

FINAL

**STATEMENT BY THE CHAIR OF THE 1540 COMMITTEE, AMBASSADOR ROMÁN OYARZUN MARCHESI OF SPAIN, AT THE AU REVIEW AND ASSISTANCE CONFERENCE ON THE IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540 (2004) IN AFRICA,**

**ADDIS ABABA, ETHIOPIA, 6 APRIL 2016**

Excellencies, Distinguished participants, Ladies and gentlemen,

On behalf of the Committee established pursuant to resolution 1540 (2004), and in my capacity as Chair of the Committee, I express my deep gratitude and appreciation to the African Union Commission for arranging this Review and Assistance Conference on the implementation of the resolution in Africa.

I am joined by an important delegation from the Committee including the Coordinators of the Working Groups on Implementation (from Venezuela), Assistance (from France) and Cooperation (from Egypt) and 3 members of the Group of Experts that supports its work. ODA has also actively contributed to this conference. All this bears testimony to how important this conference is for us.

I express a warm word of thanks and appreciation to the Commissioner for Peace and Security, Ambassador Smail Chergui, and his Department for all their hard work and commitment in preparing for this Conference, and making us feel welcome in Addis Ababa.

The dedication and untiring efforts of Ambassador Baso Sangqu, as the former Chair of the 1540 Committee, to strengthen the implementation of resolution 1540 (2004) in Africa, is acknowledged with appreciation.

I am privileged to be among so many participants committed to implementing the resolution, thereby contributing to preventing the potentially catastrophic humanitarian, economic and political consequences of nuclear, chemical or biological weapons proliferating to non-State actors, including terrorists.

The presence at this Conference of so many international and regional organisations, including civil society, is also a demonstration of their commitment to support the implementation of the resolution in Africa, which is welcomed – and without which effective implementation of the resolution would not be possible.

During the next two days we will have in-depth discussions on the 1540 obligations, including reviewing progress in Africa, in the context of the 2016 Comprehensive Review of the implementation of the resolution.

However, we are gathered here not only to share information, but also to learn from African States on your implementation experiences, offer concrete assistance and deliberate on how we can cooperate in a future partnership.

As you are well aware, since the inception of resolution 1540 (2004), the Security Council recognized the importance of assistance for States that may require it. I'm glad to participate in this Conference, the first of its kind with a specific focus on assistance, and I look forward to the success of it so that we replicate this experience in other parts of the world.

Since the adoption of resolution 1540 in 2004, the world has become a much more complex place. The challenges have also evolved significantly. Terrorist groups have widened their scope of action, including on the reported use of chemical weapons. The African continent has been a victim of attacks of various groups such as Boko Haram, Al Qaeda in the Islamic Maghreb, al-Shabab and Daesh, which have inflicted devastation and suffering in the continent. The consequence of these heinous crimes would be dramatically multiplied if terrorists could get their hands on nuclear, chemical or biological weapons.

As you are well aware, non-State actors have in the past sought to obtain sensitive materials from this continent to pursue their nefarious objectives. The challenges we face require constant attention to prevent these actors getting their hands on such materials. Globalisation and the advances in science and technology and the evolutionary nature of international trade represent a great opportunity for humanity, but they also entail new risks and challenges. The international community needs to address these issues with great care, so as to maximise the benefits and reduce the intrinsic risks.

#### *Recent developments in the 1540 Committee*

Turning to recent developments in the 1540 Committee's activities, I would like to highlight some that have had an impact on the implementation of resolution 1540 (2004), especially in Africa.

On 1540 reporting, it is noteworthy that 176 States have already submitted their initial reports on the implementation of the resolution. The most recent initial reports were submitted by Cabo Verde, Sao Tome and Principe and Zambia, which the Committee appreciates.

Universal reporting is an objective of the Committee. 17 States have yet to submit an initial report to the Committee. The information provided by States provides the basis upon which the Committee can enhance its dialogue with States on their implementation of the resolution, including on facilitating assistance

I encourage those States, including the remaining 13 States in Africa, yet to submit an initial report, to provide the Committee with information on the steps they have taken, or intend to take, to implement this resolution.

I can assure you that the Committee and its experts stand ready to assist these States with their reports, if requested to do so.

The Security Council emphasised the importance of dialogue between the Committee and Member States and stressed that direct contact is an effective means of such dialogue.

Such contact undertaken through Committee visits at the invitation of States, aims to discuss how the obligations under the resolution are being met with a view towards identifying any gaps, areas of improvement and particular assistance needs.

During last year, the Committee undertook constructive visits to five States in Africa, at their invitation. These successful visits were undertaken in Ghana, Malawi, Senegal, Togo and Zambia.

The Committee is encouraged that following these visits, Zambia submitted its initial 1540 report and Malawi, Senegal and Togo submitted their voluntary National Implementation Action Plans, mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004).

### *2016 Comprehensive Review*

This year, the priority of the Committee is to finalise the Comprehensive Review of the implementation of resolution 1540 (2004).

In conducting the review the Committee will undertake a retrospective and forward-looking approach. The aim is to improve the implementation of the resolution, by identifying and recommending specific, practical and appropriate actions to this end, including if necessary recommendations on the adjustment of the Committee's mandate.

In preparation for this review, the Institute for Security Studies of South Africa hosted a meeting of former 1540 experts in Cape Town, which provided valuable insights into aspects of the implementation of the resolution.

Overall, although it is clear that further measures are needed to strengthen the implementation of the resolution in Africa, there has been an overall increase in measures taken, a decrease in the number of non-reporting States and a formal political commitment by the African Union to facilitate the implementation of the resolution by African States.

I look forward to the discussion on this topic later today, and on hearing perspectives from Africa on this review and your specific recommendations on what the Committee should take into consideration.

There will also be a future opportunity for African States to engage in this review process. From 20 to 22 June 2016, the Committee will convene an open meeting in New York on the 2016 Comprehensive Review for all UN Member States and relevant international and regional organisations, such as the African Union, and appropriate sectors of civil society.

*Progress by African States in implementation of resolution 1540(2004)*

The overall positive increase in 1540 measures taken by African States clearly demonstrates that steady progress is being made; however, full implementation of the obligations contained in the resolution is a long-term task.

The outcome of the analysis of the implementation efforts by African States indicate the need for expedited additional measures to account for and secure materials related to especially chemical and biological weapons. Furthermore, the need to strengthen export controls for nuclear, chemical and biological weapons related materials was also identified.

Through taking those additional measures, a valuable contribution will be made to prevent non-State actors from getting access to such material they could use for terrorist acts.

African States have over a number of years taken key initiatives to prevent non-State actors, including terrorists, from acquiring nuclear, chemical and biological weapons, their delivery systems and related material.

These initiatives contribute to the implementation of resolution 1540 (2004), and include various African specific treaties such as on terrorism and on establishing a nuclear-weapon-free zone, through the Pelindaba Treaty.

Furthermore, there is near universal adherence in Africa to the Nuclear Non-Proliferation Treaty (NPT) and an increase in adherence to the Chemical and Biological Weapons Conventions as well as the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material and the International Convention for the Suppression of Acts of Nuclear Terrorism.

There are complementary elements between these treaties and the obligations in resolution 1540 (2004), which are vital to closing gaps in the global non-proliferation regime.

These relate not only to the non-proliferation commitments, but also other commitments, such as those related to maintaining the highest standards of security and effective physical protection, for example, of nuclear materials, facilities and equipment to prevent theft or unauthorized use and handling.

During 2015, the Committee was privileged to have been invited to a workshop on enhancing the implementation of resolution 1540 (2004) and other non-proliferation instruments, hosted by the meetings of the Intergovernmental Authority on Development Secretariat (IGAD).

Furthermore, at the initiative of the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG), the Committee was invited to make a presentation at the 30th Task Force of Senior Officials on the resolution.

I believe that further interaction with this important anti-money laundering group should follow in terms of our shared objective to prevent the financing of activities related to weapons of mass destruction by non-State actors.

We also look forward to having an increased collaboration with the various Regional Economic Communities in Africa as well as the African Commission on Nuclear Energy.

Through these initiatives and actions by African States, there is a clear demonstration of your commitment to meeting the obligations under resolution 1540 (2004).

Where challenges arise in the implementation of these obligations, the Committee and its experts stand ready to assist, at your request, and in accordance with your guidance.

#### *Assistance for African States*

The Committee is conscious of the fact that the obligations derived from resolution 1540 (2004) cover a broad range of issues with an impact across many national role players. Also, its implementation is a continuous and long term task that requires sustained efforts and cooperation at national, sub-regional, regional and international level.

The Committee is fully aware of the competing priorities being placed on your resources and institutional capacity to advance your socio-economic development.

Therefore, the Committee, in implementing its mandate, has encouraged those States that would require assistance in meeting its 1540 obligations to inform the Committee of their requests.

I wish to assure you that the Committee places a high priority on assistance requests, and is committed to serve as a clearinghouse to facilitate matchmaking between requests and offers of assistance for capacity building.

At this Conference, a particular focus will be placed on the role of assistance. Not just to discuss how the Committee's assistance mechanism functions, but more importantly how to actually deliver assistance.

To date, 16 States in Africa have submitted formal assistance requests to the Committee. The Committee, in cooperation with the AU Commission, have engaged those that have made offers of assistance.

I firmly believe that through dedicated discussions during this Conference with those States that requested assistance, progress will be made in the actual delivery of assistance.

We are fortunate to have as participants those that have made offers of assistance, which is highly appreciated.

Where the Committee itself could respond to assistance requests, we have done so. In this regard, acting upon the requests of States, the Committee, through its experts, have rendered assistance in the drafting of initial 1540 reports and voluntary national implementation action plans. The Committee stands ready to positively respond to similar requests.

Furthermore, the Committee's experts are in discussions with Niger and others on delivering export control related assistance in Africa.

To assist in strengthening the capacity of the 1540 Points of Contact, the Committee held its first training course for points of contact for Asian and Pacific States in September 2015. This successful course was hosted by China and comprised a week long course focusing in detail on the different aspects of the resolution, and included practical exercises and a site visit to observe the implementation of custom controls.

I am pleased to announce that the Committee in cooperation with the United Nations Office for Disarmament Affairs and the AU Commission will be holding training courses for the African 1540 Points of Contact. Details of these courses will be communicated in due course.

One of the objectives of this course is to utilise African expertise to present certain modules of the course. Your views on what regional specific topics to include in this course are welcomed.

I sincerely hope that that the 1540 Points of Contact will make use of this opportunity to further broaden their knowledge of resolution 1540 (2004), which would also contribute towards increased cooperation amongst these points of contact.

The United Nations Regional Centre for Peace and Disarmament in Africa has been a valuable partner of the Committee in supporting 1540 related activities in Africa. This partnership demonstrated the value of having a 1540 Coordinator for Africa.

### *Conclusion*

Let me conclude by recalling that with the unanimous adoption of resolution 1540 in 2004, the Security Council outlined the threat to international peace and security should non-State actors acquire, develop, traffic in, or use nuclear, chemical, and biological weapons and their means of delivery.

The tragic loss of life and wanton destruction that followed the recent horrendous terrorist attacks in different parts of world, including in Africa, clearly illustrate that criminals and terrorists do not respect borders and will use any means possible to achieve their objectives.

Therefore, we cannot wait until they actually use weapons of mass destruction, or related materials, before we act. Investment in prevention outweighs the costs involved in dealing with the aftermath of destruction.

The Committee is committed to work in partnership with African States to respond to this challenge.

I look forward to the outcome of this Conference and wish you all success in your deliberations.

I thank you.