

Note No. 4-2-152/2024

The Permanent Mission of Ecuador to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to Resolution 1540 (2004) and has the honour to transmit herewith the voluntary national action plan for the implementation of Resolution 1540 (2004).

The Permanent Mission of Ecuador to the United Nations expresses its gratitude to the Security Council Committee established pursuant to resolution 1540 (2004) for its support in the development of this vNAP and reiterates its commitment to the implementation of Resolution 1540 (2004).

The Permanent Mission of Ecuador to the United Nations avails itself of this opportunity to renew to the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) the assurances of its highest consideration.



12 December 2024

To the Chair of the Security Council Committee
established pursuant to resolution 1540 (2004)
New York.-

Translated from Spanish

National action plan for the implementation of Security Council resolution 1540 (2004) covering the period 2025–2028

1. Background

On 28 April 2004, the Security Council, acting under Chapter VII of the Charter of the United Nations, unanimously adopted resolution 1540 (2004), in which it affirms that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security.

Resolution 1540 (2004) stipulates that States shall refrain from providing 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, and shall prevent their proliferation.

In 2023, Ecuador, as a non-permanent member of the Security Council during the 2023–2024 term and Chair of the Security Council Committee established pursuant to resolution 1540 (2004), identified the development of its voluntary national action plan for the effective implementation of resolution 1540 (2004) as a priority, with the aim of strengthening mechanisms to combat terrorism and prevent the access of non-State actors and terrorist-linked groups to dual-use materials that could be transformed into weapons of mass destruction.

To that end, Ecuador requested technical assistance from the Security Council Committee established pursuant to resolution 1540 (2004) and the Inter-American Committee against Terrorism of the Organization of American States (OAS).

2. Regulatory framework

At the international level, it is established in Article 1 of the Charter that the primary purpose of the United Nations is to maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about the settlement of disputes by peaceful means, and in conformity with the principles of justice and international law.

At the national level, with regard to the maintenance of peace and security, article 8 of the Constitution of the Republic of Ecuador guarantees the right to a culture of peace and comprehensive security. Article 15 of the Constitution explicitly prohibits the development, production, possession, marketing, import, transport, storage and use of chemical, biological and nuclear weapons, highly toxic persistent organic pollutants, internationally banned agrochemicals, and harmful experimental biological technologies and agents and genetically modified organisms that harm human health or threaten food sovereignty or ecosystems, and the introduction of nuclear and toxic waste into Ecuador.

In line with that provision, terrorism and its financing have been criminalized in the

substantive laws of Ecuador, as set out, for example, in articles 366 and 367 of the Comprehensive Organic Criminal Code. The Code also provides for preventative measures in relation to terrorism and for sanctions for illicit trafficking in firearms and in chemical, biological and nuclear weapons.

The Prevention, Detection and Eradication of Money-Laundering and Financing of Crime Organic Act also contains measures for preventing, detecting and eradicating money-laundering and the financing of crime in its various forms.

A national coordination committee was established, pursuant to Executive Decree No. 371 of 8 March 2022, with the primary purpose of developing public policy on the prevention, detection and eradication of money-laundering and related predicate offences, the financing of terrorism and the proliferation of weapons of mass destruction.

Ecuador has also strengthened its regulatory and operational framework for the control of weapons of mass destruction; issued guidelines for the management of chemical and biological risks; developed customs control protocols; and taken steps to develop control lists for dual-use materials, with the aim of improving the oversight and control of hazardous substances and ensuring the traceability of dual-use materials.

Ecuador is a party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and the Inter-American Convention against Terrorism, among other international instruments.

Furthermore, Ecuador has reiterated its commitment to prevention and the fight against non-State actors with terrorist intent by promoting the implementation of international regulations aimed at the achievement of international peace and security, while respecting human rights.

3. Current situation

Public security is a matter of great importance in Ecuador, which has been affected by, *inter alia*, terrorist groups. In recent years, the country has been facing a security crisis, with high levels of violence associated with organized crime. New threats have also quickly escalated within the criminal economy.

Geographic and demographic factors have facilitated access to the main illicit sources of financing of terrorism. In the past two years, several terrorist attacks have been carried out with explosive devices in Ecuador, damaging public and private property, and jeopardizing society as a whole. Such events could become conducive to the use and manufacture of other types of weapons in the context of money-laundering and related predicate offences.

A multidimensional strategy is required to neutralize or reduce the capabilities of transnational organized crime groups, given the broad spectrum of their illegal and criminal activities. Ecuador has therefore deemed it necessary to implement effective policies and strategies aimed at optimizing public security and ensuring the right to security.

In that light, without prejudice to the fulfilment of its international security obligations,

Ecuador has several public security policies, including on the strengthening of coordination among the various entities responsible for public security; international cooperation; the implementation of programmes related to the prevention of crime and violence; and the establishment of new expert bodies to combat drug trafficking and organized crime.

Ecuador has resolved to take appropriate and effective action against any threat to international peace and security caused, inter alia, by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in line with the Charter of the United Nations, and with due consideration for its responsibility as a State to counter proliferation by implementing resolution 1540 (2004).

In that regard, Ecuador has worked with the relevant United Nations bodies to make progress in adapting its national regulations, strengthening its institutions and building its capacity to prevent and combat terrorism.

The Ministry of Foreign Affairs and Human Mobility, with the assistance of the Security Council Committee established pursuant to resolution 1540 (2004), the OAS Inter-American Committee against Terrorism and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, held a virtual national workshop on 25 and 26 May 2022 to deepen the understanding of resolution 1540 (2004) among the various ministries and other institutions, raise awareness of the 2020 national matrix and advance the development of the national action plan.

4. National action plan for the period 2025–2028

Resolution 1540 (2004) is implemented in Ecuador as part of a process of national dialogue led by the Ministry of Foreign Affairs and Human Mobility, in coordination with the Ministry of Defence, as the national authority on chemical and biological weapons, and the Ministry of Energy and Mining, through the Office of the Undersecretary for Nuclear Control and Applications, in its role as the national liaison office for the International Atomic Energy Agency and regulatory authority for the peaceful use of ionizing radiation in Ecuador.

With the assistance of the OAS Inter-American Committee against Terrorism and the support of the United Nations Office for Disarmament Affairs and the Security Council Committee established pursuant to resolution 1540 (2004), a national workshop on the development of the national action plan was held on 12 and 13 June 2024. It was attended by more than 50 participants representing 14 public bodies, the National Assembly, universities and private companies, and enabled the establishment of the priorities and measures necessary for the development of the plan.

During the discussions, priority was given to the development of an inter-institutional working group comprising the Ministry of Foreign Affairs and Human Mobility, the Ministry of Defence and the Ministry of Energy and Mining (Office of the Undersecretary for Nuclear Control and Applications) in order to strengthen national coordination and implementation in the areas of prevention, first response and recovery from threats and incidents caused by nuclear, radiological, chemical and biological materials. The working group will also consider the possibility of establishing an inter-institutional committee or other relevant coordination mechanism for the

monitoring and coordination of the plan in the future.

Furthermore, working group meetings may be expanded to include representatives from entities such as the Ministry of Production, Foreign Trade, Investment and Fisheries, the Ministry of the Interior, the Ministry of Public Health and the National Customs Service, in order to draw up and approve a timeline of activities and concrete measures to be implemented as part of the priorities set out in the national action plan.

The working group will be responsible for reviewing and establishing specific timelines in working documents detailing the arrangements and mechanisms for carrying out activities under the national action plan.

5. Priorities under the national action plan

Under the national action plan, there are four priority lines of action underpinning the work of the national bodies engaged in the implementation of resolution 1540 (2004):

- (i) Technical and legislative assessment;
- (ii) Institutional strengthening and capacity-building;
- (iii) Technical assistance and international cooperation;
- (iv) Awareness-raising and dissemination to the private sector, academia and civil society of information on national and international regulations and related measures.

Specific time-bound activities have been established to ensure that these priorities can be verifiably met.

6. Democratization of results

Democratization will enable citizens to participate more effectively in the implementation of resolution 1540 (2004). To that end, the results of the plan's implementation will be disseminated in a timely and comprehensive manner.

The Government will coordinate with the private sector, civil society and academia to enable them to take part in its efforts related to the resolution.

The national action plan will be implemented over a four-year period. Ecuador hopes to receive technical assistance and cooperation for that purpose from international organizations engaged in the implementation of resolution 1540 (2004), including the United Nations Office for Disarmament Affairs, the OAS Inter-American Committee against Terrorism, the International Atomic Energy Agency, the United Nations Office on Drugs and Crime, the International Civil Aviation Organization, the World Customs Organization, the German Federal Office for Economic Affairs and Export Control, and the Partner-to-Partner Export Control Programme of the European Union.

Voluntary national action plan of Ecuador for the implementation of Security Council resolution 1540 (2004), covering the period 2025–2028			
Priorities	Activities	Time frame	References to resolution 1540 (2004)
(i) Technical and legislative assessment	<p>1. Analysis and proposal for a mechanism (executive decree) to establish the obligations of the various institutions involved in the harmonization of national regulations and in the implementation of resolution 1540 (2004).</p> <p>2. Establishment of working groups tasked with identifying technical training gaps and developing regulations.</p> <p>3. Assessment of existing national laws regarding compliance with the provisions of resolution 1540 (2004) and related resolutions.</p> <p>4. Review and update of the 2020 national matrix.</p>	Two years 2025–2026	Paras. 2 and 3
(ii) Institutional strengthening and capacity-building	<p>1. Based on the assessment, and taking into consideration the corresponding harmonization of national regulations with international instruments, the following activities will be carried out:</p> <ul style="list-style-type: none"> – Development of ministerial agreements – Review and update of prevention procedures and processes – Update of regulations and protocols <p>2. Accession to or ratification of international instruments that are relevant to the effective implementation of resolution 1540 (2004) and to which Ecuador is not yet a party.</p> <ul style="list-style-type: none"> – Technical reports and feasibility criteria for accession to or ratification of international conventions. – Raising awareness of international instruments that have not yet been 	Four years 2025–2028	Paras. 3, 8 and 10

	<p>signed or ratified.</p> <p>3. Development of an annual training plan covering biosecurity; biosafety; physical protection of nuclear material; export and import control; traceability and accountability; transport security; prevention, detection and combating of illicit trafficking in dual-use goods and technologies; and prevention and detection of illicit trafficking through customs and across borders. Follow-up every six months.</p>		
(iii) Technical assistance and international cooperation	<p>1. Risk assessment for the development of a draft law on nuclear, biological, chemical and radiological threats and a national prevention protocol.</p> <p>Awareness-raising at the national level.</p> <p>2. Technical and legislative assistance for export control and monitoring and characterization; regional and subregional workshops and sharing of experiences and good practices.</p> <p>– Development of a road map for the identification and control of dual-use material as part of export control (initial list).</p> <p>3. Formulation of a biosafety and biosecurity plan.</p> <p>4. Organization of the national detection system.</p> <p>5. Establishment of requirements for the physical protection, during transport in Ecuador, of nuclear materials used for peaceful purposes.</p> <p>6. Analysis of the feasibility of peer exercises relating to biosafety and biosecurity (including with Chile and Colombia).</p>	Four years 2025–2028	Paras. 8, 9 and 10

<p>(iv) Awareness-raising and dissemination</p>	<ol style="list-style-type: none"> 1. Timely and comprehensive dissemination to academia and the private sector of information on international instruments, national regulations and activities carried in accordance with resolution 1540 (2004). 2. Coordination with the private sector, civil society and academia to enable them to take part in government efforts to combat terrorism and ensure the non-proliferation of weapons of mass destruction. 3. Assessment of academic institutions that offer degrees, courses or curricula related to resolution 1540 (2004). <ul style="list-style-type: none"> – Identification of the need to include content related to resolution 1540 (2004) in the curricula for degrees related to security. 4. Conduct of workshops and seminars on resolution 1540 (2004) with the involvement of the private sector. 5. Promotion of awareness-raising for foreign trade operators. 	<p>Two years 2025–2026</p>	<p>Paras. 8 and 10</p>
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