

***Remarks on Behalf of Ambassador Peter Burian by Ambassador Peter Holasek to the Participants of the conference on “The Application of Resolution 1540 to the ASEAN Region.”***

Distinguished Delegates, Ladies and Gentleman,

On behalf of the Chair of the Committee Established Pursuant to UN Security Council Resolution 1540 (2004), I want to thank the Center for Strategic and International Studies (CSIS) of Jakarta and the Institut des Relations Internationales and Strategique (IRIS) of Paris, with the support of the government of France, for organizing this conference on “The Application of Resolution 1540 to the ASEAN Region,” and allowing me to speak to the importance of implementing Resolution 1540. As Indonesians and others in the region know, the terrible bombings in Bali in 2002 and since, caused many casualties and had a devastating economic impact. Imagine then the effects if instead, a biological, chemical, or nuclear weapon had been used.

Even for States that do not possess weapons of mass destruction, their means of delivery, or related materials, implementing Resolution 1540 can help prevent such acts. To learn terrorists or organized criminal groups had exploited a country to launch such an attack elsewhere, with its devastating human and economic consequences, because that State had not taken urgent steps to implement its obligations under the resolution would surely earn that State the status of an international pariah.

Through Resolution 1540, as reiterated by Resolution 1673, the UN Security Council unanimously identified the proliferation of WMD and their means of delivery as a threat to international peace and security and addressed the various aspect of proliferation and its relation to non state actors, including terrorists, in a comprehensive manner. In order to address that issue, it established a set of provisions which are legally binding on all States. The international community has recognized the threat of the continued existence of WMD and its proliferation for many decades, as seen in the development of various multilateral legal instruments, such as the Nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons Convention (CWC), the Biological and Toxin Weapons Convention (BTWC), and the various export control arrangements. The fact that some States have not signed key multilateral agreements, that some States have not implemented their obligations under these agreements, and that these international efforts have evolved without cohesion across all types of WMD and their means of delivery had challenged the nonproliferation community long before September 2001. In the first few years of

this century, however, States also came to understand that their focus on States had understated the risks posed by proliferation and the risk that non-state actors, including terrorists, acquire such weapons, their means of delivery, or related materials.

Consequently, Resolution 1540 attempts to address the proliferation of WMD, their means of delivery and related materials and their possession by non-State actors in an integrated manner. It establishes binding obligations for all States regarding the implementation of legislative and enforcement measures to prevent and deter non-state actors from gaining access to such items, and to secure, account for and physically protect these items, control their export, transport or cross-border shipment, as well as services related to such activities. At the same time, the resolution makes clear that it does not conflict with or alter rights and obligations of State Parties to the existing international disarmament and non-proliferation instruments. In essence, the resolution not only reinforces existing obligations but also establishes *additional, more comprehensive* obligations to address gaps in the existing international nonproliferation system.

In the early phases of its work, the 1540 Committee aimed to establish a baseline of the status of implementation of the resolution. In April 2006, the 1540 Committee reported to the Security Council on the measures taken by States to implement the resolution. The 1540 Committee concluded that although States had taken some important steps in implementing their obligations, almost all States faced significant gaps in their systems that terrorists or other nefarious non-state actors could abuse. Through its process of examining the reports submitted by States and additional information, the 1540 Committee has prepared data in the form of a matrix that each reporting State can use to identify gaps in its implementation to then develop its own priorities to fulfill its 1540 obligations.

From the beginning, the UN Security Council knew that some States would require assistance in implementing Resolution 1540. In that regard, the 1540 Committee already lists offers of assistance for 1540 implementation and has a database with many of the pieces of legislation already in use by States worldwide. The 1540 Committee also maintains a database of requests for assistance, which it shares with potential assistance donors. Additionally, the 1540 Committee has engaged both functional organizations, such as the IAEA, and regional organizations, such as the ASEAN Regional Forum, to assist it in increasing implementation the resolution using the special knowledge that such groups have in their areas of functional or geographic expertise.

In its first years, the 1540 Committee emphasized outreach to increase reporting and otherwise make its baseline of information as accurate and complete as possible. Now, the 1540 Committee stresses furthering implementation, particularly through tailored dialogue with states and regions about full implementation, sharing of national experience, facilitating technical assistance and cooperation with other international, regional and sub-regional organizations. Events such as this one contribute to this goal, and allow the 1540 Committee to conclude in its next comprehensive report to the UN Security Council in April 2008 that States have committed to make progress towards meeting Resolution 1540 obligations, helping to ensure the safety and the prosperity of the international community.

Full implementation of resolution 1540 by all States is a long-term process. It will require continuous efforts at national, regional and international levels, including enhancing capacity-building and assistance, by States and other members of the international community. Perhaps the first measure of success in the implementation of Resolution 1540 is the extent to which the world knows and respects the letter and spirit of its provisions. Again, speaking for my colleague, Ambassador Peter Burian, the Chair of the 1540 Committee, he and the rest of the 1540 Committee look forward to learning about the results of this meeting and to cooperating with the participants in their efforts to foster implementation of Resolution 1540.

Thank you once more for this opportunity.