

**International Conference on Nuclear Security in Today's World
Role of Parliamentarians in Nuclear Disarmament and Non-Proliferation**

**Statement on behalf of the 1540 Committee by Ambassador Agshin Mehdiyev,
Permanent Representative of Azerbaijan to the United Nations, New York**

St. Petersburg, 29 November 2013

On behalf of the Security Council Committee established pursuant to resolution 1540 that I have the honour to represent, I express our thanks to the Chair of the Inter-parliamentary Assembly of the Commonwealth of Independent States Council and the Speaker of the Majlis of the Republic of Kazakhstan for this opportunity to participate and make a presentation at this international conference.

The issue of global nuclear security, countering the proliferation of nuclear weapons and other types of weapons of mass destruction remains in the focus of international community.

As you know, Security Council resolution 1540 envisages the following principal obligations:

- an obligation to refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;
- an obligation to adopt and enforce appropriate effective laws to prohibit and prosecute such activities by non-State actors; and,
- an obligation for States to establish domestic controls over materials, equipment and technology which could be used for the design, development, production or use of weapons of mass destruction and their means of delivery.

UN resolution 1540, adopted unanimously in 2004, was further reaffirmed by resolution

1977 (2011) that extended the mandate of the Security Council 1540 Committee until 2021. This was a clear indication of the international community's determination to counter the threat of the proliferation of weapons of mass destruction to non-State actors. This ten-year extension is also recognition that countering this threat is a continuous and long-term task.

The role of parliamentarians is crucial not only for adoption of necessary legislation but also for its enactment and, where relevant, the monitoring of the process of implementation of resolution 1540 (2004). Relations of the Committee with the International Parliamentary Union (IPU) have a long-established history. The 2009 Comprehensive Review of resolution 1540 suggested that more outreach could be undertaken between the 1540 Committee and Parliaments, since some States may lack the legal authority to implement the obligations under resolution 1540.

Thus, in our current programme of work, approved by the UN Security Council, engagement with parliamentarians is an important part of our plans for outreach in 2013 and 2014. On 7 October this year, for the first time, the Chair of the 1540 Committee participated in a session at the IPU's 2013 Assembly in Geneva. We hope that this session will lead to further engagement with members of the IPU in many parts of the world including the Inter-parliamentary Assembly of the CIS.

Though resolution 1540(2004) lays out the obligations required of States very clearly, rightly, it does not prescribe how States should implement them. States have a wide variety of legal systems and different political, economic, social and cultural conditions. The challenge for legislators and for those who have to implement the obligations is not only the wide range of technologies involved, but also the wide range of national

organisations and agencies that need to be engaged in the regulatory processes. The challenge for any government is therefore how to integrate the implementation of the resolution across different sectors, governmental, industrial and academic. It requires a holistic approach to ensure that effective legislation and appropriate resources are allocated.

Though almost ten years have passed since the adoption of resolution 1540 (2004), in many parliaments there is still a need for further awareness raising as well as specific assistance in drafting legislation. In other cases more legislative work is needed since in some States laws and regulations related to non-proliferation were adopted more than ten years ago and require updating bearing in mind that they were not always 1540 focused. We are pleased that many parliamentarians have expressed their willingness to strengthen cooperation with the Committee in meeting the challenging task of preventing proliferation of weapons of mass destruction, their delivery means and associated materials into the hands of non-State actors, first of all terrorists.

We also appreciate that in recent years some CIS Member States have cooperated with the 1540 Committee. Belarus and Kyrgyzstan submitted their voluntary National Implementation Action Plans (NAPs) where they mapped out their priorities and actions to be taken to implement resolution 1540. A number of other CIS States announced their intention to prepare such plans. CIS States play an important role in a common strategy against the nexus between proliferation of WMD and international terrorism that knows no borders.

The particularity of the CIS is that some of its members produce, or produced WMD related materials in the past, including dual use items. That makes them potential

targets for terrorists seeking these materials. In this regard, the active cooperation among CIS states on strengthening nuclear security should be noted; for example, the removal of nuclear materials from some CIS states, in particular, from Uzbekistan.

All CIS countries are parties to the most important non-proliferation treaties and conventions, some of them are members of international export control regimes. It is noteworthy that the constitutions of many CIS countries have an article that automatically integrates international law into domestic law, including international obligations in the sphere of non-proliferation. This can be regarded as a good practice.

Another example of good practice is the adoption by the CIS Inter-Parliamentary Assembly of several model laws that cover prevention and countering proliferation and nuclear terrorism. Among them: the model law on Export Control (2001), model Criminal Code (2006), model law on Counter-Terrorism (2004), model Law on Prevention of Financing Terrorism (2004), model Law on Control of Radioactive Materials Trafficking (2004) and some others. Though model laws per se cannot be regarded as a universal instrument their adoption can be useful for facilitating implementation of the resolution. They also illustrate the common interest of members of the Commonwealth in the continuing struggle against proliferation of WMD and terrorism.

In this regard we would welcome States, including the CIS, updating the information on the status of implementation of the resolution and sending it to the 1540 Committee. The implementation of the resolution is an ongoing process and the awareness of the Committee about changes in legislation, emerging problems in

enforcement and of the new developments in the field of non-proliferation in different countries is very important.

I look forward to hearing your views on how we might best work together for a safer world.

I thank you.

End