

Information Note¹

Event: Participation of Mr. Jonathan Brewer, 1540 Committee Expert, in the National Legislative Workshop on Maritime Counter-Terrorism

Organizer(s): UN Office on Drugs and Crime (UNODC), International Maritime Organisation (IMO) and Ministry of Foreign Affairs of the Government of Bangladesh

Date and Venue: 10-12 July 2018, Dhaka, Bangladesh

Background

Operative paragraph 1 of resolution 1540 (2004) requires States to 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. Under operative paragraph 2, States are obliged to adopt and enforce appropriate and effective laws prohibiting such activities by non-State actors on their territories. Under operative paragraph 3 (d), 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.

The UNODC's Terrorism Prevention Branch (TPB) sent an invitation to the 1540 Committee Chair, requesting that a 1540 Committee expert be nominated to participate in a workshop on the "Implementation of Transport-related Maritime

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.

Counter-Terrorism International Legal Instruments”, and to lead discussions on relevant obligations under resolution 1540 (2004), at a workshop in Dhaka, Bangladesh, 10-12 July. The letter added that ideally the nominated Expert should have knowledge and experience relevant to the context of these regions, in particular on the transportation of WMDs by sea, and their financing. One 1540 Expert attended.

Highlights and overview

The Workshop was opened by the Bangladesh Foreign Minister, Mr Abul Hassan Mahmood Ali. He stated that one of the challenges for Bangladesh was to develop the legal infrastructure to guarantee security in Bangladesh’s areas of responsibility in the Bay of Bengal and Indian Ocean. The geopolitical framework was changing rapidly and the centre of gravity of world trade was shifting towards the region. Bangladesh needed to ensure its maritime interests were protected both in terms of economic development and security. He noted that although Bangladesh’s land-based counter-terrorism legislation was well-developed, further work was needed on maritime legislation. The Bangladesh Government was drafting a new Maritime Zone Act and had recently completed a strategy document for implementing related maritime and shipping instruments (2017-2022).

During the subsequent discussions, participants identified and analysed the challenges. These included the need to identify and assess the full range of risks, a lack of coordination with other governments in the region, a lack of compatible regional legislation and of judicial cooperation, a lack of policy or procedures to share information regionally, a lack of capacity to monitor vessel movements (over 100,000 take place in the Indian Ocean each year); and problems of smuggling and of piracy. Policy was needed on balancing trade facilitation and security, with better coordination between agencies and stakeholders involved. Ninety percent of Bangladesh trade is conducted by sea and maritime security legislation needed to be updated to reflect current security challenges.

The International Maritime Organisation offers a range of tools to assist states to meet their responsibilities under the Protocol of 2005 to the Convention for the

Suppression of Unlawful Acts against the Safety of Maritime Convention (SUA 2005) including measures against maritime transport of WMD-related goods and materials. However, the threat of illicit transfer or transshipment of WMD-related materials, or radiological materials, is thought to be currently low.

Bangladesh has a thriving banking sector and government mechanisms to coordinate the response of the financial sector to threats are well developed. For example, Bangladesh's implementation of UNSCRs relating to terrorism and financing of proliferation of WMD is monitored by the National Committee on Implementation of UN Security Council resolutions.

The final session of the workshop was dedicated to training requirements, and discussion focused on the need to update existing security legislation and to enhance capacity and expertise of law enforcement officials, including in relation to terrorist financing.

Additional Comments

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