



Security Council

Distr.: General
22 May 2020

Original: English

Security Council Committee established pursuant to resolution [1540 \(2004\)](#)

Note verbale dated 21 May 2020 from the Permanent Mission of Zambia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Zambia to the United Nations has the honour to refer to its earlier note verbale of 26 November 2019 regarding the submission of a follow-up report to Zambia's first national report on the implementation of Security Council resolution [1540 \(2004\)](#) in accordance with paragraph 4 of the resolution.

The Permanent Mission of Zambia to the United Nations is hereby transmitting an updated follow-up report (see annex) containing additional information on the assistance requirements. The updated report therefore supersedes the earlier report submitted under the note verbale of 26 November 2019.

The esteemed Security Council Committee may therefore wish to consider the present note verbal as the official transmittal note for the report.



Annex to the note verbale dated 21 May 2020 from the Permanent Mission of Zambia to the United Nations addressed to the Chair of the Committee

Report of Zambia on the implementation of Security Council resolution 1540 (2004)

1. The present follow-up report to the first national report of Zambia on the implementation of resolution 1540 (2004) has been prepared in accordance with paragraph 4 of the resolution for submission to the Security Council Committee established pursuant to resolution 1540 (2004).

2. The Government of Zambia does not offer any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport or use nuclear, chemical or biological weapons and their means of delivery. Zambia has adopted and enforced appropriate laws to effectively prohibit activities by non-State actors on its territory.

3. The country has adopted the United Nations instruments on terrorism to deal with non-State actors. Zambia is aware of the fact that international terrorism transcends borders and that its complexity and dynamic nature require proactive measures and constant assessment of the threats to global security. The 19 international legal instruments to combat terrorism adopted under the auspices of the International Atomic Energy Agency (IAEA), the International Maritime Organization, the International Civil Aviation Organization and the United Nations have also been adopted by Zambia. Of the 19 conventions, 7 relate to a greater or lesser extent to the criminalization of certain acts involving nuclear, biological and chemical weapons that are committed by non-State actors.

4. The Anti-terrorism Act of 2007 was repealed to enact the Anti-Terrorism and Non-Proliferation Act, 2018, an act to prevent and prohibit the carrying out of terrorism financing and proliferation activities; provide for measures for the detection and prevention of terrorism and proliferation activities; provide for the continued existence of the National Anti-terrorism Centre and redefine its functions; provide for the offences of proliferation and proliferation financing; domesticate the international conventions; repeal the Anti-terrorism Act, 2007 and provide for matters, connected with, or incidental to the foregoing.

5. Zambia has enacted legislation to control export, transit and trans-shipment, including the enforcement of appropriate criminal or civil penalties for violations of such export control laws and regulations:

- Cap 332 of the Laws of Zambia mandates the Customs Authority, which is part of the Zambia Revenue Authority, to control movements of goods and facilitates trade. The Customs Authority has non-intrusive cargo scanners at international borders to ensure prohibited goods and articles do not leave or enter the country.
- The Firearms Act, chapter 110 of the Laws of Zambia, regulates the licensing and certificates for control of the import, export, movement, storage, possession, sale, manufacture and repair of firearms and ammunition. Zambia has adopted article 12 of the Southern Africa Development Community(SADC) protocol on the control of firearms, ammunition and related materials.;
- The Food and Drug Act, chapter 303 of the laws of Zambia, regulates the import and export of processed foods.
- The International Health Regulations (2005) are employed to try to build the capacity of health workers at points of entry to deal with emergencies. They are

involved with cross border surveillance of public health emergencies of international concern.

- In Zambia, there are illegal miners in North-Western Province doing illegal mining. These individuals employ mercury in their mining, which the Government opposes because it can cause harm to people and can therefore be a potential agent for use by non-State actors with illegal motives. Zambia signed the Minamata Convention on mercury on 10 October 2013 and ratified the Convention on 11 March 2016. The Convention prohibits the use of mercury in gold mining since mercury is a toxic substance. Zambia recognized that mercury is a chemical of global concern owing to its long-range atmospheric transport, its persistence in the environment once anthropogenically introduced, its ability to bio accumulate in ecosystems and its significant negative effects in human health and the environment.
- With regard to accounting and security measures for related materials, Zambia has implemented measures specific to nuclear weapons, such as revising the Ionizing Radiation Protection Act of 2005 to a new act, which is still in parliament, where the Radiation Protection Authority will extend its mandate to nuclear material. It will also regulate the Zambia Atomic Energy Agency, an institution that the Government has established to build and run the nuclear reactor for research purposes under the Ministry of Higher Education.
- Pending the full operationalization of the Zambia Atomic Energy Agency, the following institutions are responsible for the protection of nuclear materials and facilities: the Ministry of Mines and Mineral Development, which is responsible for regulating the authorization for mining and processing uranium; and the Radiation Protection Authority, which is responsible for regulating radiation practices and sources and implements security measures for facilities storing active sources.
- In relation to measures specific to chemical weapons, the National Authority for the Chemical Weapons Convention has been working towards the appointment of national inspectors as enshrined in the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons Act, 2007 (No. 2 of 2007). Zambia has also been enhancing inspection capabilities for the Zambia Environmental Management Agency due to a huge volume of chemicals being imported by mining companies and some agrochemical dealers. These unscrupulous dealers were stocking chemicals that had been banned internationally and were suspected of having been smuggled into the country.

6. Since 2015, when the first national report was submitted, Zambian nationals have participated and attended various trainings, workshops and seminars pertaining to the implementation of Council resolution [1540 \(2004\)](#). The trainings were conducted at home and abroad by organizations and countries (assistance providers), some of which were suggested by the Committee. The trainings have included the following:

- The European Union Chemical, Biological, Radiological and Nuclear Risk Mitigation Centres of Excellence Initiative and the United Nations Interregional Crime and Justice Research Institute offered training to first responders in Lusaka in August 2017.
- The Organisation for the Prohibition of Chemical Weapons (OPCW) conducted an assistance and protection table-top exercise in Lusaka in 2018 for SADC countries on responses to chemical emergencies.
- Training for resolution [1540 \(2004\)](#) points of contact in English-speaking African States was conducted in Addis Ababa from 26 to 28 March 2019.

- The SADC workshop in support of the full and effective implementation of resolution 1540 (2004) in Southern Africa and the SADC-Wiesbaden Conference on the theme “Government-industry partnership” were held in Livingstone, Zambia, from 29 to 31 May 2019. The Wiesbaden process was initiated by the Government of Germany in 2012 to strengthen the implementation of resolution 1540 (2004) through a Government-industry partnership. Going forward, the workshop resolved to continue to engage political leaders to make them aware on the importance of the resolution so that appropriate pieces of legislation could be enacted accordingly. It was recommended that States members of SADC should come up with a control list of chemicals and other substances for the Southern African Regional Police Chiefs Cooperation Organization, which is the primary force in Southern Africa for the prevention and fighting of cross-border crime. Furthermore, States members of SADC that have not yet submitted initial national reports to the Committee were urged to do so. The workshop resolved that the resolutions for the meeting be forwarded to the SADC secretariat for necessary action.
- The European Union Chemical, Biological, Radiological and Nuclear Centres of Excellency Initiative Project 60 on support to the Centre of Excellence of Eastern and Central Africa in nuclear security held field and table-top exercises in Lusaka from 15 to 19 April 2019 on uranium transport, nuclear forensics investigation and radiological crime scene management. Participants were drawn from Burundi, Ghana, Malawi, the United Republic of Tanzania and Zambia. The objectives were to review evaluation and consequence assessment, decision-making on protective actions and securing evidence, the donning and doffing of personal protection equipment, and communication and coordination between different services.
- The Ministry of Health has been in the process of setting up laboratories in some border areas to deal with chemicals categorized as poisons that were being imported into the country.
- The Zambia Revenue Authority has been encouraged to include in its trainings for customs officers, awareness of dual-use chemicals, such as ammonium nitrate which can be used to manufacture fertilizer as well as explosives. Furthermore, officers are to be trained in the professional use of cargo scanners to easily identify prohibited goods and in effective border control measures. Customs officials are cardinal in monitoring chemical trade and preventing illicit transfers.

7. It is worth mentioning that significant progress has been made, since the submission of the initial report in 2015. Zambia, however, was aware that there were still gaps and challenges in implementation. It is in this regard that a workshop on strategic trade control enforcement and the implementation of the resolution 1540 (2004) was held in Lusaka in August 2018, coordinated by Committee experts and the Weapons of Mass Destruction Branch of the Office for Disarmament Affairs of the Secretariat. The workshop produced a road map and action plan of activities for the country to implement with regard to the resolution. It is important to note that the road map and action plan were an important guide for Zambia as the country made progress in implementing the resolution. In order for Zambia to achieve the outlined benchmarks, which have time frames, the country will need technical, material and logistical support from some assistance providers.

8. Challenges include:

- Lack of state-of-the-art equipment at some border points for use in screening people and the detection of chemical or nuclear materials that might be used to cause harm in the country

- Inadequate number of trained first responders, who can respond to chemical, biological, radiological and nuclear material incidents
 - Inadequate manpower levels, coupled with the long stretch of some of its borders with eight neighbouring countries, has made it difficult to prevent the illegal import and export of prohibited materials
 - Lack of capacity among front line officials at the border to implement resolution [1540 \(2004\)](#) requirements, as few specialized personnel at border points can identify whether or not some material is hazardous
9. The assistance request includes:
- Advice and support to Zambia to strengthen its nuclear security regime
 - Development of a national chemical, biological, radiological and nuclear response plan
 - Capacity-building for customs officials with regard to export control of dual-use items and for other front-line officials with regard to border management and security
 - Training, especially of the type offered by the International Criminal Police Organization (INTERPOL), for law enforcement officers and fire brigade personnel in the detection and investigation of and response to incidents involving the malicious use of chemical, biological, radiological and nuclear materials, with a view to safeguarding the civilian population
 - Capacity-building with regard to biosafety and biosecurity, in particular in the management of biological waste, and the detection and management of outbreaks of infectious diseases

Conclusion

10. The Government of Zambia reaffirms its unwavering commitment to fulfilling the principles of the Security Council in the maintenance of international peace and security and the promotion of friendly relations and cooperation among States. Zambia also fully supports the aims and activities of IAEA, OPCW and the Implementation Support Unit of the Biological Weapons Convention. The country will continue to utilize opportunities provided by assistance providers locally and abroad for the capacity-building/training of relevant stakeholders concerned with the implementation of the resolution.
