

**REMARKS BY THE CHAIR OF THE 1540 COMMITTEE AT A BRIEFING OF THE
LATIN AMERICAN AND CARIBBEAN GROUP**

13 APRIL 2015
(Check against delivery)

I am delighted to have this opportunity to brief the Latin American and Caribbean Group. With regard to resolution 1540 (2004), the 1540 Committee is very much taken with using regional approaches to promote effective implementation as the best way to take into account regional and sub-regional interests and conditions. In the Latin American and Caribbean region I have to say that we have been blessed by excellent support from the regional and sub-regional organisations in our challenging task. However, I must stress that the heart of the action required to meet the obligations lies in Member States. It is vital that the obligations are fully met in order to prevent the potentially catastrophic results of weapons of mass destruction getting into the hands of non-state actors in particular for terrorist purposes. We all have a part to play in this this global effort.

In this briefing will give you:

- a reminder of the basic obligations of the resolution;
- the status of implementation globally and in your region in particular;
- an outline of our plans for outreach in the region; and,
- ideas on the approach to the upcoming Comprehensive Review of the implementation of resolution 1540.

I look forward to hearing your views on these matters and learning how the Committee can better support the effective implementation of the resolution.

First - the basic obligations. Those of you familiar with the resolution will know that the breadth of the obligations is in itself a challenge - particularly in the

context of a rapidly changing political, economic, scientific and technological environment. For the purpose of this discussion I will gather the core obligations in three groups as follows:

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

These obligations do not contradict other obligations arising from the weapons of mass destruction treaties and related legal instruments. Resolution 1540 complements and supports them.

By the way, I should mention that while the resolution sets out very clear obligations it does not specify how States should implement them. This is a matter for national decision.

How is implementation going globally? After more than a decade since its adoption I am glad to report that ninety percent of Member States have submitted the required report to the 1540 Committee on the measures they have taken to implement the resolution. Naturally, one report is not really enough and fortunately many states have submitted two, three and even more voluntary additional reports. However, we should not be complacent. There are still 19 States that have not reported. The Committee is making every effort to encourage these States to report – the majority (15) are in the African region. For example, as I am speaking members of our supporting Group of Experts are in Zambia (by invitation) to help this country in the task of drafting their

national report and with their plans for enhancing their implementation measures.

In the Latin American and Caribbean region I am glad to say that there is only one non-reporting State out of the 33 GRULAC States. To date 20 States have reported twice or more and, of these, 12 have submitted three or more reports. However, there is more to implementation than reporting. The Programme of Work for 2015 places a high priority on direct interaction with States to help in enhancing effective implementation. The Committee places importance on the development of voluntary National Implementation Action Plans (NAP). These should be forward looking plans to close gaps and enhance implementation in regard to legal and regulatory measures – as well as such steps as training of those required to implement these measures such as export and financial controls. There have been some good developments in the region on voluntary NAPs with Argentina, Colombia, Grenada and Mexico having already submitted action plans to the Committee. I know that other countries have started their processes aimed at developing such plans. In this regard, last year the 1540 experts participated in a workshop in Panama organized by the OAS Inter-American Committee against Terrorism with the aim of starting the discussion of a future voluntary NAP.¹ Sharing of experience in developing and implementing these plans is a valuable incentive to others – I know that some of those with voluntary NAPs have already taken opportunities to do this. The Committee and its experts stand ready to assist in all these efforts.

Over the past two years or so a considerable amount of outreach activity has been conducted in the region, These have ranged from formal visits to States (at their invitation), for example to Trinidad and Tobago and Grenada, national

¹ Not for inclusion in the text - we understand that the OAS will also work with other States in the region, Guatemala, Costa Rica and Chile, on national round tables and in developing NAPs. The activity is not yet fixed but may come up in discussion

roundtables with key stakeholders, such as one held last year with Peruvian officials - to sub-regional and regional events.

The 1540 Committee has been fortunate to have as valuable partners the regional organisations as well as substantial support from the Lima-based United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC). During last months, the Regional Centre has been carrying out legal studies of 1540 relevant legislation in five States of the region (Belize, Dominican Republic, Grenada, Jamaica, and Trinidad and Tobago) and organized national roundtables. As the first phase of this project concluded, the regional Centre also hosted last month a meeting during which participating States exchanged views and experiences. The Centre will soon start with phase 2 of the project with the participating States which will include relevant national activities, and will address, among other things, export controls.

Looking ahead at upcoming activities, the Committee has received an invitation by the Government of Antigua and Barbuda to provide technical legislative assistance about that State's obligation derived from the resolution. Pending confirmation a 1540 mission will take place in June. We are in discussion with certain other States and regional organisations on possible national roundtables and voluntary National Implementation Action Plans

Direct interaction with States is a high priority for the Committee. We, and the Group of Experts and the UN Office for Disarmament Affairs (UNODA) are on hand to help in arranging national and regional events aimed at building capacity to implement resolution 1540 effectively.

Now I would like to turn to the all-important Comprehensive Review of the implementation of resolution 1540. In accordance with Operative Paragraph 3 of resolution 1977 (2011), the Security Council decided on two reviews of the status of implementation of the resolution - one five years after the adoption of the resolution and a second prior to expiry of the 1540 Committee's mandate in 2021. In its charge to the Committee the Security Council said that it should include, I quote, "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, accordingly, the first review should be held before December 2016". In my view this Review should be both retrospective and forward-looking. It should draw on an analysis of the implementation of resolution 1540 (2004) since the 2009 Review, with the aim of improving its implementation 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 is considering four key strands of work to be followed in the course of the Review. They are:

- Using currently available data from reports by States, and publicly available official information, the Committee will make an analysis of the status of implementation of the resolution including identifying the key trends in implementation since the 2009 Review. Based on this analysis, it should identify shortcomings in the current system of data collection, storage, retrieval, presentation including in reporting by States and sharing of effective practices. An important element in this theme, in my view, would be to draw on the experience with direct interactions with States and thereby identify appropriate ways to intensify and promote these interactions.

- Drawing on the experience in operating the 1540 assistance mechanism, in the course of the Review we should analyse the Committee's role in facilitating "match-making" and identify improvements to bring about the prompt delivery of assistance. The Committee is already putting into effect improvements to its method of facilitating assistance – in particular by using a regional approach.
- With regard to cooperation with international organisations, in the course of the Review I believe that we should seek improved ways of enhancing the collaboration of the Committee with directly related international, regional and sub-regional organisations - and other UN bodies. With regard to regional organisations I think that we should try to identify better methods for their support for building networks of 1540 Points of Contact. This would help a great deal in encouraging reporting to the Committee and developing opportunities for the Committee's direct interactions with States.
- Last, but by no means least, the Review should examine the Committee's outreach to States and civil society including academia, industry, professional associations and parliamentarians. In this regard, I believe that we need to seek to do this through publications and electronic means and, as appropriate, the use of social media and endeavour to build a wider 1540 network including, in an appropriate way, civil society.

The Committee is developing a schedule of work to conduct the Review with the aim of meeting the deadline of submitting a report to the Security Council before December 2016. I expect that this schedule of work over the next eighteen months will include opportunities to gain the views of Member States in the course of the process. This can be achieved through planned outreach events and perhaps some dedicated ones. I expect the plan also to include consultation with international organisations and civil society

including parliamentarians and industry. Once the plan is agreed we will make it known to you. As with most aspects of resolution 1540 its implementation is very much a collaborative effort – I hope that this characteristic will be an important feature of the Comprehensive Review. Your active participation is much needed.

I am ready to answer your questions on these remarks, in particular any thoughts that you may have in relation to the upcoming Comprehensive Review.

END