

**Remarks by Ambassador Peter Burian
29 May 2007
to the Participants of the Workshop on**

**“Implementing United Nations Security Council Resolution 1540 (2004) in the
Caribbean”**

1. I welcome you all who are participating in this important workshop on “Implementing UN Security Council Resolution 1540 in the Caribbean”. This workshop follows on from the Latin American regional seminar on UNSCR 1540 last November in Lima. However, the states of the Caribbean within this region have rather special characteristics: recognizing this, this sub-regional workshop – organised by the UN Office for Disarmament Affairs together with the 1540 Committee – is the first in a new series of workshops. These workshops are specifically tailored to the characteristics of a region so as to facilitate in particular the reporting provisions of the resolution.
2. We are especially honoured that the Government of Jamaica is hosting this workshop. We look forward to the hospitality of Kingston over these next two days as States engage in dialogue among themselves about reporting, and with other States and inter-governmental organizations on the varieties of assistance that might be needed. Such assistance has already been facilitated by outreach activities, such as this workshop which has been sponsored by the European Union and the Governments of Canada and Norway. We thank them too.
3. On 28 April 2004, the Security Council unanimously adopted Resolution 1540 under Chapter VII of the United Nations Charter, deciding that all States refrain from supporting by any means non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use – and this is quite a list – nuclear, chemical or biological weapons and their means of delivery. The resolution is legally-binding on all States to establish domestic controls on these items. These controls cover, *inter alia*, appropriate export, border and other controls also over related materials, and adopting legislative and enforcement measures to achieve the objectives of the resolution.
4. On 27 April 2006, the Security Council extended the mandate of the 1540 Committee for a further two years with the adoption of UNSCR 1673. The Security Council reiterated the objectives of Resolution 1540

and decided to intensify its efforts to promote the full implementation of that resolution.

5. Some states may wonder why they should be concerned with the details of the Resolution if they do not possess weapons of mass destruction, their means of delivery, or related materials. The Resolution, however, is not just about possession but also about how all states have obligations to prevent the illicit trafficking and spread of these items, particularly for terrorist purposes. The resolution, therefore, aims to stem the flow of, or access to, such items. Its implementation by States collaterally supports counter-terrorism objectives, such as those identified in UN Security Council Resolutions 1267 (1999) and 1373 (2001).
6. While many states are still in the process of understanding what UNSCR 1540 requires them to do, and what laws or regulations they already have to fulfill their obligations, almost all states are aware of the main WMD treaties: the Nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons Convention (CWC), and the Biological and Toxin Weapons Convention (BTWC), along with associated export control arrangements. In the Caribbean, most states have signed and ratified these treaties. Having done so, the states represented here have begun to fulfill requirements for implementing UNSCR 1540. It is likely, therefore, that you will have designated someone in your government to take charge of your previous treaty obligations, and perhaps this person or government department will be able to facilitate implementation of UNSCR 1540 across the full spectrum of your governmental machinery.
7. UNSCR 1540 reinforces the obligations of states to implement these treaty commitments as not all states have done so, and through the ratification process such obligations mean that the non-state actors in any state's territory are also covered. While the international non-proliferation regimes evolved long before the terrorist attacks of September 2001 on the cities of New York and Washington, D.C., States realized the need to widen their focus on the risks posed by proliferation to, or by, non-state actors. As not all the existing regimes were explicitly designed to address proliferation by non-state actors, Resolution 1540 was adopted to establish in an integrated manner measures to prevent the proliferation of weapons of mass destruction (WMD), their means of delivery, and related materials to, and by, non-State actors. In so doing, the resolution not only reinforces existing treaty obligations but also establishes additional, more comprehensive obligations to address inadequacies that became apparent in the existing international nonproliferation system.

8. Resolution 1540 requires additional measures to minimize illicit trafficking in WMD, means of delivery and related materials. These additional measures include improved physical security and border and export controls. These are binding obligations on all States, to be appropriately incorporated in legislative, enforcement and other measures to prevent and deter non-state actors from gaining access to such items. 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 inter-governmental organizations and arrangements dealing with disarmament and non-proliferation.
9. This timely workshop will address the current status of implementation of UN Security Council resolution 1540 in the Caribbean region. In particular it focuses on reporting about the steps your states have already taken, and intend to take, including on the new trans-shipment and border controls that the resolution requires.
10. Special emphasis is also placed on the requirements and opportunities for international cooperation and assistance to which ends representatives from the major international, regional and sub-regional, non-governmental and industry organizations have joined us here. This workshop, and others in this new series, is innovative not only by being compact and tailored to the characteristics of the region, but also by enabling the holding of informal working groups to facilitate discussions on experiences shared to assist in preparing your national reports.
11. I shall now briefly explain the benefits that reporting provides to implement the resolution and that in turn contributes to both national and international peace and security. In the early phases of its work, the 1540 Committee aimed to establish a baseline of the status of implementation of the resolution. This baseline relied on reports from states about the measures, including legislation, they have in place to implement the resolution. Recognizing that not all states have these in place or can bring them into being quickly, the resolution also asks what actions States intend to take.
12. 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, traffickers and other non-state actors could exploit. Through its process of examining the reports submitted by States and

additional information provided by them, the 1540 Committee prepared data in the form of a matrix that each reporting State can use to help it to identify gaps in the implementation of States' obligations under Resolution 1540.

13. The matrix is in the form of a template that outlines the requirements of the resolution alongside which states could match their own national legislation measures and activities undertaken to implement the resolution. Where there is no legislation or other controls or enforcement activities, that deficit would show as a blank in the matrix. Having identified these gaps, each State can more easily develop its own priorities to fulfill its 1540 obligations.
14. Currently there are 55 States that had not yet submitted their first reports. Among these are eight in this region of the Caribbean. Each of the non-reporting States, however, has now been sent by the 1540 Committee a draft filled out matrix and legislative information to facilitate first reports. States can examine these, update and add information as deemed fit, and submit these as the main element of their first report. Experts are here at this workshop to help you with this process.
15. These reports also provide a basis for dialogue on assistance which, from the beginning, the UN Security Council knew some States would require for implementing Resolution 1540. In this regard, the 1540 Committee already lists offers of assistance for 1540 implementation and has a database with many of the elements of legislation already in use by States worldwide. This list is on the 1540 website (<http://disarmament2.un.org/Committee1540/>).
16. The 1540 Committee also engages both functional organizations, such as the IAEA and OPCW, and regional organizations, such as the Organization of American States (OAS) and CARICOM, to assist in increasing implementation of the resolution using the special knowledge that such entities have in their areas of functional or geographic expertise. As many of you may know, OPCW member states belonging to CARICOM held a regional emergency response course, 29 January-2 February this year in Port of Spain. It was jointly organised by the Interpol office Trinidad, the Trinidad and Tobago Defence Force and the OPCW. The emergency response exercise to establish systems for civilian protection against the threat or use of chemical weapons also enhanced regional cooperation. These inter-governmental processes to undertake this and similar exercises can also serve to implement relevant provisions of Resolution 1540.

15. 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.

16. I will be speaking with most of you during today, and two of the committee's experts are also present to support. We look forward to cooperating with all of you in efforts to foster implementation of Resolution 1540.

Thank you once more for this opportunity.