

*Check against delivery*

**STATEMENT**

***On behalf of***

***H. E. Ambassador Mihnea Motoc  
Chairman of the 1540 Committee  
at the***

***Regional Seminar***

***“Advancing in the implementation of UNSCR 1540 (2004)”***

*Buenos Aires, Argentina, 26-28 September 2005*

**Mr. Chairperson,  
Excellencies, Ladies and Gentlemen,**

I have the honour and privilege to deliver this statement on behalf of H.E. Ambassador Mihnea Motoc, the Chairman of Security Council Committee established pursuant to resolution 1540 (2004).

I would like first to express, on behalf of Members of the 1540 Committee our gratitude to the Argentinean host and the United Kingdom for their commendable efforts to support 1540 Committee's outreach activity, which have its main goal promoting further reporting and facilitating resolution 1540 implementation by all States. Our appreciation goes also to Spain for contributing together with Argentina to kicking off the outreach activities in this region through the organization of the workshop in Guatemala in support of 1540 implementation.

For 1540 Committee the seminar is indeed an exceptional opportunity to interact with representatives of Member States from a region committed to and with an outstanding reputation in promoting the international non-proliferation regimes. Since the adoption of resolution 1540 in 2004 and the subsequent establishment of its Committee, this is our first occasion to reach out to representatives from a whole region to inform them of achievements and challenges ahead, and, more importantly, to seek their invaluable support in what is the primary step of paramount importance in the implementation of resolution 1540, namely the implementation of its provisions at national level. We are particularly happy that this opportunity is taken in conjunction with representation from the IAEA and the OPCW, two important organizations that can contribute their share in facilitating the implementation of resolution 1540.

Unanimous adoption of resolution 1540 in April 2004 was a major step ahead for the entire global framework of non-proliferation undertakings. As you are aware, resolution 1540 focuses generally on the threat of WMD proliferation and has the main objective to fill in the gaps existing in the current non-proliferation regimes.

Resolution 1540 does not conflict with or alter rights and obligations of State Parties to existing international disarmament and non-proliferation instruments. It lays down additional obligations with a view to fill in the gaps in current non-proliferation regimes, while not hampering international cooperation in materials, equipment and technology for peaceful purposes. Indeed the resolution addresses the gap of WMD proliferation by non-State actors particularly in the worst-case scenario of WMDs and related materials and technology falling into the hands of terrorists.

Resolution 1540 aims to prevent the proliferation of WMD, including by preventing non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their means of delivery. Such acts are to be criminalized by all States through domestic legislation. Appropriate and effective national legislation and administrative measures are to be put in place or improved; adequate legislation and enforcement measures, primarily export and border control, are to be effected or strengthened.

On the one hand, Resolution 1540 institutes binding far-reaching obligations on all States to take legislative and administrative action in accordance with their national legal framework. On the other hand, it does not prescribe to the last detail specific standards that have to be implemented at the national level. However, they have to respond to all requirements set forth in the resolution.

Measures to counter proliferation remain primarily within the responsibility of States and ultimately the implementation of Resolution 1540 is a national function and responsibility. That is what makes your national performance so crucial for achieving the goals that prompted the Security Council into passing Resolution 1540. Your commitments and their transposition into national norms, in particular, is what could make a genuine difference in this regard.

At this juncture, there is a special reference that the Committee 1540 has to make, and that concerns the need to create general awareness of the fact that the regime set up by Resolution 1540 definitely does not concern only States that possess the relevant WMD-related technology. The nexus between WMDs and terrorism can be realized anywhere in our globalized world. Every single country and nation has to get involved in this global effort. There is no safe haven in the face of this ubiquitous threat.

National implementation and national reporting are therefore key to the effective implementation of Resolution 1540. These are implicitly enablers for the 1540 Committee to carry out the mandate entrusted to it by the Security Council.

As of today, 121 reports have reached the Committee. The majority of UN Member States have presented information on non-proliferation measures taken on the national plane, including on their contributions to international cooperation and assistance in this field.

However, 70 Member States have yet to report. We recognize that some States may encounter administrative difficulties in coping with that primary obligation. Some

States might consider that they have nothing to report, as they neither possess WMDs nor the capacity to develop such weapons or related materials. However, there are other ways in which other States or, for example, non-state actors might seek to exploit their territory – using it for instance to ship goods across in transit, or for financing of illegal activity, or as a base to broker the sale of WMD-related goods in other countries.

Recent events have shown that nobody is shielded from these threats. States should be aware that unless they meet their obligations in full, by enacting and enforcing national legal and regulatory measures and by committing to international cooperation on non-proliferation, their territories could be exploited in the worst possible way.

In considering national reports, the Committee has already identified and put together both needs and offers of assistance. We are encouraged by the fact that many countries are already helping with expertise and advice to States lacking knowledge, experience or resources to implement Resolution 1540. The Committee already gave structural indication on the concrete areas where assistance can be provided by a specific country, as well as the way in which contacts for assistance are to be established on a bilateral basis.

The Committee will continue to develop its work in this area, and to act as a clearing house on the issue of assistance. We stand ready to consider all requests from States seeking help to implement Resolution 1540 and to facilitate contacts with donor countries and organizations.

Full implementation of resolution 1540 by all States is a long-term objective. It will require continuous efforts at national, regional and international levels on capacity-building and assistance, made by States in implementing this resolution.

The first measure of success in the implementation of Resolution 1540 is tied up to the degree of advancement in worldwide awareness of, and respect for, the letter and spirit of its provisions, and to advancement in developing a common minimal protection belt against the possibility of WMDs intersecting the designs of terrorists.

For that, we need your active support in making sure that legislation referred to in Resolution 1540 is in place, and last but not least, that countries do report to the 1540 Committee and engage with it on eventual assistance requirements.

I would like to conclude by thanking you once more for this opportunity and wishing you a fruitful seminar.

I thank you.