



Security Council

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

Note verbale dated 25 June 2021 from the Permanent Mission of Kyrgyzstan to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Kyrgyz Republic to the United Nations has the honour to forward herewith a letter from the Ministry of Economy and Finance of the Kyrgyz Republic with information on measures taken by the Government of the Kyrgyz Republic to implement resolution [1540 \(2004\)](#) for 2020.



Annex to the note verbale dated 25 June 2021 from the Permanent Mission of Kyrgyzstan to the United Nations addressed to the Chair of the Committee

[Original: Russian]

The Ministry of Economy and Finance of the Kyrgyz Republic hereby provides updated information on the implementation of Security Council resolution 1540 (2004) by the Kyrgyz Republic.

As had previously been reported, in accordance with Government Decision No. 144 of 22 March 2013, the Kyrgyz Republic has drafted and approved a plan of action on the implementation of Security Council resolution 1540 (2004) with the aim of achieving effective coordination among all State bodies involved in the implementation of the resolution and ensuring its full application in the Kyrgyz Republic.

An updated version of the plan was approved pursuant to Government Decision No. 443 of 24 July 2017 on the approval of the plan of action of the Kyrgyz Republic for the implementation of Security Council resolution 1540 (2004) for the period 2017–2019.

The plan included specific measures and practical steps for the implementation of paragraphs 2, 3, 4, 5, 6, 7 and 8 of the resolution and contained the names of the State bodies responsible for their implementation.

Pursuant to the plan, in order to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery, including by establishing appropriate controls over related materials, Act No. 36 of 20 March 2019 on the accession of the Kyrgyz Republic to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed in Geneva on 17 June 1925, was drafted and adopted. Pursuant to that Act, the Kyrgyz Republic has now acceded to the Protocol.

The Criminal Code and the Code of Offences of the Kyrgyz Republic have also been adopted and have entered into force. These also establish liability for violations of the law on export control (Criminal Code: article 223 on smuggling; article 270 on the smuggling of items for which special rules have been established on their movement across the customs border of the Kyrgyz Republic; and article 211 on illegal business or banking activities; Code of Offences: article 293 on violation of the procedure for implementing decisions, instructions, directives or requirements of a competent authority; article 262 on obstruction of an official of the customs authorities of the Kyrgyz Republic during a customs examination or inspection; article 295 on obstruction of a competent authority; article 294 on violation of the procedure for providing information, findings or reports to a competent authority; article 250 on violation of the procedure for conducting customs operations; article 258 on non-compliance with the procedure for imposing restrictions on the movement of goods across the customs border; article 259 on the illegal movement of goods or vehicles; and article 205 on the conduct of unlicensed business activities).

The Act of the Kyrgyz Republic on amendments to certain laws of the Kyrgyz Republic (the Act on the licensing and authorization system of the Kyrgyz Republic and the Act on the radiation safety of the population of the Kyrgyz Republic) has been adopted. In accordance with the Act, a licence is required for the movement (including cross-border movement), storage, use and disposal of radioactive material, ionizing radiation sources, and toxic and radioactive waste products, as well as the transport of radioactive material on the territory of the Kyrgyz Republic.

In order to strengthen national laws and bring them into line with international norms on export control, Government Decision No. 155 of 20 April 2021, on amendments to certain decisions of the Government of the Kyrgyz Republic pertaining to export control, was adopted. Under this Decision, amendments were made to the procedure for issuing permits for the transit of products subject to export controls through the territory of the Kyrgyz Republic and to the regulations on the procedure for conducting export controls on products subject to such controls in the Kyrgyz Republic.

In order to effectively implement the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed on 10 April 1972 in Moscow, London and Washington, D.C., the Government of the Kyrgyz Republic adopted Decision No. 310 of 8 June 2020 on the authority responsible for the implementation of the Convention in the Kyrgyz Republic. In accordance with that Decision, the Ministry of Economy and Finance of the Kyrgyz Republic determined the authority responsible for the implementation of the Convention.

Draft regulations were also drawn up on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 13 January 1993, with the aim of bringing national laws into line with the provisions of the Convention. The draft regulations have now been submitted to the Cabinet of Ministers of the Kyrgyz Republic for approval.

In addition, the Ministry of Economy and Finance and the State Committee on Environment and Climate submit on an annual basis:

- A report on exports and imports (form RCA 1.0 and RCA 2.0) to the Technical Secretariat of the Organisation for the Prohibition of Chemical Weapons, as well as information on national programmes for protection against chemical weapons, in accordance with article X of the Chemical Weapons Convention
- A report to the secretariat of the Biological Weapons Convention on confidence-building measures
- A report to the International Atomic Energy Agency (IAEA) on exports and imports (in accordance with article 33 of the Agreement between the Kyrgyz Republic and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons)
- A quarterly report pursuant to articles 2 and 3 of the Protocol Additional to the Agreement between the Kyrgyz Republic and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons
- An annual report pursuant to article 2 (a) (i), 2 (a) (iii), 2 (a) (iv), 2 (a) (v), 2 (a) (vi) a., 2 (a) (vii), 2 (a) (x) and 2 (b) (i) of the Protocol Additional to the Agreement between the Kyrgyz Republic and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons.

We also note that, at the end of 2019, a handbook on export control was published with the support of the International Science and Technology Centre. The handbook will provide effective help to those involved in foreign economic activity when they plan and conduct foreign trade operations involving products subject to controls, and will also be a useful aid for training employees of export control services in companies and institutions.

The Ministry of Economy and Finance of the Kyrgyz Republic has now drafted a new plan of action on the implementation of Security Council resolution [1540 \(2004\)](#) for the period 2021–2025.

The draft plan is currently being considered by an inter-agency working group that was established by order of the Ministry of Economy and Finance to coordinate the implementation of the plan of action of the Kyrgyz Republic on the implementation of the resolution.

The draft plan of action includes the following measures:

- The drafting of decisions by the Cabinet of Ministers of the Kyrgyz Republic on the establishment of detection centres, and the drafting of regulations for those centres, in order to establish a technical framework for the timely detection and identification of chemical, biological, radioactive and nuclear material and agents, with the aim of reducing risks and planning for mitigation of the consequences of deliberate, accidental and naturally occurring incidents
- The development of draft regulations providing for measures to implement the Biological Weapons Convention
- The development of model export control programmes within companies, to ensure proper accounting and security for the production, use, storage or transport of materials and technologies subject to export controls, as well as to provide methodical consultative assistance at companies in the military-industrial complex and companies manufacturing dual-use products
- The drafting by the Cabinet of Ministers of the Kyrgyz Republic of a decision on amendments and additions to the national control list of the Kyrgyz Republic approved pursuant to Government Decision No. 197 of 2 April 2014, with the aim of updating the lists of products subject to controls.

The plan also provides for the development and implementation of practical measures to equip checkpoints and to strengthen and upgrade the physical protection of the State border.

In addition, it includes a number of measures for the recording and monitoring of radioactive sources of radiation, the provision of training to border and customs officials and the submission of regular reports pursuant to Security Council resolution [1540 \(2004\)](#).

(Signed) E. **Alisherov**
Deputy Minister
