not to duplicate efforts already underway. Our project is complementary to other initiatives.
 - Will want to work closely with our fellow APOs and, critically, with the IAEA.
 - We are keen to use our consultative status with the IAEA to the fullest possible extent, and will report on progress to them where appropriate.



National Implementation Measures (NIM) Programme

- Phase 1 – Implementation of the Chemical and Biological Weapons Conventions (CWC/BWC):
 - Project(s) delivery: 1 November 2008 - 31 March 2012
 - 136 national legislation surveys (BWC) completed; based on 96 criteria
 - Over 30 legislative assistance and universalization activities with States including drafting legislation to implement the BWC and CWC
 - Comprehensive package of materials prepared for BWC adherence and implementation (on our website and CD)
 - VERTIC's NIM Programme is now *the* recognized assistance provider for BWC implementation

National Implementation Measures (NIM) Programme

- A brief introduction to UN Security Council Resolution 1540:
 - Adopted on 28 April 2004 under Chapter VII of the UN Charter (legally binding on all UN Member States); extended most recently in 2011 until 25 April 2021
 - Several aims:
 - Requires States to refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use NBC weapons and their means of delivery (OP1);
 - Requires States to prohibit any non-State actor to manufacture, acquire possess, develop, transport, transfer or use NBC weapons and their means of delivery, as well as attempts, etc. (OP2);
 - Requires States to adopt measures to prevent the proliferation of NBC weapons and their means of delivery, including controls over dual-use materials (OP3).

National Implementation Measures (NIM) Programme

- A brief introduction to UN Security Council Resolution 1540:
 - Regarding dual-use items, States are required to:
 - Develop and maintain appropriate effective measures to account for and secure items in production, use, storage or transport (OP3a);
 - Develop and maintain effective physical protection measures (OP3b);
 - Develop and maintain appropriate effective border controls and law enforcement efforts (OP3c);
 - Establish, develop, review and maintain effective national export and trans-shipment controls (OP3d)
 - Established Committee and a group of experts to assist them with the promotion and the monitoring of UNSCR 1540's implementation, and to seek to co-ordinate offers and requests for assistance (OP 4)
 - Website: www.un.org/sc/1540

National Implementation Measures (NIM) Programme

- Back to our work: under Phase 2 we've expanded to implementation of certain CBRN instruments and UNSCR 1540:
 - Official start date 1 April 2012 (launched at BWC 7th RevCon)
 - Expansion into instruments to control RN material – informed by the VERTIC report *Illicit Trafficking of Nuclear and other Radioactive Material: The Legislative Response* (hard copy, online)
 - **What we offer:** our lawyers provide legislative analysis and assistance across the international C-B-R-N legal regime ('one-stop shopping' = no institutional mandate restrictions)

National Implementation Measures (NIM) Programme

- Phase 2 – Implementation of certain CBRN instruments and UNSCR 1540:
 - Marked by expansion into assistance with adherence to and implementation of international instruments to control nuclear and other radioactive material:
 - CPPNM and amendment
 - ICSANT
 - Code of Conduct
 - As well as the amended civil aviation, maritime navigation and fixed platform conventions (all of which cover C-B-N weapons and materials)

National Implementation Measures (NIM) Programme

- Phase 2 – Implementation of certain CBRN instruments and UNSCR 1540:
 - And an expanded package of materials:
 - Fact sheets in 5 languages on NPT, CPPNM (and amendment), ICSANT and Code of Conduct (on our website, CD)
 - Comprehensive RN legislative analysis template and statistics database (not publicly available) – 90 legislation surveys to be completed by July 2015
 - VERTIC's *Guide to National Implementation of UNSCR 1540* in 5 languages (on our website, CD)
 - Co-ordination with IGOs and other international / regional organizations

National Implementation Measures (NIM) Programme

- VERTIC's *Guide to National Implementation of UNSCR 1540* (on our website, CD):
 - Identifies and organizes in one document the model laws, implementation kits and handbooks that have already been developed by VERTIC, the OPCW and the IAEA to implement the international CBRN legal regime
 - Divided into four parts:
 - Part I: biological weapons and materials;
 - Part II: chemical weapons and materials;
 - Part III: nuclear weapons / nuclear and other radioactive material;
 - Part IV: other obligations relevant to UNSCR 1540 national implementation relating to the suppression of unlawful activities involving civil aviation, maritime navigation and fixed platforms.



Questions...

- Regarding the Additional Protocol Project:
 - Larry MacFaul, Senior Researcher (larry.macfaul@vertic.org)
- Regarding the National Implementation Measures Programme:
 - Angela Woodward, Programme Director (angela.woodward@vertic.org)
 - Scott Spence, Senior Legal Officer (scott.spence@vertic.org)
- See also: www.vertic.org > Programmes