

Procedural Briefing by the Chair of the 1540 Committee to Chairs of UN regional groups, 19 February 2020

Distinguished ladies and gentlemen

On behalf of the 1540 Committee, I am delighted to have this opportunity to brief Chairs and Coordinator of the regional groups about the Comprehensive Review currently underway of the status of implementation of UN Security Council resolution 1540.

Resolution 1540 is a vital component of the global non-proliferation architecture. Its objective is to prevent the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, to and by non-State actors, including terrorists.

Resolution 1540 defines non-State actors as individuals or entities, not acting under the lawful authority of any State. The global nature of the WMD proliferation threat requires a global response.

Resolution 1540 provides basic obligations that all States must

- First, refrain from providing any form of support to non-State actors regarding nuclear chemical and biological weapons and their means of delivery;
- Second, adopt and enforce appropriate legislation that prohibits non-State actors from engaging in any proliferation-related activities, and;
- Third, establish domestic controls to prevent nuclear, chemical and biological weapons proliferation, including by establishing appropriate controls over related materials.

The resolution sets out very clear obligations but it does not specify how States should implement these. The resolution states that none of the obligations in the resolution should conflict with or alter the rights and obligations of State Parties to the relevant WMD treaties or alter the responsibilities of the IAEA and OPCW. All Member States have an equal obligation to implement resolution 1540 regardless of whether they participate in the WMD treaties or not.

The mandate of the 1540 Committee is to support efforts by States to implement the resolution. Some States continue to require assistance in the implementation of their

obligations and the Committee is ready to facilitate such assistance, upon request. To date 184 of 193 UN Member States have submitted reports to the Committee.

This year is an important year for the Committee which is currently conducting a Comprehensive Review, prior to renewal of its mandate on 25 April 2021.

This Comprehensive Review is conducted in line with a Modalities Paper adopted by the Committee and published on the 1540 Committee website, which states that the Review should be both retrospective and forward-looking. It will comprise an analysis of the operation of the Committee in the conduct of its tasks and recommend any changes considered necessary. In addition it will examine the implementation of resolution 1540 (2004) since the previous Review of 2016.

There are four main themes that the Committee will examine, namely:

- First, the Committee will review implementation of the resolution, including trends in implementation, gaps, and the reasons.;
- Second, the Committee will analyse its role in facilitating assistance “match-making” and how this could be improved;
- Third, the Committee will examine and seek ways to improve collaboration with relevant international, regional and sub-regional organisations and other UN bodies; and
- Fourth, the Committee will examine its outreach to States and, where appropriate, civil society including academia, industry, professional associations.

The Comprehensive Review is an inclusive process involving all UN member states. In this regard, the Committee has planned a series of activities to encourage member states to take part in the review process.

First, through providing the latest update on its national implementation Later in March 2020, the Committee will circulate to Member States the updated country matrices reflecting measures that States have taken towards fulfilling their obligations under resolution 1540. These matrices are based on implementation reports and complemented by official government information. Member States will have the option to provide within two months comments and any supplementary information on national implementation. It is expected that the updated matrices,

given the consent of the corresponding Member State, will, as in the past, be published on the Committee's website around June 2020.

Second, the Committee will hold open consultations to provide direct interaction in this process.

Beside UN Member States, relevant international, regional and sub-regional organisations, and civil society will be invited. Back-to-back meetings with industry, academia and NGOs will take place in March. Open consultations with Member States, as well as international organizations and civil society, as appropriate, to review the progress towards the full and effective implementation of resolution 1540 (2004) will be held in June. And open consultations with Member States to discuss the matrix review and draft conclusions, as well as any recommendations are scheduled for October. The Committee wishes to encourage all Member States to take an active part in the Comprehensive Review and express their views on achievements, challenges and proposals to further improve implementation of the resolution.

The Committee will be keenly interested in the views of the work by States in your regions as well as relevant regional and subregional organisations in support of resolution 1540.

Invitation for this open consultation will be sent in due course.

Third, the Committee also invites member States to provide written contributions. Although such information can be sent throughout the year, it would be preferable that the Committee receives it by the third week of June, which will insure that the Committee has sufficient time to discuss and analyze it.

Distinguished ladies and gentlemen,

I will very much appreciate your circulating this brief to your members and encouraging them to support the 1540 Committee. I look forward to hearing views of Member States on these matters and learning how the Committee can better support the effective implementation of the resolution.

The views and recommendations by States, as well as those of international and regional organisations, and civil society, will provide the Committee with necessary information to finalise its report on the comprehensive review and recommendations to the Security Council, scheduled by the end of December 2020. The outcome of

the Comprehensive Review will be reflected in the draft resolution on the extension of the mandate of the Committee past April 2021.

It is vital that resolution 1540 remains fit for purpose as the centrepiece of international efforts to prevent the exploitation of weapons of mass destruction by non-State actors. We all have a part to play in this this global effort.

I thank you