

Virtual National Workshop to Support Botswana to Strengthen Implementation of UN Security Council Resolution 1540 (2004)

11 August 2021

Your Excellencies, ladies and gentlemen,

On behalf of the 1540 Committee, I wish to thank you for the invitation to contribute to this Workshop to Support Botswana to Strengthen the Implementation of UN Security Council Resolution 1540 (2004), organized by the Government of Botswana in cooperation with the United Nations Office for Disarmament (UNODA), with financial support from the European Union and the United States of America.

Since its adoption in 2004, resolution 1540 has become a vital component of the global non-proliferation architecture and key instrument in curbing the threat posed by the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, by non-State actors.

Resolution 1540 imposes binding obligations on all States to adopt legislation to prohibit non-State actors to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, including for terrorist purposes. In this context, it obliges States to take and enforce effective measures to establish domestic controls. These include measures to account for and secure “related materials”; physical protection measures; effective border controls and law enforcement measures; and export and trans-shipment controls, including controls over funding and services. During the course of the next two days, Committee experts will address these obligations in more detail.

While the resolution sets out clear obligations, it does not specify how States should implement these. Resolution 1540 complements other non-proliferation instruments and establishes equal obligations that all Member States are required to implement, regardless of whether they are parties to WMD treaties or not.

The focus of resolution 1540 is on non-proliferation, not terrorism. It imposes measures that States must take to prevent access to, the exploitation of, and trafficking in WMD and related materials by non-State actors. A non-State actor is defined as an individual or entity, not acting under the lawful authority of any State. The resolution focuses on prevention and does not deal with response capacity to incidents involving WMD or related materials. In addition, the resolution is not directed against any States and does not impose sanctions.

While the 1540 Committee is responsible for monitoring the implementation of resolution 1540, it does not assess the effectiveness of measures adopted by States. The Committee pursues its mandate in a spirit of cooperation with States and of non-interference in their internal affairs.

The Committee utilizes a number of tools to assist Member States in the implementation of the resolution. This includes the 1540 Committee matrices, which have recently been updated in preparation for the Comprehensive Review of implementation of resolution 1540 (2004). The Committee regularly reminds Member States to submit national reports or to provide additional

up-to-date information on the measures they have taken, or plan to take, to comply with the obligations under the resolution. The Committee also continues to encourage States to submit voluntary National Implementation Action Plans (NAPs), which are a useful tool for States to identify actions to address any implementation gaps, foster interagency cooperation and identify areas where assistance may be required.

To strengthen Member States' capacity to implement their 1540 obligations, the Committee has also streamlined its assistance matchmaking process and sought updated information from States and international and regional organisations offering assistance, as well as from those States seeking assistance. The Committee has also revised its match-making assistance template to enable States provide specific details of assistance required. The Committee has encouraged States to use this template, which is available in the Committee's website, while sending their assistance requests to the Committee.

The Committee is currently conducting an important Comprehensive Review of its work, which will inform negotiations on its future mandate. The Committee will examine, among other issues, four main themes:

- First, implementation of the resolution. To date 184 of 193 UN Member States have submitted reports on their implementation. The Committee examines these reports to monitor progress made by States in implementation;
- Second, the facilitation of assistance to States and how this could be improved. Some States continue to require assistance in the implementation of their obligations and the Committee is ready to facilitate such assistance, upon their request;
- Third, ways to improve collaboration with relevant international, regional and sub-regional organisations and other UN bodies. The Committee works closely with many international organisations and arrangements; and
- Fourth, outreach to States and, where appropriate, civil society including academia, industry and professional associations. The Committee's website is an important tool for this. It is full of information including reports from Member States, and information from international organisations.

This year, the Committee intends to hold open consultations to provide direct interaction in this process. The Committee will invite UN Member States to take part, as well as relevant international, regional and sub-regional organisations, and where appropriate civil society. The Committee encourages all Member States to express their views on achievements, challenges and proposals to further improve implementation of the resolution. Invitations for these open consultations will be sent in due course.

The full and effective implementation of resolution 1540 remains crucial to address the threat posed by non-State actor access to WMD, including for terrorist purposes. We all have a part to play in the global effort to address common threats to our security.

I therefore wish to commend the Government of Botswana for the actions it has taken to implement resolution 1540 and for the initiative it has taken in this regard. We look forward to the outcome of this important workshop and the process towards strengthening the implementation of resolution 1540 in Botswana, including through the elaboration of a 1540 National Action Plan. The Committee stands ready to support this effort.

On behalf of the 1540 Committee, I wish all participants fruitful deliberations and a productive workshop over the next two days.

I thank you.