

## Workshop on the Implementation of Security Council Resolution 1540 (2004)

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Remarks by Ambassador Jorge Urbina

On behalf of the Committee established by Resolution 1540 of the Security Council, I would like to begin by expressing my gratitude to the Government of Costa Rica for its hospitality and all the cooperation it has given to the Office of Disarmament of the United Nations for the preparation of this regional activity. The Committee is also grateful to the governments of Norway and the United States of America, as well as the European Union, for the sponsorship of this workshop that seeks to offer participant countries the information and assistance necessary to implement Resolution 1540 and to improve their own security while contributing effectively to global security.

As all of you know, with the adoption of this Resolution, the Security Council recognized the need of all states to adopt additional measures to prevent the proliferation of nuclear, chemicals, and biological weapons, and their means of delivery; and decided to promote effective instruments that, in the global arena, impede non-state actors, particularly terrorists, from all activity related to these weapons and their means of delivery.

To reach this objective, the Council declared as contrary to International Law the support of any State to persons or entities that, not acting under the lawful authority of a State, that attempt to develop, acquire, manufacture, possess, transport, transfer, or use nuclear, chemicals, or biological weapons and their means of delivery.

The Council also established the obligation of the states to adopt and apply appropriate and effective laws that prohibit the manufacture, acquisition, possession, development, transport, transfer and use of these weapons and their means of delivery. Permit me to say here that frequently, the Committee has received or collected information that shows the obsolescence of the judicial frameworks of some countries, in light of the technical and scientific evolution and the changes that have occurred in the flow of commerce and in international financial services. Without a doubt, the perspectives of the future show that updating and revision are continuous tasks that must be done, if we want to respond adequately to the challenges that we must confront.

Through resolution 1540, the Security Council also decided to extend the security and control regimes to the related materials. By doing that, it established the obligation of the States to adopt appropriate and effective measures to account for these items, and to guarantee their security and physical protection. In these aspects, the Committee has been able to observe the need to cooperate with the states to improve that which is already in place, since the available information reveals its weakness and insufficiency and makes evident the possible threats to global security that could arise from them.

The resolution includes the obligation to adopt measures of border and law enforcement, including international cooperation, in order to combat the illicit trafficking and brokering. The need to work on improving these controls in this region is evident. The vulnerabilities revealed by the trafficking of illegal substances could also be utilized by non-state actors for trafficking related materials to nuclear, chemical, and biological weapons.

Finally, Resolution 1540 obliges states to establish, develop, evaluate, and maintain appropriate and effective national export and trans-shipment controls of the related materials, as well as controls on providing funds and services related to export and trans-shipment, and also controls of end users. All this appears particularly relevant in times characterized by the intensification of international commerce. The improvement of these controls will, without a doubt, contribute to reducing all types of illegal commerce and will be a stimulus for the competitiveness of our countries.

After this brief review, the complexity and diversity of Member-States' obligations under the resolution is evident. It is precisely this diversity and complexity that explain, at least in part, the difficulties in the complete implementation of the 1540 resolution.

Practically for all the states, the adoption of the legal framework and the implementation of all the measures, controls, and systems that are mandated by the resolution involve a considerable number of institutions that frequently have little relation among themselves and do not have a history of working together. This is one of the mayor obstacles to advancement of the implementation of the resolution. Therefore, in order to fulfill the obligations mandated by the resolution, it seems advisable to establish national systems of institutional coordination that treat the implementation of the 1540 resolution as a single project that includes parliamentary work and activities of institutions related to foreign policy, security, health, economy, and customs, among others.

On the other hand, the implementation of the 1540 should be, by its own nature, a program of national priority. That priority results from the hierarchy that the Charter of the United Nations has in the legal ordering of all member states. Additionally, the implementation of resolution 1540 is a priority project for any

nation, by the nature of the challenge to which it responds. Today, there is not a society that can remain indifferent before the risk that weapons of mass destruction represent in the hands of non-state actors, nor does there exist a society immune to the insidious and cruel challenge of terrorism. The terrorists have struck in Bali, New York, Mumbai, Algiers, Tokyo, Buenos Aires, and dozens of other cities around the world.

From this perspective, the implementation of Resolution 1540 of the Security Council is a contribution to global security and a collection of actions that seek to guarantee the safety of all contemporary societies. The Committee trusts that the agenda of this meeting helps to understand the magnitude of the task that the international community has taken on itself and contributes to the states represented here assuming their responsibilities.

As I said earlier, the Security Council understands well the difficulties of the complex implementation of Resolution 1540. Consequently, the Committee and its group of experts have received the mandate to widen the cooperation with specialized international organisms and also with regional and subregional organizations with the objective of making available to the member states that work on the implementation of the resolution the greatest amount of resources and every cooperation available, to the end of assisting their work. Throughout this workshop, we hope to facilitate the knowledge of the help available and the mechanisms by which their countries can have access to it.

To conclude, a point of information that is of interest to the states represented here. The 1540 Committee, in conformity with its mandate, will undertake a review during the coming months of the status of implementation of the resolution. With that objective, invitations have been sent to all the States to contribute ideas and to participate in the Committee's meetings that will take place from September 30 to October 2 of this year in New York. The Committee would very much appreciate the active participation of your governments in this process that should contribute to improving our work in the future.