

**The report of the Republic of Armenia on the implementation of United Nations  
Security Council Resolution 1540 (2004)**

1. The unanimous adoption of Security Council Resolution 1540 (2004) on 28 April 2004 was a landmark event. This was the first Security Council resolution to address the threat that proliferation of weapons of mass destruction and their means of delivery, in particular by non-state actors, poses to international peace and security.
2. On 27 April 2006, the Security Council extended the mandate of the 1540 Committee for a further two years with the adoption of Resolution 1673 (2006), which reiterated the objectives of Resolution 1540 (2004), expressed the interest of the Security Council in intensifying its efforts to promote full implementation of the resolution, and obliged the 1540 Committee to report again by April 2008.
3. On 25 April 2008, the Security Council adopted Resolution 1810 (2008), which extended the mandate of the 1540 Committee for a period of three years, with the continued assistance of experts, until 25 April 2011.
4. The Republic of Armenia is also fully committed to the work of the 1540 Committee in ensuring global implementation of the resolution
5. The Republic of Armenia affirms its resolve actively to combat the proliferation of weapons of mass destruction in all its aspects and to support measures by the international community to combat the proliferation of weapons of mass destruction using all available forces and means.
6. Policies of the Republic of Armenia on non-proliferation of weapons of mass destruction are determined in accordance with its foreign policy, which is based on its commitment to strengthening international security, developing cooperation among States and increasing the role of international organizations in resolving global problems and conflicts.

## **Legislative actions**

7. Since gaining independence on 21 September 1991, the Republic of Armenia has taken a number of specific steps that demonstrate its firm intent to strengthen the non-proliferation regime. They include:

- According to the Constitution of the Republic of Armenia (adopted on June 5, 1995) the ratified international treaties form an integral part of Armenian legal system. In case of contradiction with national laws the international treaties prevail over national laws.

- On September 24, 1991 just three days after adopting a declaration of independence the Republic of Armenia became a part of the Treaty on the Non-Proliferation of Nuclear Weapons.

- The Republic of Armenia has ratified the Convention on Physical Protection of Nuclear Materials on June 22, 1993.

- The Agreement between the Republic Armenia and the International Atomic Energy Agency for the Application of Comprehensive Safeguards Agreement in connection with Treaty on the Non-Proliferation of Nuclear Weapon was signed on September 23, 1993 and entered into force on May 5, 1994.

- The Republic of Armenia has signed the Chemical Weapons Convention on March 19, 1993 and ratified it on January 27, 1995 and the Biological and Toxin Weapons Convention of 1974 (acceded on June 7, 1994).

- Protocol Additional to the Agreement between the Republic Armenia and the International Atomic Energy Agency for the Application of Safeguards in connection with Treaty on the Non-Proliferation of Nuclear Weapon was signed on September 29, 1997 and entered into force from June 28, 2004.

- Convention on Nuclear Safety entered into force for Armenia on December 20, 1998.

- The Law of the Republic of Armenia “On the Safe Utilization of Atomic Energy for Peaceful Purposes” (1999 with supplements as of 2004).

- In 2005 the National Assembly (Parliament) of the Republic of Armenia adopted law on “Fight against terrorism” and in 2008 a law on “Fight against money laundering and financing of terrorism”.

- In 2003 the National Assembly (Parliament) of the Republic of Armenia adopted law on Export control of dual-use items and technologies and its transit across the territory of the Republic of Armenia.

### **Executive action**

8. The Ministry of Foreign Affairs of the Republic of Armenia monitors the implementation of Security Council Resolution 1540.

### **Enforcement action**

9. Armenia is not a member of international export control regimes: Missile Technology Control Regime (MTCR), Nuclear Suppliers Group (NSG), Zangger Committee, the Australia Group, and the Wassenaar Arrangement and the prime reason is that Armenia is not a major supplier of controlled items (materials and technologies) and the regimes’ membership may not be relevant to the economic profile of the country. So the fact that Armenia does not participate is merely conditioned by absence of membership criteria. Although Armenia itself is not a member of various multilateral control regimes, it strongly adheres to the goals and principles of these regimes.

As an evidence of aforementioned can be the fact that the Armenian munitions list is based on Wassenaar arrangements munitions list.

10. The Republic of Armenia is a signatory to the Hague Code of Conduct on Ballistic Missiles.

11. In accordance with Operative Paragraph 1 of the UNSCR1540 the Republic of Armenia continues not to provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. Any such support is prohibited under Armenian law. Appropriate national legislation is detailed below.

12. In order to provide implementation of Operative Paragraph 2 of the UNSCR1540 the Republic of Armenia has taken the following actions:

**Criminal Code of the Republic of Armenia**

The Criminal Code of the Republic of Armenia (adopted in 2003) covers all necessary aspects of counter proliferation issues, by criminalizing the actions prohibited by weapons of mass destruction non-proliferation related treaties, dual use goods and technologies control related offence and illegal export of munitions, establishing, inter alia, the extraterritorial jurisdiction for relevant crimes and determining the criminal responsibility for different forms of complicity as well.

13. In accordance with the Operative Paragraph 3 of the UNSCR1540 the Republic of Armenia develops and maintains appropriate effective measures to account for and secure such items in production, use, storage or transport.

**The Law of the Republic of Armenia “On the Safe Utilization of Atomic Energy for Peaceful Purposes” (March 1, 1999 with supplements as of April 18, 2004) is Armenia's primary national nuclear law.**

**Planned action:**

In the framework of the signed Agreement between the Government of the Republic of Armenia and Russian Federation “On cooperation in area of construction of a new nuclear power plant in the territory of the Republic of Armenia” (August 20, 2010) the parties to the Agreement will cooperate in the construction of a new nuclear power plant in Armenia, instead of Metsamor nuclear power plant.

14. In regard to the Operative Paragraph 5 of the UNSCR1540.

The Republic of Armenia is a state party to the Nuclear Non-Proliferation Treaty (NPT); the Chemical Weapons Convention (CWC); and the Biological and Toxin Weapons Convention (BTWC). The Republic of Armenia is also a member of the International Atomic Energy Agency (IAEA from 1993) and Organization for the Prohibition of Chemical Weapons (OPCW) (founding member state) and supports the work by State Parties to strengthen implementation of the BTWC.

15. In order to implement the Operative Paragraph 6 of the UNSCR1540 the Republic of Armenia has declared the adherence to the principles and goals of multilateral export control regimes, and is working towards meeting international standards.

In 2009-2010 significant reforms have been performed in area of munitions and dual-use items export control. Thus, in 2009 an amendment was made to the **Law “On licensing”** which established a dual-level system of control over munitions items. The entities who plan to be involved in international trade of munitions (these include all sorts of materials, technologies, know-how, etc) should be granted a license permitting such activity. But it is just an initial permission. For each transaction relating to sales of goods, their transit through the territory of the Republic of Armenia, as well as for brokerage in regard to munitions a separate permission should be issued. This includes submission of end-user (end-use) certificate, as well as a number of other records. The Ministry of Defense of the Republic of Armenia is responsible for granting a license, as well as for issuing permissions.

As to dual-use items export control, currently it is regulated by the **Law “On control over export of dual-use goods, their transit over the territory of the Republic of Armenia, and control over transfer of dual-use information and products of intellectual activity”**.

In this regard it is foreseen that the entities that plan to sell abroad a dual-use item should get permission from the Ministry of Economy of the Republic of Armenia. The application also includes end-user (end-use) certificate. The law foresees 3 types of permission: single (only for natural persons), general (one category of items more than one end-user) and special (one category of items one end-user).

16. In regard to the Operative Paragraph 7 of the UNSCR1540 the Republic of Armenia appreciates the fact that some states are ready to provide assistance in implementing the provisions of this resolution and is planning to take full use of it. Armenia also acknowledges the valuable assistance provided by the International Atomic Energy Agency (IAEA), Organization for the Prohibition of Chemical Weapons (OPCW) and other international organizations in this regard that is supplementing our national efforts in this regard.

The Republic of Armenia has greatly benefited from the cooperation with the United States, Russia, France, UK and other EU countries, which greatly enhanced our national capabilities in the fight against the proliferation of weapons of mass destruction since gaining independence.

17. In regard to the Operative Paragraph 8 of the UNSCR1540 the Republic of Armenia urges non-state parties to adhere to multilateral treaties, in order to achieve their universal application and will continue to promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties that aim to prevent the proliferation of nuclear, biological or chemical weapons. The Republic of Armenia continues to provide full support for the goals and activities of the International Atomic Energy Agency (IAEA) as a state party. Also, the Republic of Armenia continues to provide full support for the goals and activities of the Organization for the Prohibition of Chemical Weapons (OPCW) as a state party. As a state party to the BTWC, the Republic of Armenia remains fully committed to strengthening the Biological and Toxin Weapons Convention.

18. In the framework of the Operative Paragraph 9 of the UNSCR1540 the Republic of Armenia continues to promote dialogue and co-operation on non-proliferation in a range of fora so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery.

19. In order to implement the Operative paragraph 10 of the UNSCR1540 the following actions are taken:

- The Customs State Committee of the Republic of Armenia, Ministry of Defence of the Republic of Armenia, Ministry of Economy of the Republic of Armenia and Ministry of Foreign Affairs of the Republic of Armenia seek to develop contact and assist other states through mutual administrative and mutual legal assistance.