

The Turtle Bay Security Roundtable: Navigating the Sanctions Regime, Promoting Proliferation Prevention

An event hosted by the Permanent Missions of Japan and Poland to the United Nations in cooperation with the Stimson Center

Date: December 5, 2011

Location: Japan Society in New York, New York

On December 5, 2011, the Permanent Mission of Japan to the United Nations joined the Permanent Mission of Poland to the UN to host the *Turtle Bay Security Roundtable: Navigating the Sanctions Regime, Promoting Proliferation Prevention*. The meeting was convened in cooperation with the Managing Across Boundaries Program at the Stimson Center, a civil society global security think tank. The half-day UN conference was designed to provide an open forum for representatives of UN Member States, members of UN Panel of Experts of Security Council subsidiary organs, regional experts, industry representatives, experts from think tanks, and members of civil society to discuss how to address the evolving proliferation challenges present in today's increasingly interconnected and globalized landscape. The event was a follow-up to the May 31, 2011 day-long meeting that explored the linkages between security and development objectives—and how strategies to overcome these challenges can also address other national priorities. At this most recent session on December 5, stakeholders from the relevant sectors built upon their initial discussions and explored the effective implementation of current nonproliferation efforts. Particular emphasis was given to sanctions focusing on North Korea and Iran, while also incorporating recent relevant developments in Libya. The conference also included a regional focus, and, as such, participants delved into the benefits of applying targeted innovative regional approaches to nonproliferation and capacity-building. In all, more than 120 participants representing around 50 UN missions as well as leading regional and nonproliferation experts attended the event. Below is a brief summary of the event.

OPENING REMARKS

Ms. Ellen Laipson, President of the Stimson Center, began by voicing the general purpose of the conference—examining, fortifying, and enhancing the nonproliferation regime—and introducing Ambassadors Tsuneo Nishida of Japan and Witold Sobków of Poland. Ambassador Nishida acknowledged that despite international efforts, the situation on the ground is not necessarily improving, pointing to the continued challenges in Iran and North Korea, as well as to the recent conventional weapons proliferation dilemma in Libya. The Ambassador further acknowledged that, ironically, one of the major challenges for international nonproliferation efforts today is globalization--the undercurrents of which threaten to undermine the very benefits our expanding global interconnectedness has yielded. As such, Ambassador Nishida noted the value of bringing

together relevant stakeholders to collectively share concerns and ideas in an informative, innovative, and informal setting provided by The Turtle Bay Security Roundtable. He particularly pointed to participation from the private sector and regional



experts as being indispensable to addressing proliferation in a more holistic and, thus, more effective and sustainable manner.

Ambassador Sobków, too, applauded the benefits and also the ripple effects of such an event, observing, in particular, events that have drawn inspiration from the initial successful event in May, including, *inter alia*, the first Committee Side-Event on the implementation of UN Security Council Resolution 1540, organized by the Mission of Poland. An additional event will be hosted in Vienna by the Governments of Poland and Japan, also on the subject of global nonproliferation.



EFFECTIVE IMPLEMENTATION OF THE UN SANCTIONS REGIME: TRENDS AND CHALLENGES

Ms. Laipson chaired the first session and urged participants to examine the challenges associated with effectively implementing UN sanctions on nonproliferation and efforts by UN Member States in addressing these challenges. Panelists included experts from three sanctions committees— Mr. John Everard, Coordinator of the 1718 Committee Panel of Experts on North Korea; Ms. Salome Zourabichvili, Coordinator of the 1737 Committee Panel of Experts on Iran; and Mr. Salim Raad, Coordinator of the 1973 Committee Panel of Experts on Libya—and discussants were recognized experts in the field, Mr. Evans Revere from the

Albright Stonebridge Group and Ms. Barbara Slavin from the Atlantic Council.

The experts from the committees provided an overview of how effective the UN nonproliferation sanctions have proven to be in their respective countries of focus: panelists observed that countries targeted by sanctions, especially North Korea, have faced growing difficulties in their efforts to illicitly ship arms and procure materials for its nuclear program. Panelists also emphasized that targeted sanctions are not aimed at changing the Iranian government, but, instead, they are centered on increasing the cost of continued proliferation efforts for the government and moving toward negotiations. In case of Libya, it was pointed out that the potential for weapons of mass destruction proliferation has been successfully reigned in. The threat, instead, lies with the mass proliferation of conventional weapons following the overthrow of Muammar Gaddafi. While outlining some key characteristics of the individual cases of sanctions violation, both panelists and discussants stressed the challenge posed by the unwillingness of the governments of North Korea and Iran, respectively, to fully comply with the international nonproliferation regime. In case of North Korea, Pyongyang's single-minded determination to pursue the development of nuclear weapons, as well as the means of delivery, poses a serious threat to international peace and security. It was suggested that the nuclear option itself has become a part of the nation's ideology as well as diplomacy. It was also acknowledged by the participants that although Libya now has a government willing to comply with international security mandates, it has limited capacity and resources to do so.

In addition to providing an analysis of the situation on the ground, panelists and discussants also illuminated methods by which national governments and the UN can increase the effectiveness of current sanctions, including, *inter alia*:

- Engaging and building a relationship with private companies in targeted industries in order to incentivize them to be more forthcoming with

governments and relevant UN committees, and share information they easily have access to with regards to potential links on the proliferation supply chain;

- Ensuring that companies understand the reputational risks associated with even perceived noncompliance with international sanctions and, as such, encouraging and aiding the development of internal compliance templates;
- Stressing the importance of the universality of sanctions and the need to raise awareness regionally—both in the vicinity of the targeted nations and with those nations that are not traditionally a part of the nonproliferation dialogue; and
- Observing the need for information to flow (such as the final report of the respective sanctions committees) not only into, but also *out* of governments and UN committees in order to successfully engage both the private sector and developing and emerging economies not traditionally linked into the nonproliferation dialogue.

ENHANCING THE GLOBAL REGIME OF NONPROLIFERATION

Ambassador Nawaf Salam of Lebanon, Acting Chair of the 1540 Committee, opened the second session, noting that while progress has been made toward implementing UN Security Council Resolution 1540 across the globe, much work remains to be done. He emphasized the long-term nature of full implementation and encouraged states to make full use of the opportunity to submit a request for assistance to the Committee as well as employ all relevant stakeholders toward building capacity.

Mr. Łukasz Zieliński, representative of the Mission of Poland moderated this session, which was focused on identifying measures that can contribute to enhancing the implementation capacity of UN Member States, particularly by recognizing linkages between local security and development concerns and international nonproliferation mandates as well as promoting regional cooperation. Panelists



included Mr. Richard Cupitt, Coordinator of the 1540 Committee Expert Group; Dmitriy Bityutskiy, expert on Central Asia, the Center for International Trade and Security, University of Georgia; Alexander Chacón, expert from Central and Latin America, Central American Integration System; Carl Ungerer, expert on Southeast Asia, Georgetown University and the Australian Strategic Policy Institute; and John Melican, the Bank of Tokyo-Mitsubishi UFG, Ltd.

Mr. Cupitt began the panel by emphasizing the need to seek greater social and economic integration as well as inter-regional communication and information sharing in order to build regional standards toward nonproliferation. He noted, however, that capacity in these regions needed to be built first. Mr. Bityutskiy, Mr. Chacón, and Mr. Ungerer also noted that a lack of capacity in their respective regions, and highlighted the need to balance trade and nonproliferation interests as a major challenge in Central Asia, Latin America, and in Southeast Asia. Nonproliferation is only one competing priority for states in these regions; however, internal and regional security and economic growth are high-priority issues. As such, Mr. Cupitt stressed the importance of highlighting how capacity-building can provide near term benefits for governments and the private sector in order to ensure sustainable buy-in from these parties. Mr. Ungerer also pointed out that the collective efforts of like-minded countries to strengthen other non-proliferation instruments such as the Proliferation Security Initiative (PSI) can be an effective approach to complement universal regime standards. Panelists also pointed out that

the growing privatization and complexity of trade is surpassing the public sectors' ability to monitor the global supply chain alone. Accordingly, Mr. Melican rounded off the panel by providing an industry viewpoint and pointing out that, when engaged, industry compliance and participation with the letter as well the spirit of nonproliferation mandates is at the forefront of prevention tactics. Nonproliferation is not only enforced at borders and ports but also in the conference rooms of global business institutions, which actively try to enforce UN resolutions as well as a series of national laws and standards. Continued engagement of the private sector will be increasingly central to successful nonproliferation.

**KEYNOTE ADDRESS: MASAO TAKEBAYASHI,
GENERAL MANAGER, CORPORATE EXPORT
REGULATION DEPARTMENT, HITACHI, LTD
(TOKYO, JAPAN)**

In his keynote address, Mr. Takebayashi shared the Hitachi Group's outline of export control regulations and practices. Hitachi has state-of-the-art in-house nonproliferation compliance structure and strives to raise awareness through educational workshops for employees, information sharing between companies in the Hitachi Group, and guidance tools such as audits as well as by keeping top management informed. The audience expressed keen interests on the practice of Hitachi and with an eye to building best practices, questioned how Hitachi collects and shares information on suspicious companies. Some commented on the critical importance of such a good practice should be shared not only by the group companies but also among the wider corporate communities, especially small and medium size companies.

SUMMARY REMARKS

Ambassador Sobków and Ambassador Nishida thanked all attendees for participating in a candid and innovative exchange of views. Ambassador Sobków asserted that the UN should aim to build a new quality of cooperation against weapons of mass destruction proliferation and facilitate synergies



between a wide range of different stakeholders to provide a holistic approach to disarmament and nonproliferation. Ambassador Nishida, too, lauded the importance of such efforts by the international community. Both Ambassadors also expressed their intention to continue organizing similar dialogues in New York in 2012 in order to maintain the positive momentum built through the two initial gatherings. In this regard, Ambassador Nishida indicated that it would be of interest to take up the issue of conventional arms as there will be a number of international conferences that are going to be discussing the issue in New York in 2012. Ambassador Nishida also announced that, mindful of the input and feedback from the conference, Japan would follow up the discussion by actively supporting regionally-based efforts, starting by working with the Stimson Center, which is planning on hosting a regional workshop in Malaysia in February 2012 that will operationalize the Turtle Bay discussion in this strategic region of the world.

In short, the meeting was a successful follow-up to the initial conference in May, and provided an in depth-discussion on fortifying the nonproliferation sanctions regime as well as on enhancing the nonproliferation regime itself by engaging the private sector and regional organizations. Participants widely appreciated the value of convening a meeting to allow for a candid exchange of views among representatives from respective Missions to the United Nations, regional experts, sanctions committee experts, industry representatives, and scholars on nonproliferation. They expressed a strong support for the continued dialogue on issues of nonproliferation and their implications on not only international security but global economic growth and development as well.