

## **Information Note to the UNSC 1540 Committee**

- Event:** Regional Capacity Building and Operational Plan Development Workshop on Counter-Proliferation Financing in West Africa
- Organizers:** Inter-Governmental Action Group Against Money Laundering in West Africa (GIABA) and Expertise France
- Date and Venue:** 21 and 22 March 2022, on a Zoom platform
- Participants:** Representatives from the Governments of Burkina Faso, Federal Republic of Nigeria, Guinea-Bissau, Republic of Benin, Republic of Cabo Verde, Republic of Côte d'Ivoire, Republic of The Gambia, Republic of Ghana, Republic of Guinea, Republic of Liberia, Republic of Mali, Republic of Niger, Republic of Senegal, Republic of Sierra Leone, São Tomé and Príncipe, Republic of Togo; GIABA Secretariat officials, representatives of the Financial Action Task Force, Asia-Pacific Group, Expertise France, UN Office of Drugs and Crime (UNODC), Royal United Services Institute (RUSI), and the 1540 Expert.

### **Objectives of Participation of the 1540 Expert**

- To provide presentations on the requirements of resolution 1540 (2004), in particular those relating to proliferation financing; differentiate proliferation financing requirements from other UN resolutions relating to WMD including the imposition of targeted financial sanctions; and emphasise that the 1540 Committee is not mandated to develop and see to the implementation of measures in the field of proliferation financing prevention;
- To describe the status of implementation in the West Africa region of relevant 1540 measures, based on updated Committee matrix data;
- To contribute to discussions as appropriate.

### **Background**

By means of a letter to the Chair of the 1540 Committee dated 11 March 2022, the Director General of the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA), Mr Kimelabalou Aba, requested the support of the technical team of the Committee in making a presentation on the requirements of the UN counter-proliferation financing frameworks and in

supporting the GIABA Secretariat in the facilitation of the event. The letter said that GIABA was trying to strengthen the capacities of stakeholders in its Member States and eventually to develop a regional Counter-Proliferation operational plan for West Africa. The objective of the Workshop was to enhance the understanding of the requirements of the international frameworks to counter proliferation and its financing in order to identify vulnerabilities and threats faced by countries in West Africa.

This meeting was of direct relevance to the 1540 Committee with regard to the following operative paragraphs (OPs) of resolution 1540 (2004) and 2325 (2016):

- Under operative paragraph 2 of resolution 1540 (2004), all States must adopt and enforce appropriate effective laws to prohibit any non-State actor from financing activities related to manufacturing, acquiring, possessing, developing, transporting, transferring or using nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes. In addition, under operative paragraph 3 all States must take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and, under operative paragraph 3(d), all States must establish appropriate effective national controls on providing funds and services related to export and trans-shipment of such items, including financing. All 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), paying particular attention to, inter alia, proliferation finance measures.

## **Highlights**

The workshop was opened by the GIABA Policy Review Group/Risk, Trends and Methods Group co-Chair who said that weapons of mass destruction were a global threat. She noted that the Financial Action Task Force (FATF) was focussed on WMD proliferation financing (PF) in terms of targeted financial sanctions and that designated individuals and entities were assisted by cyber criminals and the dark web in evading sanctions. In 2021 the FATF modified its Recommendations 1 and 2 to require jurisdictions, financial institutions and designated non-financial businesses and professions (DNFBPs), including virtual asset service providers (VASPs), to carry out risk assessments related to PF targeted financial sanctions, and to strengthen internal coordination mechanisms. One objective of the Workshop was to create a team of experts in the region who could return home capable of conducting risk assessments.

The GIABA Director for Policy and Research said that the Workshop was the beginning of a process by GIABA to properly assess PF in the region. He noted that the GIABA region was a region of low capacity. Jurisdictions faced challenges in terms of competing priorities and lack of expertise. In detail the Workshop would look at PF typologies in West Africa, how to counter proliferation financing, how to implement UN Security Council resolutions, develop awareness of relevant tools and develop regional plans.

The 1540 Expert made a presentation on the requirements of resolution 1540 in general, and the specific provisions related to funding and financing activities which come within the scope of the resolution. He emphasised the difference between the PF requirements of 1540, based on identified activities, and those of other UN resolutions relating to WMD including the imposition of targeted financial sanctions. He described the work of the 1540 Committee, emphasising that the Committee was not mandated to provide concrete recommendations regarding implementation of the resolution and that it was for States to decide how to implement requirements. He said that the Committee did not conduct assessments in this respect. He also noted that the Committee was not mandated to develop and see to the implementation of measures in the field of proliferation financing prevention.

Presentations on CPF legislative developments at a national level were made by the representatives of GIABA Member States. Representatives from FATF and the Asia-Pacific Group described FATF Recommendations relating to PF and their implementation. Technical presentations highlighting expertise and resources available to GIABA States were made by representatives from the UN Office of Drugs and Crime and the Royal United Services Institute, London. Topics covered during the Workshop included the nature of PF and international standards for combating PF, implementation planning at the jurisdictional level, best practices on implementation of obligations related to countering proliferation finance (CPF), scoping CPF including risks and policy issues at the regional and international levels, and guidance for the elaboration of a regional CPF operational plan for West Africa. The results of the discussions would be developed into a GIABA operational plan and strategy for CPF, to be presented by GIABA Secretariat and Expertise France at a second workshop in August 2022.

### **Additional Comments**

For further information, please contact the 1540 Committee experts by e-mail at [1540experts@un.org](mailto:1540experts@un.org)