

Information Note¹

- Event:** Regional Workshop on Customs Procedures and Licensing Issuance: Integrating the National Processing of Dual Use Goods and Conventional Weapons through Information Sharing
- Date and Location:** 24-26 January 2012; Valletta, Malta
- Organizer:** Conflict Prevention Center of the Organization for Security and Co-operation in Europe (OSCE) in cooperation with United Nations Office for Disarmament Affairs (UNODA)
- Participants:** *States:* Cyprus, Germany, Israel, Jordan, Lebanon, Malta, Switzerland, Tunisia, United States.
International organizations and other entities: OSCE, World Customs Organization (WCO), UNODA, UN 1540 Committee expert
Private sector: Conflict Armament Research Ltd.

1. Objectives of 1540 participation

- Deliver a presentation on the facilitation of implementation of resolution 1540, focusing on its export control and enforcement requirements.
- Participate in a syndicate exercise group where participants discuss scenarios to facilitate interaction between export control licensing agencies and customs administrations.
- Identify experiences and practices as presented by State participants that can facilitate implementation of resolution 1540 in the areas of the workshop.
- Conduct dialogues with State participants regarding further implementation of resolution 1540, noting as applicable, requests or offers of assistance as relevant.
- Continue cooperation between the 1540 Committee/experts and the OSCE regarding implementation, and related assistance, of resolution 1540 by OSCE participating States and Mediterranean Partners for Co-operation.

2. Background

The general purpose of the workshop was to promote national inter-departmental and regional co-operation in export control licensing offices and customs services among OSCE Mediterranean Partners for Co-operation to contribute to countering the illicit trafficking of weapons and dual-use goods. The workshop also aimed to raise awareness of norms and measures that encourage information exchange among customs agencies at the regional level. Some of these measures are noted in the OSCE Border Security and Management Concept (www.osce.org/mc/17452) intended to mitigate threats without restricting commercial trade and transport.

3. Highlights

Processes and practices of information sharing between the work of customs administrations and licensing authorities on the movement of goods across borders was a common theme in the various Sessions. Licensing is a main element of an export or strategic trade control system which in turn also contributes to meeting international commitments, *inter alia*, related to non-proliferation of WMD. A

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speaker noted that export controls are a preventive measure and do not primarily aim to detect illicit procurements, but rather identify transfers of WMD-related materials. The speaker also made a presentation on end-user controls which establish accountability of the use of commodities that are traded.

While noting that each country approaches the balance between trade facilitation and security differently, key elements of an effective export control were presented to include:

- Comprehensive and clear primary legislation and implementing regulations, including:
 - control list(s),
 - catch-all mechanism (end-use related controls) for non-listed items,
 - covering all actors in the supply chain.
- Licensing system
- Enforcement system (involving customs, border police, police, intelligence, prosecutors, etc.)
- Effective administrative / criminal sanctions
- Outreach to industry and research community
- Policy-making mechanism
- Inter-agency cooperation on all levels
- International information exchange and cooperation.

In line with resolution 1977 (2011), the 1540 Committee expert presentation shared practices of interest that include:

- identification of States' national mechanisms to monitor export, transit and transshipment of dual-use items while also addressing trade facilitation, security risk assessment and detection capabilities;
- the role of integrated border management to enhance national capacities for more effective export and border control;
- identification and use of communication channels across government departments, in particular between export licensing authorities and customs administrations, for exchange of information that could also contribute to implementation of resolution 1540;
- the role of the economic private sector to contribute to increased transparency and improve implementation of resolution 1540..

The OSCE has a “Best Practice Guide on UNSCR 1540 Export Controls and Transshipment” (FSC.DEL/65/09/Rev.3*, www.osce.org/fsc/41446), and the WCO a publicly available Risk Management Compendium that meets a need to define a common approach as customs administrations increasingly work with one another around the world, while being flexible enough to accommodate national circumstances (www.wcoomd.org/learning_customshome_valelearningoncustomsvaluation_rmc.htm). An additional section was produced in 2012 for customs administrations, so to foster cooperation in the field of risk management as information is collected from members of government and can be discussed between them.

4. Bilateral consultations

The 1540 Committee expert provided each country with its 1540 Committee matrix and dialogued on possible updates, including on the provision of additional information to the 1540 Committee.

5. Additional comments

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