

Policy Brief Launch Webinar
Resolution 1540 and the African Continental Free Trade Area (AfCFTA):
Policy Options to Strengthen Non-proliferation Controls and Secure Trade
Tuesday, 18 July 2023, 13:00 – 14:00 UTC

Keynote remarks by the Expert Mr. Alexey Baronin,
on behalf of the Chair of the UN Security Council Committee established pursuant to
resolution 1540 (2004)

Ladies and gentlemen,
Dear colleagues,

I warmly welcome you to the Webinar to launch a policy brief entitled “Resolution 1540 and the African Continental Free Trade Area (AfCFTA): Policy Options to Strengthen Non-proliferation Controls and Secure Trade”.

African Continental Free Trade Area Agreement is a long-term project aimed at strengthening the development and socio-economic integration of Africa. The Agreement establishes a single African market and aims to expand intercontinental trade. The 1540 Committee believes that creation of regional free trade areas and zones should not result in uncontrolled cross-border transit of sensitive items and technologies within the scope of the UNSC resolution 1540. States, regardless of their participation in such cooperative frameworks, continue to bear full responsibility for fulfilling their obligations under this resolution.

The UN Security Council in its resolution 1540 (2004) and follow-up resolutions expresses gravely concern about the threat of illicit trafficking in nuclear, chemical or biological weapons and their means of delivery, as well as related materials, which adds a new dimension to the issue of proliferation of such weapons, as well as a threat to international peace and security.

The UN Security Council decides in operative paragraph 3(d) of resolution 1540 (2004) that all States shall establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items. It also recognizes in operative paragraph 6 the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists. However, each State obviously determines the corresponding legislative base and the modalities of its export control mechanisms on its own accord, without any external pressure or control.

The 1540 Committee much appreciates efforts of South African Institute of International Affairs and United Nations Office for Disarmament Affairs with regard to prevent the danger of potential nuclear, chemical and biological weapons proliferation, as reflected in “Policy options to strengthen non-proliferation controls and secure trade”. The Committee believes that the policy brief provides a good ground for further improvement of African States’ legislation governing the proper non-proliferation export and border control regime, which would be consistent with the

expected significant boost intra-African trade. The 1540 Committee encourages the State Parties of the African Continental Free Trade Area to consider incorporation of relevant items in voluntary National Action Plans that address the elaboration of national laws and enforcement measures to implement resolution 1540.

Effective implementation of resolution 1540 offers significant advantages with respect to the establishment and consolidation of a zone of peace, security, stability and development at the national, subregional, regional and global levels. Assistance that can be provided by States and international organisations to implement resolution 1540 (2004) can complement or contribute to capacity building, for example, in border and customs controls, transport safety and security. Resolution 2325 (2016), in its operative paragraph 25, encourages international, regional and subregional organizations to highlight the obligations of resolution 1540 (2004) in their model legislation and/or guidelines, where appropriate, pertaining to instruments under their mandate relevant to the resolution.

It should be pointed out that the most recent Security Council resolution 2663 of 2022 reaffirms “the need for all Member States to comply fully with their obligations and fulfil their commitments in relation to arms control, disarmament and non-proliferation in all its aspects of all weapons of mass destruction and their means of delivery”. While resolution 1540 (2004) implementation progress remains uneven between the various provisions and regionally, resolution 2663 (2022) notes the need for more attention on, among others, national export and transshipment controls. It also stresses the importance of a tailored dialogue and engagement of the 1540 Committee with Member States and recognizes the specificity of States with regard to implementation and reporting. It also requests the 1540 Committee to continue to organize and participate in outreach events on the implementation of resolution 1540 (2004) at the international, regional, subregional, and, as appropriate, national level, including, as appropriate, inviting parliamentarians, as well as representatives of civil society, including industry and academia and promote the refinement of these outreach efforts to focus on specific thematic and regional issues related to implementation.

In conclusion, I wish to express sincere gratitude to the South African Institute and Office for Disarmament Affairs for their work and I’m confident that the policy brief will be another step toward full implementation of resolution 1540. The Committee looks forward to further dialogue with States and interested regional and subregional bodies, including in the context of the African Continental Free Trade Agreement.