

Information Note¹

- Event:** Workshop on the role of Implementing Legislation on the Chemical Weapons Convention in Addressing Threats Arising from Non-State Actors
- Organizer:** Organisation for the Prohibition of Chemical Weapons (OPCW) and the Government of Malaysia
- Date and Venue:** 9-11 April 2019, Kuala Lumpur, Malaysia

Background

- Resolution 2325 (2016) encourages relevant international, regional and subregional organizations to enhance cooperation and information-sharing with the 1540 Committee, on the issues related to the implementation of resolution 1540 (2004) (in operative paragraph 23). The resolution also encourages relevant 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 (in operative paragraph 25).
- In Resolution 2325 (2016) operative paragraph 15, the 1540 Committee was encouraged to continue to identify and compile effective implementation best practices and, upon request, to share appropriate effective best practices for implementing resolution 1540 (2004) with the States.
- On 30 January 2019, Hamza Khelif, Director of International Cooperation and Assistance Division, OPCW, sent a letter to the Chair of the 1540 Committee inviting a representative of the Group of Experts assisting the Committee to take part in the Workshop on the Role of Implementation Legislation on Chemical Weapons Convention (CWC) in addressing threats arising from non-State actors.
- One expert attended the workshop.

Overview

Mr. Dato' Ilankovan Kolandavelu, Chairman of the National Authority for the CWC of Malaysia opened the event, stressed that the risk of terrorists acquiring and misusing toxic chemicals constitutes a serious threat to peace and security in the region. Mr. Kesrat Sukasam, head of

¹ For information - not an official report. The views expressed here do not necessarily represent those of the 1540 Committee or of the organizers or participants in the event.

Implementation Support Branch of the OPCW also reiterated the importance of establishing effective regime for criminal accountability, when issues of non-state actors are increasingly eminent along with the destruction of chemical weapons is coming to end. He also stressed that ensuring effective legal measures are absolutely critical particularly in Asia region where chemical industry is growing rapidly.

Following to the contextualizing the threats by the OPCW and officials from Royal Malaysian Police and the National Authority of CWC, a 1540 Expert presented on key obligations of resolution 1540 (2004), emphasized the universal nature of legally-binding obligation on non-proliferation of chemical weapons to non-state actors. The 1540 expert then described the implementation status of resolution 1540 (2004) based on the 2016 Comprehensive Review in particular in the Asia Pacific region.

Representatives from UNODC and OPCW also discussed the relevant legal framework and existing regulatory mechanisms aiming to establish controls as a measure against the proliferation of chemical weapons. According to the OPCW legal officer, 33 out of 56 States Parties in Asia region have implementing legislation covering all of the initial measures.

Representatives from the OPCW, WCO and Australia subsequently discussed the importance of taking national action to ensure that chemicals that could be used as weapons do not fall into the wrong hands. Representatives from UNODC and INTERPOL then made presentations on their relevant activities to enhance countering chemical terrorism. UNICRI and EU CBRN CoE also introduced their recent engagement in the ASEAN member states to develop national action plans on CBRN.

There is also a dedicated timeframe for the assistance-providers to introduce their programs. The 1540 Expert provided information on voluntary national implementation action plans for the implementation of the resolution 1540 (2004), and the assistance program mechanisms of the 1540 Committee, including the ways in which States request assistance.

Participation from each country were composed of two to three persons who are the main stakeholders in implementing the CWC in each country, including legislation drafters, military personnel, custom officials, and police officers. Each country made presentations on the nature of terrorism threats affecting them, as well as the status of national implementation of the CWC. Among the participating states, Afghanistan, Brunei, Iraq, Myanmar, Nepal, Papua New Guinea, Philippines and Timor-Leste are yet to adopt national implementation legislation on CWC.

Additional Comments

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