

Committee on Hemispheric Security (CSH) of the Organization of American States (OAS)  
**Meeting on “Support for Implementation at the Hemispheric Level of UNSC Resolution 1540”**

OAS Headquarters, Washington D.C., 4 December 2008

**Status of Implementation of UN Security Council Resolution 1540**

**Statement by Ambassador Jorge Urbina,  
Chairman of the 1540 Committee**

1. My thanks go to the Committee on Hemispheric Security (CHS) of the Organization of American States for inviting me to speak to you this afternoon. Let me extend my congratulations to Ambassador Gustavo Albín of Mexico in becoming the new Chair of the Committee on Hemispheric Security, as well as to Ambassador Carlos Sosa of Honduras and Ms. Patricia D'Costa of Canada for their service as the new Vice-Chairs. I and the rest of the 1540 Committee look forward to working with Ambassador Albin in the coming months. As the States of the United Nations recently elected Mexico to serve on the UN Security Council for 2009-2010, and, therefore, become a member of the 1540 Committee, I look forward to developing even closer cooperation with the Committee on Hemispheric Security in particular.

2. As you know, resolution 1540 is the first formal decision taken by the Security Council to address the proliferation of weapons of mass destruction (WMD) as a threat to international peace and security, also noting illicit trafficking in WMD-related materials as a new dimension of such proliferation. Adopted by unanimity on 28 April 2004 under Chapter VII of the UN Charter, the resolution establishes binding obligations on all States to adopt appropriate effective measures to prevent and deter non-State actors from acquiring nuclear, chemical and biological weapons, their means of delivery, and related materials, in particular for terrorist purposes. The Security Council has reiterated these objectives in its unanimous adoption of resolutions 1673 in 2006, and 1810 in 2008 which also extended the mandate of the 1540 Committee to 2011.

3. As international legal instruments mostly restrict the activities of States toward other States, resolution 1540 addresses the threat posed by non-State actors seeking, trafficking in, or using WMD, thereby closing several gaps in international law. By calling on states to universalize and implement fully all multilateral treaties designed to prevent the proliferation of nuclear, chemical and biological weapons, and explicitly support the work of the International Atomic Energy Agency (IAEA), the Organisation for the Prohibition of Chemical Weapons (OPCW), and the Biological and Toxin Weapons Convention (BWC), the resolution seeks to make these pillars of nonproliferation more effective.

4. The international community already can point to some success in fulfilling the objectives of resolution 1540. In quantitative terms, nation states have made progress in addressing the threat of WMD proliferation across nearly all obligations since the 2006 report of the 1540 Committee to the Security Council. For the OAS, the 1540 Committee found that its members have almost doubled the measures taken to implement the resolution 1540 since 2006.

5. The 1540 Committee also found that key international organizations have adopted portions of the mandate of UNSCR 1540 to guide their programs of work and have worked in concert with the 1540 Committee and Member States. Among the regional organizations, the OAS has taken a leading role in supporting the implementation of resolution 1540. In particular, its Committee on Hemispheric Security (CHS) gave representatives of the 1540 Committee the opportunity to speak to its membership as early as December 2006. The 1540 Committee especially appreciates the subsequent adoption of resolution 2333 on “Support for implementation at the hemispheric level of United Nations Security Council resolution 1540 (2004)” by the OAS General Assembly in June 2007, one of the first resolutions of its kind in the world. The OAS has made this commitment even more robust through follow-up resolutions and meetings such as that of today, contributing to a framework of activities on the implementation of resolution 1540 among its members, almost all of which have submitted reports, and taken steps to strengthen their capacity to prevent or deter illicit

acquisition or use of WMD, their means of delivery, and related materials by non-state actors.

6. These activities include, for example, travel earlier this year, by a 1540 Committee expert to Guatemala (February 2008) to work with its government on augmenting their nonproliferation legislation; to Dominican Republic (February 2008) to participate in the Henry L. Stimson Center's workshop on 1540 implementation in Caribbean States, and to Buenos Aires (May 2008) to participate in the OAS workshop on 1540 implementation. At the OAS workshop, suggestions by Ambassador Williams, then Chair of the CHS, and others reflect the understanding that the 1540 Committee has started to move past the initial phases of its mandate, such as raising awareness about the resolution and gathering data for its exploration into what measures national governments had in place that might implement aspects of resolution 1540, to enter the next phase of its mandate – facilitating full implementation of the resolution. UN Security Council resolution 1810 (2008) outlines a number of objectives for this next phase, including enhancing cooperation with regional and sub-regional organizations. For example, a workshop on 1540 implementation with ten OAS Member States (from the MERCOSUR and greater region), organised by the UN Office for Disarmament Affairs and sponsored by the European Union as well as the Governments of Norway and the United States, just took place in Sao Paulo, 24-28 November. The 1540 Committee knows that meetings like this one permit members to discuss degrees of compliance and lessons learned with their peers.

7. Resolution 1810 continues to reinforce the need for the 1540 Committee to work with international and (sub) regional organizations. As international entities, the OPCW, IAEA, the Implementation Support Unit of the BWC, and the Financial Action Task Force (FATF) have incorporated key elements of UNSCR 1540 into operational parts of their member state procedures. At the regional level, as with the OAS, the Organization for Security and Co-operation in Europe (OSCE) adopted a politically binding Ministerial endorsement of UNSCR 1540 and is moving toward a Best Practices Guide for implementation of the resolution. The ASEAN Regional Forum Foreign Ministers

adopted a statement encouraging members to report to the 1540 Committee on their implementation and subsequently agreed to a yearly meeting focused on 1540-based nonproliferation. The League of Arab States recently drafted a working paper in support of the resolution, while the African Union issued a Note Verbal to its members. Taken with the OAS, these six regional organizations represent 189 of the 192 UN Member States.

8. The 1540 Committee has also emphasized the development of new assistance vehicles for empowering Member States to fulfill their obligations. In addition to posting requests for and offers of assistance on its website, through discussions during international conferences, workshops, and meetings, the 1540 Committee developed a template for assistance requests that States can refer to, if not use directly, to submit more effective requests, such as that submitted recently by the Caribbean Community and under consideration by the Committee. In addition, in line with resolution 1810 (2008), the 1540 Committee has expanded its clearing house role to create new processes to match requests for assistance with potential partners. The 1540 Committee also will consider the creation of a voluntary fund for such programs in the coming months.

9. I cannot stress enough the importance that OAS member States embrace their 1540 obligations. More than 20 OAS member states have some infrastructure in place for trade in nuclear, chemical and biological items, and all but a few have an infrastructure for international trade that might tempt terrorists or criminal organizations to exploit. Although OAS members have made significant strides toward full implementation of resolution 1540 since 2006, the States of the hemisphere still have many gaps to close.

10. Terrorist and criminal groups ignore borders, threatening every State in the region directly. Indirectly, their actions threaten the security of global supply chains, of the world financial system, and of huge economic sectors, such as transportation or tourism. The potential for an attack by a non-State actor using WMD threatens the

international system upon which the prosperity of virtually all States now depends. In conclusion, we note with appreciation that the issues of non-proliferation have been included in the high-level security agenda of the OAS. We are aware that non-State actors may develop new methods to exploit perceived weaknesses. The 1540 Committee recognizes that it must work with regional organizations like the OAS as well as with States to speed up the pace of effective implementation of resolution 1540. Each region and state has expertise in how to accomplish these important international goals with regard to its own unique circumstances. Not only can such expertise guide your own actions, but such expertise can also assist other regions and states to facilitate the work of the 1540 Committee in fulfilling the obligations of the resolution for the world.

11. Implementation of resolution 1540 will require a sustained effort over many years by all States. As its July 2008 Report describes, the 1540 Committee knows that many gaps exist between the current status of national efforts to prevent non-State actors from acquiring, trafficking in or using WMD, their means of delivery, and related materials, and the requirement of full implementation of the resolution. In that regard, the 1540 Committee stands ready to assist OAS members in preparing their plans for implementing their obligations under the resolution – a step urged not only in UN Security Council resolution 1810 (2008), but also by the OAS. The 1540 Committee looks forward to working with you to meet these challenges now and in the future.