



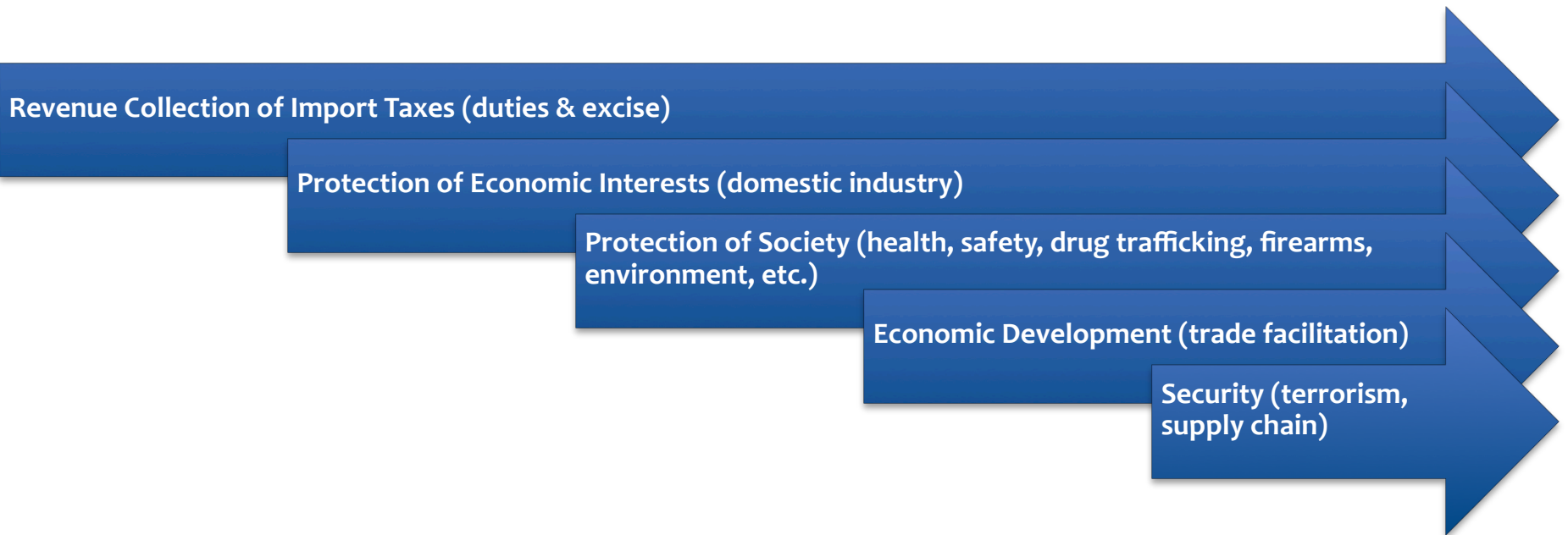
WORLD CUSTOMS ORGANIZATION

World Customs Organization

Strategic Trade Control Enforcement Programme STCE

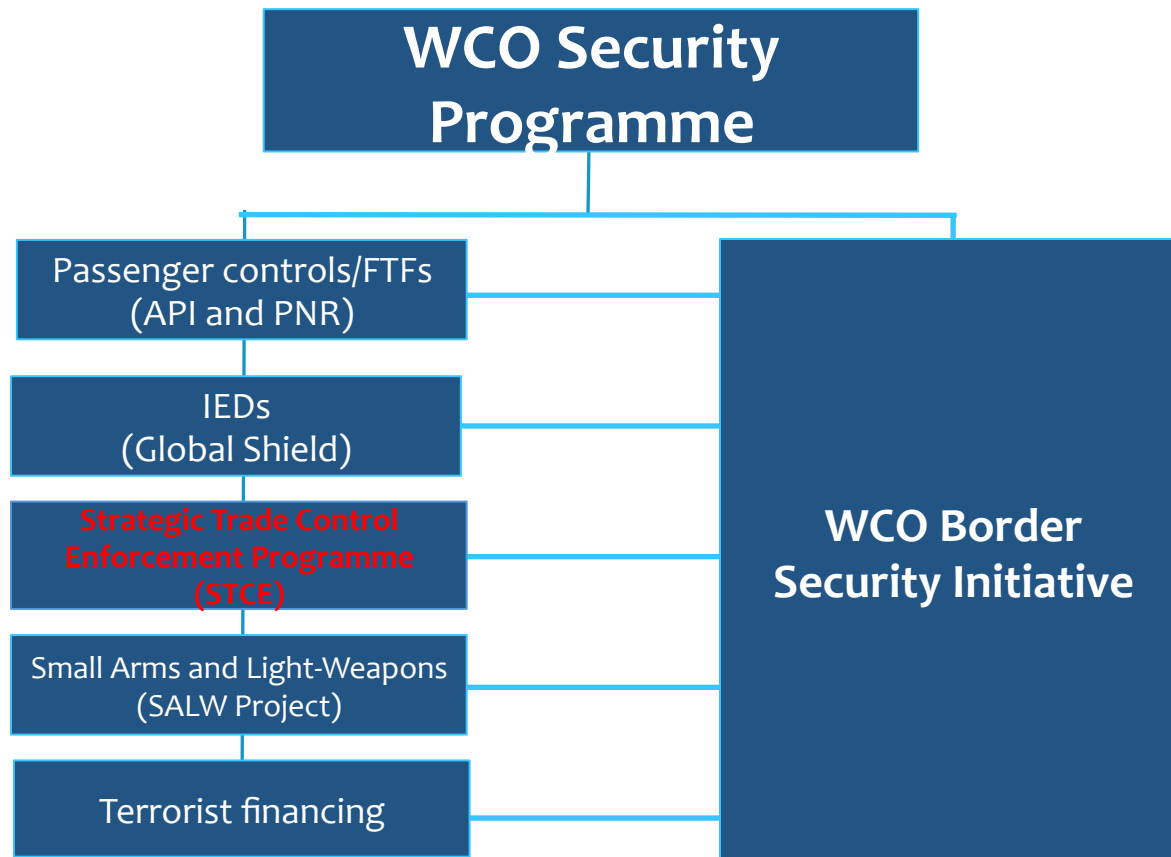
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Evolution of Customs Role



The most important contribution the WCO can make is promoting the security mission for Customs globally

WCO Security Programme



Objectives of the Strategic Trade Control Enforcement Program (STCE)

- * **Raise awareness of Illicit trade in strategic/dual use commodities.**
- * **Assist Customs administrations to implement effective strategic trade controls.**
- * **Enable our members to comply with international responsibilities**
 - * **Treaties**
 - * **UN Sanctions**
 - * **Multilateral Arrangements**
 - * **UNSCR 1540**



International Legal Framework to Govern Strategic Goods

- * The international legal framework for strategic trade control (STC) comprises:
 - * treaties
 - * sanctions
 - * informal multilateral arrangements
- * In addition, United Nations Security Council Resolution (**UNSCR**) **1540** imposes additional binding obligations on all UN Member States.

Treaties

NPT:

**Treaty on the Non-Proliferation
of Nuclear Weapons**

- Commits parties not to provide certain nuclear materials or goods for the processing, use, or production of those materials
- Entered in to force in 1970; 190 states joined the treaty yet.

CWC:

Chemical Weapons Convention

- Contains specific provisions covering import and export of certain “Scheduled” chemicals
- Requires annual declarations of regarding transfers
- Entered into force in 1997,190 states joint the treaty

BWC:

Biological Weapons Convention

- Requires States Parties to refrain from transferring biological weapons and from assisting, encouraging, or inducing anyone to manufacture them

HCOC:

**Hague Code of Conduct against
Ballistic Missile Proliferation**

- Calls for restraint in production, testing, and export of ballistic missiles

ATT:

Arms Trade Treaty

- Includes legally binding commitments to establish and maintain national control systems to regulate international trade in conventional weapons, ammunition, and related parts and components.

Embargoes and Sanctions

- * A key trade control responsibility for Customs is the enforcement of embargoes and sanctions measures imposed .
- * The UN Security Council maintains a number of targeted sanctions lists.
- * UN Member States are obligated to implement the measures imposed against listed individuals and entities.



- * Some UN Sanctions entail specific requirements related to inspections, detentions, seizures, and reporting.

Embargoes and Sanctions UPDATED

* UNSC Sanctions are currently in place in relation to:

- * Somalia and Eritrea (UNSCR 751/1992)
- * ISIL (Daesh) & Al-Qaida (UNSCR 1267/1999)
- * Iraq (UNSCR 1518/2003)
- * Democratic Republic of the Congo (UNSCR 1533/2004)
- * Lebanon (UNSCR 1636/2005)
- * Sudan (UNSCR 1591/2005)
- * DPRK (UNSCR 1718/2006)
- * Taliban (UNSCR 1988/2011)
- * Libya (UNSCR 1970/2011)
- * Guinea-Bissau (UNSCR 2048/2012)
- * Central African Republic (UNSCR 2127/2013)
- * Yemen (UNSCR 2140/2014)
- * South Sudan (UNSCR 2206/2015)
- * Iran (UNSCR 2231/2015)

Measures are binding on all UN Member States

Effectiveness depends on implementation by all UN Member States

Embargoes and Sanctions

Example

- * DPRK
 - * Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2207 (2016)
- * “States shall prevent the direct or indirect supply, sale, or transfer to the DPRK, through their territories or by their nationals, or using their flag vessels or aircraft, and whether or not originating in their territories, of
 - * All arms and related materiel, except small arms and light weapons and their related materiel.”
 - * Items relevant to nuclear-related programmes set out in INFCIRC/254/Rev.11/Part 1 and INFCIRC/254/Rev.8/Part 2;8
 - * Items relevant to ballistic missile-related programmes set out in S/2012/947;
 - * Items relevant to other weapons of mass destruction-related programmes set out in S/2006/853 and S/2006/853/Corr.1;
 - * Additional items, materials, equipment, goods and technology that could contribute to DPRK’s nuclear-, ballistic missile- and other weapons of mass destruction-related programmes, ...
- * States shall also prohibit the procurement of all the above from the DPRK ...
- * **States shall inspect all cargo within or transiting through their territory that has originated in the DPRK, or that is destined for the DPRK... or has been brokered or facilitated by DPRK or its nationals, or by individuals or entities acting on their behalf or at their direction, ...**

Fact sheet compiling measures imposed with respect to DPRK

https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/fact_sheet_measures.pdf

Embargoes and Sanctions

- * The range and number of UN Security Council committees, resolutions, and resulting measures is extensive.
- * To simplify implementation, the UN maintains a consolidated list of all 621 individuals and 422 entities subject to sanctions measures.
- * List is available in formats suitable for printing or use with data processing systems.



The screenshot displays the official website for the UN Security Council Sanctions Committees. At the top, the UN emblem is visible on the left, and the title "UN Security Council Sanctions Committees" is centered. Below the header is a search bar labeled "UN SITE SEARCH:" with a text input field for "Enter Keywords" and "Search" and "Clear" buttons. A navigation menu on the left lists various sections: Home, Subsidiary Bodies/Bureaux, Tentative and Provisional Programme of Work of Subsidiary Organs, Secretariat Contacts: Security Council Subsidiary Organs Branch, Consolidated United Nations Security Council Sanctions List (highlighted), Security Council Committee established pursuant to: Resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, Resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities, Resolution 1518 (2003), Resolution 1521 (2003) concerning Liberia, Resolution 1533 (2004) concerning the Democratic Republic of the Congo, Resolution 1572 (2004) concerning Côte d'Ivoire, and Resolution 1591 (2005). The main content area is titled "Consolidated United Nations Security Council Sanctions List". It contains introductory text explaining the list's purpose and format options. Three buttons are provided for downloading the list: "PDF Format", "XML Format", and "HTML Format". Below this, a section titled "Composition of the List" states that the list consists of two sections: A. Individuals (618 individuals) and B. Entities and other groups (421 entities). Further text explains that individuals are listed alphabetically by name in Latin script, and entities are listed by their names as they appear in Latin script. A final note states that the list was last updated on 26 October 2014 and supersedes all previous versions.

Consolidated United Nations Security Council Sanctions List

<https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list>

Embargoes and Sanctions

- * To assist States in implementing these resolutions, their implementing Committees provide Implementation Assistance Notes
- * E.g., for DPRK:
<https://www.un.org/sc/suborg/en/sanctions/1718/implementation-notice>
- * Notice 4 – proper implementation of paragraph 22 of resolution 2094

Implementation Assistance Notice: Conventional Arms and Related Materiel

The following information may be useful to Member States in implementing their obligations under resolutions 1737 (2006), 1747 (2007), 1803 (2008), and 1929 (2011).

Background

Paragraph 5 of resolution 1747 (2007) prohibits Iran to “supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel,” and obliges all States to “prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft, and whether or not originating in the territory of Iran.”

Member States are required under paragraph 8 of resolution 1929 (2010) to prevent the “direct or indirect supply, sale or transfer to Iran any battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms, or related materiel, including spare parts, or items as determined by the Security Council or the Committee.” Member States are further prohibited from supplying Iran with relevant training and financing, and are called upon to exercise “vigilance and restraint” over the supply of all arms and related materiel.

Of the 19 incidents reported to the 1737 Committee, 11 concern transfers of conventional arms and/or related materiel in violation of Security Council resolutions on Iran. Many of the incidents inspected revealed deliberate efforts by Iran, to conceal both the nature and destination of the prohibited cargo, including arms, ammunitions and explosives, through false statements on shipping documents and by using commercial shipping containers.

Recommendations for Member States

In light of the reported sanctions violations involving prohibited arms transfers from Iran, the Committee reminds Member States of their obligations under resolutions 1747 (2007) and 1929 (2010), and urges them to maintain a high level of vigilance, with the aim of preventing and seizing and disposing of prohibited transfers of arms and related materiel according to paragraphs 14, 15, and 16, and to report within the time specified in paragraph 17 of resolution 1929 (2010) any such incidents to the Committee, and to cooperate fully with the Panel of Experts as it seeks to inspect such incidents.

Multilateral Arrangements

NSG

Nuclear Suppliers Group

- nuclear and nuclear-related dual-use exports

AG

Australia Group

- chemical and biological export guidelines and control lists
- assists adherents in fulfilling their CWC and BWC obligations

MTCR

Missile Technology Control Regime

- unmanned delivery systems capable of delivering WMD

WA

Wassenaar Arrangement

- conventional arms and related dual-use goods and technologies

- * Together, the guidelines and control lists of the multilateral export control arrangements constitute the set of international norms and the basis for coordinated national export control efforts.

Customs administrations in participating governments can participate in the Licensing and Enforcement Officers/Experts Meetings (LEOM/LEEM)

United Nations Security Council Resolution 1540

- Resolution 1540 imposes binding obligations on all states to take and enforce “effective measures” to prevent proliferation of nuclear, chemical, or biological weapons and their means of delivery, including, inter alia,
 - Export, transit, trans-shipment, and border controls
 - Law enforcement to block illicit trafficking of related materials
- Requires states to act beyond an expression of commitment
 - Legislation, implementation, and enforcement

UNSCR 1540 Requirements and the Role of Customs

- * Regarding “materials, equipment, and technology covered by the relevant multilateral treaties and arrangement...”
 - * Paragraph 3.c
 - * Establish effective border controls and law enforcement efforts to detect, deter, prevent and combat ... the illicit trafficking and brokering in such items...
 - * Paragraph 3.d
 - * Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items...

- * Many Member States have requested assistance with capacity building for Customs
- * <http://www.un.org/en/sc/1540/assistance/requests-for-assistance-from-states.shtml>

Case Study

* Strategic goods can convey a strategic advantage to an adversary...

Georgia: Five Arrested For Attempting to Sell Uranium

Published: Monday, 02 May 2016 17:43

Share 43 Like 43 Twitter G+ Share 1

Authorities arrested five men who were charged with trying to sell uranium, just 10 days after police announced arrests in a similar case, [Radio Free Europe/Radio Liberty](#) (RFE/RL) reported.



Yellowcake (Photo Credit: Flickr)

Georgia's State Security Service [said on Facebook](#) that the five Georgian citizens allegedly were looking to sell around 1.6 kilograms (3.5 US pounds) of uranium, containing the isotopes uranium-238 and uranium-235. Looking to sell the material for around US\$ 3 million, they were arrested as they brought it to an apartment in the seaside town of Kobuleti. The suspects face anywhere from 5 to 10 years in prison.

[Authorities](#) [said](#) that enough material was recovered to potentially create a dirty bomb, which would contaminate the air and spread radioactivity across a wide area. A lawyer of one of the suspects said that their client only forwarded a photo of the uranium on his phone, [Eurasianet](#) reported.

The arrest marked the [second time](#) within a month's time that arrests were made of those trying to sell radioactive material in Georgia. Three Georgian and three Armenian citizens were detained in a separate case for allegedly trying to sell an estimated US\$ 200 million in uranium. In January, authorities accused

three of trying to sell cesium-137, RFE/RL wrote.

Georgia's proximity to nations like Iran and Russia, and its use by travelers looking to enter Turkey, makes its border control a target for international investment. A US program equipped border crossings with radioactivity monitors several years ago, but the reasons behind the high rates of uranium smuggling this year are unclear, according to Eurasianet.

Case Study

- * Strategic goods can convey a strategic advantage to an adversary...

Wed Nov 09, 2016 2:44

Terrorists Use Chemical Weapons in Syria's Aleppo Again



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TEHRAN (FNA)- Terrorist groups, once again, attacked the government-held districts of Aleppo with poisonous gas to slow down army forces' advances in the Southwestern parts of the city, informed sources said Wednesday.

Local media quoted sources as saying that the militants shelled government troops with improvised mortars filled with Chlorine gas during the battles which took place recently to control two strategic hilltops.

The terrorist groups have used chemically armed weapons against the civilian population in Aleppo several times in the last two months..

Case Study

* Strategic goods can convey a strategic advantage to an adversary...

 World

ISIS chemical weapons a global threat

By Rudaw 9/6/2016



A Peshmerga shows the results of an ISIS chemical weapons attack. Photo: Rudaw

The Islamic State's use of chemical weapons is a top concern in Washington where there are fears the terrorist group may use chemical weapons in attacks in Europe or elsewhere, or may use them in a suicide attack.

...

The Organization for the Prohibition of Chemical Weapons (OPCW) has confirmed that ISIS used sulfur mustard, commonly known as mustard gas, against Peshmerga forces.

WCO Definition of Strategic Goods

* Strategic goods are weapons of mass destruction (WMD), conventional weapons, and related items involved in the development, production, or use of such weapons and their delivery systems

- * WMD
- * Conventional weapons
- * Related Items

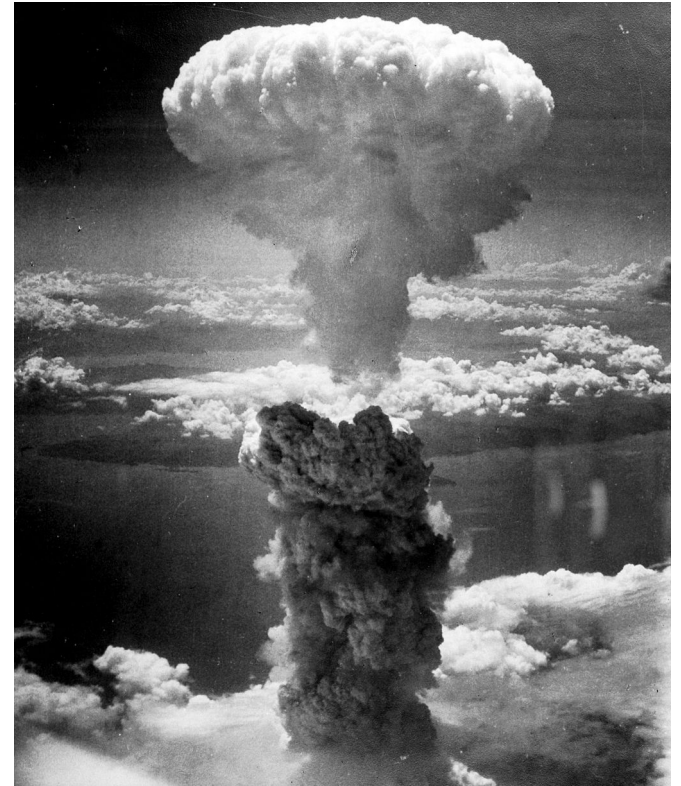
* Strategic goods pose a security threat or confer a major military advantage to an adversary

Weapons of Mass Destruction (WMD)

- * WMD are weapons that can inflict mass casualties or cause great physical damage.
- * WMD include
 - * Nuclear weapons
 - * Chemical weapons
 - * Biological weapons
 - * Radiological weapons

WMD: Nuclear Weapons

- * Nuclear weapons cause mass destruction through the explosive release of nuclear energy.
- * They can release energy equivalent to hundreds of thousand (or even millions) of tons of high explosives
- * A single device could devastate an entire city



Nuclear weapons require “special nuclear material” (uranium or plutonium) and extensive industrial facilities.

WMD: Chemical Weapons

- * Chemical weapons inflict injury such as choking, blistering, or nervous system malfunction through chemical reactions.
 - * Choking agents (such as chlorine and phosgene) irritate the lungs, causing them to fill with liquid.
 - * Blood agents (such as cyanide and arsenic compounds) prevent oxygen from being transferred from the blood to body tissues.
 - * Blister agents (such as “mustard gas”) cause painful blisters on the skin, eyes, and other moist tissues like the lungs.
 - * Nerve agents (such as Sarin, Soman, Tabun, or VX), the most sophisticated and toxic CW agents, disrupt the nervous system to cause seizures, paralysis, and death.



Chemical weapons agents are produced from precursor chemicals using dual-use chemical processing equipment.

WMD: Biological Weapons

- * Biological weapons employ microorganisms to cause disease in humans, livestock, or crops.
- * BW agents are living microorganisms such as bacteria, viruses, or fungi that are pathogenic to humans, plants, or animals.
- * Toxins are highly poisonous chemicals produced by living organisms.



Biological weapons are based on growing pathogenic micro-organisms.

WMD: Radiological Weapons

- * Radiological weapons cause illness and mass disruption through the spread of radioactivity.
 - * A radiological exposure device (RED) emits radiation
 - * A radiological dispersal device (RDD) (also known as a “dirty bomb”) disperses radioactive materials over an area to contaminate land, buildings, and people.



Radiological weapons can employ many common radiological materials. They do not require “special nuclear materials.”

Conventional Weapons

- * Conventional weapons are non-WMD weapons of war such as bombs, shells, rockets, missiles, mines, munitions, armored vehicles, etc.
- * The WCO does not include small arms and light weapons (SALW) within the scope of strategic goods, though many aspects of their control are similar.



Delivery Systems

- * The term “delivery system” refers to missiles, rockets, and other unmanned systems capable of carrying WMD or conventional payload to a target.
- * Increasingly, commercial systems like unmanned aerial vehicles could be used as delivery systems.



Major Missile Subsystems and Related Equipment

Structural components

Airframe, nose cones, nozzles

Propulsion

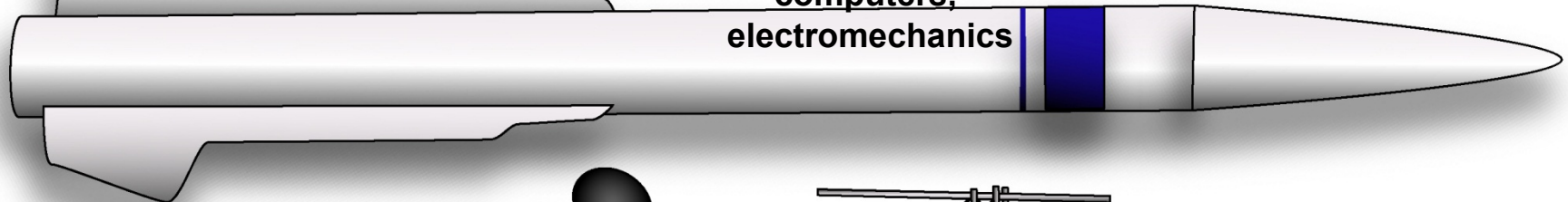
Engines, motors, propellants

Payload

Nuclear, chem, bio, conventional

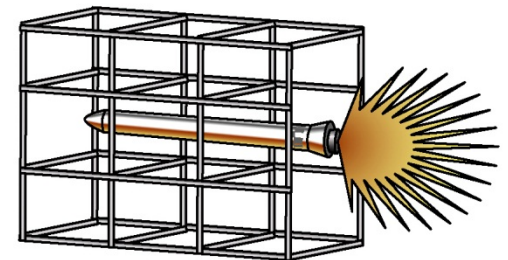
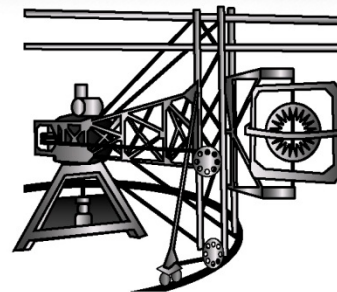
Guidance

Accelerometers, gyros, computers, electromechanics



Launch support

Transporters, radar



Test equipment

Rotation, vibration, temperature, thrust

“Related Items” – a Definition

- * Strategic goods also include materials and equipment involved in the development, production, or use of WMD, conventional weapons, and delivery systems.
- * Many of these items are “dual-use” – meaning that they also have legitimate commercial uses.
 - * Often they are commonly traded, but subject to a permitting process.

* Typically, national trade control laws and regulations will specify items requiring control through licensing or permitting.

Examples of Strategic “Related Items”

- * Chemicals
- * Explosives
- * Metals
- * Radioactive and nuclear materials
- * Industrial machinery and equipment
- * Electronics and electrical equipment
- * Measuring and test equipment
- * Weapons and military equipment

Annex III of the STCE Implementation Guide describes many strategic items in the context of the Harmonized System (HS)

Importance of Strategic Goods

- Protection of society is a vital goal of Customs.
- The United Nations Security Council (through Resolution 1540) has recognized proliferation of WMD and related materials as a threat to international peace and security.
- UNSCR 1540 imposes binding obligations on all States to take and enforce effective measures to regulate trade.
- Customs ensures that international trade complies with laws and regulations.

Preventing strategic items from being traded outside of regulatory control depends on Customs.

STCE Implementation Guide

* “What and how?”

- * Section 1 for senior Customs managers and policy officials
 - * International legal framework, role of Customs in STCE, setting up a STCE Program in Customs, etc.
- * Section 2 for operational Customs personnel
 - * Risk analysis, profiling, targeting, verification, investigation, audit, and awareness-raising outreach)
 - * Technical reach back and analytical support; training and capacity building; inspector health and safety; transportation, storage, and disposition of seized goods; and international notification.
 - * Key STCE functions of other government agencies that rely on Customs
- * Annexes
 - * Nonproliferation and trade control commitments
 - * Profiles of strategic commodities
 - * Glossary and index

