

Forum for Security Co-operation, the Organization for Security and Co-operation in Europe

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UNSCR 1540 and Regional Organizations: Building Partnership to Counter Global Proliferation

First of all I would like to express my gratitude to the Forum for Security Cooperation of the Organization for Security and Co-operation in Europe (OSCE) for inviting me today. The UN Security Council 1540 Committee recognizes the valuable contribution that the OSCE makes to the cause of non-proliferation and, in particular, to the implementation of Security Council resolution 1540 (2004) which indeed is a matter of common, cooperative and indivisible security as sought by the OSCE.

The IAEA's 2012 Nuclear Security Report referred to 163 incidents reported by States to its Illicit Trafficking Database, of which 19 involved illegal possession of and attempts to sell nuclear material or radioactive sources. The ricin letters in the United States confirmed that the threat of WMD terrorism is not a daydream. Suppose such WMD-related materials were used by the Tsarnaev brothers in Boston.

The Security Council, through resolution 1977 (2011), extended the 1540 Committee's mandate for ten years, recognizing that countering the threat of WMD proliferation by non-State actors is a continuous and long term task. It is a global endeavor that requires sustained cooperation from all stakeholders since global impact of resolution 1540 is only as strong as the weakest link in the chain.

In this regard, the cooperation between the 1540 Committee and the OSCE has a creditable history. We highly appreciate that the OSCE was among the first regional organizations to adopt a special decision in support of resolution 1540 (Decision No 10/06, “Supporting National Implementation of Resolution 1540 (2004)). In fact, the OSCE’s initiative dates back to as early as 1994 when it adopted the Principles Governing Non-proliferation.

More recently, the Conflict Prevention Centre of the OSCE and the UN Office for Disarmament Affairs (ODA) concluded a Memorandum of Understanding in 2011 on joint implementation of projects on non-proliferation of weapons of mass destruction (WMD). This document laid a basis for further enhancement of international efforts. First among these efforts by the UN, are those of the 1540 Committee to prevent the proliferation of weapons of mass destruction and related materials getting into the hands of non-State actors. The OSCE contribution through the development of “Best Practice Guides” - with the first Chapter being already developed on Export Control and Transshipment is an excellent and practical step. It is all the more welcoming that the OSCE incorporated 1540 implementation into its Work Programme for 2012-2015.

I think that for this audience there is no need to explain in detail the basic provisions of the resolution. However, let me remind you of some key facts about this document.

As you know, it is the first resolution of the Security Council adopted under Chapter 7 of the UN Charter to address the proliferation of weapons of mass destruction, their means of delivery and related materials to non-State actors. It obligates States to take measures to prevent non-State actors from acquiring, developing, trafficking in or using nuclear, chemical, and

biological weapons and their means of delivery. It further obliges States to establish and enforce appropriate effective means to account for, secure, and physically protect related materials, and to take measures to control borders as well as the export, transit, transshipment and re-export of such materials.

Resolution 1540 (2004) and international non-proliferation regimes play a mutually complementary and reinforcing role. The resolution states that none of its provisions “shall conflict with or alter the rights and obligations” of States Parties to multilateral non-proliferation treaties, nor change the responsibilities of international organisations implementing those instruments. The vast majority of States are adherents to the Nuclear Non-Proliferation Treaty (NPT), Chemical Weapons Convention (CWC) and Biological Weapons Convention (BWC). Many of them have signed relevant safeguards agreements with the International Atomic Energy Agency (IAEA). The resolution also calls upon all States to promote universal adoption and full implementation of multilateral non-proliferation treaties to which they are parties, and strengthen them if necessary. In this regard, many measures to implement these treaty obligations make direct contributions to the implementation of resolution 1540 and vice versa.

Now, just a year before the 10th anniversary of the adoption of the resolution, the 1540 Committee is seeking universal reporting to further consolidate the universal commitment to this cause. We also want to further develop bilateral and multilateral partnerships with States and international organizations to identify existing and potential challenges and gaps in the implementation of the resolution. This work is guided by the principles of transparency, equal treatment, cooperation and consistency. As you know the Committee consists of representatives of all 15 members of the Security

Council. Following the implementation of its eleventh program of work the Committee continues to operate on a basis of four working group.

These groups represent the four main areas of work of the Committee which are: Monitoring and National Implementation, Assistance, Cooperation with International Organizations and Transparency and Media Outreach. The Committee regularly reports to the Security Council on its work and prepares annual reviews of the implementation of resolution 1540 (2004). The UN ODA provides logistic and administrative support to the Committee and a group of nine experts representing different regions of the world provide scientific and technical support. Mr. Terence Taylor, who joins us today, is the Coordinator of the Group of experts.

Since the adoption of the resolution, many States have achieved real progress in its implementation. Now the total number of national implementation reports submitted by States is an impressive number of 169 States, which is a high number compared to other reporting records in the UN context, especially since reporting, strictly speaking, is on a voluntary basis. I take this as a clear sign of commitment to the resolution. It is also encouraging to see that States continue to provide additional information. We also see a growing number of States that draft and submit voluntary National Action Plans to the Committee, with Belarus and the Kyrgyz Republic being the most recent examples.

However, a lot of work is still ahead. Twenty-four States have yet to submit their first reports and many States need to provide more information, since they made their last inputs seven or eight years ago. And implementation is not only about reporting. The main goal is to take more effective legislative

and enforcement measures to close the gaps in preventing non-State actors, and terrorists getting their hands on WMD.

In addition, resolution 1977 (2011) encourages international, regional and sub-regional organizations to designate and provide a point of contact or coordinator for the implementation of resolution 1540 (2004). The OSCE and the CARICOM have followed this advice by establishing 1540 coordinator posts. The OSCE has created a Network of Points of Contact encompassing 46 states and shared it with the 1540 Committee. The African Union also has designated a 1540 Point of Contact. These simple measures are an effective tool in facilitating partnering, contacts and information sharing. However, many international, regional and sub-regional organizations still have to follow this good practice.

The rapidly changing global, political, scientific, and technological environment requires the exploitation of all available opportunities for international cooperation. This dynamic environment brings new challenges that the international community must face in the area of non-proliferation when a single scientist in a laboratory, for example, can create a deadly biological agent suitable to be used as a weapon of mass destruction. One should recall the deaths, sickness and disruption caused, apparently by a single scientist, in the US in 2001 with the mailing of the letters laced with anthrax.

In dealing with this threat of a global nature, our response should be based on the integration of global non-proliferation efforts through regional co-operation with the assistance of international organizations. In accordance with resolution 1810 (2008) the 1540 Committee is developing its cooperation with international organizations. Inter-governmental

organizations such as the IAEA, OPCW, World Customs Organisation and INTERPOL take the lead in such matters as security of facilities, border controls, trans-shipments, and proliferation financing, among others.

The Committee welcomes efforts of regional or subregional organisations for example the OSCE, the Organization of American States, the European Union, Caribbean Community, the Commonwealth of Independent States in facilitating implementation of resolution 1540. Other regions or regional fora are following this example: there are some new and encouraging trends. For example, the Gulf Cooperation Council and the League of Arab States have enhanced their 1540-related efforts in recent years opening possibilities for further engagement. Also a recently intensified dialogue with the African Union, exemplified by its active role in organising a workshop for African States has created a real impetus for furthering the implementation of the resolution on the African continent.

I note with appreciation that all members of the OSCE have submitted their initial reports, and many of them have provided additional information. Moreover, a number of them such as the Kazakhstan, Norway, US as well as the European Union have positioned themselves as active assistance providers helping to promote non-proliferation and 1540 related activities in key regions of the world.

Experience shows that assistance has become a crucial element for successful implementation of the resolution. As you may know, the Committee itself does not provide assistance. Its task is to match assistance requests with offers of assistance. It also collects up-to-date information on interests in and programmes of assistance by States and international,

regional and sub-regional organizations. This information is regularly updated.

Currently, the 1540 Committee has posted on its website assistance requests from 39 States and two from regional and subregional organisations. The requests range from legislative, drafting assistance to technical aspects such as, among other things: detection or protection equipment, export controls, support for customs officials, and strengthening of border check points. The match-making task is carried out through providing the information to States, international and regional stakeholders like the G-8 Global Partnership, IAEA and OPCW, to make offers of, and requests for, assistance more effective.

While we have informally received reports of successful match-making and of States targeting their assistance efforts based on the information posted on our website, I have personally sent letters to States and inter-governmental organizations to provide information in this regard to the 1540 Committee. Our latest match-making success story is the response and offer of assistance we received from the UN Office on Drugs and Crime (UNODC) to the request for assistance of the Republic of Congo.

In this regard I would like to note the December 2010 Meeting of International, Regional and Sub-regional Organizations on Cooperation in Promoting the Implementation of resolution 1540 (2004) hosted in Austria. Sixteen international organizations, including UN bodies and twelve regional organizations, discussed further ways for better implementation, while recognizing the central coordinating role of 1540 Committee. Since then the OSCE has established itself as a real coordinator and leader in efforts and

new initiatives on the implementation of the resolution. Nevertheless, since that time a number of issues still have to be resolved.

One of them is inadequate awareness of regional organizations of available programs and projects for assistance. Resolution 1810 encourages the Committee to engage actively, *inter alia*, with regional and sub-regional organizations “to liaise on the availability of programmes which might facilitate implementation.” However, it must be admitted that information sharing in this regard still has to be improved to avoid duplication of efforts and overlapping of activities in the same area. Thus, there is a continuous need for regional organizations to interact not only with States and the Committee but with each other especially when channeling technical assistance or organizing thematic workshops. In this regard, I found the recent initiative of the Conflict Prevention Centre to better facilitate the coordination between their 1540-related activities and the EU’s CBRN Centre of Excellence initiative very encouraging.

Regional organizations also could do more to connect the building up of 1540 capacity with activities that are a high priority concern for their member states, such as crime prevention, small arms and drug trafficking, development and public health. Of course, the building up of 1540 capacity with these activities should not be considered as expansion of the scope of the 1540 resolution mandate. Progress in these areas could indirectly support the tasks of 1540 process and vice-versa. For example, ensuring security of nuclear and radiological materials can help States promote safer environment and stimulate economic growth.

Exploring the activities and experiences of other geographic regions may also be useful for these organizations to draw on relevant experiences,

effective practices and lessons learned to be applied and adapted for local conditions. In this regard the organization of regional workshops with a wide range of participants could be helpful in elaborating mutual understandings and recommendations. For example, the workshop for the Commonwealth of Independent States held in Minsk this year succeeded in producing a list of practical recommendations including the offer by the CIS Executive Committee to study the question of a contact point on resolution 1540 (2004) to further broaden the cooperation with the 1540 Committee, the UNODA, the OSCE Secretariat and other international organizations.

Last but not least, though the implementation of the resolution rests with States the experience of the OSCE shows how much regional organizations can do in assisting its members in meeting implementation challenges, reconciling priorities, harmonizing approaches, facilitating advice and matching requests and offers of assistance. It is important to emphasize the role of such collaborative measures as coordination on visits to states and technical assistance.

I would like to stress the importance the Committee assigns to direct action with States – large and small. The voluntary measure for States to invite the 1540 Committee introduced in 2011 by resolution 1977 is only now beginning to gain traction. The US led the way in 2011 and was followed by invitations from OSCE countries, Kyrgyzstan, Albania, and then the Republic of the Congo in 2012. Last month I participated in a country visit to Trinidad and Tobago – a particularly valuable demonstration of the importance of a smaller country taking steps to prevent it from becoming a haven for proliferation financing and illicit trans-shipment, among other things. In the pipeline the Committee has been invited to Mozambique and – once again, as I mentioned earlier, to the OSCE region -- to Moldova.

Another important aspect is providing assistance to States, upon their requests, for developing voluntary National Action Plans. OP 8 of resolution 1977 encourages all States to prepare on a voluntary basis these plans, with the assistance of the 1540 Committee as appropriate. With regard to these plans, from the OSCE region, following Serbia last year, as noted earlier, Belarus and Kyrgyzstan have submitted their plans. Moldova and Bosnia and Herzegovina are expected in the coming months. These developments are mostly the result of OSCE facilitation, through the Conflict Prevention Centre and of support from the 1540 group of experts and UNODA.

A novel approach being experimented within the OSCE region is a peer review event being tried out by Croatia and Poland. On their own initiative these two countries, supported by the UNODA, will review each other's 1540 implementation action and plans by reciprocal visits. Polish officials will visit Croatia in June and the return visit to Poland will take place in the autumn of this year. I look forward to learning of the results of this novel initiative.

At the regional and subregional levels, where countries are likely to face common challenges in security terms, and where political, economic conditions are similar, there are greater possibilities in sharing effective practices in the implementation of the obligations under resolution 1540. The OSCE and certain other regional organisations, such as the Caribbean Community (CARICOM), have set good examples in facilitating national, sub-regional and regional events that are practical in nature – not just discussions – that have exploited very successfully the advantages of local action. I look forward to the OSCE to continue sharing this expertise to help implement resolution 1540 (2004).

Let me conclude on an optimistic note by saying that our cooperation with the OSCE has brought many positive results. Events in the years since the adoption of the resolution have confirmed that its implementation requires continuous and sustained efforts to close existing gaps to prevent non-State actors from getting access to weapons of mass destruction. The 1540 Committee is ready to intensify these efforts and looks forward to working even more closely with the OSCE and other relevant organizations to strengthen regional and global non-proliferation.

I would like to remind you that should you need any assistance on carrying out the OSCE's 1540 initiatives forward, the 1540 Committee stands ready to play the matchmaking role in ensuring that such requests are met.

I very much look forward to working with OSCE States in order to join with you in this vital and urgent mission to prevent acts of terrorism with weapons of mass destruction. Let us think together what value added the OSCE and other regional organizations can bring to the global efforts aimed at furthering implementation of resolution 1540 (2004).

I look forward to hearing your views on how we might best work together to realize a world safer from the threat of WMD proliferation.

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