



Security Council

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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 28 October 2004 from the Permanent Mission of Egypt to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Arab Republic of Egypt to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to submit the report of the Arab Republic of Egypt pursuant to paragraph 4 of Security Council resolution 1540 (2004) (see annex).

**Annex to the note verbale dated 28 October 2004 from the
Permanent Mission of Egypt to the United Nations addressed to
the Chairman of the Committee**

[Original: Arabic]

**Report of Egypt to the Security Council Committee established
pursuant to resolution 1540 (2004)**

Egypt wishes to affirm its full commitment to resolution 1540 (2004), adopted by the Security Council on 28 April 2004. This is based on its support for international legitimacy and its firm policy to prevent the proliferation of weapons of mass destruction, especially nuclear weapons. At present, in face of the increased danger of such weapons being acquired by non-State actors and the possible hazards resulting from their use by such irresponsible groups for destructive and terrorist aims, Egypt wishes to affirm its complete willingness to cooperate with the international community. In doing so, it is taking all the necessary measures on the domestic, regional and international levels to implement Security Council resolution 1540 (2004). It is also working to address this threat against the safety and security of States in the context of its actions in combating terrorism in all its forms and preventing the acquisition of weapons of mass destruction by non-State actors.

On this occasion, the Government of Egypt wishes to reiterate its previous position on the need for holding an international conference on combating terrorism under United Nations auspices. This was called for in an initiative by President Mohamed Hosni Mubarak in 1986 as an important step towards preventing the acquisition of weapons of mass destruction by non-State actors. The Egyptian initiative aims to hold an international conference to draw up a specific international strategy, map out action plans to combat terrorism, and establish the necessary legal tools that would enable the international community to eliminate it.

**I. Egypt's political and international efforts in the field of non-proliferation of
weapons of mass destruction**

Egypt believes that the proliferation of weapons of mass destruction is an unprecedented threat not only to international peace and security, but also to all humanity. Based on this premise, it considers that combating these evil weapons lies, in principle, in their elimination, with the countries of the world abolishing their nuclear, biological or chemical arsenals.

Against this background, Egypt believes that the best method to ensure that such weapons may not be acquired by terrorist groups or non-State actors — in a manner that is compatible with the aims and objectives of Security Council resolution 1540 (2004) — is for the international community to follow a path that ends in ridding the world of weapons of mass destruction. In this regard, it is possible to outline Egypt's diplomatic efforts, in keeping with the spirit and letter of resolution 1540 (2004), by presenting examples — rather than an exhaustive list — such as the following:

1. Accession to the Treaty on the Non-Proliferation of Nuclear Weapons in 1981 and signing of a full Safeguards Agreement with the International Atomic Energy Agency;

2. Accession to the Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal in 1991;
3. Accession to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, adopted in Rome in 1988;
4. Ratification of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed in Montreal in 1971;
5. Signing of the International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly on 9 December 1999;
6. Signing of the International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly in 1997;
7. Accession to the Convention of the Organization of the Islamic Conference on Combating International Terrorism (1999);
8. Ratification of the 1999 Convention of the Organization of African Unity on the Prevention and Combating of Terrorism, and the 2002 Algiers Plan of Action to implement the Convention;
9. Egypt's efforts through the League of Arab States by which it signed the Arab Code of Conduct for Combating Terrorism (1996), the Arab Strategy for Combating International Terrorism (1997) and the Arab Convention for the Suppression of Terrorism (1998);
10. Egypt's efforts since 1974 to free the Middle East of nuclear weapons, including submission of a draft resolution to the First Committee of the General Assembly to that end;
11. The President's initiative to free the Middle East of weapons of mass destruction and the work of mobilizing international and regional efforts to that end;
12. Egypt's efforts in the context of the Geneva Disarmament Conference with an eye to the commencement of negotiations on a convention on fissile materials;
13. Egypt's efforts in the context of the "New Agenda" group to bring about a nuclear-weapon-free world and, to that end, to secure the adoption of a resolution submitted to the General Assembly on behalf of the States members of the Group;
14. Egypt's active participation in the work of the International Atomic Energy Agency and its working groups to prevent nuclear proliferation;
15. Egypt's participation in the Global Threat Reduction Initiative (GTRI) International Partners' Conference held in Vienna in September 2004, which discussed, among other issues, matters of relevance to resolution 1540 (2004);
16. Egypt's participation in the Working Group formed by the Director-General of the Agency to study the nuclear fuel cycle and methods to control it.

II. Egypt's efforts to combat terrorism in all its forms

Egypt believes that combating terrorism in all its forms, drying up its sources of finance and dismantling its networks on the international level will ultimately lead to achieving the objectives outlined in resolution 1540 (2004) in a manner that prevents the acquisition of weapons of mass destruction by non-State actors.

The Egyptian legislature has had a significant role in confronting the phenomenon of terrorism on the domestic level by introducing amendments to the Penal Code and the Code of Penal Procedure relating to the secrecy of accounts and to weapons and ammunition in accordance with Act No. 97 of 1992, also known as the Terrorism Act, as mentioned in the Penal Code No. 58, articles 86-102. The most relevant features of the Terrorism Act can be summarized as follows:

1. Criminalization of all forms of terrorism, its financing, and all forms of aiding, inciting, collaborating and initiating it;
2. Amendments concerning the secrecy of bank accounts to enable the Prosecutor-General, in complete confidentiality, to establish the truth regarding transactions in accounts held by those accused of such crimes at an appropriate time. This is especially relevant, given the extent to which terrorists, in large part, rely on foreign funding to conduct their activities. This text has been amended by a similar text in Act No. 88 of 2003 concerning the Central Bank and the monetary authority;
3. Egypt also has laws that facilitate the acquisition of information by the competent monitoring authorities, enabling them to prevent any illegal activity, including terrorist operations and the financing of arms acquisition.

III. Current Egyptian laws on weapons of mass destruction

Egyptian legislation includes laws that ban activities involving nuclear, chemical and biological weapons of mass destruction, in keeping with resolution 1540 (2004). These are as follows:

1. Act No. 59 of 1960 on the use of ionized radiation and the prevention of risk (arts. 1 and 2); it confines the use or possession of radioactive materials to the bodies working in this field and imposes full controls on such materials in accordance with current laws and regulations;
2. Act No. 4 of 1994 (arts. 29, 31 and 32), which bans activities involving dangerous materials and waste and the establishing of plants to process dangerous waste unless so authorized by the competent administrative authority and the Environmental Affairs Authority. It also stipulates that disposal of dangerous waste must be conducted in accordance with the norms and conditions outlined by the executive regulations under the law. The Minister of Housing determines, after consultation with the Ministries of Health and Industry and the Environmental Affairs Authority, the locations and conditions suitable for the disposal of dangerous waste under strict supervision and security controls;
3. The same law (art. 32) bans the import into, entry to, or transit via State territory of dangerous waste. It also bans ships carrying dangerous waste from passing through territorial waters or special economic zones unless permitted by the competent authority. The explanatory note to this law states that, given the danger involved in handling dangerous materials and waste, there is a strict ban on the import into or entry to the Arab Republic of Egypt of such materials.

IV. Security and monitoring measures

The competent Egyptian authorities currently enforce appropriate controls to restrict the handling of nuclear, chemical and biological materials, as detailed below:

1. As part of the Government's attempt to combat the smuggling of radioactive sources (specially closed radioactive sources the use of which is widespread in the fields of industry and medicine) and to prevent their acquisition by terrorist groups, the Atomic Energy Authority is currently implementing the Integrated Management Project in collaboration with the National Centre for Nuclear Safety and Radioactive Monitoring. This project includes creating a database of all closed radioactive sources that exist in Egypt, whether they are currently in use or have ceased to operate. The database also includes documents detailing the import of such sources, their types, intensity, location, methods of transport and storage, authorities in charge of them, and the systems for their physical protection. Systems for physical protection of radioactive sources, especially those of higher radioactive intensity, are reviewed in accordance with international standards in coordination with the Ministry of Health. The project also provides for the recycling of radioactive sources for reuse — where possible — or, alternatively, their safe disposal following the appropriate technical methods of preparation;

2. Security inspection of individuals, goods, belongings and vehicles is conducted by means of electronic gates, x-ray machines and fiberscopes;

3. Goods are examined by the committee formed by the competent authorities for this purpose, with the use of s-ray inspection equipment. In addition, supplies for ships and aircraft are provided in accordance with international rules (annex 17 on security issued by the International Civil Aviation Organization and the International Ship and Port Facility Security (ISPS) Code issued by the International Maritime Organization in the context of the International Convention for the Safety of Life at Sea (SOLAS));

4. Security teams take part in inspection at the branches of the General Authority for Monitoring Imports and Exports at all legitimate points of entry into the country. The aim is to tighten control on dangerous (including chemical and explosive) materials. In addition, the General Authority for Exports analyses all shipments and chemical samples to determine their composition and clarify their scientific name;

5. The Atomic Energy Authority monitors ships that pass through the Suez Canal carrying nuclear material, and conducts inspections on them as well as examining their documents and verifying the source and destination of shipments.

V. Egypt's efforts to implement Security Council resolution 1540 (2004)

The Egyptian Government has taken the necessary measures to meet the obligations outlined in the resolution, as detailed below:

1. A national Working Group has been formed consisting of representatives from the Ministries of Foreign Affairs, Defence, the Interior, Justice, Finance, Industry, Civil Aviation, Transport, Housing, the Nuclear Energy Authority, and the Nuclear Material Authority, the Customs Authority, and land and sea entry points. This group will be the core of a strong committee the establishment of which is currently being considered in the context of implementing resolution 1540 (2004);

2. The Working Group meets regularly and its task is to focus on the following:
 - (a) Matching current legislation and regulations with the obligations outlined in the resolution;
 - (b) Identifying the fields that might require introducing new legislative, monitoring and executive provisions;
 - (c) Reviewing the current regulations for monitoring radioactive, dangerous and dual-use material;
 - (d) Working towards raising the level of awareness of staff employed by authorities and establishments that deal with such material.
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