

**Dialogue Meeting of the Forum for Security Co-operation of the  
Organisation for Security and  
Co-operation in Europe**

**Address by Ambassador Román Oyarzun Marchesi**

**Chair of the Committee Established Pursuant to UN Security Council  
Resolution 1540 (2004)**

Vienna, Austria, 20 May 2015

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 to speak to you today. The UN Security Council's 1540 Committee recognizes the invaluable contribution that the OSCE makes to the cause of non-proliferation and, in particular, to the implementation of UN Security Council resolution 1540. The support of regional organisations is fundamental to the effective implementation of the resolution worldwide. The OSCE has played an exemplary role in this regard.

A reminder of the proliferation risks we face is not out of place. Resolution 1540 is a preventive resolution. The potentially devastating effects of nuclear, chemical or biological weapons proliferating 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. While much of the activity surrounding UN resolutions and treaties on the subject of weapons of mass destruction concern procedures, compliance mechanisms and the like, we should not lose sight of what we are trying to prevent. We have entered an era in which terrorist groups and their supporters are ready to commit extreme violence on a wide scale. In this context, we should be conscious of the possibility of the use of nuclear,

chemical or biological weapons. 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.

Even with this well-informed audience I feel it is important that I state the essence of the obligations so that you have in your minds 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 obligations. Among them are export controls, intangible technology transfers, proliferation financing, transshipment, physical protection and border controls. 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 report 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 to date [174] countries have reported on the measures they have taken for the implementation of resolution 1540. This means that ninety per cent of UN Member States have reported. This is a practical indication of commitment to the objectives of the resolution and enables the 1540 Committee to engage in dialogue with States. While there are still [19] countries to submit a report, I am glad that the reporting record among OSCE countries is 100%. I should point out that reporting just once, given the necessarily dynamic nature of compliance measures and activities, is not enough. Regular additional reporting and updating is important so that the status of implementation can be reflected and assessed accurately.

While reporting is very important, what really matters is the effectiveness of the practical steps taken at the national level to implement the resolution. One helpful step in this regard is to develop voluntary National Implementation Plans (NAP). In this process, if it is to work, all the key national stakeholders that need to be involved in 1540 implementation have to be engaged. This helps to close any gaps and vulnerabilities in legislation, regulations and controls. I note that eleven OSCE States have reported such plans to the Committee<sup>1</sup>. I am aware that three more OSCE countries have NAPs in development<sup>2</sup>. I am glad to note that the current holder of the OSCE Chair, Serbia, has taken a leading role in developing NAPs being among the first countries to submit a plan to the Committee. The Committee's supporting Group of Experts will be in Belgrade next

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<sup>1</sup> Armenia, Belarus, Canada, Croatia, FYROM, France, Kyrgyzstan, Montenegro, Serbia, United Kingdom, United States.

<sup>2</sup> Bosnia-Herzegovina, Tajikistan and Uzbekistan. In the case of Uzbekistan the plan is completed – governmental approval is awaited to send the plan (perhaps in edited form) to the Committee.

week – by invitation – to help analyse the progress of implementation of their plan. A similar event is being conducted with Montenegro next month. Also a regional event to share experiences in developing and implementing National Implementation Action Plans is being held in Croatia. This event will be hosted by the Regional Arms Control Verification Implementation and Assistance Centre (RAVIAC) in Zagreb. The OSCE is certainly very much the scene of action for this important activity.

The 1540 Committee is very keen to enhance the role of 1540 national Points of Contact. The Committee is seeking ways to develop them into a “living network” to build on their potential to play an important part in maintaining and improving 1540 implementation. It is gratifying to note that nearly all OSCE Member States have formally designated Points of Contact for 1540 implementation. I am glad that the CPC has built on their innovative event in April 2014 by holding a second meeting of national 1540 Points of Contact in Belgrade next week. This is a valuable indication of the important role a regional organisation can play in this regard. The Committee has asked its Group of Experts to design a syllabus for a training course for National Points of Contact. It is planned that this training should be conducted on a regional basis. The first courses are likely to be in Asia and Latin America later this year and early 2015. I very much hope that, resources permitting, the OSCE could take up this idea.

Now allow me to say a few words about assistance. One of the priority areas the Committee will focus on is improving the system of assistance that is designed to facilitate the capacity building of States that request help in improving their implementation of the 1540 obligations. In particular, the Committee seeks to work with regional organisations to help States articulate their assistance needs. By doing so, an assisting State or

organisation can respond effectively -- whether from within the region or without. Also the Committee would welcome ideas on how we might make the assistance mechanism more efficient and responsive.

I would like to turn now 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 the Committee's 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 the implementation of the resolution 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 has agreed the modalities for the Review that follows four key strands of work. 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 is 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", as I mentioned earlier, and identify improvements to bring about the prompt delivery of assistance. The Committee is already putting into effect improvements to the approach to facilitating assistance – in particular by using a regional approach.
- With regard to cooperation with international organisations, in the course of the Review we believe that we should seek improved ways of enhancing the collaboration of the Committee with directly related international organisations, For example, the IAEA is of course a key partner in this regard, as well as other UN bodies. With respect to regional organisations I think that we should try to identify better methods for their support for building networks of 1540 Points of Contact. The OSCE initiative with its network of 1540 Points of Contact is a good example. As I noted earlier it would help a great deal in promoting effective implementation, 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. 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 would like to stress that the 1540 Committee cannot be successful in its mission without the direct support of regional organisations such as the OSCE. The role of the organisation has evolved over the years in a very positive way. As my predecessor said to you in 2014 the main components of its role that should be maintained and, where appropriate, strengthened could be summarised as follows:

- Support of resolution 1540 by OSCE participating States and its partners for cooperation at the national level at their request;
- Promotion of sharing of experience and effective practices at the regional level;
- Maintaining and developing further the network of 1540 PoCs in the region.

I would add to this summary the development of a regional approach to the requesting and provision of assistance.

I would very much welcome an OSCE input into our Comprehensive Review of Implementation. I would welcome ideas on how this would be best pursued. I very much hope that the resources will continue to be forthcoming to enable the OSCE and its Secretariat to maintain the momentum of its valuable support for the implementation of resolution 1540. This would enable the OSCE region to continue to progress towards full and effective implementation of the resolution and sustain it over the next decade. In this way the OSCE will continue to make a vital contribution to international security within its region and beyond.

I must pay tribute particularly to the staff of the OSCE Conflict Prevention Centre (CPC) for their excellent work in supporting the preparation and conduct of the events and activities I have outlined. Ambassador Kobieracki<sup>3</sup> - please pass on our grateful thanks to your staff for their very professional and valuable contribution.

Before closing I should also thank those represented here that have given support to enable to Committee to carry out its Programme of Work either through voluntary financial contributions – Andorra, Kazakhstan, the Republic of Korea<sup>4</sup>, United States and the European Union – or in other forms of support, notably by the UN Office for Disarmament Affairs.

I very much look forward to discussing the points I have raised with you in order to advance the 1540 Committee's collaboration with you to our mutual benefit.

Thank you for your attention.

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<sup>3</sup> Director of the CPC.

<sup>4</sup> The ROK has a seat as an observer.