

Countering Proliferation Threats Global & Multilateral Efforts

International Authorities

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Contribution to Counterproliferation

- **Delegitimize WMD possession/
proliferation**
 - Some norms directly impede proliferation:
require destruction, inspections, declarations
- **Legitimize use of other
counterproliferation tools**
- **Bolster the bulk of countries in not seeking
WMD/missiles or assisting proliferation.**

International Authorities

Two Key Sources:

- Global Treaties

- UN Security Council Resolutions

Treaties

Nonproliferation Treaty

Biological Weapons Convention

Chemical Weapons Convention

The Nonproliferation Treaty

- Opened for signature in 1968, entered into force 1970.
- 190 Parties, including all GCC members.
- **Article I:** Nuclear Weapon States Parties agree **not to transfer** nuclear weapons/explosive devices (or control over such)
- **Article II:** Non-nuclear Weapon States Parties agree **not to receive** the transfer of nuclear weapons/explosive devices (or control over such)
- **Article III:** Non-nuclear Weapon States Parties agree **to accept Safeguards, and not provide unsafeguarded fissile materials** to Non-nuclear Weapon States

The Biological Weapons Convention

- Entered into force 26 March 1975
- 165 members, including all GCC countries
- **Article I** BWC prohibits States Parties from developing, producing, stockpiling, or otherwise acquiring or retaining biological agents and toxins, or related biological weapons or equipment.
- **Article III** BWC obliges States Parties to prevent the transfer of materials which might assist the manufacture, or any means of acquiring, biological weapons.

Chemical Weapons Convention

- Entered in force April 29, 1997
- 188 members, including all GCC countries
- **Article I** prohibits States Parties from assisting, encouraging or inducing anyone to engage in activity prohibited by the Convention, or from developing, producing, acquiring, stockpiling, or using chemical weapons.
- **Article VI** requires States Parties to ensure that the development, production, acquisition, retention, transfer or use of toxic chemicals and their precursors does not take place for purposes prohibited by the Convention.
- In addition, **Parts VI, VII , and VIII of the Annex on Implementation and Verification** impose specific declaration requirements and restrictions on the trade in chemicals listed in the Schedules to the Convention.

UN Security Council Resolution 1540

UNSCR 1540 calls upon and requires Member States to:

- Refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.
- Adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them.

UN Security Council Resolution 1540

- 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 to this end shall:
 - Take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;
 - Adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral nonproliferation treaties.

UN Security Council Resolution 1540

UNSCR 1540 also requires Member States to develop and maintain appropriate and effective:

- Measures to account for and secure such items in production, use, storage or transport;
- Physical protection measures;
- Border controls and law enforcement efforts to detect, deter, prevent and combat illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;
- National export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export, and controls on providing funds and services related to such export and trans-shipment such as financing;

DPRK & Iran UNSCRs

DPRK

- 1718 (2006)
- 1874 (2009)

Iran

- 1737 (2006)
- 1747 (2007)
- 1803 (2008)
- 1929 (2010)

DPRK & Iran UNSCRs

Among their other provisions, the resolutions prohibit WMD-related and most conventional arms-related transfers to, from, and by Iran and the DPRK and authorize and/or obligate states to take specific actions to prevent prohibited shipments. While the precise provisions differ slightly between the DPRK and Iran resolutions, these actions generally include:

- Calling upon states to inspect suspected proliferation-related shipments to and from both countries that pass through their territories, or on their flag vessels and aircraft;
- Provisions for states to inspect vessels on the high seas with the consent of the flag state;
- Obligating states to seize and dispose of prohibited items discovered during inspections;
- Requiring states to cooperate in such efforts

DPRK & Iran UNSCRs

The resolutions also designate for asset freezes numerous entities and individuals linked to DPRK and Iranian proliferation activities, preventing them from exploiting the global financial system to conduct illicit activities.

International Authorities

- Establish the obligation to counter proliferation
- Simultaneously provide authorities to justify action

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Questions?