

**Briefing by Ambassador Jorge Urbina, Chairman of the Committee Established
pursuant to Security Council resolution 1540 (2004)
(14 December 2009)**

At this time, as Costa Rica is about to conclude its term as an elected member of the Security Council, and thus as I conclude my work as Chair of the 1540 Committee, I take special satisfaction in addressing the Council to share some ideas and opinions arise from my management of that Committee.

I am aware that my main responsibility today as outgoing Chair of the Committee is not to review the achievements, which will be reflected in pending reports, but instead to share with the Council the conclusions I have reached after these two years and thus to contribute to the decisions that should be adopted in the future in order to attain the objectives of the resolution.

The most important and urgent recommendation that I can make, as obvious as it may seem, is that if the Security Council really wants to achieve the objective of preventing the possibility that weapons of mass destruction could fall into the hands of non-State actors and be used by them, it is absolutely necessary to devote greater energy and greater resources to guaranteeing the implementation of resolution 1540 (2004).

The international community should no longer be satisfied to hear again and again that the implementation of the resolution is a process that will take many years. I believe it is necessary to summon the will in the Council, and in the Organization as a whole, to invigorate the instruments that contribute to the implementation of the resolution.

In my opinion, the five years that have passed since the adoption of the resolution have not allowed the progress we had hoped for as a direct consequence of the resolution. Certainly, better results could have been achieved. But what is important now is not what we have not achieved, but what we have been able to learn in order to improve the work of the Committee and to increase its efficacy.

The Committee's mandate was amended twice in five years, through resolutions 1673 (2006) and 1810 (2008), changes that significantly increased the workload but did not provide the new tools or resources to carry it out. Moreover, all the components of that mandate involve a large number of specific tasks that overburden the Committee and exhaust the availability and capacities of the team of experts that supports its work.

The Committee, which began as an instrument to inform the Council about the implementation of the resolution by Member States in its first two years, was later entrusted with working on outreach and dialogue with Member States and international, regional and subregional organizations, and with acting as a catalyst for the process of sharing experiences and lessons learned. The Committee was also asked to establish relevant technical assistance capacities and to match the needs for and availability of such capacities. The Council also invited the Committee to pause its work and consider undertaking a comprehensive review on the status of the implementation of the resolution.

I cannot conclude this review without mentioning that representing the Committee in meetings around the world takes up the time of the Committee's members and experts, as well as a large part of its resources, which could be better spent.

The Committee has attempted to deal with the workload by creating three subcommittees and four working groups. However, the members, consultant experts and the Committee as a whole are not able to carry out all the tasks for which they are responsible. It is essential that the Security Council pay particular attention to the 1540 Committee and give it sufficient means to carry out the tasks entrusted to it.

The comprehensive review of the status of implementation produced several ideas that could strengthen the capacity of the Committee to better fulfil its mandate.

In my opinion, the Committee should not build a much more extensive structure, nor should it become a direct provider of technical assistance. Rather, the Committee should have the means to become the centre of a network that shares the general purpose of the resolution. I have worked in this direction through working visits to the International Atomic Energy Agency, the World Customs Organization and the Organization for the Prohibition of Chemical Weapons. I have also met with regional organizations and many non-governmental organizations which have resources and expertise at their disposal to collaborate in the strengthening of global security.

This network is possible, but the Council would have to give the Committee the means to make it a reality. In my opinion, the building of such a network, the design of the relevant shared tools that would enable joint work and the negotiation and implementation of agreements to foster cooperation all justify expanding the number of experts supporting the Committee to ten. That increase should also take into account the other recommendations I will make later.

In my view, the expert capacity of the Committee, once it has been expanded, should focus primarily on dialogue with States, specialized bodies and regional and subregional organizations in order to build a network responsible for designing and implementing differentiated strategies for accelerating the process of implementation. An indispensable component of any strategy to strengthen the Committee is mechanisms to facilitate the voluntary financing of activities to speed up its implementation.

I should now like to set out some observations and recommendations on the expertise that supports the Committee and how it might be reinforced. I believe that such reinforcement must take into account the quantitative aspect that I have already mentioned: the number of experts must be increased in order to fulfil the mandated tasks. But I believe that the legitimacy of the Committee must also be reinforced through the assurance that such expertise be delivered by United Nations staff members, observing the Organization's regular procedures. The consultants of the 1540 Committee are the only experts supporting a subsidiary body of the Council that are not selected by the Secretariat. During the process of appointing three of the experts, that led to situations that I, as a representative of a Member State of this Organization, consider extremely irregular.

I am pleased to recognize the work, professionalism and dedication of the Group of Experts, but I believe the interests of the Committee would be better served if the Office for Disarmament Affairs were to be in charge of providing the substantive support that is currently provided by this group of consultants. I am also pleased to confirm that the questions that were initially posed regarding the legitimacy of the resolution seem to have disappeared, as have the initial doubts on the need for the Committee. This represents a concrete achievement by the Committee and the Group of Experts that supports it.

It is now up to the Security Council to contribute to consolidating the perception of the Committee as a body that promotes global security by adopting decisions that further favour ownership of the process of implementing the resolution and the exercise of responsibility by every Member State.

I conclude by offering a few considerations on the general implementation strategy. I regret that the comprehensive review of the status of implementation of resolution 1540 (2004) did not provide all the answers it was supposed to. Identifying the evolving risks and threats is still a pending issue. Perhaps the need for compromise on the scope of the exercise prevented the Committee from having the instruments necessary to obtain the desired information.

However, the comprehensive review did offer alternative approaches to facilitating the implementation of resolution 1540 (2004). For example, it affirmed the enormous potential of regional and subregional organizations to support the purpose of the resolution and the work of the Committee. In my opinion, it is imperative to break with the approach according to which one single strategy can guarantee results in all situations. The nature of resolution 1540 (2004), unprecedented for the Security Council, justifies very close cooperation with the aforementioned international organizations.

It is thus a question of promoting the adoption of new legislation in all countries, the implementation of new measures, the establishment of new controls, and their guaranteed effective enforcement. Such an ambitious undertaking cannot be achieved without a broad process of international cooperation that necessarily includes regional and subregional organizations.

There are already a few examples of successful regional cooperation that with time will prove to be efficient instruments in achieving specific goals, such as the inclusion of implementation as a national priority, the widespread creation of local focal points, the broader use of national implementation plans, requests for assistance and, generally, the establishment of higher-quality dialogue between the Committee and Member States.

Finally, as I leave the chairmanship of the 1540 Committee, I respectfully urge the Council to discuss the following suggestions.

First, the Security Council should instruct the 1540 Committee to focus its efforts on building and making operational a worldwide cooperation network involving specialized, regional, subregional and civil society organizations, as well as the private sector and academia.

Secondly, the Security Council should increase to 10 the number of experts supporting the work of the Committee.

Thirdly, the Council should take the necessary steps to ensure that the expertise supporting the Committee's work is delivered through established United Nations procedure through the Office for Disarmament Affairs.

Fourthly, the Council should instruct the Committee to design and implement additional mechanisms for the voluntary financing of its activities.

Fifthly, the Council should assess and monitor the evolving risks and threats concerning the possibility of weapons of mass destruction falling into the hands of non-State actors.

Sixthly, the Council should instruct the Committee to strengthen its cooperation with regional and subregional bodies in the joint design and application of differentiated implementation strategies.

Personally, and on behalf of my country, I am grateful for the opportunity to have served on the 1540 Committee and urge Council members to promptly review those suggestions whose only intention is to transform our ongoing movement into genuine action.