

Message from Ambassador Román Oyarzun Marchesi
Chair of the Committee Established Pursuant to UN Security Council Resolution 1540 (2004)
At International Maritime Exercise, “Gate to Africa”
27-29 October 2015

First of all, on behalf of the 1540 Committee, I would like to express our gratitude and appreciation to the governments of the Kingdom of Morocco and the Kingdom of Spain for undertaking this important exercise to strengthen national capabilities to secure maritime shipment of radioactive material between the two countries.

I also express my appreciation to the International Atomic Energy Agency for supporting this exercise and for its significant and continuing support for the effective implementation of resolution 1540. The IAEA demonstrates the exemplary role that international organizations can play in preventing the proliferation of weapons of mass destruction and reducing the risk that non-State actors, especially terrorists, could take advantage of them for malicious purposes. I applaud IAEA Director General Amano for his leadership that has made the IAEA so effective in this role.

We are all aware of the extremely important roles that nuclear and other radioactive materials play in energy production, medicine, agriculture and industry. Such uses make our lives healthier and safer.

We are also aware of the risk that nuclear and other radioactive material can endanger our health. We must all have in place designated competent authorities and the laws and regulations needed to protect public health and safety and, of course, take steps to ensure that they are followed. This is true for locations where they are used or stored and when they are in transit, a frequent and necessary component of the system needed for the peaceful use and safe disposal of such materials.

Unfortunately, we must also take steps to ensure that nuclear and other radioactive materials are appropriately secured to prevent their falling into the hands of those that would use them with malice. I trust that this exercise will provide valuable insights into how to improve even further the systems now in place.

Theft, illicit trafficking and misuse of such material by non-State actors fall within the concerns that led to the unanimous adoption by the Security Council of resolution 1540 over a decade ago. The adoption of this resolution demonstrated both political convergence on addressing the risk of the proliferation of weapons of mass destruction and their means of delivery and the recognition that these risks confront all States both directly and indirectly.

The proliferation of nuclear, chemical or biological weapons to non-State actors, and possibly into the hands of terrorists, could have catastrophic humanitarian, economic and political consequences. You are already aware of the deadly havoc that terrorists wreak in various parts of the world, including through the use of chemical weapons. UN resolutions and treaties that bear on preventing the proliferation of weapons of mass destruction and their means of delivery spell out the obligations and commitments to

be made by States. But it is the effective implementation of these obligations that can spell the difference between success and failure, and we must not lose sight of what we are trying to prevent.

Resolution 1540 is a preventive resolution. We should always be conscious of the possibility of the use of nuclear, chemical or biological weapons and related materials by non-state actors, especially by terrorists. Given the global nature of the challenge posed by the proliferation of the capabilities and technologies that can be used by non-State actors for this purpose, no State is exempt from making every effort to prevent such proliferation from happening. The obligations under resolution 1540 are designed precisely for this purpose.

I feel it is important that I state the essence of the obligations so that you have in your minds, from the start, the broad scope of the binding obligations. States are required to:

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

A wide range of activities are embraced in implementing these controls. Among them are physical protection and border controls; securing production, use, transit, and transport; export controls, and preventing proliferation financing. The exercise this week clearly fits into this framework.

Of course, while it is a binding obligation to have such effective measures, how they are implemented is up to States in accordance with their own legal, regulatory and control systems.

Globalisation, rapid advances in science and technology, and the continuously evolving trading environment bring great benefits – but also new risks. These need to be countered by adaptation of measures in place or by the introduction of new measures. Effective implementation requires our constant attention.

I am glad to tell you that the overwhelming majority of States have demonstrated their commitment to resolution 1540 through reporting to the 1540 Committee on the measures they have taken, or plan to take, to comply with their obligations under the resolution. It is worthy of note that ninety per cent of UN Member States have reported on the measures they have taken for the implementation of resolution 1540. This is a practical indication of commitment to the objectives of the resolution and enables the 1540 Committee to engage in dialogue with States in order to enhance implementation.

While reporting is very important, as I have already mentioned, what really matters is the effectiveness of the practical steps taken at the national level to implement the resolution. One helpful step that States can take in this regard is to develop voluntary National Implementation Action Plans. In this process, if it is to work, all key national stakeholders in 1540 implementation have to be engaged. This helps to close any gaps and vulnerabilities in legislation, regulations and controls, and in helping to

ensure that all government departments and agencies that have responsibilities with regard to implementing the obligations under resolution 1540 can fulfil them effectively and coordinate with other stakeholders appropriately. As called for in the resolution, it is also important to engage the appropriate parts of civil society and parliamentarians.

The exercise being held this week demonstrates another important means of ensuring effective implementation, namely testing procedures in place with a view towards refining and improving them as well as the development of all-important collaborative mechanisms.

I would like to bring to your attention an on-going, important element of the Committee's work in monitoring implementation of resolution 1540, namely a Comprehensive Review of 1540 implementation requested by the Security Council by December of next year. This Review will be both retrospective and forward-looking and draw on analysis of the implementation of resolution 1540 (2004) since the last Review in 2009. Its goal is to identify means to improve implementation of the resolution by Member States by identifying and recommending specific, practical and appropriate actions to this end. The Review will also analyse the operation of the Committee in the conduct of its tasks and recommend any changes considered necessary.

The Committee is seeking opportunities to gain the views of Member States in the course of the process. As with most aspects of resolution 1540, its implementation, like this maritime exercise, is very much a collaborative effort – this characteristic will be an important feature of the Comprehensive Review. This exercise is also a good example of ways to reinforce national capacities for a better implementation of UNSC resolution 1540 (2004). I am sure that the lessons learnt during these days will be of relevance for the Comprehensive Review.

Thank you for your attention.