



SEMINAR ON ASSISTANCE AND CAPACITY-BUILDING IN THE CONTEXT OF UN SECURITY COUNCIL RESOLUTION 1540, DISARMAMENT AND NON-PROLIFERATION

**9 DECEMBER 2016
ADDIS ABABA, ETHIOPIA**

CONCLUSIONS



BACKGROUND AND OBJECTIVES

1. The seminar on Assistance and Capacity-building in the context of United Nations Security Council Resolution (UNSCR) 1540, Disarmament and Non-Proliferation was held on 9 December 2016, at the African Union (AU) Headquarters in Addis Ababa. The seminar was held in collaboration with the Institute for Security Studies, with financial support from the Government of Denmark.
2. The seminar was attended by representatives of the following Member States: Burkina Faso, Comoros, Ethiopia, Gabon, Guinea, Lesotho, Libya, Malawi, Mali, Namibia, Niger, Somalia, Sudan, Togo, Zimbabwe. Representatives of Canada, Norway, Spain, Sweden, and the European Union (EU) also attended. The Regional Economic Communities that participated in the meeting were the Inter-Governmental Authority on Development (IGAD) and the Southern African Development Community (SADC). The seminar was also attended by the New Partnership for Africa's Development Agency's African Biosafety Network of Expertise (ABNE), the United Nations Centre for Peace and Disarmament in Africa (UNREC), the United Nations Interregional Crime and Justice Research Institute (UNICRI), the United Nations Office on Drugs and Crime (UNODC), the Biological Weapons Convention Implementation Support Unit (BWC-ISU), as well as the Foundation for Strategic Research (FRS), the Geneva Centre for Security Policy (GCSP), the International Federation of Biosafety and Biosecurity Association (IFBA) and the Trench.
3. The seminar was organized within the framework of the Common African Defense and Security Policy, adopted by the 2nd Extraordinary Session of the Assembly of the Union, held on 28 February 2004 in Sirte, which recognizes that the accumulation, stockpiling, proliferation and manufacturing of nuclear, chemical and biological weapons, and their means of delivery, pose a threat to regional security and calls for collective efforts by Member States. The seminar was also organized within the framework of the decision of the 20th Ordinary Session of the Assembly of the Union, held from 27 to 28 January 2013 in Addis Ababa, which requested the Commission to take the necessary steps to further promote and enhance the implementation of UNSCR 1540 in Africa.
4. The objectives of the seminar were to: present and discuss the directory initiated by the ISS of assistance programs available in the chemical, biological, radiological and nuclear areas; inform participants of major assistance and capacity-building programs available for African States; inform participants on main topics discussed and decisions taken at the 8th Review Conference of the Biological and Toxin Weapons Convention (BTWC) and discuss the implications for future implementation; and, inform participants on the current status of the Hague Code of Conduct against the Proliferation of Ballistic Missiles (HCoC) and garner their views on possible next steps.

5. The meeting covered related topics including the role of UNSCR 1540 in the prevention of proliferation of weapons of mass destruction (WMD) to non-state actors; the role of the 1540 Committee as a clearinghouse facilitating match-making between requests and offers of assistance; and, the threat of weapons of mass destruction and terrorism.

HIGHLIGHTS

6. The meeting was opened by Dr. Tarek A. Sharif, Acting Director of the Peace and Security Department of the AU Commission, and H.E. Mr. Alfred Dube, Regional Head of the Addis Ababa ISS Office. In his opening remarks, Dr. Sharif presented the AU's mandate in tackling CBRN challenges established in the framework of the Common African Defense and Security Policy, and the lead role assumed by the AU Commission in providing a continental forum to advance the implementation of the WMD regimes. Dr. Sharif presented the objectives of the seminar, to not only advance the security objectives of the WMD instruments, but also advance Member States capacities to benefit from the peaceful applications of CBRN science and technology. On his part, H.E. Mr. Dube underscored that controls over dual-use equipment, materials and technology aligns directly with Africa's economic growth and development goals. Ambassador Dube praised the AU Commission for its active role in promoting the implementation of UNSCR 1540 on the continent, since the designation in 2011 of a regional coordinator for UNSCR 1540 in the person of Dr. Sharif, and expressed the intent of the ISS to continue to provide its support to activities undertaken by the AU Commission in the chemical, biological, radiological and nuclear (CBRN) areas.
7. The first session was devoted to assistance and capacity building in the context of resolution 1540.
8. Ms. Einas Abdalla Mohammed (AU Commission) described the role of the AU in support of capacity-building efforts by its Member States. The Senior Policy Officer on Disarmament and Nonproliferation highlighted the Working Paper submitted by the AU to the 1540 Committee as a contribution to the Comprehensive Review of Implementation of resolution 1540 conducted in 2016 at the request of the UN Security Council. The AU Working Paper calls for a proper balance between non-proliferation and development needs, and identifies as priority areas: disarmament education and enhancing understanding of WMD security and terrorism; promoting regional approaches and engaging regional organizations; national regulatory frameworks and export controls; building on synergies between UNSCR 1540 and multilateral regimes; improving UNSCR 1540 assistance framework. Furthermore, Ms. Mohammed pointed out areas for future AU engagement: enhancing the AU capacity to coordinate and channel assistance; development of model legislation; common approach and harmonized export controls; training programs for national points of contact; and, targeted assistance to states in reporting and implementation.

9. Mr. Nicolas Kasprzyk (ISS) provided an overview of capacity-building mechanisms in the framework of UNSCR 1540 and other relevant international instruments. The ISS consultant and former 1540 Committee expert highlighted important dynamics on the African continent related to WMD non-proliferation, including: the prioritization of UNSCR 1540 in national strategies related to disarmament, non-proliferation and counter-terrorism; the increased involvement of the private sector and the academia; the active and increasing role played by the AU to raise awareness, sensitize, train and facilitate assistance delivery; the increasing role by Regional Economic Communities on matters related to UNSCR 1540. Mr. Kasprzyk described the AU as ideally positioned to liaise both with AU Member States and with assistance providers on capacity-building issues, to assist in shaping continent dynamics. In this context, further strengthening the AU Peace and Security Department would prove useful, in view of the needs for assistance on the continent.

10. Mr Alain Botre, Political Affairs Officer at UNREC, highlighted as an effective practice the designation of a national focal point, to facilitate coordination at the national level and dialogue with international partners including assistance providers. The UNREC representative presented the submission of a national report to the 1540 Committee as a major first implementation step. In this context, states that have not submitted a report yet are welcome to rely on UNREC assistance. In liaison with the 1540 Committee, UNREC can assist in the identification of loopholes and in the preparation of a UNSCR 1540 national implementation action plan. Furthermore, Mr. Botre emphasized as effective practices the involvement of the legislative power and the sharing of experience among States. The UNREC representative also identified remaining challenges, which include: insufficient human resources allocated at the national level to UNSCR 1540 and WMD non-proliferation; difficulty to ensure proper coordination among relevant agencies; and, the important number, on the African continent, of States that have not submitted yet a national report to the 1540 Committee, more than ten years after the adoption of UNSCR 1540.

11. Mr. Khalid Abdelrahman, the Pillar Head of Security Institutions Capacity-building at IGAD Secretariat (Security Sector), shared the experience of the IGAD Secretariat in support of capacity-building. Mr. Abdelrahman underscored the distinction to be made between soft capacity-building (such as reporting, adapting the legal and regulatory framework, establishing coordination mechanisms, developing mechanisms to involve the industry and the private sector) and hard capacity-building (such as deploying and using detection and analysis equipment, establishing physical protection measures, enhancing enforcement capabilities), underscoring that both kinds of capacity-building in the CBRN area contribute to security and to development. Mr. Abdelrahman highlighted the important role of the Regional Economic Communities in tackling CBRN terrorism through different avenues: providing a political platform and meetings as opportunities for the Member States to share experiences and lessons learned; raising awareness of relevant international instruments and promoting their ratification and effective implementation; training national criminal justice and law enforcement officials; and, enhancing regional and international cooperation in criminal matters related to CBRN terrorism. Regional Economic Communities can assist

their Member States in identifying needs and in obtaining technical assistance, for instance in the areas of export and border controls. Mr. Abdelrahman emphasized that priority should be given to States that could potentially be targeted by illicit networks or terrorist groups. In tackling CBRN terrorism and proliferation, the IGAD Secretariat is guided by the IGAD Peace and Security strategy and its Strategic Priority Areas: strengthen the IGAD Security Sector Program; promote institutional and normative frameworks to combat transnational security threats (TSTs); enhance cooperation in addressing TSTs including CBRN threats; enhance the institutional and human capacities of the IGAD Member States. Mr. Abdelrahman gave an overview of actions undertaken by the IGAD Secretariat on CBRN matters, including in particular in relation to UNSCR 1540 and the Chemical Weapons Convention. The IGAD representative identified several lessons learned including: competing national developmental and security priorities; limited human capacities and financial resources; difficulty to establish inter-ministerial cooperation and coordination. Almost all IGAD Member States face resource limitations. Furthermore, the level of illicit trafficking of CBRN materials is insufficiently documented, making it difficult to assess the level of threat and, therefore, of the response needed. The IGAD representative identified areas for future work: enhance regional capacity-building efforts, including through national workshops in 2017-2018; facilitate technical missions to support Member States in their capacity-building efforts; accelerate the establishment of an IGAD platform for regional coordination on TSTs including CBRN; and, promote the designation of a 1540 national focal point by each of the Member States. The IGAD representative expressed his willingness to further rely on the ISS for some of the activities. In the discussion that followed the presentation by the IGAD, the Senior Policy Officer on Disarmament and Nonproliferation at the AU Commission expressed an interest that the AU and the ISS undertake a project aimed at assessing CBRN risks and threats on the African continent.

12. Dr. Woldeyesus Sinebo, Program Officer at NEPAD's ABNE, described its mandate and role on biosafety and biosecurity. The ABNE aims at supporting African regulators and policymakers, with science-based information. It maintains its credibility by fact-based neutrality. Every year, in-country activities such as biosafety training workshops are conducted to improve the functionality of biosafety regulatory systems in individual countries. Biosafety study tours and internships provide firsthand experience of functional regulatory systems through seeing-is-believing tours on the continent and elsewhere. Biosafety courses also form an integral component of ABNE activities in Africa. These short courses are carried out at African universities and in the United States at the Michigan State University. The ABNE provides its support in the development of biosafety guidelines, standard operating procedures and regulations. It facilitates policy dialogue through networking activities that bring together African regulators, policymakers, scientists, and other relevant stakeholders at national, regional and international levels. Dr. Woldeyesus Sinebo highlighted emerging regulatory concerns, related in particular to synthetic biology, genome editing and gene-drives. Some of them have the potential to be security game changers, and need to be adequately addressed.

13. Ms. Alma Pintol, the regional coordinator of the CBRN Centre of Excellence for Eastern and Central Africa, presented the initiative, funded by the European Union, which aims at mitigating risks related to CBRN material and agents, through a comprehensive approach based on prevention, preparedness and response. Eight regional secretariats have been established, including three in Africa. The regional secretariat for the African Atlantic Façade involves Benin, Cameroon, Côte-d'Ivoire, Gabon, Liberia, Morocco, Mauritania, Senegal and Togo. The regional secretariat for Eastern and Central Africa involves Burundi, the Democratic Republic of Congo, Ghana, Kenya, Malawi, Rwanda, the Seychelles, Tanzania, Uganda and Zambia. The regional secretariat for Northern Africa and Sahel involves Algeria, Burkina Faso, Libya, Mali, Morocco, Niger and Tunisia. Ongoing discussions with other African countries suggest that the participation in the regional secretariats could soon be further expanded. The CBRN Centres of Excellence initiative contributes to the building of capacities, by facilitating the identification of needs, priorities and plans, and by making available the necessary assistance. States that decide to join the initiative do so on a voluntary basis. From 2009 to 2013, 60 projects have been funded, for a total budget amounting to 109 million euros. Thirteen projects are currently taking place in Africa. In terms of next steps, Ms. Alma Pinto highlighted the strengthening of regional and interregional collaboration, the strengthening of the cooperation between the initiative and the AU, and increased synergies between national focal points designated in the framework of the initiative and UNSCR 1540 national focal points.

14. Mr. Emmanuel Farhat, Program Officer at UNODC Terrorism Prevention Branch and formerly a magistrate in the French judiciary system, introduced his presentation by highlighting the reality of the CBRN threat: there is no doubt that non-state actors are actively seeking to acquire weapons of mass destruction, with the objective of using them. What was considered as a possibility until recently, has now become a certainty. Mr. Farhat presented the three main activity areas of the UNODC in preventing CBRN terrorism: normative work; field-based technical assistance projects; and, research and international counter-terrorism treaties, including in particular the 1979 Convention on the Physical Protection of Nuclear Material and its 2005 Amendment, the 1997 Terrorist Bombing Convention, the 2005 Nuclear Terrorism Convention, the 2005 Maritime Navigation Protocol, the 2005 Safety of Fixed Platforms Protocol, the 2010 International Civil Aviation Convention, and relevant international instruments such as UNSCR 1540. The UNODC representative emphasized that the international legal framework against terrorism provides ample coverage of CBRN-related offences. By implementing the counter-terrorism legal instruments, States meet many of their obligations under UNSCR 1540. The UNODC representative presented technical assistance tools and publications made available to States, and underscored that the UNODC is increasingly devoting resources to assist Member States in ratifying and effectively implementing the international counter-terrorism instruments and in fulfilling several of their obligations under UNSCR 1540.

15. Ms. Jane Asani, Political Advisor in the Ministry of Foreign Affairs and International Cooperation of Malawi, shared the experience of her country in building capacities in the CBRN areas. It took several years to Malawi to submit a national report on the

implementation of UNSCR 1540. The reason was that the objective of Malawi was effective implementation of UNSCR 1540. It would have been easier to submit a report immediately after the adoption of the resolution, but Malawi wanted to submit a report as part of an implementation process. In this regard, Ms Jane Asani emphasized, the visits conducted in Lilongwe by the 1540 Committee experts and the workshops organized by UNREC have been particularly useful, to raise awareness among national stakeholders and guide the drafting of a UNSCR 1540 national implementation action plan. The UNSCR 1540 national implementation action plan has established the framework now used by Malawi to adapt its legislation and build its technical capacities. Ms. Jane Asani emphasized the need to ensure proper coordination among relevant national stakeholders. In this regard, UNSCR 1540 served as a useful vehicle to establish a coordination committee on CBRN matters.

16. Ms. Maria Rettori, Senior Fellow at UNICRI, discussed the matter of CBRN action plans. As implementation agency of the EU for the CBRN Centres of Excellence initiative, UNICRI has acquired first-hand experience in the elaboration of CBRN actions plans, in countries and regions facing different situations. Ms. Rettori defined a National CBRN action plan as a strategic document identifying risks, existing capabilities and gaps, and actions to undertake. The plans are elaborated by States on a voluntary basis. The UNICRI representative described the elaboration process, which relies on a National Focal Point and a National CBRN team. Ms. Maria Rettori highlighted synergies between CBRN action plans and UNSCR 1540 implementation action plans. To date, 21 countries have prepared CBRN action plans, including 9 from Africa: Burundi, Côte d'Ivoire, the Democratic Republic of Congo, Gabon, Kenya, Morocco, Senegal, the Seychelles and Uganda. Ms. Maria Rettori gave an overview of several initiatives undertaken by UNICRI to foster cooperation with international partners on capacity-building matters, including launching a repository of biosafety and biosecurity projects. Initiated in the context of the Global Partnership Working Group, the repository is a secure web-based platform which allows users to store, organize and share information on past and current activities. The UNICRI representative shared effective practices and lessons learned in managing projects, emphasizing the need to understand the cultural context and to rely on local experts for better results.
17. Mr. Nicolas Kasprzyk presented the *directory of CBRN assistance and capacity-building programmes available for African states* developed by the ISS with financial support from the government of Denmark. The directory was designed as a dynamic document to support capacity-building efforts on the continent. For each assistance provider, the directory, which is available on the ISS website (<https://issafrica.s3.amazonaws.com/site/uploads/research-directory-cbrn.pdf>), provides a description of assistance activities, identifies relevant points of contact and lists specific programs and projects related to Africa and African states. The directory is based on information shared by the assistance providers with the ISS, and on publicly available official information. In the discussion that followed the presentation of the directory, participants expressed their support to the initiative. The African Union encouraged the ISS to explore the possibility to transform the directory into an interactive document and to have it updated on an ongoing basis.

18. The second session was devoted to the 8th Review Conference of the BTWC, which took place in Geneva, Switzerland, from 7-25 November 2016.
19. Mr. Hermann Lampalzer, Senior Political Officer at the BWC-ISU, presented the process and outcome of the Review Conference. One hundred and thirty States have participated in the Review Conference: 124 States Parties, 4 signatories (including 2 African States: Somalia and Tanzania) and two States which are neither Parties nor signatories (including 1 African State: Eritrea). This constitutes the highest attendance in a BTWC Review Conference. Eighty-three working papers have been submitted by States Parties. The Final Document adopted by the Conference confirms the principle of an Intersessional Program. Compared to the previous Intersessional Program, the one that will extend from 2017 to 2020 is very limited; while meetings of States Parties will continue to take place on an annual basis, the mechanism of annual meetings of experts is abandoned. The Conference has decided to renew the mandate of the BWC-ISU. However, the number of staff working at the BWC-ISU will be kept at the same level, and not increased as it had been proposed by some delegations. On assistance and capacity-building, Mr. Hermann Lampalzer noted that the Conference has decided that the cooperation database maintained by the BWC-ISU is continued and improved. The Conference has also decided to renew the sponsorship program. While many States Parties have expressed disappointment and dissatisfaction with the outcome, concluding statements have also highlighted that excellent and constructive ideas have been presented, which represent a resource for future work. Mr. Hermann Lampalzer presented projects that will be kicked off in 2017 by the BWC-ISU, with financial support from the EU (Council Decision 2016/51): project 1 will support BWC universalization including through in-country visits and a regional workshop for Africa; project 2 will engage the experts community on science and technology, biosafety and biosecurity, with the objective of establishing a virtual network of experts; project 3 will support the development of capacities, through extended assistance programs.
20. Mr. Jean-Paul Zanders, an expert on disarmament and non-proliferation issues in the biological and chemical areas, and the Director of The Trench, a non-governmental organization, shared his views on the Review Conference. In many aspects, the outcome is a source of disappointment. The decision not to increase the number of staff working for the BWC-ISU – which will continue to rely on 3 individuals only - confirms the inability of the international community to strengthen the BTWC with a more solid institutional body. Abandoning the mechanism of annual experts meeting is also a serious drawback, as such meetings have proved so valuable to explore technical matters. The lack of flexibility shown by some delegations made it impossible to reach consensus on substantial proposals. The Non-Aligned Movement itself was utterly divided, in particular because of the Islamic Republic of Iran, which refused any compromise. In spite of the disappointment, Mr. Zanders considers that the outcome of the Review Conference opens “a time for opportunities”, in which African States can exert a strong influence.

21. The third session was devoted to the Hague Code of Conduct against the Proliferation of Ballistic Missiles (HCoC).
22. Ms. Emmanuelle Maitre, Senior Researcher at Foundation for Strategic Research, gave an overview of the HCoC, noting its relevance for African States. In spite of some weaknesses, such as the lack of an international verification mechanism and its non-binding nature, the HCoC does strengthen international peace and security, by promoting transparency in the area of ballistic missiles. By subscribing to it, States affirm their commitment to the objectives of disarmament and non-proliferation, and signal their expectation that States with ballistic missiles capabilities will show restraint.
23. The meeting was concluded by Ms. Einas Abdalla Mohammed who, on behalf of the AU Commission, expressed her appreciation for the seminar and for the role played by its participants in building CBRN non-proliferation capacities on the continent.

WAY FORWARD

24. To further support capacity-building by its Member States, the AU Commission will explore available options related to: enhancing the AU capacity to coordinate and channel assistance; development of model legislation; common approach and harmonized export controls; training programs for national points of contact; and, targeted assistance to states in reporting and implementation. The ISS will explore the possibility to transform the inventory of assistance programs into an electronic and interactive tool, which would be updated on an ongoing basis. The ISS will also explore the possibility to initiate a study of CBRN risks and threats on the African continent. Other ideas have been shared at the seminar, which will pave the way to strengthened cooperation and capacity-building activities.