

## Information Note<sup>1</sup>

- Event:** Pilot Workshop on Implementing Legislation for the Comprehensive Nuclear-Test-Ban Treaty
- Date and Venue:** 1-4 November 2011; Vienna, Austria
- Organizers:** Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO)
- Participants:** *States:* Senior officials from Mexico, Panama and the Dominican Republic.  
*International Organizations:* CTBTO, IAEA, UNODC/Terrorism Prevention Branch (UNODC/TPB), 1540 Committee expert.

### 1. Objectives

- Provide a forum for officials and experts to analyze and evaluate, in the context of existing national provisions, the main elements of the legislation that can contribute to preparations for implementing the Comprehensive Test-Ban-Treaty, and assist also with implementing resolution 1540 (2004).
- Provide assistance to States Signatories participating in the drafting of legislation and legal advice in adopting measures relating to the implementation of the CTBT and also resolution 1540 (2004) as appropriate.
- Contribute to comparative analysis of existing national provisions and the various approaches to the implementation of the CTBT, other related treaties and resolution 1540 (2004).
- Contribute to the development of tools for legislative assistance from the Commission.
- Exchange of information with the States and the international organizations on the development of mutual complementary legislation to the nuclear area.
- Introduce relevant elements of UNSC resolution 1977 (2011) to meeting participants.
- Identify prospective areas for future cooperation between the 1540 Committee and experts with the Preparatory Commission for the CTBT.

### 2. Background

The workshop brought together participants from three signatory States (Mexico, Panama and Dominican Republic ) interested in implementing the CTBT based on identified needs and taking into account obligations in related international legal instruments, including resolution 1540 (2004).

The workshop combined general and specific presentations, text analysis and drafting sessions. The meeting agenda included an overview on the Comprehensive nuclear-test-ban treaty; nuclear weapons free areas in particular implementation of the

---

<sup>1</sup> For information – not an official report. The views expressed here do not necessarily represent those of the 1540 Committee or of the organisers or participants in the event.

Tlatelolco Agreement, and the cooperation agreement between OPANAL and the CTBTO; analysis and discussion of legal and administrative measures to implement the CTBT including during the preparatory phase; exchange of experiences and national approaches to the adoption of measures and legislation to prepare to implement the CTBT; identification of needs for legal advice in the context of existing national legislation.

### **3. Highlights**

In the context of existing legislation and the necessary adoption of new legislation to cover some obligations required by international agreements to which states are members, representatives of the IAEA, UNODC/TPB and the UNSCR 1540 Committee expert, gave presentations on the obligations required by their respective mandates to help States keep those in mind when drafting national legislation to implement the CTBT. The combination of legal and technical experts from different national institutions in a single meeting enabled the subject to be approached in an integrated and comprehensive manner.

The pilot workshop served to identify and initiate the elaboration of legislative and/or administrative measures that are necessary or appropriate in participating States and to have a wide exchange on the programme of legal assistance of the Commission. Different examples of lessons learned and ‘best practices’ were also presented during this Pilot Legislation Project. The structure and methodology of the workshop enabled discussions to focus on national needs to achieve concrete results.

Other international instruments such as those related nuclear weapons free zones (the Treaty of Tlatelolco), nuclear law (eg, related to nuclear security and non-proliferation), resolution 1540 (2004), terrorism and weapons of mass destruction, were discussed regarding some aspects be taken into account in the context of the CTBT. The representatives of participating organizations could identify and clarify differences as well as respective specificities of the different legal instruments, so that relations between them are not generalized. In particular, the subject of criminalization was addressed and sample provisions were drafted comprising the prohibitions of resolution 1540 related to the nuclear aspect, the CPPNM and its Amendment, the Nuclear Terrorism Convention and the CTBT.

Draft texts of legislative provisions were elaborated (framework legislation, national authority decree, penal provisions), taking into account the priorities and needs identified by participating countries. It was recommended that the Legislation Guide be reviewed for Latin American countries, in line with the common specificities of the legal systems of the region, on the basis of the proposals discussed during the workshop.

Furthermore, in some cases providers and facilitators of legal assistance might consider coordinating joint assistance when possible to avoid duplication of provisions and efforts, given that many countries may have limited resources to address the implementation of the growing number of international instruments.

### **4. Additional comments**

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