

Information Note¹

Events: The European Commission's Second Dialogue on Export Control Governance

Organizers: European Commission Directorate General for International Cooperation and Development

Date and Venue: 4-5 October 2018, Brussels, Belgium

Participants: Representatives from the Nuclear Suppliers Group, the Missile Technology Control Regime, Australia Group and Wassenaar Regime; representatives from countries partnering with the EU through the EU P2P programme on dual-use goods (including Ukraine, Albania, Montenegro, Kosovo, Tunisia, Morocco, Algeria, Philippines, Lao, Thailand, and others); representatives from civil society (including King's College London, Stimson Centre, Washington DC, Stockholm International Peace Research Institute, International Science and Technology Centre, Astana); representatives from the IAEA and OPCW; representatives from the UN (the 1874 Panel, the 1540 Group, the UN Secretariat team responsible for resolution 2231 (2015) and the JCPoA); representatives from states, including the US Department of State EXBS programme, and Japan; and the European Commission including the European External Action Service.

¹ For information – not an official report. The views expressed here do not necessarily represent those of the 1540 Committee nor the organisers or participants in the event.

Background

Under operative paragraph 2 of resolution 1540 (2004), all States must adopt and enforce appropriate effective laws to prohibit any non-State actor from manufacturing, acquiring, possessing, developing, transporting, transferring or using nuclear, chemical or biological weapons and their means of delivery, including related activities such as financing.

Under operative paragraph 3 (d) of resolution 1540 (2004) States must implement effective controls on export, transit, trans-shipment and re-export of nuclear, chemical or biological weapons and their means of delivery, including related materials, and also on the financing of such activities. States are required to establish and enforce appropriate criminal or civil penalties for violations.

Under operative paragraph 12 of resolution 2325 (2016), the 1540 Committee is asked to promote the full implementation by all States of resolution 1540 (2004), including in particular the need for more attention to enforcement measures; measures relating to biological, chemical and nuclear weapons; proliferation finance measures; accounting for and securing related materials; and national export and trans-shipment controls.

Overview

The meeting was organised by the European Commission Directorate-General for International Cooperation and Development in order to promote dialogue between export control regimes and countries implementing export controls. The detailed discussions offered insights into the challenges of development and implementation by some states of recent strategic trade control legislation. Discussions also focused on the challenges faced by the four major export control regimes (the Nuclear Suppliers Group, the Missile Technology Control Regime, the Wassenaar Arrangement and the Australia Group) regarding maintenance and update of their export control lists, particularly in the face of often rapidly developing and difficult-to-monitor technologies, and the procedures adopted by the EU and other states for incorporation of these updates into national export controls.

The meeting examined some of the issues surrounding the monitoring and assessment of potential threats from rapidly developing technologies, in particular

in the fields of additive manufacturing and the biotech sector, and challenges to controlling related intangible technologies.

Discussions were underpinned when appropriate by references to requirements of resolution 1540 (2004). In the margins of the meeting the 1540 Expert reminded country representatives of the assistance provisions of that resolution and of the Committee's role in this respect.

Additional Comments

For further information, please contact the 1540 Committee experts by e-mail at 1540experts@un.org.