

International Symposium on Nuclear Security
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Opening Statement by Ambassador Jorge Urbina
Chairman of UNSCR 1540 Committee

Mr Chairman, Distinguished Participants,

I would like to express my thanks to the International Atomic Energy Agency (IAEA) and to the co-sponsors for providing the 1540 Committee with an opportunity to address this important symposium. The theme, “enhancement of the security of nuclear material,” is of particular relevance to the responsibilities of the Security Council Committee established pursuant to resolution 1540.

In a broad sense, the issue of nuclear security is a major aspect of the concern about the threat of proliferation of weapons of mass destruction. Participants will recall that the Security Council declared at the level of Heads of State and Government, on 31 January 1992, that the proliferation of all weapons of mass destruction constitutes a threat to international peace and security, and in this regard noted the importance of adherence to the nuclear Non-Proliferation Treaty (NPT) and emphasized the integral role of fully effective IAEA safeguards. The A. Q. Khan nuclear trafficking revelations were instrumental to the unanimous adoption of resolution 1540 in 2004. As you know, resolution 1540 is the first formal decision of the Security Council, taken under Chapter VII of the United Nations

Charter, affirming that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security.

The resolution also expresses grave concern that the threat of illicit trafficking in those weapons, their means of delivery and related materials adds a new and dangerous dimension to the problem of proliferation. As producing nuclear weapons material remains prohibitively difficult for non-State actors, securing such materials from theft or illicit trafficking becomes perhaps the most important challenge in the effort to implement the nuclear elements of the resolution.

Notably, resolution 1540 establishes binding obligations on all States, in accordance with their national procedures, “to adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use” nuclear, chemical and biological weapons, their means of delivery and related materials, in particular for terrorist purposes” (operative paragraph 2). The significance of resolution 1540 thus lies essentially in its focus on the danger of acquisition by non-State actors of these weapons, their means of delivery and related materials.

As international legal instruments mostly restrict the activities of States towards other States, resolution 1540 addresses the threat posed by non-State actors, thereby closing a gap in international law by explicitly prohibiting States from providing any support for

proliferation-related activities to such actors and by preventing the latter from themselves engaging in such illicit activities.

Another point to emphasize is that the obligations under resolution 1540 are not in conflict with and do not alter the rights and obligations of State Parties to existing international instruments on disarmament and non-proliferation, such as the NPT. Indeed, the resolution calls upon States to promote universal adoption and full implementation of those instruments and to renew and fulfill their commitments to multilateral cooperation, in particular within the framework of the IAEA, the Organisation for the Prohibition of Chemical Weapons (OPCW) and the Biological and Toxin Weapons Convention. Such action was considered as an important means of pursuing the common objectives.

Consequently, the 1540 Committee sees great value in developing cooperative arrangements with the IAEA and with other international and regional organizations that play a complementary role in the implementation process of relevance to 1540, operating under their respective mandates. Most pertinent here is the IAEA's leading role in strengthening States' systems of accounting for and control of nuclear material, in promoting adherence to the Convention on the Physical Protection of Nuclear Material and its Amendment, as well as other relevant instruments and documents, such as the Nuclear Security Series, which includes the important document "Physical Protection of Nuclear Material and Nuclear Facilities. This subject is

at the core of operative paragraph 3, sections (a) and (b) of resolution 1540.

Cooperation with the IAEA and other relevant organizations in the context of their ongoing work is essential for the 1540 Committee in carrying out its mandate. This is emphasized by the Security Council not only in resolution 1540 but also in more detail in resolution 1810 in April 2008. Through this resolution, the Council encouraged the Committee to engage actively with those organizations to promote the sharing of experience and lessons learned and to exchange information on the availability of programmes, including those involving assistance, which might facilitate the implementation of resolution 1540.

In this respect, the 1540 Committee welcomes the series of resolutions adopted by the General Conference of the IAEA in support of the work of the Committee in the area of nuclear security to prevent illicit trafficking. We appreciate particularly the specific suggestions contained in operative paragraph 9 of resolution GC (52)/RES/10 of October 2008, inviting the IAEA Secretariat to provide Member States assistance relevant to fulfilling their obligations under resolution 1540 and to the 1540 Committee itself as is within the scope of the Agency's statutory responsibilities.

We are indeed encouraged by the growing cooperation with the IAEA Secretariat since its active participation at the February 2007 open-debate of the Security Council. This debate focused on cooperation

between the Council and international organizations on the implementation of resolution 1540. This event was followed by inter-secretariat consultations in May 2007.

Our outreach workshops that are organized by the United Nations Office for Disarmament Affairs have greatly benefited from contributions by IAEA officials and we hope that this symposium will provide more ideas on how to augment our increased cooperation, as well as another opportunity for fruitful interaction and as a means to facilitate our dialogue and contacts with nuclear security experts from Member States.

Thank you.