

OSCE Forum for Security Cooperation on-line meeting on “Non-proliferation of WMD”

(5 May 2021)

Briefing by the Deputy Chair of the 1540 Committee (max 15 mins)

Your Excellencies, ladies and gentlemen

On behalf of the 1540 Committee, thank you for the invitation to contribute to this discussion.

RESOLUTION 1540

It is worth starting by considering the international picture and why the meeting today is so important. The threat of non-state actors obtaining and using nuclear, chemical and biological weapons remains high. The global nature of the WMD proliferation threat requires a global response. In that context, 1540 is more important than ever.

Its objective is to prevent the proliferation of weapons of mass destruction, and their means of delivery, to and by non-State actors.

Resolution 1540 defines non-State actors as individuals or entities not acting under the lawful authority of any State.

The resolution imposes basic obligations on all States. They must:

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

To achieve this the resolution sets out clear obligations but does not specify how States should implement these. Importantly however, the resolution states that none of the obligations shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to relevant WMD treaties or alter the responsibilities of relevant international organisations.

The resolution therefore complements other non-proliferation instruments and establishes an equal obligation on all Member States to implement 1540, regardless of whether they are parties to the WMD treaties or not.

The focus of resolution 1540 is on non-proliferation, not terrorism. Under the resolution however, the Security Council expressed grave concern at the threat of terrorism and the risk that non-State actors might acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery.

THE COMPREHENSIVE REVIEW

I'll turn now to the work of the 1540 Committee and our efforts to fulfill its mandate. This year, the Committee is 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 to the Committee. 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 implementation of obligations and the Committee is ready to facilitate such assistance, upon request. Regional organisations such as the OSCE can have an important role to play in promoting and coordinating assistance;
- 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 of course regional organisations such as the OSCE;
- Fourth, outreach to States and, where appropriate, civil society including academia, industry, 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, regional and sub-regional organisations about their assistance programmes and effective practices.

There are also administrative and procedural issues to be discussed during the Review.

The Review is an inclusive process and the Committee has planned a series of activities to ensure that Member States, as well as international, regional and subregional organizations and civil society, as appropriate, will be able to contribute fully to the Committee's deliberations. All these efforts are aimed at demonstrating the openness of the Committee's activities, its readiness to take on board the variety of views expressed by the international community in order to ensure that a new Security Council Resolution extending the 1540 Committee's mandate beyond 2022 enjoys the widest possible support. The coronavirus pandemic has affected many of these events, and the committee is working with UNHQ staff to finalise dates for rescheduling those that have yet to take place.

Last year the Committee called upon states to give updates on their national implementation their obligations under 1540. The committee used these updates to revise country matrix documents for each state. These matrices are based on information provided directly by states to the committee, together with official government information, including that provided to international organisations such as the IAEA and OPCW. They give a detailed overall picture of progress in implementation of the resolution.

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

The Committee has also invited international and regional organisations to provide written contributions to the Review.

THE OSCE

We would like to warmly thank the OSCE for their work in supporting the implementation of the 1540 resolution. It is precisely this type of cooperation which will ensure that we are better placed to tackle the challenges that we face.

We would like to thank the Forum for Security Co-operation for responding earlier this year to the Committee's request for written inputs with a comprehensive review of OSCE's support to the 1540 Committee, including the results of provision of technical assistance, sharing of experience on national progress, lessons learned, and development of effective practices on implementation of the resolution at the regional level, maintenance and development of the OSCE network of 1540 points of contact, and enhanced cooperation and information sharing with the 1540 Committee and UNODA.

The Security Council fully recognizes the importance of regional organisations such as the OSCE to the Committee's efforts to promote full implementation of resolution 1540 by all Members.

The OSCE, a regional organization under Chapter VIII of the UN Charter, has in recent years played an important role in supporting implementation of resolution 1540, as set out in its Forum for Security Cooperation's Decision on support to 1540 in 2015.

For example, the OSCE has been involved in the organization of national and regional workshops on implementation of 1540, the formulation of national reports, national implementation action plans, 1540 PoC training courses, meetings on peer reviews (involving for example Belarus, Kyrgyzstan, Tajikistan, Kazakhstan and Turkmenistan) and meetings with Parliamentarians regarding 1540 legislation, amongst other subjects.

CONCLUSION

The Committee welcomes the strong efforts of the OSCE and its participating states over the life of the resolution. 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. It is vital that it remains fit for purpose. We all have a part to play in the global effort to address common threats to our security.