

Translated from French

Permanent Mission of Madagascar to the United Nations

No. 2023-062/UNODA/Comité1540/Madagascar-PANV/2^{ème} trimestre2023

The Permanent Mission of the Republic of Madagascar to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to request the technical and financial assistance of the Committee in order to support the activities deriving from the 2023–2025 national action plan, annexed hereto, which the Government of Madagascar intends to undertake.

The most urgent activities include:

- Assessment of the national legislative and regulatory framework on nuclear, biological and chemical weapons and their means of delivery
- Drawing up the national monitoring list
- Capacity-building for national actors in relation to the monitoring mechanism for nuclear, biological and chemical weapons and their means of delivery

In view of the complex nature and large number of these activities, the Government of the Republic of Madagascar is counting on the support of the 1540 Committee to assist it in carrying them out, including in the second quarter of 2023.

Security Council Committee established pursuant to resolution 1540 (2004)

New York

The Permanent Mission of the Republic of Madagascar to the United Nations is grateful to the Security Council Committee established pursuant to resolution 1540 (2004) and takes this opportunity to convey to the Committee the renewed assurances of its highest consideration.

New York, 28 March 2023

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Voluntary national action plan for the implementation of Security Council resolution 1540 (2004) in Madagascar (2023–2025)

I. Background and explanatory information

Madagascar is a party to Security Council resolution 1540 (2004) of 28 April 2004 on the non-proliferation of nuclear, chemical and biological weapons and their means of delivery.

A first report was issued on 7 February 2008 outlining the achievements of Madagascar in the nuclear field. Two additional reports were prepared and shared on 13 June 2013 and 21 October 2019. An action plan for implementation of the resolution was developed at a national workshop in June 2019. It covers the period 2019–2022 and was approved on 9 December 2020 by the Security Council Committee established pursuant to resolution 1540 (2004).

This action plan comprises three strategic pillars:

- A legislative/regulatory pillar in order to align domestic regulatory texts with the international treaties and conventions ratified by Madagascar by incorporating elements not previously taken into account by Malagasy legislation.
- An operational/coordination pillar for the purpose of developing a national implementation strategy for resolution 1540 (2004) whose outcome will be the establishment of a structure to coordinate operations related to the implementation of actions in the different areas stipulated in the resolution, manage information, education and communication activities, and coordinate strategic partnerships to facilitate and support the efforts of Madagascar to achieve significant results.
- A technical/monitoring pillar aimed at developing an exhaustive list of products that pose a risk and a system to facilitate monitoring of the entry and movement of products and weapons, with a strong component of enhancing the technical and material capacities of organizations working in the nuclear, chemical and biological fields.

Having reached the 2022 deadline, the “national 1540 committee” set up in Madagascar has reviewed the achievements of this action plan, whose implementation was severely disrupted by the various events that occurred during the period, including the coronavirus disease (COVID-19) pandemic, which slowed the committee’s actions significantly.

A national workshop was organized from 22 to 25 November 2022 in order to review the current status of achievements under the different strategic pillars, update the implementation background and define a new action plan for the period 2023–2025.

II. Overall orientation of the 2023–2025 action plan

Madagascar plans to maintain the momentum that was gained during the previous period and will focus on implementing the key actions required to achieve the following strategic objectives:

1. Alignment of the country's regulatory texts with international treaties and conventions ratified by Madagascar

In order to fulfil the obligations that every country has undertaken for the implementation of resolution 1540 (2004), Madagascar must have appropriate legislation and regulations. While there are existing laws that relate to certain elements of the resolution, in order to establish a coherent and accessible legal framework in this area it is essential to conduct an evaluation prior to the actual drafting and adoption of texts. It will then be a matter of recording in Malagasy positive law the regulations and mechanisms for implementing resolution 1540 (2004) within the jurisdiction of Madagascar.

To that end, the main activity will be to evaluate existing texts in order to recommend the appropriate action of either updating those existing texts or drafting new legal regulations.

2. Establishment and operationalization of a coordination unit for operations

The main activity will be the establishment of a small coordination group, through an interministerial framework, that will be responsible for developing the terms of reference of a national committee for resolution 1540 (2004) and the mobilization of the various stakeholders and partners involved, leading to the official establishment of the national committee and its operationalization. This step is essential in order for the national committee to carry out its main mission of coordinating the activities planned during the current period.

3. Capacity-building for relevant stakeholders and partners on weapons of mass destruction and their means of delivery

One of the most urgent needs in this area is to strengthen the capacity of stakeholders to develop as exhaustive a monitoring list as possible.

Subsequently, it would make sense for stakeholders to gain the expertise to monitor the flow of delivery systems and products that may be related to weapons of mass destruction.

III. Strategy

The Ministry of Defence will take the lead in the initial actions that will result in the official establishment and operationalization of the national 1540 committee. In collaboration with experts and specialists in the different areas (legislative and technical), the national committee will prepare the implementation plan for resolution 1540 (2004). The new national committee, once in place, will draw up the terms of reference of the different priority actions with respect to the regulatory/legal and technical/monitoring aspects so that it can conduct the different activities planned.

Depending on the context and taking into account the technical nature of the actions and the scope of the activities, it is envisaged that external expertise may be required, such as support from members of the 1540 Committee at United Nations Headquarters or expert consultants.

IV. Expected results

- A national committee for resolution 1540 (2004) is established and operational.
- An implementation plan for resolution 1540 (2004) is developed and validated for each area (nuclear, biological, chemical, means of delivery). To achieve this, the responsible parties and implementing partners for the action plan must be identified.
- The risks related to implementation of the action plan are listed and mitigation measures are proposed.

Timeline of activities

Item	Deliverables	Responsible party	Year			
			Lead	Support	2023	2024
					Q1	Q2
Strategic pillar 1: Legislation					Q3	Q4
Making the domestic legal framework consistent with the requirements of resolution 1540 (2004)						
Evaluation of existing laws	Consultants	National 1540 committee			X	X
Updating of legal framework	Legislation consistent with resolution 1540 (2004)	Consultants	National 1540 committee		X	X
Establishment of oversight unit		Consultants	National 1540 committee		X	
Public outreach on new laws		National 1540 committee	OSC		X	X
Strategic pillar 2: Coordination						
Official establishment of national 1540 committee						
Setting up ad-hoc interministerial committee					X	

Identification of relevant entities and stakeholders	Ad-hoc interministerial committee in place	Ministry of Defence	X				
Drawing up terms of reference of national committee	Official establishment of national committee	Ad hoc committee	X				
Official establishment of national committee:		CDP*	X				
Development of national strategy for implementation of resolution 1540 (2004)							
Drafting strategy for implementation of resolution 1540 (2004) at the national level	National strategy developed and validated	National 1540 committee	CDP	X			
Technical validation of draft strategy	All partners			X			
Technical validation of draft strategy	National committee	Government		X			
Development of action plan for each sector							

* Translator's note: Acronym not found.

Item	Deliverables	Lead	Responsible party				Year						
			2023				2024				2025		
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
Development of action plan on regulations	National 1540 committee	Min. Justice / UN					X						
Development of plan for education and training on resolution 1540 (2004)	National 1540 committee	UN / CSO					X						
Development of monitoring plan	National 1540 committee	UN					X						
Development of communication plan for resolution 1540 (2004)	National 1540 committee	UNICEF / CSO					X						
Implementation of information, education and communication plans	National 1540 committee	UNICEF / CSO					X	X	X	X	X	X	X
Development of international partnerships for the implementation of resolution 1540 (2004)	RCRP*												

* Translator's note: Acronym not found.

Identification of needs		National 1540 committee	UN / CSO		X			
Identification of potential partners		National 1540 committee	UN / CSO		X			
Sending requests for / offers of partnership		National 1540 committee			X	X	X	X
Strategic pillar 3: Monitoring								
Capacity-building for stakeholders and monitoring agents (biosafety, biosecurity, biological, nuclear, chemical, etc.)								
Identification of recipients		National 1540 committee	All partners		X			
Identification of trainers	Stakeholders and agents trained	National 1540 committee			X			
Delivery of training		UN experts	National 1540 committee		X			
Drawing up national monitoring list								
Assess status of existing monitoring system	Exhaustive monitoring list	Consultants	National 1540 committee		X	X		
Updating of monitoring list for each field		Consultants	National 1540 committee		X	X		

Item	Deliverables	Responsible party				Year			
		Lead	Support	2023		2024		2025	
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Validation of national monitoring list	National 1540 committee	All partners				X	X		
Establishment of monitoring systems						X			
Establishment of monitoring system for entry of products									
Harmonization of border control procedures for import and export (effective establishment of Coordinated Border Management system)	Consultants	National 1540 committee				X	X		
Full (100 per cent) set-up of scanning system	National 1540 committee					X	X		
Strict enforcement of import/export procedures (with clear penalties for non-compliance)	National 1540 committee							X	X
Establishment of monitoring system for movement of products	Consultants	National 1540 committee				X			
Supervision of internal transport operations	Operational monitoring systems	National 1540 committee				X	X	X	X

Establishment of appropriate storage, transport and internal monitoring system for each type of material in transit and transhipment	Consultants	National 1540 committee	X			
Operationalization of biological monitoring unit	National 1540 committee	CSO		X	X	X
Establishment of monitoring system for use of products	Consultants	National 1540 committee	X			
Optimization of involvement of technical monitoring unit of each entity concerned (security teams and technicians of each entity concerned)	National 1540 committee	All partners		X		

Item	Deliverables	Responsible party	Year			
			Lead	Support	2023	2024
Establishment of information database					Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4
Establishment of monitoring system for storage of products	National 1540 committee	All partners			X X X X	X X X X
Establishment of on-site technical monitoring group (importer, exporter, etc.) to ensure continuity of activities of the group	Consultants	National 1540 committee		X		
	National 1540 committee	Government		X		

Establishment of harmonized monitoring procedures based on stages (who, where, when, how?)	National 1540 committee	Government	X		
Verification of on-the-ground/on-site status of declarations of entities concerned (importer, exporter, etc.)	National 1540 committee	CSO	X	X	X
Taking action on results of monitoring					
Awareness-raising for monitored entities	National 1540 committee	All partners	X	X	X
Enforcement of legislation and regulations with respect to penalties	Monitoring reports produced and disseminated	Justice	National 1540 committee	X	X
Preparation and dissemination of monitoring reports	National 1540 committee	All partners		X	X

Risk management

Risks	Probability	Mitigation
Partners not effectively involved in the implementation of activities	Medium	Appointment of focal points for each sector to work with partners
Delay in validation of deliverables	High	Establishment of a unit in charge of lobbying of the national committee
Health situation in Madagascar: possible health measures taken at the national and regional levels could have an impact on the conduct of activities	Medium	All necessary provisions are taken to ensure the safety and health of teams and partners: vaccination of team members, compliance with health measures, telecommuting