

Information Note¹

Event:	29th Session of the Enforcement Committee of the World Customs Organization
Organized by:	World Customs Organization
Date and Venue:	4 – 5 March 2010, Brussels, Belgium
Participants:	Representatives from Customs Authorities of WCO members, International organizations, and 1540 Committee Expert.

1. Background

The Enforcement Committee, within the organizational chart of the World Customs Organization, is responsible for protecting the civil society against the trans-national organized crime studying vulnerabilities that can offer an opportunity for terrorist exploitation. Its mandate involves a wide range of activities relating to information and intelligence exchange, commercial frauds and smuggling, drug trafficking, money laundering, illicit trafficking in dual use items, including weapons of mass destruction related materials.

2. Overview

The presentation made by the 1540 Committee expert focused in particular on aspects and contents of the resolution 1540 (2004) relevant to customs and also on areas of cooperation with the WCO.

In particular, it was highlighted that resolution 1540 (2004) and the mandate of the WCO share many security objectives such as to combat illicit trafficking in nuclear, chemical and biological weapons as well as their means of delivery and their related materials, considering that non-State actors, including terrorists, can use such weapons as well as their means of delivery and their related materials to commit terrorist acts.

Operative paragraph 3 of the resolution calls for all States to adopt measures to establish controls to prevent the proliferation of such weapons, including appropriate export, transit, transshipment controls over related materials as well as controls on brokering and end users. Of course, such measures are to be taken without hampering international cooperation in trade.

Moreover, the presentation stressed the importance of the adoption of national control lists as a tool to create a consistent barrier against illicit trafficking and to avoid diversion of trade flows as well as deter terrorist and criminal organizations to choose specific countries because of the lack of legislation and enforcement.

Another point in common with the WCO, underlined during the presentation, was the role of industry in the fight against illicit trafficking in WMD related materials and how the standards elaborated and agreed

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in the second pillar of the SAFE can assist States in their efforts in implementing resolution 1540 (2004), bearing in mind that implementation and an outreach strategy to industry is a prerogative of States.

Finally, the expert pointed out the issue of cooperation and assistance with the WCO.

By discussing the nature of the threat of illicit trafficking in nuclear, chemical and biological items with member States, in particular for terrorism purposes, and stressing the importance of enhancing security worldwide, the WCO will have a unique opportunity to raise further awareness about the issues and challenges involved.

During the presentation was also underlined that the 1540 Committee is available to receive assistance requests and, through resolution 1810 (2008), has a strengthened role to match such requests with offers. The Committee has established a Working Group on assistance. Assistance delivered through the Committee can supplement the WCO programme by providing States with technical legislative assistance, equipment and training in order to establish an efficient risk management and, consequently, an export control system. This represents another interest in common between the 1540 Committee and the WCO.

Some important issues surely relevant for resolution 1540 (2004) and the work of the 1540 Committee have been discussed during the 29th session of the WCO Enforcement Committee, such as:

- Commercial frauds. Some aspects of Customs commercial fraud, in particular overvaluation, have been linked to money laundering and financing activities.
- Cash smuggling.
- Cooperation with international organizations to assist governments to create sustainable enforcement structures to minimize the risk of maritime containers being exploited and used for illicit trafficking, transnational organized crime and other forms of black market activity.

3. **Additional comments**

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