

2016 Comprehensive Review
Background Paper for the Formal Open Consultations by the 1540 Committee
20 to 22 June 2016, New York

Introduction

On 20 April 2011, the Security Council unanimously adopted resolution 1977 (2011), which reaffirmed its resolutions 1540 (2004), 1673 (2006) and 1810 (2008), and stated that the Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), and extended the mandate of the Committee for a period of 10 years until 25 April 2021.

Paragraph 3 of resolution 1977 (2011) states that the Committee will conduct a comprehensive review on the status of implementation of resolution 1540 (2004), both after five years and prior to the renewal of its mandate, including, if necessary, recommendations on adjustments to the mandate, and will submit to the Security Council a report on the conclusions of those reviews, and decides that the first review should be held before December 2016.

The Committee developed a set of modalities for the conduct of the 2016 Comprehensive Review¹ (the “Review”). In terms of these Modalities, the Review should be both retrospective and forward-looking. It should draw on an analysis of implementation of resolution 1540 (2004), based on information available to the Committee, including the approved matrices and inputs from Member States and related intergovernmental and regional and sub-regional organisations. The Review is intended to address ways of improving the implementation of the resolution by Member States by identifying and recommending specific, practical and appropriate actions to this end, and to analyse the operation of the Committee in the conduct of its tasks and recommend any changes considered necessary.

The Committee adopted a thematic approach for the Review based on the following themes:

Monitoring and National Implementation

1. An analysis of the status of implementation of the resolution by States including identifying the key trends in implementation, including identifying gaps in implementation and, as far as practicable, identify the reasons;
2. Identify shortcomings in the current system of data collection, storage, retrieval, presentation and analysis including in reporting by States and sharing of effective practices, and recommend ways to enhance the capacity to maintain, update, retrieve, present and analyse the data, including identifying the core data needed to assess implementation;
3. Drawing on experience with direct interactions with States, recommend appropriate ways to intensify and promote these interactions;

¹ Published on the 1540 Committee’s website at <http://www.un.org/en/sc/1540/comprehensive-review/pdf/2016%20CR%20Modalities%20Paper.pdf>

Assistance and Cooperation with International Organisations

4. Drawing on the experience in operating the 1540 assistance mechanism, analyse the Committee's role in facilitating "match-making" and recommend improvements to bring about the prompt delivery of assistance;
5. Seek ways to support States to better understand the assistance mechanism to identify needs and priorities, to prepare well-developed assistance requests and to enhance collaboration with potential providers on an individual or, possibly, a regional basis;
6. Analyse the experience of the Committee's collaboration with international and regional organisations and seek improved ways of enhancing the collaboration of the Committee with directly related international, regional and sub regional organisations, and other United Nations bodies;
7. Identify better methods for regional organisations to support building networks of 1540 Points of Contact, encouraging reporting to the Committee and developing opportunities for the Committee's direct interactions with States;

Transparency and Media Outreach

8. Examine the experience of the Committee's outreach to States and civil society including academia, industry, professional associations and parliamentarians;
9. Recommend how best to improve outreach to these sectors including through publications and electronic means and, as appropriate, the use of social media and building a 1540 network including, in an appropriate way, civil society;
10. An examination of the current structure and methods for supporting the 1540 Committee in the execution of its tasks and to recommend any improvements needed flowing from the analyses.

Objective of the Consultations

The objective of the consultations is to provide participants with an opportunity to inform the Committee of their views on the implementation of resolution 1540 (2004), in particular to recommend practical ideas for the improvement of its implementation.

This background paper is intended to give an introduction to the principal themes of the agenda for the consultations. It is based on the data available through the matrices and the Committee's interaction with States and other entities. The Committee's conclusions and recommendations will be further developed drawing on the views of Member States and inputs from international, regional and sub-regional organisations and civil society.

What has been done so far?

The Committee, in accordance with a schedule of outreach events engaged Member States, international, regional and sub-regional organisations and civil society on the Review. These events included in 2015 a briefing to the Security Council on the process of the Review; a

discussion by the Chair of the Committee with participants of the Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons; a meeting of former experts that supported the work of the Committee from 28-29 May 2015 in Cape Town, South Africa. In 2016 the Committee held a seminar on the changing nature of proliferation threats; an informal meeting of the Committee with relevant international organisations and other relevant United Nations Committees and Panels with representation in New York; participation in an African Union 1540 Review and Assistance Conference in Ethiopia, and; a Committee initiated dialogue with academia and civil society on 11-12 April 2016.

From 12-13 May 2016, a special Committee meeting was held in Madrid, Spain, to undertake an informal, forward looking discussion of how best to develop full and effective implementation of resolution 1540 (2004) on a global basis in the context of the Review. Relevant international and regional organisations also participated in the meeting.

From 2014 to 2016 the Committee, with the support of the Group of Experts, reviewed the data in the Committee's matrices of all 193 Member States. The matrices contain the data at the time they were reviewed of the measures taken by States to implement the obligations under resolution 1540 (2004). The revised matrices were sent to Member States for comment and the final versions were approved by the Committee for publication on its web site². The data recorded in these matrices provide an important input to the Review.

Proliferation Risks

The setting in which States are implementing resolution 1540 (2004) obligations is being taken into account in the Review. This is not only in relation to the individual circumstances of States but also in terms of the proliferation risk environment. Two factors are of importance, namely:

- The evolution in the activities of non-State actors and, in particular, the nature of terrorism, in the period under review , and;
- The relevant advances in the fields and science, technology and international commerce.

The Review should, therefore, take account of the changes that have a material effect on such implementation. Terrorist groups and their supporters have indicated clearly by their actions and stated intentions that they are set on the use of extreme violence. The use of weapons of mass destruction is not a theoretical prospect. For example, improvised chemical weapons have been used in the Middle East. Terrorist groups such as ISIL occupy large areas of territory, engage in illicit commercial operations that provide them with significant financial resources and are known to recruit personnel with capabilities that might support the development of weapons of mass destruction programmes.

The need to counter the risk of the proliferation of weapons of mass destruction that is increased by the evolving nature of terrorism is further complicated by the rapid advances in science, technology and international commerce. While they bring important humanitarian

² The approved matrices can be viewed at (www. <http://www.un.org/en/sc/1540/national-implementation/1540-matrix/committee-approved-matrices.shtml>)

and economic benefits, and should be promoted and safeguarded, there are risks of misuse that Member States must address in meeting their obligations under resolution 1540 (2004).

Monitoring and National Implementation

Analysis of the data shows that progress has been made in the implementation of resolution 1540 (2004) over the last five years. However, the rate of progress confirms that accomplishing the objective of full implementation of the resolution is a long-term task that will require continuous efforts with sustained and intensified support from the Committee. Continuing support will also be required from other components of the United Nations and relevant international, regional and sub-regional organisations. Continuing support from Member States and multinational arrangements remains essential.

It is clear that most States increased their measures for the implementation of resolution 1540 (2004), especially in taking legal actions to prohibit activities of non-State actors related to nuclear, chemical and biological weapons and their means of delivery. Although some progress has also been made in relation to accounting, security and export control measures, it is clear, that for many States there remain significant efforts to be undertaken to address gaps in these areas of implementation. At a regional level, there is also differentiated progress on the implementation of the resolution. There is also differentiation in implementation between the three types of weapons (nuclear chemical and biological) and related materials.

The recorded implementation measures increased globally over the period under review. The global increase of 7%, in recorded measures masks greater increases in some regions such as Africa and Eastern Europe. Importantly, States with lower implementation rates in 2011 have generally shown an increase of about 12% by 2016.

The Weapons

Nuclear

In the nuclear area increases in implementation in the area of prohibitions (operative paragraph 2) are encouraging, but the picture in the area of controls (operative paragraph 3) is more varied. There has been an increase overall in control measures adopted since 2011 in the nuclear area. However, the increases are mostly related to national legal frameworks and are not matched in the area of enforcement measures; this is not surprising as the majority of States have IAEA Safeguards Agreements, which encourage States to take action on legal frameworks. Another factor that influences the degree of implementation is that peaceful uses of nuclear energy differ significantly from one region to another. For example in one region there are more than 600 nuclear facilities while in another there are just four. There is a positive correlation between the scale of use of nuclear energy and the implementation rate for nuclear materials.

Chemical

With regard to the chemical area the increase in the number of recorded measures of 15% between 2011 and 2016 is encouraging. There has been a satisfying increase in other aspects too. For example, in 2016, 161 States have a legal framework in place to prohibit

manufacture of chemical weapons by non-State actors as compared to 135 in 2011. With regard to security of chemicals in transportation and physical protection measures in facilities the picture is less encouraging with only slight or no increases in recorded measures. This provides an indication of where more work and collaboration with partners are needed.

Biological

While there has been an increase in recorded measures for prohibitions on biological weapons (operative paragraph 2) with regard to non-State actors. As in the other weapons areas additional efforts are needed in the area of enforcement. For example in 2016, only 116 out of the 193 Member States are recorded as having a specific prohibition on the possession of a biological weapon by non-State actors. The weakest area for recorded legal measures is in the security, accounting and transport of biological materials. However, care must be taken in interpreting these data taking into account the relatively fewer legally binding measures for biological security arising from global legal instruments such as the Biological and Toxin Weapons Convention, as compared to the nuclear and chemical areas.

Other Obligations

For proliferation financing issues, the trend reveals an overall increase in recorded implementation measures since 2011. For the most part counter-terrorism financing measures were used where their application could possibly cover weapons of mass destruction. However, very few States have dedicated proliferation financing legislation and controls for non-State actors.

With regard to trends in the field of export and border controls there is a steady increase in recorded implementation measures being put in place by States To give some numbers: For nuclear, chemical and biological materials, 178, 179 and 176 States respectively have adopted border controls, (compared to 163, 166, and 167 States in 2011): 137, 130 and 103 adopted legislation on export controls, (compared to 116, 124, 113 in 2011) 94, 108, 77 have implemented Control lists (compared to 79, 85 and 72 in 2011).

In addition, more States have addressed their efforts to providing appropriate and effective sanctions for violations of border and export control regulations. With regards to licensing provisions, an increasing number of States have adopted enforcement measures to penalize violations too. For example, since 2011 in the NW field: 30 more States introduced enforcement measures generally related to licensing provisions, 39 more States introduced enforcement measures related to individual licensing and 16 more States related to violations of general licensing rules.

However, when it comes to the picture of regional implementation the analysis of the data shows that in general, there still are regional differences and the data analysis allows for assessment which regions are those where most assistance is likely to be needed. In this regard it is also important to take account of the widely varying industrial infrastructure within and between the regions concerned.

Reporting

The data for the matrices originates primarily from information provided by States to the Committee in the form of national reports. In addition, publically available official government information as well as such government information made available to intergovernmental organisations, are also utilised to record 1540 relevant implementation measures in the matrices. With the recent updating of the matrices, the Group of Experts had to increasingly rely on such information.

By 25 April 2016, 176 States had provided the Committee with their reports on measures taken for the implementation of resolution 1540 (2004). They contain a varying degree of information. Of those States that submitted reports, 61 States provided only one report, 29 States provided two reports, and 86 States provided more than two.

In terms of the 427 reports submitted to date, most, 331 (78%), were submitted between 2004 and 2008. From 2009 until 2010 only a further 12 reports were submitted. From 2011 until 2015 there was an encouraging increase with a total of 84 reports being submitted.

Since 2011, the number of non-reporting States has been reduced to 17 States from. Of these remaining non-reporting States, 13 are from Africa, three from the Asia-Pacific region and one from the Latin America and Caribbean region. Efforts are ongoing to facilitate the submission by these 17 States of their first 1540 reports.

Visits to States

Since 2011, when the first visit (by invitation) was undertaken, the number of Committee visits to States, at their invitation, now totals 21. Seven visits were undertaken in 2015, five in 2014, four in 2013, three in 2012 and one in 2011. There were also about 40 other visits, such as national round tables, in States during which there was direct interaction between the Committee and its Group of Experts and government officials directly engaged in implementation of resolution 1540 (2004).

On some occasions during these visits, bilateral meetings have also been included at ministerial level or with other high-ranking officials contributing to the raising of awareness of the resolution at the high policy making levels of governments. These visits also facilitate the development within States of internal coordinating mechanisms because the visits often bring together all relevant stakeholders.

Another element, and possibly the most significant of these visits, is the consultations that take place in framework of roundtables in which relevant stakeholders meet with the Members of the Committee and its Group of Experts.

The results of these visits vary. In some cases the direct result has been the drafting of a national report or a voluntary National Implementation Action Plan.

All visits have offered an invaluable opportunity of identifying potential implementation gaps and future steps, thereby contributing to a better understanding of progress made by the State on the implementation of the resolution. Furthermore, through such visits, views have been shared on amendments and/or adoption of legislation/regulations to implement the resolution.

Visits to States have proven to enhance and deepen the direct dialogue with them and support States' efforts towards strengthening their capacity to implement resolution 1540 (2004) and to. The increased number in visits to States reflects the tacit recognition of the very positive dynamic associated with them.

Voluntary National Implementation Action Plans

Since the submission of the first voluntary National Implementation Action Plan (NAP) in 2007, a total of 24 such plans have been submitted to date, the majority submitted since 2014. Although voluntary, these plans provide the Committee with an overview of specific actions a State intends to undertake to strengthen their implementation of the resolution. Also to develop such a plan requires the engagement of all the national stakeholders in the various ministries and agencies that have responsibilities for the implementation of resolution 1540 (2004).

Furthermore, many States interacted with the Committee and its Experts in drafting these plans. Such interactions provide for dedicated dialogue between the Committee and States, which facilitates a better understanding of the status of implementation.

Assistance

Since its inception, resolution 1540 (2004) recognized that some States may require assistance in implementing the resolution and invited States, in a position to do so, to offer assistance in response to requests by States lacking the legal and regulatory infrastructure, implementation expertise and or resources for fulfilling the provisions of the resolution.

Resolution 1810 (2008) urged the Committee to continue strengthening its role in facilitating assistance, including by engaging actively in matching offers and requests for assistance, therefore establishing its match-making role. Resolution 1977 (2011) recognized means such as visits to States as a way to support this match-making effort.

According to available data, since 2004, 59 States and two regional organisations have requested assistance through the Committee. Of these requests, 16 came from African States, 22 from States in the Asia-Pacific region, six from Eastern Europe and 11 from Latin America and the Caribbean. Since the date of the last review, most of the assistance requests, came from African States (8), followed by three from Latin America and the Caribbean, two from Eastern Europe and one from Asia-Pacific. The requests from the Asia-Pacific and Eastern Europe were focused primarily on export and border control as well as for training and equipment. In the case of Latin America most of the requests included training and legislative assistance. Regarding the requests by African States, most of them were of a more general nature, covering all aspects of the resolution. In general terms, the requests were not focused on a specific type of weapon of mass destruction.

The number of available recorded official positive responses for the period was 45, i.e. on average each assistance request received more than 3 responses. This is a significant increase in comparison with previous years, but still modest.

However, the 1540 Committee Experts, in their interaction with States, as well as in the framework of outreach events, have been made aware of several ongoing assistance programmes, including in those States that have requested assistance to the 1540 Committee. Nevertheless, in most instances the existence of these programmes has not been officially communicated to the 1540 Committee.

In recent years, the Committee's cooperation with regional organisations has been significantly strengthened. For instance, the African Union (AU) held specific meetings to address 1540 issues. Also, the Organisation of American States and the Organisation for Security and Cooperation in Europe (OSCE) have worked together with the Committee and other international partners in the development of voluntary National Implementation Action Plans in their regions. In 2015, the 14th Programme of Work of the 1540 Committee called for the consideration of regional approaches to meeting assistance needs.

In this regard, the first regional assistance conference, organised in collaboration with the African Union (AU), took place from 6 to 7 April 2016, in Addis Ababa, Ethiopia. It was the first time that States that requested assistance were brought together with potential providers, providing a genuine match-making platform. Twelve of the 16 African States that have requested assistance participated in the AU Conference; all States were offered the opportunity to have bilateral meetings with assistance providers.

Matching requests for assistance with offers has been one of the most challenging functions of the Committee.

According to available data, responses received have been mainly from international organisations, eight of the 16 international organisations registered as assistance providers have officially responded to the specific requests. However, cooperation with all of them has been constant regardless of specific responses. Only nine of the 47 States that are registered as assistance providers have responded to assistance requests. Two States have responded positively to assistance requests by regional organisations. In most of the cases the responses received have been modest, noting either already ongoing assistance projects or making projects subject to certain conditions, mainly of financial nature. There are very few examples of responses that have addressed the specific aspects of the request and in which the assistance has actually been provided.

Also noteworthy is that assistance programmes that the Committee Experts are aware of are concentrated in a limited number of States and a significant number of developing States have received limited support.

Due to its limited mandate in matchmaking, the Committee and its Experts are not in a position to deliver assistance directly. However, it is worth noting that the Committee has responded directly to assistance requests related to the drafting of national reports or the development of voluntary National Implementation Action Plans.

Resources in the United Nations Trust Fund for Global and Regional Disarmament Activities, managed by the Office for Disarmament Affairs, have mainly been used to finance outreach activities, including those activities related to the direct assistance by the Committee to States (visits to States and national roundtables) but have not been used to finance more specific technical projects.

Additionally, through interaction with assistance providers, it has become evident that there are also challenges derived from the fact that a significant number of requests are not specific enough or technically sound to be adequately considered. In 2007, the Committee developed an assistance template to support States to present their assistance request, which is published on the Committee's website. However, this template has not been widely used.

The matchmaking mechanism has shown clear limitations in responding in a timely manner to assistance requests.

If the Committee wants to enhance the 1540 assistance mechanism an option could be the establishment of a dedicated allocation of funds that would allow the financing of selected programmes by relevant international organisations. Also the Committee could develop jointly with international organisations assistance projects to support States to fulfil their 1540 obligations promptly. This would fill a gap in assistance for those States that are committed to fulfilling their obligations but that might not constitute a priority for donor States.

The Committee has an awareness of ongoing assistance programmes by States and international organisations, however there is no systematic way to receive and compile this information. The Committee might wish to consider inviting States and relevant international organisations to provide information on a regular basis of their existing assistance programmes.

The regional approach, through the holding of regional assistance conferences that provide a real platform for match-making, as demonstrated by the African Union conference referred to earlier, seems to be a practice that should continue.

International Cooperation

Since the adoption of resolution 1540 (2004), the Committee recognised the need to enhance coordination of efforts on national, sub-regional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security. During the years, through continuous and intensified dialogue, the Committee enhanced its interaction and cooperation with relevant international, regional and sub-regional organisations (IROs) and other intergovernmental institutions and arrangements, in particular those possessing non-proliferation expertise. The interaction contributes to strengthening cooperation through the exchange of information, the sharing of implementation experiences and lessons learned and achieving closer coordination in outreach to States, and facilitating assistance to Member States, regional and sub-regional organisations.

The Committee has further enhanced its ongoing cooperation with the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism. The work has brought about benefits in enhancing the effectiveness of outreach to States, including in efforts to promote the effectiveness of implementation.

The Committee has engaged relevant IROs and other intergovernmental arrangements by establishing and maintaining interaction. Formal and informal cooperative arrangements have been established with some IROs to promote the sharing of experiences, lessons learned and effective practices, in the areas covered by resolution 1540 (2004). Some IROs and other arrangements (BWC ISU, EU, FATF, HCOC, IAEA, MTCR, NATO, NSG, OPCW, WCO) have briefed the Committee on their work relevant to resolution 1540 (2004) and some IROs (OSCE, UNICRI and UNODC) have briefed the Working Groups of the Committee. Visits and consultations have been undertaken between the Chair of the Committee and the head of the IROs and other arrangements to enhance dialogue and information exchange (AU, IAEA, INTERPOL, NSG, OPCW, UNODC, and WCO).

Strong political will to support the implementation of resolution 1540 (2004) by its members was reinforced by some IROs in the form of press releases, statements or resolutions to reiterate the commitment to work together with the Committee towards the effective implementation of the resolution by Member States. Two regional organisation (OAS and OSCE), together with the Committee and other partners, are assisting States with the development and implementation of voluntary National Implementation Action Plans and strategies. With the support of these organisations, more than half of the national implementation action plans (13 out of 24) were submitted.

During the period from 2011 through until 25 April 2016, the Committee and its Group of Experts participated in 343 outreach events. About 49% of these events (168 out of 343) were organised, co-organised by or involved these IROs.

The nomination of points of contact or coordinators, as called for in resolution 1977 (2011), as well as constant updates by international, regional and sub-regional organisations, have facilitated cooperative efforts, exchange of information on actions taken to foster implementation of resolution 1540 (2004), and have allowed better use of resources offered by those organisations. The Committee received designation and notifications from thirteen IROs on their Points of Contacts and established a network of Points of Contact with almost all the relevant IROs and other intergovernmental institutions and arrangements, in particular those possessing non-proliferation expertise. The collaboration with the key international organisations was enhanced by their provision of instructors to assist with the Committee's pilot training course for the 1540 Points of Contact in the Asia and Pacific Region. Previously, three regional and sub-regional organisations had regional coordinators for implementing resolution 1540 (2004). Currently, only one organisation (CARICOM) has a dedicated regional coordinator. Some regional organisations, such as the OAS, OSCE and AU, take a different approach and have designated responsibility for 1540 implementation to a unit in their organisation rather than a specific person appointed as a full time 1540 coordinator.

Encouraged by resolution 1977 (2011), four international, regional and sub-regional organisations shared with the Committee their experience, lessons learned and effective practices, in the areas covered by resolution 1540 (2004). The submissions provided examples of successful assistance and the availability of programmes which might facilitate the implementation of resolution 1540 (2004).

To cooperate and coordinate with IROs' on technical assistance programmes is one of the priorities of the Committee's work. So far, 16 international, regional and sub-regional organisations (IRO) and other arrangements have offered to provide 1540 related assistance.

Some IROs have informed the Committee of the areas in which they can offer assistance and some also responded to specific requests. In 2015, the Committee received more responses from registered assistance providers, in particular the IAEA and UNODC, to assistance requests than in 2014. This aided the efforts to improve the assistance mechanism and should provide dividends in terms of consultation for the 2016 Comprehensive Review.

The Committee cooperated with UN Counter Terrorism bodies (the Group of Experts is one of the Counter Terrorism Implementation Task Force (CTITF) entities), and jointly briefed the Security Council with the Counter-Terrorism Committee and the Al-Qaida and Taliban Sanctions Committee on the joint cooperation twice a year, but with exceptions. The three Committees gave separate briefings to the Security Council in 2015. The Experts of the three Committees continued to share relevant information and to meet, when appropriate, in order to discuss issues of common concern, coordinate actions and exchange information.

Another step in the collaboration between the three UN Security Council Committees was the designation of a shared focal point for the Caribbean region. That position is hosted by CARICOM and funded initially by the Government of Australia and now by Canada.

The Committee has continued to benefit from participation in joint visits to States with the Counter-Terrorism Committee (CTC). These visits included the visits to Guyana and Suriname in 2013, Malta and Mongolia in 2014, Italy and Uzbekistan in 2015 and Kazakhstan in 2016.. These visits enhanced the Committee's opportunities for direct engagement with States.

Transparency and Outreach

Transparency and outreach makes an important contribution to enhancing confidence, fostering greater cooperation and raising the awareness of States, relevant international, regional and sub-regional organizations, civil society and the private sector regarding issues relevant to resolution 1540 (2004). Public awareness of the role and obligations of resolution 1540 (2004) contributes to achieving best outcomes, and academia, civil society, and industry must be directly engaged in implementation of the resolution for it to be fully effective.

Transparency and outreach activities include those aimed at reaching a wide audience, including:

- The Committee's website, which is a vital and unique tool to raise public awareness regarding issues relevant to resolution 1540 (2004). (Web-site access has grown steadily, and its on-going redesign should enhance that trend.);
- Quarterly messages from the Chair;
- Video messages;
- Press releases; and
- Invitations to other organizations to speak to the Committee to exchange views on their respective roles.

These need to continue, and, as appropriate, be added to or be enhanced with the goal of expanding their reach.

The Committee and its Experts also participate in events where the audiences are more focused. These result from invitations to events that are planned and organized by others, including Member States, international organisations, regional and sub-regional organisations and civil society, including industry, academia, and NGOs. These events contribute to transparency and outreach but their primary purpose is generally to permit the Committee and its Experts to make substantive contributions to topics relevant to implementation of resolution 1540 (2004).

During the period from 25 April 2011 to 24 April 2016, the Committee and its Experts participated in almost 343 events. About 40% of these were dedicated specifically to the implementation of the resolution, including national visits and other events with direct interactions with Governments, conferences,³ seminars,⁴ and training courses.⁵ The themes of the other 60% of events encompass the obligations of resolution 1540 (2004) but were not specifically directed toward them, for example meetings focusing on trade controls; illicit trafficking, non-proliferation and disarmament; international counter-terrorism instruments, and meetings of international organizations and professional associations.

Important contributions to the work of the Committee were made by civil society. Of note were several meetings convened by universities, one, for example, to address the complex issue of intangible technology transfers, by NGOs operating at both the regional and international level; by industry; and by briefings to the Committee.

Of the 343 events related to resolution 1540 (2004) during the review period, sixty-four involved direct invitations to the Committee and its Experts. Experience shows that such events have special value because they engage government officials from a wide range of ministries, including, for example, foreign affairs and defence ministries and health, police, and customs officials. Such wide participation helps to facilitate the development of internal coordinating mechanisms. The Committee and its Experts benefit from the exposure to the varied and diverse issues that confront Member States in the implementation of resolution 1540 (2004).

The 2015 Annual Review noted the value of direct interaction with States by the Committee and its Experts and the fact that they spurred the submission of seven additional voluntary National Implementation Action Plans in 2015, observing that “those States that choose to develop such plans have to engage all the government departments and agencies that are involved by resolution 1540 (2004) implementation [which] is very likely ... to contribute to more effective implementation.” They also resulted in: submission of a first report; designation of Points of Contact; creation of national coordinating frameworks; and requests for assistance.

An innovative event was the hosting by China in 2015 of the first training course for national 1540 Points of Contact. A second training course hosted by the Russian Federation will take place in Kaliningrad at the end of June 2016 and further courses as are planned in Africa, China (for the Asia-Pacific region) and Latin America.

³ Examples include: 2012 Conference of International, Regional, and Sub-Regional Industry Associations on UN Security Council Resolution 1540 (2004) in Germany; 2013 Conference on UNSCR 1540: Fostering Regional Momentum in the United States

⁴ Seminar on voluntary national implementation action plans for UN Security Council Resolution 1540 (2004) in Croatia

⁵ 2015 Training Course for the 1540 Points of Contact in the Asia and Pacific Region in China

Over the period under review 97% of States attended 1540 events. The majority of States participated in up to ten events. The data show that those States with the highest levels of implementation participated in the highest number of events and of the 27 States that participated in more than 20 1540 events, 22 have notified the Committee of their willingness to provide assistance to others. Further, the implementation data indicate that there is a positive correlation between States' participation in 1540 events and their implementation of resolution 1540(2004). This may reflect the intrinsic interest of participants in fulfilling 1540 obligations. But it may also arise from experiences at 1540 events, for example, those at which effective practices are shared. The wide range of 1540 events engages participants from numerous perspectives and attracts officials from a wide range of institutions, including, for example, foreign affairs and defence ministries and health, police, and customs officials. This engagement no doubt facilitates intra-governmental coordination.

Experience has demonstrated that civil society has an important role to play, both in facilitating implementation of the resolution and in helping to identify means to enhance the ability of others to implement the resolution. The pool of expertise within, for example, industry, professionals, universities, and NGOs, is wide and deep. The engagement of industry, led by Germany, through a series of four annual conferences during the period under review has demonstrated the value of such engagement that looks set to continue on a regional and global basis in future. Industry is an indispensable partner to governments in the implementation of resolution 1540 (2004).

Epilogue

In conclusion, it is important to recall that resolution 1540 (2004) is a non-proliferation instrument that has secured its place in the weapons of mass destruction non-proliferation architecture. With its focus on non-State actors it has an important role in closing gaps in the array of relevant treaties and legal instruments. Its success depends on States implementing the obligations effectively and, importantly, collaboration between Member States, as well as the support of relevant international, regional and sub-regional organisations.

The breadth of the 1540 obligations requires the engagement of all stakeholders nationally and internationally. The resolution is designed to prevent the catastrophic outcome of the use of weapons of mass destruction by non-State actors, in particular for terrorism purposes. The investment of political will and the necessary resources is well worthwhile if it contributes to preventing a much more costly disaster in humanitarian and economic terms later. Through this consultation, the Committee seeks practical ideas that will promote the effective implementation of resolution 1540 (2004) by Member States.