

VIDEO MESSAGE TO THE INCEPTION WORKSHOP ON THE AU COMPREHENSIVE MODEL LAW ON WEAPONS OF MASS DESTRUCTION

Delivered by Ambassador Sacha Sergio Llorentty Solíz, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004)

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Ladies and Gentlemen,

On behalf of the Committee established pursuant to UN Security Council resolution 1540 (2004), I wish to express my gratitude to the African Union for the opportunity to address this Inception Workshop on the African Union Comprehensive Model Law on Weapons of Mass Destruction. Regrettably, due to other commitments, I am unable to be with you in Vienna this week. Nevertheless, I am certain that this initiative, if successful, will go a long way towards assisting States in their national implementation of resolution 1540 (2004) through comprehensive legislation.

I will briefly review how the Committee established pursuant to UN Security Council resolution 1540 (2004) is working with States to implement the key provisions of the resolution. Resolution 1540 (2004) is very clear about the obligations of States to implement measures to prevent the proliferation of weapons of mass destruction by non-State actors. Firstly, under operative paragraph 2, States must adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes. Secondly, States must take and enforce effective measures for domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery, as well as controls over related materials. This includes measures to account for and secure these materials in production, use, storage or transport; physical protection measures; effective border controls and law enforcement measures; and export and trans-shipment controls. It is evident that if these measures are taken and enforced by States then they are strengthening their national implementation of resolution 1540 (2004). Successor resolutions 1673 (2006), 1810 (2008) and 1977 (2011) emphasised the importance for all States to fully implement resolution 1540 (2004).

A Comprehensive Review of the status of implementation of resolution 1540 (2004) carried out in 2016, confirmed that States had made steady progress in the implementation of the measures established by resolution 1540 (2004), particularly putting in place appropriate legislation. However the Review also noted that there was room for improvement in national implementation of the resolution, especially in establishing effective domestic controls on sensitive materials and technology.

In addition, in its final report of the Comprehensive Review, the 1540 Committee recommended no less than 24 actions to strengthen implementation of resolution 1540 (2004). These were reflected in resolution 2325, which was adopted by the Security Council subsequent to the Comprehensive Review in 2016. Firstly, as in previous resolutions, the Security Council re-emphasised the importance for all States to implement fully and effectively resolution 1540 (2004). Secondly, the Security Council called on States that had yet to present an initial report on how they are implementing the resolution to do without delay, and for States

that had done so to provide additional information, on a voluntary basis, on laws and regulations and effective practices. Thirdly, the Security Council encouraged States to prepare a voluntary national implementation action plan and provide the Committee their Point of Contact for the resolution. Fourthly, the Security Council called upon States to develop national control lists and adopt and enforce laws to prohibit non-State actors to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. Finally, and of direct relevance to this inception workshop, the Security Council encouraged relevant international, regional and subregional organisations to highlight the obligations of resolution 1540 (2004) in their model legislation and/or guidelines, where appropriate, pertaining to instruments under their mandate relevant to the resolution.

I will provide just a few examples of several steps the 1540 Committee has taken under its current Programme of Work, which was adopted in April for the period February 2018 through January 2019, to strengthen national implementation of resolution 1540 (2004). The Committee contacted the remaining States that have yet to submit their initial reports and encouraged other States to submit additional information regarding implementation. Letters to non-reporting States, for example, were sent in May. The Committee continued its Point of Contact training programme on a regional basis. This year, there were two such trainings organised by the African Union for French-speaking countries in Africa in August, and another organised by the Russian Federation and the 1540 Committee in September for countries in the OSCE region. In addition, the Committee has begun updating all of the 1540 matrices, using a new, shorter template to assess how States are implementing the obligations of resolution 1540 (2004), including through legislative and regulatory measures. And finally, the Committee has continued to encourage States to prepare voluntary national implementation action plans to map out priorities and how they will implement key provisions of resolution 1540 (2004). States are encouraged to submit these plans to the Committee.

I encourage you to have fruitful exchanges of information among national officials, international and regional organisations and international experts on elements to be included in the AU's model law to prevent the proliferation of WMD. I also assure you of the continued commitment of the 1540 Committee to work with States to strengthen national implementation of resolution 1540 (2004).

Thank you.