

## **Joint Declaration in support of the implementation of United Nations (UN) Security Council Resolutions 1540, 2231, 2216, 1701, 2118, 2375 and 2397**

In September 2003, the eleven initial Proliferation Security Initiative (PSI) partners met in Paris to adopt the Statement of Interdiction Principles, which to date has been endorsed by 105 States.

The Statement of Interdiction Principles commits all participating countries to “establish a more coordinated and effective basis through which to impede and stop shipments of WMD (weapons of mass destruction), delivery systems, and related materials flowing to and from States and non-State actors of proliferation concern, consistent with national legal authorities and relevant international law and frameworks, including the UN Security Council”.

The need for a global effort to counter the proliferation threat has never been so high since the interdiction in 2002 of a shipment of ballistic missiles being smuggled from North Korea to Yemen aboard the motor vessel So San, which contributed to increasing overall awareness of the threat of the proliferation of WMD and their delivery systems, and to the creation of the PSI.

In the Middle East, where regional tensions remain high and armed conflicts continue – such as in Syria, ridden with conflict since 2011, and Yemen – risking the further undermining of regional balances, it is now known that ballistic missiles, components, and technologies are being provided to regional State and non-State actors. These transfers are highly destabilizing and could have serious and unpredictable consequences if they continue. The continued use of chemical weapons in Syria underlines the need to combat WMD proliferation in the Middle East. It is therefore essential for the international community as a whole to act to bring an end to the transfer by land, sea, or air of WMD, their delivery systems and related materials to State and non-State actors of proliferation concern.

As United Nations Member States and endorsing States of the Proliferation Security Initiative (PSI), it is up to us to fulfill wholly our obligations pursuant to UN Security Council resolutions, to take advantage of the additional measures authorized by these resolutions, and to continue implementing our commitments under the PSI Statement of Interdiction Principles.

Concerning transfers of WMD, their delivery systems and related materials in the Middle East, we note the many existing prohibitions or restrictions on such transfers under international law, including:

1. **Concerning transfers of items and technologies linked to WMD delivery systems, including missiles and unmanned aerial vehicles (UAVs), to or from Iran, we note the following provisions of Annex B of UN Security Council Resolution 2231 (2015), which:**
  - (i) call upon all States to facilitate full implementation of the Joint Comprehensive Plan of Action (JCPOA) by inspecting all cargo to and from Iran, in accordance with their national authorities and legislation and consistent with international law, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe that the cargo contains prohibited items, including WMD-related items or technology, and to cooperate in inspections on the high seas with the consent of the flag State;
  - (ii) state that States are to “take the required actions, in accordance with the resolution and guidance provided by the Security Council, with respect to items the supply, sale, transfer, or export of which is being undertaken contrary to the provisions contained in the JCPOA or [the Annex]”.

We encourage all PSI-endorsing countries, in accordance with their national legislation, to seize and dispose of such items (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States).

It is possible for each State conducting an inspection operation to report the details of that inspection to the UN Secretary-General.

We also note that States must obtain permission in advance from the Security Council for the supply, sale, or transfer to or from Iran of items and technologies categorised under the Missile Technology Control Regime (MTCR) or that the State determines could contribute to the development of nuclear weapon delivery systems. In this context, we undertake, within the limits of our resources and in accordance with our national legal authorities and relevant international law and frameworks, to interdict any such item or technology, wherever such transfer has not been approved by the UN Security Council.

Moreover, for European States, we recall our obligation pursuant to Decision 2010/413/CFSP of the Council of the European Union to prohibit any transfer to Iran by our nationals, through our territory, or using vessels or aircraft under our jurisdiction, of items listed by the MTCR.

2. **Concerning transfers of arms, including missiles and UAVs, to the Houthis and their allies in Yemen**, we note the arms embargo imposed by UN Security Council Resolution 2216 (2015) against designated individuals and entities and the provisions of this Resolution concerning inspections. We note that these provisions supplement the Statement of Interdiction Principles and reaffirm our determination to implement them through the following measures, in compliance with national and international rules:
  - (i) Inspect, in our territory and our seaports and airports, cargoes destined for Yemen, if we have information that provides reasonable grounds to believe the cargo contains items the supply, sale, or transfer of which is prohibited;
  - (ii) Seize and dispose (such as through destruction, rendering inoperable, storage, or transferring to a State other than the originating or destination States for disposal) of items the supply, sale, transfer, or export of which is prohibited under this resolution;
  - (iii) Report interdictions carried out in this framework to the 2140 Committee;
  - (iv) Prohibit our nationals, individuals under our jurisdiction, entities within our territory or under our jurisdiction, from transferring items to the Houthis and their allies the supply, sale, or transfer of which are prohibited under a Security Council resolution.
3. **Concerning the transfer of arms – including missiles and UAVs – to Lebanon**, we note the applicable Security Council resolutions, particularly Resolution 1701 (2006), which calls upon the Government of Lebanon “to prevent the entry in Lebanon without its consent of arms or related materiel.” We undertake to exercise particular vigilance, as PSI-endorsing States, regarding shipments destined for non-state actors in Lebanon, the delivery of which would not be compatible with Resolution 1701 and for which we have grounds to believe that they contain WMD, their delivery systems or related materials. In such circumstances, we are prepared to take the steps required to obstruct or stop these transfers, within the resources available to us, in accordance with national and international law and with the aim of preserving the stability and security of Lebanon and the wider region.
4. **Concerning transfer of arms, items, and technologies relating to WMD, delivery systems and related materials to or from Syria**, we note Resolution 2118 (2013) endorsing the decision of the Organisation for the Prohibition of Chemical Weapons requiring the destruction of all of Syria’s stockpiles, capacities and facilities. We condemn in the strongest possible terms the continued use of chemical weapons in Syria, whether by the regime or by

non-State actors. The use of chemical weapons by the regime violates Syria's obligations under UNSCR 2118 and the Chemical Weapons Convention. This situation requires united determination by all states to send a clear message and respond firmly to such contravention of these key international non-proliferation measures.

Moreover, for the countries concerned, we underline that the European Union as well as several States endorsing this statement have established sanctions regimes against Syria. The EU sanctions regime, which is governed in particular by Decision 2013/255/CFSP, prohibits the export to Syria of items and technologies that could be used for the purposes of internal repression, and the import from Syria of arms and related materials of any type whatsoever.

5. **Concerning the proliferation of WMD, their delivery systems and related materials by North Korea to the Middle East**, we reaffirm our determination to fulfill the commitments made in the PSI Statement of Interdiction Principles and are determined to implement all UN Security Council resolutions concerning North Korea, and particularly Resolutions 2375 and 2397. The proliferation of WMD and their delivery systems is a global phenomenon that knows no border and witnesses ever more active efforts by proliferators to circumvent existing non-proliferation measures. We are concerned by recent reports from the UN Panel of Experts that North Korea has supported Syria's illegal chemical weapons programme as well as its ballistic missile programme; this would be in breach of multiple Security Council resolutions. As such, we undertake to exercise particular vigilance concerning transfer and trans-shipment of cargoes that could be of North Korean origin, including towards Middle East actors. We reaffirm our determination, in cases where we have reasonable grounds to believe that a shipment is in breach of prohibitions on export to or from North Korea, to implement the measures set out in the relevant UN Security Council resolutions. We also restate our view that, whilst engagement begins with North Korea, all UN Member States must ensure the full and robust implementation of all relevant UNSCRs until North Korea abandons all its WMD and ballistic missile programme in a complete, verifiable, and irreversible manner.
6. **Concerning transfer of WMD, their delivery systems and related materials to non-State actors**, in any capacity, we note Resolutions 1540 (2004) and 2325 (2016) requiring that "all States shall 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". All States are therefore obligated to adopt appropriate effective laws and internal control procedures to this end. As United Nations Member States and PSI-endorsing States, we reaffirm our commitment to UNSCR 1540's latest programme of work and continue to support broader implementation efforts of the aforementioned controls. We continue to exercise particular vigilance concerning possible transfers destined for non-State actors and stress our readiness to intercept and carry out necessary inspections of cargoes that are suspected to contain WMD, delivery systems, or related materials intended for non-State actors, in accordance with our national authorities and relevant international law and frameworks.

As PSI-endorsing States, we remain determined to counter the proliferation of WMD, delivery systems and related materials, including by supporting and ensuring enforcement of the UN Security Council resolutions applicable to such transfers from or to States and non-State actors in the Middle East, in order to contribute tangibly to strengthening international peace and security.

We call upon all UN Member States to implement all aspects of the applicable UN Security Council resolutions and undertake to take into account any evolutions brought to them.

*Signed by: Australia, Belgium, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Japan, Latvia, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Slovenia, Spain, Sweden, UK.*