

# **Implementation of UN Security Council Resolutions 1540 and 1810**

“Tenth International Export Control Conference”  
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**Presentation by Marcela Calderon, 1540 Committee Member on behalf of the  
Chairman of the 1540 Committee**

Distinguished Delegates, Ladies and Gentleman,

First of all, I would like to express my thanks to the governments of Turkey and the United States for organizing this conference. Its focus on border and export controls underlies an important set of obligations in UN Security Council resolution 1540.

I have the honor to update you, the community of border and export control practitioners from nearly sixty countries and from various international organizations and arrangements, on the work of the 1540 Committee against proliferation of weapons of mass destruction and their means of delivery to non-state actors. We consider this workshop an important opportunity for fostering the global partnership and cooperation between UN Member States, international organizations and export control arrangements in achieving our common goal: to make the world more secure and prosperous.

I believe this workshop will contribute to improved coordination of export control efforts at the national, sub-regional, regional and international levels, which will strengthen the global response to the threat of proliferation of nuclear, chemical, biological weapons and their means of delivery.

Since my presentation will be followed by Dr. Richard Cupitt, who works as an expert for the 1540 Committee and who will present some concrete observations on export control issues, I will focus more on upcoming activities and priorities in the work of the Committee, as reinforced by UN Security Council resolution 1810 (2008).

When the UN Security Council passed resolution 1540 in April 2004, the international community did not have a systematic and comprehensive body of evidence on what actions states had taken to combat non-state actors' involvement in the proliferation of nuclear, chemical, biological weapons and their means of delivery. The subset of our knowledge about border and export control measures states had taken to prevent the illicit spread of materials related to WMD and their means of delivery, while deep concerning some countries, remained largely superficial for most of the world.

Today, a little more than five years and two reports to the UN Security Council later, we have a much better understanding of the legal and enforcement measures that states have taken to meet these objectives. Consequently, we know much more about the gaps between what steps the international community has taken and what it still needs to do to reduce the risk that non-state actors will obtain such weapons, means, and materials.

Finally, we also know a bit more about the unknowns we face and what we need to learn to address them. Let me elaborate on this topic.

### **Status of Implementation**

Last year, one of my colleagues on the 1540 Committee, Daniel Shepard of the United Kingdom, presented an overview of the findings in the report submitted by the committee to the UN Security Council in July 2008. As he noted then, awareness about resolution 1540 (2004) and integration of its obligations into national nonproliferation policies has continued to grow. At the same time, the 1540 Committee recognizes that many gaps remain between what the international community has done and what it needs to do to fulfill the promise of the resolution, including the work of states on border and export controls.

To improve the 1540 Committee's understanding of the status of implementation of the resolution, I look forward over the next few days to learning about measures that you have taken, the new or better practices and standards that you may propose, and the ideas you have on how the 1540 Committee and the international community can facilitate the implementation of appropriate and effective controls to combat the proliferation of nuclear, chemical, and biological weapons and their means of delivery to non-state actors. The work of the 1540 Committee has moved beyond a focus on awareness-raising to emphasize implementation and capacity-building. In that regard, I particularly appreciate that several panels in this conference will look at enforcement efforts, an area where the 1540 Committee found notably wide gaps in its 2006 and 2008 reports.

We also have seen states begin to submit, or indicate that they are developing, national action plans related to the implementation of the resolution. Although completely voluntary, UN Security Council resolution 1810 (2008) encourages states to consider preparing and submitting national action plans as a means of facilitating implementation of the resolution and as a tool for integrating technical cooperation into overall capacity-building programs. We look forward to hearing more about your plans for the future during this conference, and hope to see the submission of more national action plans in the near future.

The 1540 Committee also has enhanced its cooperation with international and regional organizations since last year's conference. The Caribbean Community (CARICOM), for example, requested and received funding to assign a 1540 coordinator to work directly with the CARICOM Secretariat to help its members draft legislation and otherwise further implementation of the resolution. In addition, over the last few months the Chairman of the 1540 Committee has held face-to-face discussions with leaders of the International Atomic Energy Agency (IAEA) and the Organization for Security and Cooperation in Europe (OSCE), and soon will have do so with representatives of the Organization for the Prohibition of Chemical Weapons (OPCW). The Chairman also will address the first intersessional meeting on nonproliferation and disarmament of the ASEAN Regional Forum next month in Beijing, from all of which we anticipate the

creation of better tools to increase information sharing and other forms of cooperation with the 1540 Committee.

In another indicator of this increasing cooperation between the 1540 Committee and key international bodies, the 1540 Committee has shared information and expertise on the resolution and its implementation with the Financial Action Task Force (FATF) Project Team on Proliferation Financing at their request, with the intent of helping their deliberations on possible guidance and recommendations for financial institutions. We look forward to hear more about these important developments in the presentation on this matter later in the conference. Many of the practices and standards related to implementation of the resolution that international bodies have prepared appear in Annex XVII of the July 2008 Report by the 1540 Committee. Such experience can serve States in their efforts to plan or enact specific national measures to implement resolution 1540.

### **Assistance**

As you know, in the text of resolution 1540 the UN Security Council recognizes that states may need assistance in implementing the resolution. By the end of 2008, the 1540 Committee had received at least 64 formal or informal requests for assistance, and we anticipate that number will increase to 75 by the end of this year.

As we have mentioned in the past, many of the original requests – and many of the initial offers – proved too general to become the basis for a fruitful discussion on furthering implementation of the resolution. By listening to the various stakeholders on assistance matters, the 1540 Committee developed a template for assistance requests in 2007 designed to make those proposals more effective. Although the 1540 Committee has received only six requests using its template so far, at least two of those requests have been met, and recently two states expressed an interest in fulfilling two more of the requests. While we still seek to attract partners for the remaining two requests soon, fulfilling four of six requests demonstrates that using the assistance template increases, dramatically so, the probability that the request will attract an appropriate partner for technical cooperation, when compared to a less specified request not shared widely across the international community.

Resolution 1810 (2008) also gave a new impetus to the 1540 Committee to go beyond performing a clearing house role and begin matching potential partners for technical cooperation projects. To this end, representatives of the 1540 Committee have had bilateral meetings dedicated to technical cooperation issues with more than forty states so far this year. I hope that some of you take advantage of this conference to discuss assistance with us, be it regarding offers, requests, or notifications of current or future programs.

In addition, this March the 1540 Committee agreed to seek voluntary contributions to a dedicated code in the “UN Trust Fund for Global and Regional Disarmament Activities” to augment existing funds from states and international organizations for projects that

implement resolution 1540. This fund, administered by the UN Office of Disarmament Affairs, should help increase the availability of financial support specifically designated for resolution 1540, and do so through an international mechanism.

The 1540 Committee has begun seeking contributions to this fund with the flexibility to cover a wide range of projects. These include support for:

- capacity-building for implementation by states or regions facing significant resource challenges;
- organizing regional or sub-regional meetings among potential partners for technical assistance;
- the assignment of a 1540 Point of Contact or project manager in appropriate international, regional, and sub-regional bodies that have committed their membership to implement the resolution;
- developing regional approaches to implementation where appropriate;
- the facilitation of regional or country visits to help States identify next steps, prepare assistance proposals, and similar activities; and
- hiring of temporary staff or consultants on a case-by-case basis to contribute to national implementation of the resolution.

We will be pleased to discuss possible contributions to this funding mechanism at any time. I look forward to speaking with many of the participants at this conference, sharing experiences among those of you with more mature export control systems as well as with others currently developing or re-examining their export control systems. As many countries have limited resources to create national authorities to control borders, as well as exports and imports, I also look forward to talking with you about the opportunities to both provide and offer assistance through the 1540 Committee.

## **2009 Comprehensive Review**

Last January, the 1540 Committee decided, in line with its mandate under resolution UN Security Council resolution 1810 (2008), that it would conduct a comprehensive review on the status of implementation of the resolution in 2009, in addition to preparing the required report to the UN Security Council by 24 April 2011. In order to add substantial value to the existing reporting process, the 1540 Committee decided that the comprehensive review should seek to assess the evolution of risks and threats related to resolution 1540, address specific critical issues that have not yet been resolved, and identify possible new approaches for the implementation of the resolution. The 1540 Committee will report the results of its review to the UN Security Council, hopefully, before the end of 2009.

To meet that ambitious deadline, the 1540 Committee has begun the review process. As part of that process, in the next few weeks the 1540 Committee will issue invitations to all UN member states, and representatives of various international, regional, and sub-regional organizations, to provide input for the comprehensive review and to participate in formal or informal meetings with the 1540 Committee later this fall. The 1540 Committee also will seek input for the comprehensive review from other bodies, such as relevant centers or institutes, that research or implement programs relevant to resolution

1540 and the 1540 Committee. I urge your governments or organizations to participate in this process.

In this respect we would like to invite States once again to provide their 1540 points of contact along with any additional information, including in the form of road maps or national actions plans, to the Committee in order to facilitate international cooperation on assistance.

In closing, I again thank the governments of Turkey and the United States for providing the opportunity to address this conference. I look forward to hearing more about the practices that can be shared on how to strengthen international cooperation in the area of export control and new ideas that the conference participants will generate on how international organizations and arrangements can further cooperate with the UNSC 1540 Committee to achieve full implementation of resolution 1540.