

Conference of International, Regional, and Sub-regional Industry Associations on UN Security Council Resolution 1540 (2004)

Wiesbaden, Germany; 23-25 April 2012

Statement delivered by the 1540 Committee Representative Mr. Khalil Hashmi
on behalf of 1540 Committee Chairman Mr. Baso Sangqu

Ladies and Gentlemen,

On behalf of the Security Council Committee established pursuant to resolution 1540, let me express my appreciation to the Government of Germany for hosting this important Conference of International, Regional and Sub-regional Industry Associations, here in the charming city of Wiesbaden, and for having organized it, in cooperation with the UN Office for Disarmament Affairs (UNODA) to which our thanks are also addressed. We would also like to express our gratitude to the Government of Norway, the Government of the United States of America and the European Union, for the generous support they have provided to this event.

Resolution 1540 (2004) is a strong testimony of the resolved efforts of the international community to prevent the proliferation of nuclear, chemical, biological weapons and their means of delivery by non-state actors. It affirms that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security. It also reaffirmed the need for all States to fulfill their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction.

Resolution 1540 (2004) has an explicit focus to prevent the proliferation by non-State actors of nuclear, chemical and biological weapons and their means of delivery. The unanimous adoption of resolution 1540 in April 2004, as such, was a major step for the entire global framework of non-proliferation undertakings.

Resolution 1540 (2004) is also significant for expressing grave concern by the threat of illicit trafficking in those weapons, their means of delivery and related materials, which adds a new dimension to the dangers of proliferation. In this regard, resolution 1540 (2004) represents a key non-proliferation instrument, by requiring all States:

- To refrain from providing any support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear chemical, biological weapons and their means of delivery;
- To adopt and enforce appropriate effective laws which prohibit non-State actors to conduct such activities, in particular for terrorist purposes, as well as attempts to engage in any of these

activities, participate in them as accomplice, assist or finance them;

- To take and enforce effective measures to establish domestic controls, including by establishing appropriate controls over related materials. In this regard, States shall:
 - i. Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;
 - ii. Develop and maintain appropriate effective physical protection measures;
 - iii. Develop and maintain appropriate effective border controls and law enforcement efforts to combat the illicit trafficking and brokering in such items;
 - iv. Develop and maintain appropriate effective national export and trans-shipment controls over such items, including to control transit and re-export, as well as controls of providing funds and services related to such export and trans-shipment.

In adopting resolution 1540 (2004), the Security Council affirmed that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while goals of peaceful utilization should not be used as a cover for proliferation.

This was most recently reaffirmed by the Security Council in resolution 1977 (2011), which also extended the mandate of the Committee for 10 years, until 2021. It also noted that full implementation of the requirements of resolution 1540 would require adoption of national laws and measures to ensure implementation of these laws. This is a long-term task that will require continuous efforts at national, regional and international levels.

The Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540. In practice, most of the related materials are indeed being used in the framework of legitimate activities, in particular in the private sector. In this respect, it is important that efforts to prevent the proliferation of nuclear, chemical and biological weapons by non-State actors do not result in unnecessary constraints for the private sector and on national development matters.

In considering the threat of large-scale damage to society and the economy from any threat or attack from nuclear, chemical and biological weapons, the need to enhance controls is unquestionable.

Resolution 1540 (2004) does not prescribe specific standards that have to be implemented. Nor does it specify how these measures should be

implemented, as this is within the sovereign jurisdiction of each State. Ultimately, the implementation of resolution 1540 (2004) is a national function and responsibility.

Industry and industry associations have a role to play to help achieve the objectives of resolution 1540 (2004). In this regard, the Committee recalls that, through operative paragraph 8 (d) of resolution 1540 (2004), the Security Council called upon all States to develop appropriate ways to work with and inform the industry and the public. Let me recall also that, through operative paragraph 12 of resolution 1977 (2011), the Security Council encouraged the 1540 Committee, at its discretion, to draw on relevant expertise, including the private sector.

We are glad that it was possible to gather industry associations from all around the world, representing key sectors of activity of particular significance for resolution 1540 (2004). International, regional and sub-regional industry associations can usefully help disseminate information and practices in the relevant areas covered by resolution 1540 (2004). They can also contribute to and participate in sharing of experience. In this regard, it is important, for the 1540 Committee, to seize opportunities like this one for direct interaction with relevant industries and industry groups.

We look forward to a fruitful Conference, and encourage all participants to engage in open and interactive discussions.

Thank you very much for your attention.