

**Fourth ASEAN Regional Forum (ARF) Intersessional Meeting  
on Non-Proliferation and Disarmament  
8-9 March 2012, Sydney, Australia**

**Statement by Ambassador Baso Sanggu  
Chairman of the Committee established pursuant to resolution 1540  
(2004) of the UN Security Council**

Distinguished Delegates,  
Ladies and Gentlemen,

Thank you for inviting me to be part of this important event. On behalf of the 1540 Committee, I am pleased to provide an update to the ASEAN Regional Forum (ARF) on our work, which has made good progress since the presentation by Ambassador Heller, then the Chairman of the 1540 Committee, to the First ARF Inter-sessional Meeting of this group in July 2009.

In particular, this is an occasion for us to introduce the work and new perspective of the 1540 Committee on the basis of the recent UN Security Council resolution 1977 (2011). This resolution reaffirms the requirements of resolution 1540 (2004), which imposed binding obligations on all States to establish domestic controls to prevent the proliferation by non-state actors of nuclear, chemical and biological weapons, and their means of delivery, including by establishing appropriate controls over related materials.

Resolution 1977 was adopted unanimously by the Security Council on 20 April 2011, extending the mandate of the 1540 committee for a period of ten years until 25 April 2021. The Security Council recognized that full implementation of resolution 1540 by all States, including the adoption of national laws and measures to ensure implementation of these laws, is a long-term task that will require continuous efforts at the national, regional and international levels.

The Committee recognises that much progress has been made in implementation of the provisions of resolution 1540 (2004), however, we are ready to facilitate further progress. When the Committee submitted its report on compliance with resolution 1540 (2004) last year, we noted that at least 140 States had adopted legislative measures to prohibit proliferation of nuclear, chemical and biological weapons, as compared to 65 States in 2006.

The first annual review of the Committee, submitted in January 2012 to the Security Council, also notes that since 2008 more States have taken new measures to comply with the obligations and recommendations found in resolution 1540. While the trend is encouraging, the 1540 Committee is aware that much work remains to be done for States to implement the resolution fully.

Clearly, the main day-to-day task of the Committee will remain keeping current its knowledge of the status of implementation of the resolution by

States, a task in which it uses, which it does in practice by updating the 1540 Committee Matrices for each state. In that regard, the Committee likely will send a letter to each State in 2012 requesting a first report or additional information on the steps that a State has taken or plans to take. As well as bolstering its organizational work, such as through regular meetings, the Committee will seek to optimize the efficiency of its work over its extended mandate.

In addition, the course of action ahead for the Committee likely will include the following:

- The 1540 Committee will increase dialogue with Member States, including through country visits at their invitation, to facilitate States' implementation of resolution 1540. This could include encouraging States that have not yet submitted a first report on implementation of resolution 1540 to do so, and to facilitate other States submitting additional information on new steps they have taken or plan to take. States are encouraged to make full use of this possibility, at any stage in their implementation efforts. Recently, such activity has included a U.S. and Albania country visit, with several others scheduled or in planning stages, and the Committee will draw lessons from this increase in country-specific activities to refine and make more effective this work;
- The Committee will continue to help identify any assistance needs and priorities for those States that may request assistance and to engage in match-making with those offering assistance. To this end, for example, the 1540 Committee and its experts have been very active in recent months in working with the G-8 Global Partnership Working Group (GPWG) to identify which of its members might respond to the formal requests for assistance submitted to the Committee;
- The Committee will continue to facilitate the submission of national action plans, made on a voluntary basis, where a State maps out its priorities and plans for implementing the provisions of resolution 1540. So far, the 1540 Committee has received plans from Argentina, Canada, France, and the United States, while Kyrgyzstan, Serbia and other states are well underway in drafting their plans. The 1540 Committee stands ready to provide assistance to States, at their request, to prepare national action plans;
- It will increase its ability to enable and expedite the sharing of lessons learned and effective practices among States and the international community as a whole, so that States can put their limited resources to the best use in their specific circumstances. Part of the success of the work of the 1540 Committee stems from the fact that the Committee understands that prescribing, much less drafting, any particular standard or measure to be taken by States, will likely end in failure. Instead, resolution 1540 leaves decisions on how best to meet its obligations to the discretion of each State and emphasizes the

importance of identifying and sharing lessons learned and effective practices. Resolution 1977 specifically requests the 1540 Committee, with help of its experts, to identify effective practices, templates and guidance, with a view to considering their compilation. As it is, the 1540 Committee identified many such practices and lessons or guidance as derived from international, regional or sub-regional governmental organizations in its most recent report to the Security Council; and,

- The Committee will strengthen co-operation with relevant regional and sub-regional organizations, as well as with relevant international organizations. The Committee and its experts cooperate regularly with more than thirty such organizations on awareness raising, developing and sharing effective practices, lessons learned, and identifying needs and providing assistance, among other matters. In many instances, these organizations have made facilitating implementation of resolution 1540 an important part of their own mandates and programmes of work.

*Strengthening co-operation with relevant regional and sub-regional organizations*

In order to maintain the progressive trend on implementation, the Committee believes that international co-operation is an important tool to facilitate implementation of resolution 1540. The 1540 Committee recognizes, however, that full implementation by States will require contributions from a wide range of international, regional, and sub-regional organizations, as well as civil society and the private sector, as appropriate.

In this regard the Committee looks to find new and expanded avenues of co-operation with regional organizations, including the ASEAN Regional Forum, by involving them more actively in practical implementation of the resolution. Resolution 1977, for example, encourages regional organizations to enhance co-operation and information sharing with the 1540 Committee on technical assistance and all other issues of relevance for the implementation of resolution 1540 (2004). It specifically urges such organizations to inform the Committee of areas in which they are able to provide assistance and to provide the Committee with a point of contact or a co-ordinator on implementation of the resolution. However, cooperation with regional and international organizations remains a complex task. How to expand such cooperation on requires further exploration by the Committee, including more analysis by the Committee on which elements of potential cooperation to focus and strategies to do so and mapping relevant activities of international, regional and sub-regional organizations to help the Committee understand where it can best provide assistance.

Regional organizations can contribute to the implementation of the resolution in a wide range of ways.

- Regional and sub-regional organizations have clear knowledge of common interests and capabilities related to implementing the resolution among their members. Therefore, they are in a good position to help the Committee and the member states of their organization to identify capacity needs, conduct needs assessments, and share information on the capacity of its members to absorb or provide assistance.
- Some regional organizations also offer platforms for training and development in different fields. Given their awareness of the conditions to achieve national co-operation and regional consensus, representatives of these organizations co-ordinators can play a leading role in promoting approaches to implementing 1540 resolution tailor-made to meet the priorities and needs of their members.
- Similarly, such knowledge can help produce new or adapt existing practices suited for the region or sub-region. Particularly in implementing parts of the resolution where few or no international expertise exist, such as in securing chemical facilities, regional organizations can become innovators and leaders in particular fields. Regional organizations may also have the advantage of having mechanisms in place, such as periodic high-level and technical expert meetings, for sharing information on practices and expertise that will otherwise incur substantial transaction costs to create.
- Several regional organizations, such as the African Union, have notified the Committee that they have identified a point of contact on matters related to resolution 1540. In addition, the concept of a dedicated 1540 facilitator or co-ordinator inside a regional or sub-regional organization who would assist members of that organization in implementing the resolution arose several years ago, first adopted in practice by the Caribbean Community (CARICOM) in October 2009. Since then, the Organization of American States (OAS), the Organization for Security and Co-operation in Europe (OSCE), and the Integration System for Central America (SICA) have established such positions in one form or another. In most instances, individual States offered financial assistance in the creation of these positions, which has the added advantage of increasing the overall capacity of the regional or sub-regional institution itself on non-proliferation matters.
- The substantive co-operation of these co-ordinators with the 1540 Committee and its experts has facilitated the recent increase in both regional and country specific implementation activities. For example, in conjunction with several states offering assistance and with logistical and administrative support from the UN Office for Disarmament Affairs, regional and national priorities have been identified, gap analysis conducted, and national action plans developed.

UNSCR 1977 reaffirms the provisions of resolution 1540 with respect to maintaining the integrity of rights and obligations of States Parties to NPT,

CWC and BWC vis-a-vis obligations set forth in the two resolutions. Similarly, these resolutions reiterate that such obligations will not alter the responsibilities of the IAEA and OPCW. The 1540 Committee is mindful of these important requirements and shall pursue its assistance and related activities accordingly to promote implementation of resolution 1540.

The extent to which organizations have identified points of contact or even 1540 co-ordinators has reached a critical mass. Following a meeting of more than two dozen international, regional and sub-regional organizations on implementing resolution 1540 Committee in December 2010, many of the official points of contact or 1540 co-ordinators met again this February for in depth discussion on what has and has not worked regarding their efforts to facilitate the members of their organizations to implement the resolution. The 1540 Committee stands ready to work with the ASEAN Regional Forum in its efforts to help members implement the resolution, including in helping those working in the ARF institutional mechanisms meet these challenges.

## **Conclusion**

I would like to conclude by welcoming the many efforts now underway in the community of nations that constitute the ARF, such as implementation of the Southeast Asian Nuclear Weapons Free Zone, that are relevant to the implementation of resolution 1540. For its part, the 1540 Committee will continue to facilitate these efforts, transparently and respectfully, but mindful that the threats are real and grave. While States have taken and continue to take important steps toward full implementation of the resolution, the international community can send a strong message through raising awareness among governments, industry and civil society regarding the risk of non-State actors acquiring and using chemical, biological or nuclear weapons, including for terrorist purposes. In this way we can build on the existing support for the resolution as we look ahead to what we can accomplish together by April 2021.