



# Implementing UNSC Resolution 1540 (2004)

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# UNSC Resolution 1540 (2004): Objectives

- Prevent and deter non-State actors from developing, acquiring, trafficking, or using weapons of mass destruction (WMD) and their means of delivery
- Prevent and deter illicit traffic in WMD, their means of delivery, and related materials



# UNSC Resolution 1540 (2004): Implementation

- All States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use WMD and their means of delivery
- All States shall adopt and enforce laws that prohibit any non-State actor from manufacturing, acquiring, possessing, developing, transporting, transferring or using WMD and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them
- All States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of WMD and their means of delivery, including by establishing appropriate controls over related materials
- Creates a Committee of the Security Council to monitor implementation of the resolution



# **UNSC Resolution 1540 (2004): Reporting**

- Calls upon States to submit a report to the Committee on steps they have taken or intend to take regarding the resolution
- 121 States and the European Union have submitted reports



## UNSC Res. 1540 (2004) Reporting

- Most, but not all, Member States have submitted a national report as of September 2005
- Submissions: 121 (+ EU)
- Non-submissions: 70



# Patterns of Non-Submission

- 3 UN Regional Groups contain 96% (67 out of 70) of the non-submitting states:
  - Africa (37)
  - Asia and Oceania (16)
  - Latin American and the Caribbean (14)



# UNSC Resolution 1540 (2004): Methodology

- The Committee hired experts to assist in the examination of the national reports
- To review the national reports in a comprehensive, systematic, and timely manner, the experts developed, and the Committee approved, a matrix of implementation measures driven by the wording of the resolution
- Characteristics of the implementation matrix
  - The matrix follows the operational paragraphs of the resolution
  - Pilot matrices were tested against 15 national reports, revised, and used to produce the current matrix
  - The revised implementation matrix, consisting of 382 fields, was applied to all national reports



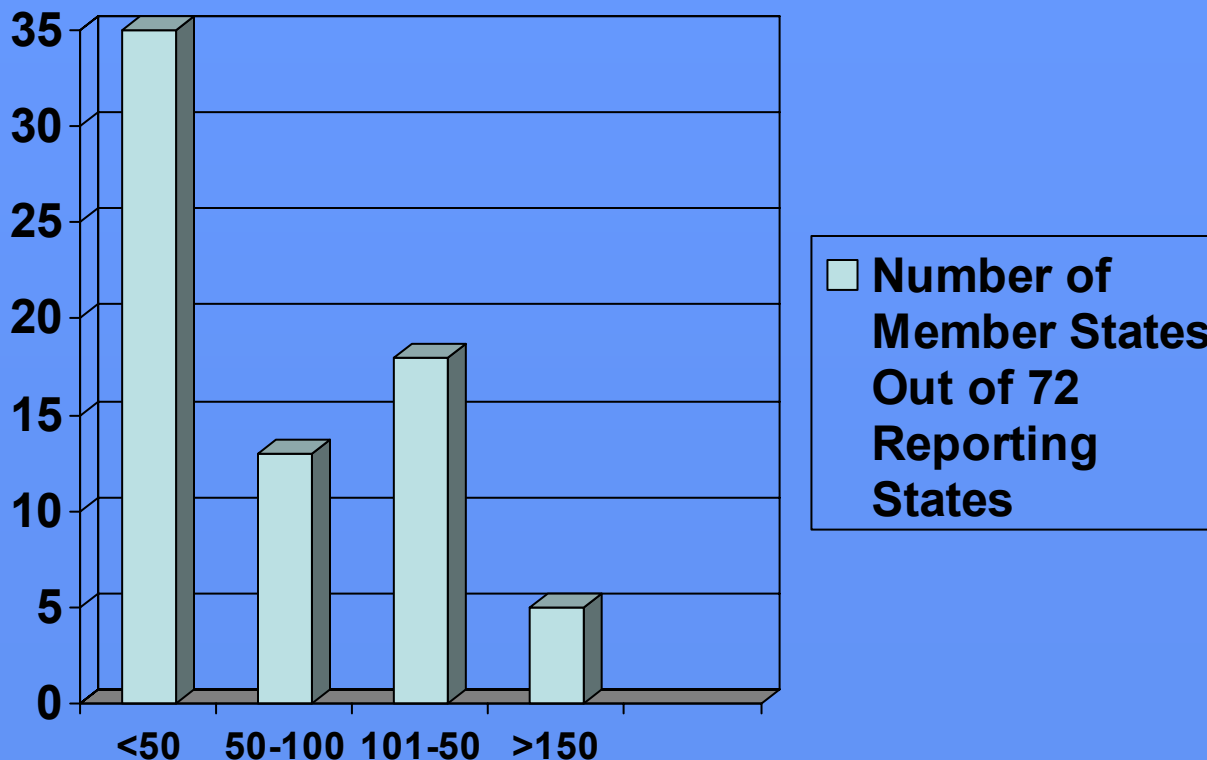
# Measures Taken by States: Interim Results\*

- Evidence of Measures Taken (Average): 71.74 (19%)
- Ambiguous Evidence Identified (Average): 20.61 (5%)
- No Evidence Identified (Average): 289.65 (76%)
- Maximums (in any one report):
  - Evidence of Measures Taken: 279 (73%)
  - No Evidence Identified: 375 (98%)

\* Draft figures only, based on the initial examination of 72 State reports. The number of measures reflect evidence identified in the national reports by 1540 Committee experts.



# Number of Reporting States by Total Measures Taken to Implement Resolution 1540 (2004)\*



\* Draft figures only, based on the initial examination of 72 State reports



# Measures Taken by States: Gaps in Reporting, Gaps in Actions?

- Why Do Most States Appear to Report a Low Percentage of Measures Taken?
  - Some States may have not reported many relevant measures taken
    - The Committee has begun to send its initial matrix and comments to every reporting State in order to acquire more information
  - A Significant Gap in Actions Required and Measures Taken Exists
    - Some States may need assistance in implementing the Resolution



# UNSC Resolution 1540 (2004): Assistance

- *The Security Council...*

7. *Recognizes* that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

- Technical assistance for implementing the provisions of UNSC Res. 1540 (2004) is a *long-term* issue



# Offers of Assistance

- Forty-two (42) States make offers of assistance or have assistance in place already related to the implementation of UNSC Resolution 1540 (2004), based on the examination of all reports submitted.
- Thirty-seven (37) of these States make offers of or have programs in place for direct (country-to-country) assistance.
- In thirty (30) reports, one can identify detailed data on offers or programs in at least one category of type, scope, region, or subject.



# Requests for Assistance

- Twenty-six (26) States have requested assistance in implementing UNSC Resolution 1540 (2004), based on the examination of all the reports submitted.
- Three (3) more States indicate that they may request assistance in the future.
- Twenty-two (22) of these States make requests that the experts could specify by type (such as training or expertise), scope (legal or implementation), or subject (such as physical protection or export controls).



# Matching Offers and Requests for Assistance

- The large number of States offering assistance bodes well for the implementation of the Resolution. However, only six (6) States making offers of assistance (and none of the States requesting assistance) provided a Point of Contact.
- Many States make general offers of assistance or general requests for assistance. If States refine these offers and requests, they will make it easier for States to engage in productive dialogues about establishing assistance partnerships.
- Every specific offer or assistance program includes expertise, whereas relatively few also include training, resources, or financing, which many States request. States should consider how to bridge this gap.
- Establishing common understandings about effective legislative frameworks and implementation practices will allow States to make the use of assistance more efficient, help make diverse efforts more complementary, and permit improved coordination, among other benefits.



# Into the Future

- The Mandate for the Committee Ends on 28 April 2006
- Possible Committee Products:
  - Report on Current Measures and Common Practices
  - Report or Database on Promising Practices
  - Matches of Offers and Requests for Assistance
- Post 28 April 2006
  - Achieve a 25% increase in the total number of measures taken by 28 April 2008?
  - Match every current request for assistance by 28 April 2008?



# Making a Difference

- Comments and Suggestions WELCOME
  - Direct Comments and Suggestions to
    - E-mail: [1540experts@un.org](mailto:1540experts@un.org)
    - Fax: +1 212 457 4045
- For additional information about Resolution 1540 (2004) and the 1540 Committee  
<http://disarmament2.un.org/Committee1540/index.html>