



**FSC CHAIRPERSON'S PROGRESS REPORT
TO THE EIGHTEENTH MEETING
OF THE MINISTERIAL COUNCIL**

**EFFORTS TO SUPPORT IMPLEMENTATION OF UNITED
NATIONS SECURITY COUNCIL RESOLUTION 1540 (2004)
IN THE OSCE REGION**



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1. Introduction and objective

This report provides an overview of efforts undertaken in the OSCE in the field of non-proliferation. In particular, the report addresses OSCE's efforts in facilitation of regional implementation of United Nations Security Council resolution (UNSCR) 1540 (2004) and draws on discussions and reports on national progress presented in the Forum for Security Co-operation (FSC).

The report covers the period from August 2010 until November 2011¹.

2. Mandate

The OSCE Principles Governing Non-Proliferation adopted in 1994 outline the commitment of the participating States to prevent proliferation of weapons of mass destruction and their means of delivery.

In 2004, the United Nations Security Council affirmed that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, and related materials constitutes a threat to international peace and security and in this context adopted resolution 1540 (2004).

The participating States of the OSCE, recalling their commitments in this regard, in particular the OSCE Principles Governing Non-Proliferation, decided to call upon all 56 participating States to implement fully UNSCR 1540 by adopting a decision supporting its effective implementation (FSC.DEC/7/05/Corr.1).

The OSCE agreed to contribute to the implementation of the resolution, as appropriate and in co-ordination with the relevant United Nations fora, based on the OSCE concept of comprehensive and co-operative security and the Organization's mandate as a regional organization under Chapter VIII of the UN Charter.

At the Seventeenth Meeting of the Ministerial Council in Athens, the participating States recognized that proliferation of weapons of mass destruction remains an issue of great concern. To further strengthen non-proliferation efforts in the OSCE, a ministerial decision was adopted on further OSCE efforts to address transnational threats and challenges to security and stability (MC.DEC/2/09).

The FSC, in accordance with its mandate, is to facilitate, where appropriate, the fulfilment by the OSCE participating States of the provisions of UNSCR 1540 (2004) (MC.DEC/16/09).

Furthermore, by adopting the Ministerial Declaration on Non-Proliferation, participating States have also pledged to facilitate implementation of UNSCR 1540 by the provision of effective assistance to those States that require it (MC.DOC/5/09).

In the Astana Commemorative Declaration: Towards a Security Community, adopted in 2010, the Heads of State or Government of the OSCE participating States referred to the proliferation of weapons of mass destruction as an emerging transnational threat, which can originate within or outside the OSCE region (SUM.DOC/1/10).

¹ The deadline for submitting input for this report was 7 November 2011.

3. Efforts by the FSC

3.1 OSCE Workshop to Identify the Proper Role of the OSCE in Facilitation of United Nations Security Council Resolution (UNSCR) 1540 (2004)

On 27 and 28 January 2011, the Forum for Security Co-operation (FSC) held an OSCE Workshop to Identify the Proper Role of the OSCE in Facilitation of United Nations Security Council Resolution (UNSCR) 1540 (2004), in Vienna, Austria, which was co-sponsored by the United Nations Office for Disarmament Affairs (UNODA). The Workshop provided a comprehensive platform for exchanging views on policy issues, implementation practices, and needs for further dialogue, co-operation and assistance among national representatives and international organizations involved in various aspects of implementation of UNSCR 1540, including OSCE Secretariat structures.

A broad range of possibilities in the context of which the OSCE can be instrumental were considered. In particular, participating States spoke about further awareness-raising activities, tailored training courses, assistance with the development of national action plans and improvement of legislation, promotion of the Handbook of Best Practices Guides, as well as continued dialogue and co-operation with other international organizations.

3.2 CPC Annual Work Plan for 2011 in Support of Regional Implementation of UNSCR 1540

Based on participating States' suggestions, during the OSCE Workshop to Identify the Proper Role of the OSCE

in Facilitation of United Nations Security Council Resolution 1540, the Conflict Prevention Centre's Annual Work Plan for 2011 in Support of Regional Implementation of UNSCR 1540 was designed.

The Work Plan aimed to improve regional co-operation on implementation of UNSCR 1540 and envisaged establishing a strong stakeholder co-ordination network to promote profound understanding of UNSCR 1540 issues and implementation needs, and assisting interested participating States with day-to-day build-up of their national capacities. The assistance could be provided based on national consent and could rely on a co-operative approach, expertise and experience of the international community.

3.3 Joint FSC-PC Meeting on non-proliferation

On 13 July 2011, during the Italian FSC Chairmanship and the Lithuanian PC Chairmanship, a joint FSC-PC meeting on non-proliferation took place. The meeting was organized as a follow-up to the Workshop to Identify the Proper Role of the OSCE in Facilitation of UNSCR 1540 and to facilitate an expert discussion on national implementation of the resolution. UNODA, in its keynote address, expressed appreciation of the partnership with the OSCE in support of full implementation of resolution 1540, which increasingly focuses on capacity building and assistance facilitation. National presentations by two participating States reiterated that such meetings provided an excellent opportunity to exchange information on matters of non-proliferation, and also described ways in which the OSCE could assist participating States in improving their national implementation. A number of participating States, along with the

European Union, testified to the significance attached by the OSCE to countering threats stemming from the proliferation of weapons of mass destruction and their means of delivery. Furthermore, European Union and some participating States expressed their support to update, in the near future, the 1994 OSCE Principles Governing Non-Proliferation, taking into account new developments in the field of combating proliferation of weapons of mass destruction.

3.4 Regional Workshop on the Implementation of UNSC Resolution 1540 (2004)

From 27 to 29 September 2011, the CPC together with UNODA organized a regional workshop in Astana, Kazakhstan, to promote capacity-building at the national and regional levels to advance full implementation of resolution 1540. The Workshop aimed to enhance national border and export control capacities, and to improve information- and experience-sharing between all five Central Asian States. Furthermore, the agenda of the Workshop was fixed in such a way as to facilitate technical assistance related to implementation of the resolution that might be required by participating States.

Most importantly, the Workshop assisted participating States to identify specific forms of OSCE support required for comprehensive implementation of UNSCR 1540 in the Central Asian region, including awareness-raising events, tailored training events for law enforcement officers (also long-term courses for the “train-the-trainer” module) and possible assistance in fine-tuning national legislation. A number of concrete follow-up steps to facilitate implementation of UNSCR 1540 at the national level

were identified during bilateral discussions.

4. Proposals and initiatives

A number of specific proposals and initiatives have been presented and discussed in the FSC working framework, including:

- A food-for-thought paper and proposal for a draft decision on points of contact on UN Security Council resolution 1540 (2004) (FSC.DEL/129/11);
- Discussions on drafting further chapters of the Best Practice Guide on UN Security Council Resolution (UNSCR) 1540;
- Proposal to update the 1994 OSCE Principles Governing Non-Proliferation (FSC.DEL/65/10/Rev.2);
- Establishment of a Roster of Technical Experts on UNSCR 1540.

Discussions aimed at reaching consensus on these proposals are ongoing.

5. Practical assistance

5.1 Overview

Assisting OSCE participating States in comprehensive implementation of UN Security Council resolution 1540, while recognizing the need to enhance co-ordination of efforts at the national, subregional, regional and international levels, has been an essential part of the efforts of the Forum for Security Cooperation during the reporting period.

Following the OSCE Workshop to Identify the Proper Role of the OSCE in Facilitation of United Nations Security Council Resolution (UNSCR) 1540 held in January 2011, the OSCE registered five requests for assistance in developing national action plans or

strategies to tackle proliferation of weapons of mass destruction and their means of delivery.

In particular, ongoing tailored dialogue with Belarus, Bosnia and Herzegovina and Serbia, as well as initial contacts with Moldova and Kyrgyzstan can be seen as exemplary of the response of the OSCE.

To this end, a number of participating States have requested training and capacity-building for law enforcement agencies in the field of fighting proliferation of biological and chemical materials.

5.2 OSCE's support in national implementation of UNSCR 1540

5.2.1 Serbia

Following the OSCE Workshop in January 2011, Serbia expressed its interest in developing a national action plan. A draft outline of a national action plan was designed in close cooperation with the Serbian authorities and the Group of Experts of the 1540 Committee and submitted for inter-ministerial review in Serbia. Also, the national progress in this domain was presented to the 48th joint FSC-PC meeting on non-proliferation in July 2011.

5.2.2 Bosnia and Herzegovina

Bosnia and Herzegovina expressed its interest in further updating its national legislation in line with the UNSCR 1540 obligations. During the 48th joint FSC-PC meeting on non-proliferation, Bosnia and Herzegovina indicated its willingness to serve as a pilot country where specific measures or national strategy on implementation of UNSCR 1540 would be developed. The country is also interested in promoting an integrated approach towards counter-terrorism activities in the Balkans. In

that context, it would welcome assistance by UNODA and the OSCE.

5.2.3 Belarus

During the OSCE Workshop to Identify the Proper Role of the OSCE in Facilitation of United Nations Security Council Resolution (UNSCR) 1540, in January 2011, Belarus emphasized the OSCE's role as a regional organization in assisting participating States with implementation of UNSCR 1540.

As a follow-up to the 48th joint FSC-PC meeting on non-proliferation in July and to expert consultations held in October 2011, Belarus is developing a national framework document on non-proliferation of weapons of mass destruction, with assistance by the OSCE and the Group of Experts of the 1540 Committee.

5.2.4 Kyrgyzstan

In January 2011, Kyrgyzstan conveyed its interest in joining international export-control regimes and improving its legal structures and law-enforcement practices in the context of implementation of UNSCR 1540.

In September 2011, during the regional Workshop on the Implementation of UNSC Resolution 1540 (2004) held in Astana, Kazakhstan, Kyrgyzstan confirmed its willingness to work together with the OSCE and the Group of Experts of the 1540 Committee in fine-tuning its national legislation, including preparation of its national action plan.

5.2.5 Moldova

In September 2011, Moldova requested assistance from the OSCE in strengthening its national capacities in accordance with the obligations arising from

UNSCR 1540, for preventing the proliferation of weapons of mass destruction and defending against CBRN (chemical, biological, radiological and nuclear material) threats. The OSCE was requested to support development of a national action plan and establishment and execution of effective export, import and trans-shipment controls over weapons of mass destruction and their means of delivery, and to assist in the development of a national network on biological threats.

5.3 Memorandum of Understanding with UNODA

In line with UN Security Council resolution 1540, recognizing the need to enhance co-ordination of efforts at the national, subregional, regional and international levels, the OSCE has developed a general framework for technical co-operation with the United Nations Office for Disarmament Affairs (UNODA). A Memorandum of Understanding was recently signed by both parties. Its goal is to enhance the capacities of both organizations in facilitation of implementation of resolution 1540.

The parties to this Memorandum would further enhance international efforts directed at reducing proliferation of weapons of mass destruction and the potential for non-State actors to develop, acquire, manufacture, possess, transport, transfer or use these weapons and their means of delivery. In particular, they will co-operate in the following areas of activity:

- (i) Assessment and/or consultative missions;
- (ii) Development of national action plans and/or strategies;
- (iii) Project formulation;
- (iv) Project resource mobilization;
- (v) Project implementation;
- (vi) Project monitoring and reporting;

- (vii) Policy development as well as outreach.

5.4 Training

During the OSCE Workshop in January 2011, all the participating States reiterated the OSCE's role in providing tailored training courses to relevant officials on a number of subjects related to the non-proliferation of weapons of mass destruction.

These recommendations were further addressed during the OSCE - UNODA Regional Workshop on Implementation of UNSC Resolution 1540 held in September 2011 in Astana, Kazakhstan. All the Central Asian countries expressed a need for specific training, mainly in the area of biological materials.

As follow-up to the requests for training, the OSCE has drafted a curriculum for a training course to address nuclear, biological and chemical export-controls legislation and procedures for customs, border police, ministry of foreign affairs and other relevant authorities at the level of policy-makers and practitioners from interested participating States and Partners for Co-operation, to be conducted in the OSCE Border Management Staff College in Dushanbe, Tajikistan.

Similar courses could be developed in co-operation with the Vienna Centre for Disarmament and Non-Proliferation (VCDNP) in Vienna, Austria, for the Eastern and South-Eastern European countries.

In addition, in October 2011, the OSCE, together with the RACVIAC – Centre for Security Co-operation, held a training workshop for the south-eastern European region which brought together officials of customs services

and strategic goods licensing authorities to examine the criticality of complementarities of work and the commonality of their duties when processing movements of commodities which have been designated by their national authorities as “dual-use” or controlled goods.

6. Co-operation and co-ordination

6.1 Co-operation with the United Nations

During the OSCE Workshop to Identify the Proper Role of the OSCE in Facilitation of United Nations Security Council Resolution 1540, in January 2011, participating States stressed the need for continuing constructive dialogue and co-operation with other international organizations directly involved with implementation of UNSCR 1540, and in particular with the United Nations. Specifically, participating States stressed the importance of co-operative efforts with the 1540 Committee and its Group of Experts.

6.1.1 UN Security Council Resolution 1540 Committee and its Group of Experts

Following establishment of a post of 1540 Adviser under the four-year extrabudgetary project, “Support of Regional Implementation of UNSCR 1540”, in order to initiate a closer working relationship with the 1540 Committee and its Group of Experts, regular consultations with the OSCE Secretariat were instituted. The OSCE regularly briefs the 1540 Committee and its Group of Experts on developments in the OSCE region and activities of the OSCE Secretariat, and co-ordinates the response to requests for

assistance from OSCE participating States.

6.1.2 United Nations Office for Disarmament Affairs (UNODA)

In 2010-2011, the OSCE and UNODA commenced regular consultations on various practical issues related to facilitation of implementation of the resolution.

In particular, UNODA co-sponsored the OSCE Workshop to Identify the Proper Role of the OSCE in Facilitation of UNSCR 1540. The Regional Workshop on Implementation of UNSC Resolution 1540, held in Astana, Kazakhstan, in September 2011, became the first successful joint activity implemented in the field, and launching a series of similar regional events planned through 2012-2013, for the Baltic, Black Sea and Mediterranean regions.

Also, specific assistance projects can be developed and implemented under the Memorandum of Understanding between UNODA and the OSCE signed in October 2011.

6.1.3 United Nations Office on Drugs and Crime (UNODC)

The UNODC-OSCE Secretariat Joint Action Plan for 2011-2012 was agreed upon by the two organizations in September 2011. The parties to this agreement intend to undertake substantive, long-term co-operation also in the area of promotion of implementation of UNSCR 1540.

6.1.4 United Nations Interregional Crime and Justice Research Institute (UNICRI)

In 2011, UNICRI invited the OSCE to participate in a round-table meeting for

CBRN (chemical, biological, radiological and nuclear material) national focal points in Sarajevo, under the EU project on the centres of excellence initiative. The primary objective of co-operation between the OSCE and UNICRI is to maximize the use of existing resources, reinforce capacity building at the regional and national levels on CBRN risk mitigation, and support OSCE participating States in identifying potential regional gaps in CBRN risk mitigation.

6.2 Co-ordination with international, regional and subregional organizations

Following the Meeting of International, Regional and Subregional Organizations on Co-operation in Promoting the Implementation of UNSC Resolution 1540 (2004) organized in December 2010 by UNODA and the Austrian Federal Ministry of European and International Affairs, the OSCE established direct contacts with the IAEA, OPCW, NATO and BAFA (acting as implementing agent of the EU-funded co-operation programme in export control in respect of dual-use goods) to facilitate the sharing of information on good practices and lessons learned, to develop and implement standards, and to identify assistance requirements and programmes.

6.2.1 International Atomic Energy Agency (IAEA)

In order to avoid duplication of efforts, the OSCE has been working with the IAEA on incorporating their Integrated Nuclear Security Plans into initial drafts of national action plans on UNSCR 1540 (nuclear risks).

Also, in the course of 2011, the OSCE Secretariat agreed with the IAEA to utilize their expertise on controls of

nuclear materials and their team of experts on nuclear legislation issues. In particular, the IAEA will be involved in training programmes of the OSCE's Border Management Staff College in Dushanbe, Tajikistan.

6.2.2 Organization for the Prohibition of Chemical Weapons (OPCW)

The OSCE exchanged information on project activities related to implementation of UNSCR 1540 with the OPCW. Possibilities for combining efforts in joint projects to address chemical components as part of national action plans and/or strategies are being considered.

6.2.3 European Union (BAFA – German Federal Office of Economics and Export Control)

BAFA promotes international co-operation on export control and raises awareness and promotes willingness to implement mechanisms in line with the European Security Strategy and the EU strategy against proliferation of weapons of mass destruction (2003), as well as with UNSCR 1540 (2004). In this connection, the OSCE has established close co-ordination, mostly on enhancement of the legal and regulatory frameworks of interested participating States.

BAFA was actively involved in the Regional Implementation Workshop on UNSCR 1540 held in Astana, Kazakhstan in September 2011, as well as in the regional Workshops on Customs Procedures and Licensing Issuance: Integrating the National Processing of Dual-Use Goods and Conventional Weapons through Information Sharing.

6.2.4 Others

In order to ensure complementary of efforts with other international organizations, and to avoid duplication of efforts, the OSCE has also established close working relations with the Secretariat of the Biological Weapons Convention (BWC), the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), the North Atlantic Treaty Organization (NATO), the Commonwealth of Independent States (CIS), and the Collective Security Treaty Organization (CSTO).

7. Conclusion

Comprehensive and effective implementation of UN Security Council resolution 1540 requires innovative

and inclusive actions by participating States as well as the OSCE. It is also important that participating States look at the obligations arising from UNSCR 1540 not as imposed duties, but rather as opportunities for national benefits through enhanced co-operation at the regional and global levels.

Implementation of the resolution is a long-term process that requires commitment not only by participating States, but also by key international actors, such as international and regional organizations, academia, private companies and civil society.

Therefore, the key OSCE activity has been and can remain support to participating States in their national efforts towards implementation of UNSCR 1540, while ensuring synergies with other relevant actors under the lead of the 1540 Committee.

8. Annexes

Annex A: Overview of participation in events organized by other international organizations

OSCE/FSC participation in UNSCR 1540-related events organized by other international and regional organizations in 2010-2011		
Date	Title	Place
22 – 23 November 2010	OPCW table-top exercise on the preparedness to prevent terrorist attack involving chemicals	Warsaw, Poland
15 – 16 December 2010	Meeting of international organizations dealing with matters relating to UNSCR 1540	Vienna, Austria
25 – 27 February 2011	Stanley Foundation in 42 nd United Nations Issues Conference on “UNSCR 1540: Identity, Extension, and Implementation”	New York, U.S.A.
24 March 2011	Round-table meeting for CBRN national focal points organized by UNICRI	Sarajevo, Bosnia and Herzegovina
11 – 12 April 2011	OPCW non-proliferation seminar	The Hague, The Netherlands
18 – 19 May 2011	INTERPOL Global Radiological and Nuclear Terrorism Prevention Conference	Lyon, France
30 – 31 May 2011	IAEA Open-Ended Meeting of Technical and Legal Experts on the Code of Conduct on the Safety and Security of Radioactive Sources	Vienna, Austria
1 – 3 June 2011	Annual meeting of the OSCE Border Security and Management National Focal Point Network	Vilnius, Lithuania
6 – 8 June 2011	CTBTO Conference: Science and Technology	Vienna, Austria
16 -17 June 2011	Annual NATO Conference on WMD Arms Control, Disarmament and Non-Proliferation	Bergen, Norway
9 September 2011	VCDNP Seminar on “North Korea: Reactors, Bombs and People”	Vienna, Austria

Annex B: Overview of planned OSCE/FSC events in 2012/2013

OSCE/FSC planned events on implementation of UNSCR 1540 in 2012		
Date	Title	Place
24 – 26 January 2012	Workshop on Customs Procedures and Licensing Issuance: Integrating the National Processing of Dual-Use Goods and Conventional Weapons Through Information Sharing, Mediterranean Region	Valletta, Malta (TBC)
13 – 15 March 2012	Workshop on Customs Procedures and Licensing Issuance: Integrating the National Processing of Dual-Use Goods and Conventional Weapons Through Information Sharing, Central Asian Region	Ashgabat, Turkmenistan (TBC)
15 – 17 May 2012	Workshop on Customs Procedures and Licensing Issuance: Integrating the National Processing of Dual-Use Goods and Conventional Weapons Through Information Sharing, Eastern European and Caucasus Region	Kiev, Ukraine (TBC)
June 2012	OSCE/UNODA Regional Workshop on the Implementation of UNSC Resolution 1540 (2004), Baltic Sea Region	Vilnius, Lithuania (TBC)
September 2012	OSCE/UNODA Regional Workshop on the Implementation of UNSC Resolution 1540 (2004), Black Sea Region	Odessa, Ukraine (TBC)
2012/2013	OSCE/UNODA Regional Workshop on the Implementation of UNSC Resolution 1540 (2004), Mediterranean Region	(TBC)