

WORKSHOP ON IMPLEMENTATION OF UNSCR 1540

Remarks by Mr Diego Araya

Member of the Committee Established Pursuant to UN Security Council Resolution

1540 (2004)

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On behalf of the 1540 Committee I would like to express our gratitude to the government of Turkmenistan for the invitation to participate in this important workshop on the implementation of resolution 1540 (2004). Also I would like to acknowledge with appreciation the Organisation for Security and Cooperation in Europe's (OSCE) Centre for Conflict Prevention (CPC) and the OSCE Centre in Ashgabat for their support in the organisation of this meeting. Thanks should go too to the UN Office of Disarmament Affairs for their support through the medium of their Memorandum of Understanding with the OSCE.

Resolution 1540 is a preventive resolution. The potentially devastating effect of nuclear, chemical or biological weapons proliferating to non-State actors, and possibly into the hands of terrorists, could have global catastrophic humanitarian, economic and political consequences. You are already aware of the deadly havoc that terrorists wreak with high explosive devices. While much of the activity surrounding UN resolutions and treaties on the subject of weapons of mass destruction concern procedures, compliance mechanisms and the like, we should not lose sight of what we are in fact trying to prevent. As you know only too well there are regular reports of attempts in various parts of the world, including Central Asia, to steal, sell and smuggle dangerous radiological material as clearly indicated by reports to the IAEA's Incident and Trafficking Database and in INTERPOL reports. The risk of non-state actors acquiring chemical components is also deeply concerning. On the biological side there are records of attempts by non-State actors to use dangerous biological materials, such as ricin, as weapons, and problems with proper management of dangerous pathogens in some places. These events serve to illustrate the importance, for all countries, of effective measures and controls on WMD and related materials.

This year marks the 10th anniversary of the unanimous adoption of resolution 1540. In his special message on April 28, UN Secretary-General Ban Ki-moon appealed "to all States and

other key actors to intensify their efforts to stop the proliferation of weapons of mass destruction as the safety and security of everyone is at stake.”

During the Open Debate on resolution 1540 by the Security Council on 7 May, under the presidency of the Republic of Korea, there were strong expressions of support by more than sixty countries of their commitment to the effective implementation of the resolution. However, there was a clear recognition that there is more work to be done. Indeed effective implementation is still very much a work in progress.

This is made clear in the unanimously adopted Presidential Statement that, among other things, says: “The Security Council calls upon all States to step up their efforts to implement resolution 1540, focusing on areas where measures taken may be strengthened, with a view to achieving full implementation of the resolution by 2021”. Also, the statement emphasised “the need for the Committee to coordinate its non-proliferation work with other international, regional and sub-regional organizations”. Clearly, it is a global endeavour that requires sustained cooperation from all stakeholders. As the Chair of the 1540 Committee, Ambassador Oh Joon, often says the effectiveness of resolution 1540 “is only as strong as the weakest link in the chain”. The responsibility for implementation rests with Member States.

I feel that it is important that I state the essence of the obligations so that you have in your minds during this workshop the scope of the binding obligations. According the Operative paragraphs of resolution States are required to:

- Refrain from providing any form of support to non-State actors in proliferation related activities regarding nuclear biological and chemical weapons and their means of delivery;
- Adopt and enforce appropriate legislation that prohibits non-State actors from engaging in any proliferation-related activities;
- Establish domestic controls to prevent nuclear, chemical and biological weapons proliferation, including by establishing appropriate domestic controls over related materials.

A wide range of activities are embraced in implementing these obligations including export controls, proliferation financing, transshipment controls, physical protection and border controls. While it is a binding obligation to have such effective measures, how they are implemented is in the hands of States in accordance with their own legal, regulatory and control systems. Globalization, rapid advances in science and technology, and the continuously evolving trading environment not only brings benefits but can also lead to changes in the risk environment. These risks need to be countered by adaptation of measures in place or by the introduction of new measures. Effective implementation requires constant attention.

It is worth noting that to date 172 countries have reported on the measures they have taken, or plan to take, for the implementation of resolution 1540. This means that nearly 90% of UN Member States have reported – a remarkable record. This is a practical indication of commitment to the objectives of the resolution and enables the 1540 Committee to engage in dialogue with States – such as Turkmenistan. While there are still 21 countries to submit a report, I am glad that the reporting record among OSCE countries is 100%. I should point out that regular additional reporting and updating is important in order that the status of implementation can be reflected and assessed accurately.

Nearly all OSCE Member States have formally designated Points of Contact for 1540 implementation. An innovative meeting that brought together OSCE PoCs in Vienna this April was an important contribution to the development of 1540 PoCs into a “living network”, which is one of the goals in the 1540 Committee’s Programme of Work. I very much hope that one of the outcomes of this workshop might be the notification of a 1540 point of contact for the OSCE and for the 1540 Committee so that Turkmenistan can join this network.

We are now moving from a decade of awareness-raising to a new decade focusing more on effective and sustained implementation. I would like to stress that direct interactions with States by invitation, is without question a practical and we believe effective way of improving the implementation of 1540 obligations. This can lead to additional reporting and assistance with the development of voluntary National Implementation Action Plans (NAPs), for example, which can help States take steps to implement their obligations.

On the matter of voluntary NAPs the Committee is keen to receive as many as possible. I know that tomorrow you will be having an in-depth discussion on the important subject of voluntary NAPs. These plans, when executed, are a true reflection of a State's commitment to implement fully resolution 1540 (2004). States from different regions of the world have informed the Committee about the adoption of their national implementation action plans. They have found developing these plans valuable in engaging all relevant national stakeholders to help assure full implementation of the resolution. I very much look forward to tomorrow's discussion on this subject.

I would like to say a few words about assistance. The 1540 Committee has a match-making role in this process. The Security Council has approved the Committee's Thirteenth Programme of Work effective from 1 June this year. One of the priority areas the Committee will focus on is improving the system of assistance that is designed to facilitate the capacity building of States that request help in improving their implementation of the 1540 obligations. The Committee would welcome ideas on how we might make the assistance mechanism more efficient and responsive. The Coordinator of the 1540 Group of Experts will be saying more about this aspect in his remarks that will follow.

I very much look forward to discussing the points I have raised with you in order to advance the 1540 Committee's collaboration with you to our mutual benefit in the important effort to develop a safer world by preventing the proliferation of weapons of mass destruction and related materials to non-State actors.

Thank you for your attention. //End//