

Briefing of the Security Council
by
Ambassador Román Oyarzun Marchesi
Chair, 1540 Committee
4 May 2016

I am pleased to have the opportunity and honour to brief the Security Council on the work of the 1540 Committee in its task of overseeing the implementation of resolution 1540 (2004).

When I last briefed the Council on 22 December 2015 I spoke of the extreme violence being perpetrated by terrorists and their supporters around the world. I described it as relentless. Sadly, it remains so. A catastrophic use of a weapon of mass destruction – nuclear, chemical or biological– can be avoided only by constant vigilance by Member States in preventing non-State actors from misusing the available technologies, materials and delivery means and wittingly, or unwittingly, helping terrorists, criminals and other non-State actors to acquire and use weapons of mass destruction. We are all well aware that we are not talking of theoretical acts. The Council is seized by the use of chemical weapons in the Middle East As you will know from recent INTERPOL¹, other authoritative reports and discussions in the Council, ISIL has a chemical weapons programme and is developing improvised devices drawing on available technology and materials. The need to counter constantly evolving nature of terrorism is further complicated by the rapid advances in science, technology and commerce. While they bring important humanitarian and economic benefits, they pose risks of misuse that Member States must address in meeting their obligations under resolution 1540 (2004).

It is against this dynamic background that the 1540 Committee is undertaking its Comprehensive Review of the implementation of resolution 1540 (2004). This in itself is a challenge. Nevertheless, I will give you an idea of some preliminary findings – I must emphasise the word “preliminary” as we still have some way to go in consulting Member States and other partners including international and regional organisations, industry and others – as well as with the Committee’s own internal deliberations.

¹ For example the INTERPOL Monthly Digest 1 to 31 March 2016

The highlights with regard to implementation include:

- Since 2010 there has been steady – albeit slow – increase in the measures to implement resolution 1540. Due to the varying capacities of States it is clear that full implementation of the resolution is a long-term task that will require continuous attention at national, regional and international levels along with sustained and intensified support from the Committee;
- Recognition of the valuable role that regional “champions” of 1540 can play in promoting and facilitating effective implementation;
- To advance effective implementation we need to further strengthen the Committee’s direct interaction with States with a focus on those States that clearly need support;
- The increase in the development of voluntary National Implementation Action Plans has proved to be important in effectively engaging States’ national 1540 stakeholders and improving their internal co-ordination.

The Committee is well aware that it needs to improve its assistance mechanism. What is required is a process to refine requests, as needed, so that their technical soundness is enhanced and it is clear how they fit into States’ programmes of work; and a prompt and effective response to requests as they come in. In its Programme of Work the Committee decided to try a regional approach. This was carried out in Africa in April with the support of the African Union in Addis Ababa. I participated myself.

One of the objectives of the meeting was to bring African States that requested assistance together with providers to give impetus to the delivery of assistance. From the Review so far it is clear the importance of capacity building for those States that need it should not be under-estimated.

Key partners in the delivery of assistance are relevant international and regional organisations. In the course of the Committee’s Comprehensive Review we are engaging them collectively and individually. In March we brought together those international organisations with representation in New York to brief them on the Review and called for inputs from them. Committee Members and the Group of Experts engage these organisations in the course of the outreach events and in calls at their headquarters.

We have been fortunate in having some heads of the of organisations call on us to brief the Committee in the context of the Review – such as the Secretary-General of the World Customs Organisation last February. Our experience shows that, while it is mainly a positive story, we still need to work hard at developing effective partnerships with the key relevant organisations.

It was already apparent, but the Comprehensive Review has highlighted that international instruments and organisations in the areas of nuclear, chemical, and biological controls have a sharply different character. As a consequence, support to Member States from international organisations in the implementation of resolution 1540 (2004) ranges, for example, from long-standing IAEA programmes of assistance in the areas of nuclear security and accounting and control of nuclear material; assistance from OPCW with respect to chemical controls; to a lack of a comparable mechanism in the biological area. The 1540 Committee will be giving careful consideration to what means might be available to narrow this gap.

Turning to outreach, despite the constraints on the Committee arising from its mandate – visits to States “by invitation only” – there have been some remarkable successes. In particular visits to States and national roundtables have proved successful in promoting the development of voluntary National Implementation Action Plans. An innovation in our outreach was a meeting with 70 African parliamentarians organised in cooperation with the Inter-Parliamentary Union (IPU) and hosted by the Cote d’Ivoire in Abidjan that was dedicated solely to the implementation of resolution 1540. It is easy to understand why direct interactions between the Committee and its Group of Experts with States’ officials engaged in national implementation of resolution 1540 (2004) is constructive. The Comprehensive Review indicates that it would be valuable for the Committee, as appropriate, to reach out actively and engage with non-reporting States more frequently.

Another innovation in our outreach in the past year is the introduction of training courses for national 1540 Points of Contact. China led the way by hosting the first course in September last year. There are plans afoot to run further courses in the Asia-Pacific, Latin American and OSCE regions in the coming year. Between 2010 and 2015, the data shows that there was a positive correlation between States’ implementation of resolution 1540 (2004) and their participation in 1540 events. Participation in events should be encouraged, but better results

would be obtained if events were planned and organised to meet States' specific needs, especially in a regional context. This indicates that the Committee needs to continue to look for innovative ways to enhance our direct interaction with States – not only that – but to make sure that the Committee's mandate does not inhibit it from directing its energies and limited resources to those regions and States where it would be most constructive and cost-effective, but particularly where help is needed most. This will merit careful discussion in the 1540 Committee.

With regard to civil society we have made significant strides forward. Continued outreach and engagement with civil society remains important. It not only promotes transparency but also allow the Committee to take advantage of a pool of valuable resources that lie in the various sectors For example as part of its Programme of Work the Committee held an informal meeting with academic experts to discuss advances in science and technology relevant to 1540 implementation. This event was in many ways an eye-opener – so much has changed since the adoption of the resolution in 2004 that directly affects the kinds of control measures States might need to put in place to meet their obligations under the resolution effectively. Of course, change continues, and the Committee must be ready to adapt.

As an integral part of the Review, a consultation was held with academics from around the world sponsored by the United Nations University (UNU) on 6 and 7 April². This event not only covered ideas from the academic community on how to enhance implementation and how to encourage academic research on resolution 1540 implementation, but also included a discussion of academia's own responsibilities for implementation, particularly in the area of the physical sciences.

In my last briefing to the Council I said that industry is a key partner to governments in the effective implementation of resolution 1540 (2004). I am glad to say that with innovative and practical support from Germany the engagement with industry continues and will feature in the Comprehensive Review open consultation meeting scheduled for 20 to 22 June in New York. This is a consultation that will engage all Member States, international and regional organisations and selected representatives from civil society. The Committee looks forward

² A report on the event will be published by UNU in mid-May

to receiving ideas at this event on how to enhance implementation of the resolution from all the stakeholders involved.

I will end where I began – the evolving nature of terrorism and the non-State actor proliferation threat affects all Member States directly and indirectly. Non-State actors are already engaged in planning and acquiring technologies and materials for weapons of mass destruction. Extreme violence is their stock-in-trade. Vigilance by all is essential. The non-proliferation regime is only as strong as its weakest link. It requires continuous attention by all States due to the rapidly evolving nature of the modus operandi of non-State actors as well as the rapid advances in all aspects of science, technology and international commerce.

Thank you for your attention.

END