

**8th Meeting of Heads of Special Services, Security
Agencies and Law Enforcement Organizations
Irkutsk, Russia, 23-25 June 2009**

***WMD-Related Terrorism and the Implementation of UN Security
Council Resolution 1540 (2004)***
**Statement by Ambassador Jorge Urbina
Chairman of the 1540 Committee**

Distinguished participants,

1. As Chairman of the 1540 Committee, I would like to thank the FSB of the Russian Federation for inviting me to participate in this important meeting. I believe that in this audience there is no need to talk about the importance of comprehensive and sustained struggle against the proliferation of weapons of mass destruction (WMD) and their means of delivery and about the potential nexus between such proliferation and international terrorism. The Russian Federation as well as some other members of the Commonwealth of Independent States (CIS) understands the threats from terrorism and WMD proliferation as much as, if not better than, most States. In this regard, it is difficult to overestimate the significance of UNSC resolution 1540 (2004).

2. Resolution 1540 is the first formal resolution adopted by the Security Council to address the proliferation of weapons of mass destruction and their means of delivery as a threat to international peace and security and to call for measures to combat it as well as to control related materials. Unanimously adopted under Chapter VII of the UN Charter with the active participation of the Russian Federation, this resolution establishes binding obligations on all States to refrain from providing any form of support to

non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. It also requires them to adopt and enforce appropriate effective measures to prevent non-State actors from engaging in those specific activities. These objectives were reiterated by the Security Council in resolution 1673 (2006), and again in resolution 1810 (2008), which extended the mandate of the 1540 Committee till April 2011, with the continuing support of its expert group.

3. The resolution laid down key principles and mechanisms for coordinated efforts against illicit trafficking in the field of WMD and related materials. The 1540 Committee has become an important tool for facilitating cooperation among Member States in countering the global threat of WMD proliferation and the potential acquisition of such weapons and related materials by non-state actors, in particular for terrorist purposes.

4. The work of the Committee has passed through several stages. The initial task was to raise awareness among States of the dangers posed by WMD-related terrorism and, as required in resolution 1540, to encourage the adoption and enforcement of appropriate effective laws which prohibit any non-state actor to manufacture, acquire, possess, develop, transport, transfer or use WMD and their means of delivery. As States were also required to take measures of physical protection of WMD-related materials and to establish border and export controls, this was another major area of work for the Committee. States were also called upon to ensure compliance with their commitments under the key multilateral non-proliferation treaties, the implementation of which required the adoption of national legislation, which would be of direct relevance to the implementation of resolution 1540. All States were called upon to report to the Committee on measures they have taken or intended to take in all these areas in order to assess the status of implementation of the resolution.

5. Compilation and examination of reports from Member States is therefore the first step towards implementation of the resolution. The next task is to seek additional information on any aspects of the resolution where relevant measures may not have been reported, in order to assess the extent of implementation so far and identify what further measures States will need to take to achieve full implementation.

6. The number of States that have reported having relevant legislation and enforcement measures has increased considerably and now exceeds two thirds of entire UN membership. In numerical terms 160 Member States have so far submitted a first report on the status of implementation of the resolution. Furthermore, over 100 States have submitted additional information, some of them sending updates twice or three times. These figures demonstrate that Member States have been considerably responsive to the efforts of the 1540 Committee in terms of reporting but that the degree of implementation of all aspects of the resolution has varied from region to region.

7. The 1540 Committee appreciates the efforts made by the Russian Federation, as a permanent member of the Security Council, towards full implementation of the resolution, and for its role in facilitating the work of the Committee. Russia's commitment in this field was demonstrated again when it became one of the first nuclear-weapon-States to ratify the International Convention for the Suppression of Acts of Nuclear Terrorism. It is significant that the Russian Federation jointly with the United States of America launched the Global Initiative to Combat Nuclear Terrorism in 2006 and that it takes an active part in its implementation. At the inter-State level, we note that the Inter-Parliamentary Assembly of the CIS has approved a number of model laws that cover the prevention and combating of terrorism, in particular nuclear terrorism. All these activities contribute to the implementation of resolution 1540.

8. We recognize that full implementation is a long-term process. At present, no country can claim that it has fulfilled all the requirements of resolution 1540. There is thus always room for improvement. In this regard the 1540 Committee would welcome further efforts to strengthen its cooperation with the Russian Federation. Such cooperation is of special significance because of its vast territory and long borders and also its geographical proximity to centers of terrorist activity. Terrorist groups may try to probe the efficiency of measures undertaken to safeguard WMD-related materials, and might seek access to orphan radioactive sources or even aspire to secure biological and chemical materials from laboratories.

9. We understand that there have not been major cases reported since 2001 of proliferation-related incidents in the Russian Federation. This fact may indicate that international and national efforts may have helped to improve physical security at nuclear facilities and that upgrades in export controls and improvements in information exchange may have deterred attempts at illicit trafficking. However, continued vigilance and sustained efforts remain essential. Full implementation of the provisions of resolution 1540 would further enhance security in the entire region.

10. In this regard we welcome the ongoing efforts aimed at harmonization of some legislation among the CIS members States, including the revision of criminal codes to include penalties for smuggling or trafficking in WMD-related materials. To meet requirements of resolution 1540, it is important that all countries develop export control lists that would cover the full scope of the provisions of resolution 1540 as they relate to nuclear, chemical and biological materials. At present not all States have such lists to enable customs officers and officials concerned with trade and security to have effective control. Information on the activities undertaken by the Eurasian Economic Community in this field might be of relevance to the work of the 1540 Committee.

11. I would like to mention that the 1540 Committee works closely with the Organization for Security and Cooperation in Europe (OSCE) in this region. We appreciate the role of the Russian Federation with respect to the commitment of the OSCE to help its members and others to implement resolution 1540. I intend to discuss the current proposal to increase cooperation between the OSCE's Forum for Security Cooperation and the Permanent Council of the OSCE on resolution 1540 and the possible assignment of a person at the OSCE to facilitate the implementation of the resolution and to enhance cooperation with the 1540 Committee. This seems in line with the identification of the OSCE as a key multilateral venue for security dialogue made in the joint statement by Presidents Medvedev and Obama of 1 April 2009.

12. Steps such as these illustrate the way forward as the 1540 Committee intensifies its efforts to encourage new measures to fill implementation gaps as identified by the Committee on the basis of reports from Member States.

13. In accordance with Security Council resolution 1810 of 2008, the Committee has adopted its program of work, which covers the period from 1 February 2009 to 31 January 2010. This program, which was circulated as a Security Council document (S/2009/124, 4 March 2009), calls for intensification of existing activities and the development of certain new activities. This includes: continuing dialogue between the 1540 Committee and Member States about making further progress towards full implementation; enhancing cooperation with other international organizations and with relevant regional and sub-regional bodies; and strengthening the Committee's clearing house function to facilitate technical assistance to States that may require it in order to achieve full implementation of the resolution.

14. A major focus of the Committee’s work during 2009 will be to organize a comprehensive review of the status of implementation of resolution 1540. The review will assess the evolution of risks and threats in the areas covered by the resolution, address specific critical issues that have not yet been addressed and identify new approaches for the implementation of the resolution. The Committee plans to have an open-ended meeting in October-November 2009 that will form part of the comprehensive review. All Member States of the United Nations, related intergovernmental organizations and regional organizations will be invited to participate in this meeting. In the next few months the Committee will welcome written contributions from Member States and relevant organization, that is, papers on their experiences and assessments as related to the implementation of resolution 1540. We hope that the governments of all participants at this meeting will actively participate in the review process.

15. Looking ahead, I would like to emphasize three aspects of our work on which the 1540 Committee could benefit at this stage from increased cooperation with the Russian Federation and other States:

(a) The first aspect is for each State to review the extent of implementation of resolution 1540, utilizing the standard examination form or “matrix” prepared by the Committee on the basis of the information contained in the national reports and other official sources. This would form the basis for addressing the remaining discrepancy between the coverage of the regulatory and enforcement measures already in place and the requirements to attain implementation of all provisions of resolution 1540.

(b) The second aspect is to share with the Committee as well as with other Member States, particularly with fellow members of regional or sub-regional bodies, the national experience and lessons learned in

facing challenges of implementation. In this regard, I would like to emphasize the importance of the outreach activities of the 1540 Committee and the regional workshops. Such workshops have been organized by the CIS for its members, by the UNODC and the OSCE for Central Asian States and by the Asian Regional Forum for its more diverse membership. We have appreciated the helpful role of the Russian Federation in those workshops to encourage progress towards full implementation of resolution 1540. We are also grateful to the other countries that have sponsored workshops of relevance to our work.

(c) The third aspect is the channeling of assistance to countries that may require it in order to facilitate the implementation process. We are encouraged by the fact that Russia is assessing the specific assistance requests from other States referred to it by the 1540 Committee and has already made an offer of assistance to a neighboring State.

16. I thank you once again for the opportunity to participate in this meeting and for the hospitality extended to us by the hosts.