

COMMITTEE ON HEMISPHERIC SECURITY (CHS)
ORGANIZATION OF AMERICAN STATES (OAS)

Washington D.C., 17 February 2011

**Statement by Mr. Ambassador Baso Sangqu (South Africa)
Chairman of the Committee established pursuant to Security Council resolution 1540 (2004)**

Distinguished Participants,

I would like to express my thanks to the Committee on Hemisphere Security (CHS) of the Organization of American States (OAS) for the invitation to participate in this important meeting. As Chairman of the 1540 Committee, I am pleased to continue the practice begun in December 2006 to address these meetings of the CHS.

1540 Framework

This meeting is being held at an important point in the evolution of the 1540 framework. The 1540 Committee is currently finalising the report due at the end of its current mandate, which will *inter alia* include recommendations to the Security Council, after which the Council will commence the process of considering the renewal of the 1540 Committee mandate. With this in mind, the Committee welcomes the opportunity to hear your perspectives, ideas and initiatives in pursuing the full implementation of resolution 1540. It also presents an opportunity to take stock of the 1540 process.

As you know, the Security Council, acting under Chapter VII of the UN Charter, affirmed in resolution 1540 (2004) that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security. The Council focused particular attention on the threat of terrorism and the risk that non-State actors may develop, acquire, manufacture or use nuclear, chemical and biological weapons and their means of delivery. The Council also expressed grave concern at the threat of illicit trafficking in such weapons, their means of delivery and related materials, which it recognized as adding a new dimension to the issue of proliferation and the threat it poses to international peace and security. Furthermore, the Council recognized the binding legal obligations and other commitments made by most States under existing treaties, but it also called upon States, where

necessary, to strengthen those instruments and renew their commitments to multilateral cooperation and to coordination of efforts at the national, sub-regional, regional and international levels.

Resolution 1540 requires all States to prevent such proliferation, through the adoption and enforcement of appropriate and effective laws which prohibit any non-State actors to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons, and their means of delivery, as well as attempts to engage in any of those activities, participate as an accomplice, assist or finance them.

Additionally, the resolution also requires States to adopt and enforce effective measures to establish domestic controls to prevent the illicit trafficking of related materials. Such measures include appropriate legislation and administrative provisions to account for, secure and physically protect those items, as well as to improve border and export controls. These particular requirements highlight that resolution 1540 (2004) is significant for considering illicit trafficking in nuclear, chemical and biological weapons, their means of delivery and related materials as a new dimension of proliferation, and for recognizing the nexus between terrorism and non-State actors acquiring such items.

1540 Committee and cooperation with other international organizations in general

The importance of cooperation between the 1540 Committee and intergovernmental organizations was recognized from the outset. Since 2004, the 1540 Committee was specifically encouraged to enhance its cooperation with international organizations and develop ways of cooperating with them on a case-by-case basis, taking due consideration of each organization's unique mandate and capacity. The 1540 Committee was also encouraged to explore, with States and international, regional and sub-regional organizations, experience-sharing and lessons learned which are relevant to resolution 1540 (2004), along with the availability of assistance programmes which might facilitate implementation of the resolution.

The cooperation between the 1540 Committee and inter-governmental organizations was further strengthened and broadened with the 2008 adoption of resolution 1810 which *inter alia* determined that "*the full implementation of resolution 1540 (2004) by all States ... is a long-term*

task that will require continuous efforts at national, regional and international levels” thus envisaging an active role for regional organizations in supporting national efforts.

In 2009, the 1540 Committee conducted a Comprehensive Review of the Status of implementation of Resolution 1540 which concluded in 2010 with a final document of recommendations. The Review demonstrated that a great deal has been achieved since the adoption of the resolution in 2004, but more needs to be done. The final document encouraged the 1540 Committee to continue to work more closely with regional and sub- regional organizations, and reiterated the importance of sharing experiences and lessons learned. The final document of the Review also noted that the 1540 Committee can strengthen awareness raising among senior decision makers including parliamentarians about the importance of implementing the resolution, and can identify where implementation of requirements might be integrated into other national priorities.

1540 Committee and the OAS

With regard to the OAS, I would like to express the appreciation of the 1540 Committee for the sustained efforts of the OAS to facilitate the implementation of resolution 1540 (2004) by its Member States. In this regard, we note the adoption of its resolutions since 2005 -- AG/RES. 2107 (XXXV-O/05), AG/RES. 2333 XXXVII-O/07), AG/RES. 2358 (XXXVIII-O/08), and AG/RES. 2534 (XL-O/10) -- which support implementation of resolution 1540 (2004) at the hemispheric level. These steps to secure high-level political support within the OAS and to integrate 1540 implementation into its relevant programmes of work, may serve as a useful point of reference for consideration by other regional and sub-regional organizations in their 1540-related efforts.

The adoption of resolution 1540 (2004) has prompted significant steps across the globe to prevent non-State actors from manufacturing, acquiring, possessing, developing, transporting, transferring or using weapons of mass destruction and their means of delivery, indicating the value to which States attach the objectives of the 1540 framework. In looking at progress with the implementation, the Committee is pleased to note that all but one State in the western hemisphere have submitted at least one report to the 1540 Committee and have taken a significant number of measures to implement the resolution. The attention in the OAS, as elsewhere, will therefore shift to address the remaining gaps in implementation, including the

adoption of new measures to fill remaining gaps in legislative frameworks and with respect to enforcement measures, including penalties for violations and other administrative arrangements necessary to achieve full implementation of the resolution.

Assistance

Resolution 1540 (2004) recognizes that some States may require assistance in implementing the provisions of the resolution and invited States in a position to do so, to offer assistance. With resolution 1810 (2008), the clearinghouse role of the 1540 Committee was further strengthened to facilitate matchmaking between States that request and offer assistance.

I would like to highlight that the 1540 Committee has recently adopted revised procedures to stream-line and accelerate the assistance process. In particular, I hope to enhance the relationship between the Committee and the OAS to facilitate technical assistance by engaging in the matching of offers and requests for assistance, promoting international cooperation, and conducting further dialogues with States in support of the full implementation of resolution 1540 (2004).

In this regard, it is noted that the above-mentioned OAS resolutions which provide region-wide support for 1540, have been complemented by practical sub-regional efforts. In response to an assistance request by CARICOM, a 1540 Coordinator has been based at its headquarters for more than one year now. Additionally, with the participation of a 1540 expert, a sub-regional workshop in Jamaica to encouraged further adoption of domestic controls among States in the Caribbean region. Other providers have also offered to assist with the development of relevant legislation.

Building on this experience, the 1540 Committee is recognizing the value of States channelling assistance requests through their sub-regional organizations, especially where the member states of the such organisations they have similar legislative systems, are facing similar security challenges such as illicit trafficking of small arms and drugs, or could otherwise benefit from sub-regional assistance projects. Accordingly, the 1540 Committee noted the request of Central American Integration System (SICA) for a regional coordinator to help their Member States in implementing resolution 1540 (2004). An expert of the 1540 Commmitte participated at the

meeting held by the OAS and SICA on May 2010, in Panama, to support designation of a 1540 coordinator for Central American States. This idea of a regional coordinator is now also being considered for the Andean Community.

Country specific activities

In addition to outreach activities at regional or sub-regional levels, the 1540 Committee also takes note of the innovative country-specific events where deeper intra-government dialogue was facilitated in host countries, such as in Guatemala during a UNODC event in March 2008, with the Dominican Republic in February 2009 on the occasion of a UNODC-OAS (CICTE) workshop for Caribbean countries, and with Trinidad and Tobago following a OAS (CICTE) Bio-shield exercise held in Trinidad in March 2010.

In the context of exploring further possibilities for country-specific approaches, the Committee noted the event to facilitate implementation of resolution 1540 in Lima, in November 2010. The event focused on four countries – Argentina, Brazil, Costa Rica and Peru - and with officials from CARICOM. Since each of these countries had previously hosted regional workshops on resolution 1540, they each had special implementation experience and lessons to share among themselves and with the 1540 Committee. Bilateral dialogues and roundtable discussions provided opportunities interaction among the participating States and with representatives of international organizations.

Conclusion

Finally, as Chairman of the 1540 Committee, I look forward to continuing the efforts of my predecessors, Ambassador Claude Heller of Mexico and Ambassador Jorge Urbina of Costa Rica, to enhance cooperation between the OAS and the Committee, and to explore new avenues of cooperation to facilitate full implementation of resolution 1540 in this region.

Thank you.