

Information Note¹

- Event:** Workshop on “Implementing UNSCR 1540 (2004): Developing Export Controls”
- Organizer:** Inter-American Committee against Terrorism (CICTE) of the Organization of American States (OAS)
- Date and Venue:** 17 - 18 June 2024, San José, Costa Rica
- Participants:** Representatives from institutions of Costa Rica, including the Presidential Office, Ministry of Foreign Affairs, Ministry of Trade, Ministry of Public Security, Ministry of Health, Ministry of State, Ministry of Agriculture, Ministry of Animal Health, Ministry of Science, Ministry of Environment, Ministry of Justice, Financial Security Unit, Intelligence Service, COMEX, Police and Customs authorities.
Representatives from Brazil, Chile (virtually), US Embassy, DHL Regional Officer for Export Control, CICTE representatives and an Expert of the UN Security Council Committee established pursuant to resolution 1540 (2004).

Background

With a letter dated May 17, 2024 (S/AC.44/2024/NOTE.84) the Executive Secretary of the Inter-American Committee against Terrorism (CICTE) of the Organization of American States (OAS) invited the Chair of the 1540 Committee and a representative from the Group of Experts to participate in a workshop on “Implementing UNSCR 1540 (2004): Developing Export Controls”. The aim of the workshop was to strengthen the knowledge of Costa Rica’s public officials on Security Council Resolution 1540 (2004) and national measures to implement export controls. For that reason, a representative of the Group of Experts was requested to deliver relevant presentations.

This Workshop was of relevance to resolution 1540 (2004) and subsequent resolutions as follows:

- Resolution 1540 (2004):
 - Preambular paragraph: The Security Council, affirming that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes while goals of peaceful utilization should not be used as a cover for proliferation;
 - Paragraph 3d requires all States to establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations.
- Resolution 2663 (2022):

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.

- Preambular paragraph: The Security Council, emphasizing the need for States to take all appropriate national measures in accordance with their national authorities and legislation, and consistent with international law, to strengthen export controls, to control access to intangible transfers of technology and to information that could be used for weapons of mass destruction and their means of delivery, to prevent proliferation financing and shipments, and to secure sensitive materials;
- Paragraph 12 reiterates that the 1540 Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004) ... particularly noting the need for more attention, among others, on national export and transshipment controls;
- Paragraph 25 requests the 1540 Committee to continue to organize and participate in outreach events on the implementation of resolution 1540 (2004) at the international, regional, subregional, and, as appropriate, national level, including, as appropriate, inviting parliamentarians, as well as representatives of civil society, including industry and academia and promote the refinement of these outreach efforts to focus on specific thematic and regional issues related to implementation.

Highlights

The two-day workshop was attended by 43 representatives from different authorities of Costa Rica involved in the implementation of resolution 1540 (2004). The participants were actively involved in the discussions on various topics, table-top exercises, and interactive learning sessions. The agenda included presentations highlighting elements of an effective export control system, such as legal foundations, control lists, licensing procedures, industry compliance and cooperation between different national actors. This was underscored by sharing of experiences in export control development from Brazil's and Chile's perspectives.

The workshop enabled participants to engage in focused discussions on the implementation of resolution 1540 (2004) in Costa Rica with the main emphasis on export controls obligations. Furthermore, next steps to enhance the implementation of resolution 1540 in Costa Rica were discussed intensively and it was decided to continue working on a draft 1540 voluntary national implementation action plan.

Ambassador José Javier De La Gasca, the Chair of the 1540 Committee highlighted in his virtually delivered statement the importance of establishing appropriate controls over related materials as requested in paragraph 3 (d) of resolution 1540 and reiterated in the most recent resolution 2663 (2022).

Expert of the 1540 Committee delivered a presentation on “UN Security Council resolution 1540 (2004) – overview and obligations” and on “Costa Rica's national implementation” based on the approved 1540 Committee's matrix of December 2020. This provided a valuable opportunity to enhance awareness of the obligations under resolution 1540 (2004), including measures on export controls, as well as to provide information on the 1540 Committee's assistance mechanism and other tools to support national implementation.

Additional Comments

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