



1540 Committee

Security Council Committee established pursuant to resolution 1540 (2004)

Regional Africa Workshop to Promote Role of Women Parliamentarians in Preventing the Proliferation of Weapons of Mass Destruction

Banjul, The Gambia

16-17 May 2019

Resolution 1540 (2004) and the Role of Parliamentarians

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Group of Experts supporting the 1540 Committee

"The views expressed are those of the presenter and do not necessarily represent the views of the 1540 Committee"



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Security Council Basics

- **Security Council (Chapter V, UN Charter)**
 - The Security Council has primary responsibility, under the UN Charter, for the maintenance of international peace and security (Art.24)
 - **All Member States are obliged to comply with Council decisions** (Art.25)
- **SC Structure**
 - 5 permanent members (China, France, Russia, UK, US)
 - 10 non-permanent members: elected by the GA for 2-year term





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UN SECURITY COUNCIL RESOLUTION 1540 (2004)

Basics

- **Unanimously** adopted on **28 April 2004** under **Chapter VII** (measures to maintain or restore international peace and security) of the UN Charter, and reaffirmed by means of five follow-up Resolutions (1673 (2006), 1810 (2008), 1977 (2011), 2055 (2012) and 2325 (2016)).
- **Background:** 9/11; information about terrorist organisations trying to acquire and use weapons of mass destruction; revelations about proliferation of nuclear weapons technology by globally operating proliferation networks
- **Binding instrument** which addresses the threat posed by **non-state actors**, including terrorists, of acquiring nuclear, chemical and biological weapons, as well as their means of delivery.
- **Proliferation** of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security. **Complements** relevant multilateral treaties and arrangements.





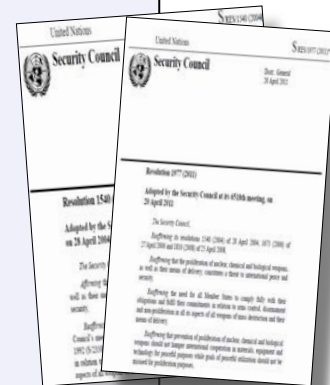
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UN SECURITY COUNCIL RESOLUTION 1540 (2004)

Basics

- **Basic obligations on States:**
 - **Refrain** from providing any form of **support** to **non-State actors** that attempt to develop, acquire, manufacture, possess, transport, transfer or use WMD & their means of delivery;
 - **Adopt and enforce** appropriate and effective **laws that prohibit** any **non-State actor** such activities, including acting as an accomplice, or to assist or to finance;
 - **Establish domestic controls** to prevent the proliferation of these weapons, i.e. **controls over related materials, measures in the areas of accounting / securing, physical protection, border and law enforcement, export and trade-related controls.**
- The Resolution outlines obligations relating to **what** States have to do, but not **how** to do it: modalities of implementation are a national decision.





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S/RES/1540 (2004)



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UNSCR-
1540
(2004)

UNSCR-
1673
(2006)

UNSCR-
1810
(2008)

UNSCR-
1977
(2011)

UNSCR-
2055
(2012)

UNSCR-
2325
(2016)



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THE “1540 COMMITTEE”

Basics

- **Subsidiary body** of the Security Council, composed of the fifteen current members of the Council;
- **Current Chair:** H.E. Sacha Sergio Llorentty Solíz, Ambassador and Permanent Representative of the Plurinational State of Bolivia to the United Nations
- Assisted in its work by a **Group of Experts (nine)**;
- **Not a Sanctions Committee.** Does not investigate or prosecute alleged violations of non-proliferation obligations;
- **Mandate and scope of activities of the 1540 Committee are derived from UNSCR 1540 and its follow-up resolutions; the current mandate ends in 2021;**
- Four Committee **Working Groups**, representing the four key areas of work:
 - (I) **Monitoring and National Implementation;**
 - (II) **Assistance;**
 - (III) **Cooperation with International Organisations;**
 - (IV) **Transparency and Media Outreach.**



National Implementation

Assistance

Cooperation

Transparency & Outreach



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OVERVIEW – SELECTED ITEMS OF THE “1540 TOOLBOX”





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National Reports

- **182 out of 193** UN Member States submitted at least one report to the 1540 Committee
- **Latest development:** Comoros submitted its first national report on 18 May, 2018
- Multi-layer approach for engagement with non-reporting states by the Committee and the Group of Experts
- Once sent the first report, all Member States are encouraged to submit additional information at any time or upon the request of the 1540 Committee, on their implementation of res. 1540 (2004)

11 States have not submitted their first report yet:

- Central African Republic
- Chad
- DPRK
- Eswatini
- Guinea
- Mali
- Mauritania
- Mozambique
- Solomon Islands
- Somalia
- The Gambia



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National Implementation Action Plans

UNSCR 1810
(2008) OP 4

UNSCR 1977
(2011) OP 8

UNSCR 2325
(2016) OP 5



Encourage States to prepare on a voluntary basis national implementation action plans, with the assistance of the 1540 Committee as appropriate, **mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004)**, and to submit these plans to the Committee



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1540 VOLUNTARY NATIONAL IMPLEMENTATION ACTION PLAN

National Implementation

- States are encouraged to prepare, on a **voluntary** basis, national implementation action plans (NAP) mapping out their **priorities and plans for implementing resolution 1540 (2004)**.
- 1540 NAP has to **fit national circumstances**: Scope, content and form vary.
- **28** NAPs adopted by Member States as of October 2017
- **Benefits**: Considered a useful tool to enhance inter-agency coordination, for gap analysis, prioritization, identification of assistance needs etc.
- **Synergies / coordination** with other initiatives or national strategies such as **Integrated Nuclear Security Support Plans (INSSP's)**



GOAL 3
Effective control measures

Paragraph 3 of UNSC Resolution 1540 states that: "... States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials involving...

(a) Accountability and securing of such items in production, use, storage, or transport
 (b) Physical protection measures
 (c) Border controls and law enforcement
 (d) National export and trans-shipment controls"

No.	Measures	Responsibility	Indicators
1.	Consider ways to define, within national legislation, nuclear, chemical and bio-security and safety as well as to build security measures into existing laws	1.1 Ministry of Health, Ministry of Agriculture, Trade, Forestry and Water Industry and Ministry of Defence, in cooperation with the Public Health Institute of Serbia "Dr. Milan Jovanovic Baur" and Ministry of Defence (Military Medical Academy)	Enactment of legislation on means and measures undertaken to implement the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction
		1.2 Ministry of Foreign Affairs in coordination with: Ministry of the Interior Ministry of Defence Ministry of Health Ministry of Finance Customs Administration Civil Aviation Directorate	Elaborate plan of activities within the Global Initiative to Combat Nuclear Terrorism (GICNT)



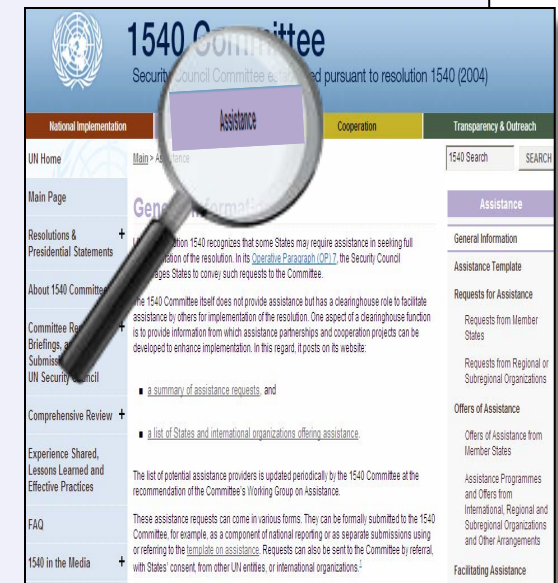
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THE 1540 ASSISTANCE MECHANISM

Assistance

- The Security Council recognizes that some States may require assistance in implementing resolution 1540, and invites those in a position to do so to offer assistance;
- The 1540 Committee itself does not provide assistance but it has a **clearinghouse and match making role** to facilitate assistance by others for implementation of the resolution;
- Special procedures for processing assistance requests are in place;
- These procedures as well as a compilation of assistance requests and offers can be found on the 1540 website.





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Comprehensive Review 2016

- **Previous Comprehensive Review completed in 2011.**
- **Revision of 193 matrices reflecting status of the implementation of the resolution by Member States in 2015.**
- **Analysis of the information served as a basis for the Comprehensive Review.**
- **Identification of trends and gaps in the implementation of the resolution, as well as ways and means to improve level of implementation in five geographical regions.**
- **After five years of the operation of the UNSC Resolution 1540(2004) Comprehensive Review was finalized by 30 November 2016. The report on the Review was submitted to the Security Council.**



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1540 REPORT CARD

- MATRIX MEASURES: **+7%** overall increase from 2011 until 2016
- OP 2 / OP3 A,B / OP 3C,D: **+15%, +5%, +5%**, respective overall increase
- NATIONAL REPORTS: **176** (Increase of 10 reports since 2011)
- VISITS TO STATES: **21** (None before 2011)
- VOLUNTARY NAP: **24** (Increase of 21 since 2011)
- POINTS OF CONTACT: **94** (Increase of 28 since 2013)

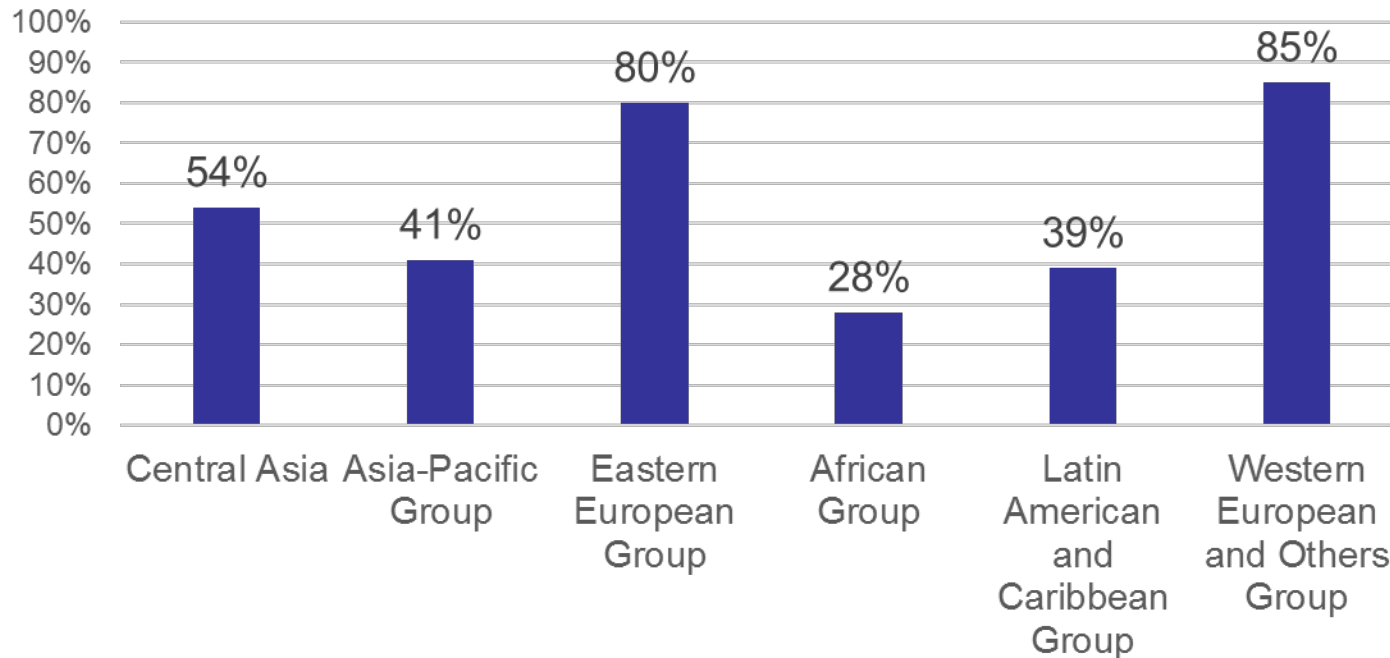




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Status of Implementation of Resolution 1540 (2004) Comparison with UN Regional Groups





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Security Council adopts
resolution 2325 unanimously
on 15 December 2016





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Resolution 2325 (2016)

- ❑ Reiterates the earlier decisions made with regard to the requirements of resolution 1540 (2004) and re-emphasizes the **importance of full and effective implementation** of the resolution by all States,
- ❑ Encourages all States to prepare **voluntarily NAP** and provide the 1540 Committee with a **POC** for the resolution,
- ❑ Call upon States and request the Committee to take into account the developments on the **evolving nature of risk of proliferation, rapid advances in science and technology and international commerce** in planning and implementation of resolution 1540 (2004),
- ❑ Urges the 1540 Committee to continue to explore and develop an approach, with regard to implementation and reporting, that takes into account the **specificity of States**, inter alia, with respect to their ability to manufacture and export related materials,
- ❑ Shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004) by addressing **all aspects of OP 1, 2 and 3** of resolution 1540 (2004) with **emphasize on enforcement** measures,
- ❑ States to **control access to ITT and the information** which could be used for WMDs and their means of delivery,
- ❑ Calls upon those states who have not done so to start developing the **national control list** at the earliest for the effective implementation of resolution 1540 (2004),
- ❑ All States, in accordance with their national procedures, **shall adopt and enforce appropriate effective laws for the prohibition of activities under OP 2** of resolution 1540 (2004). 1540 Committee to hold discussions on optimal approaches for enforcement in this regard.,
- ❑ engage actively in **dialogue with States**, including in the context of ongoing updating of the implementation data it holds, and through **visits to States, at their invitation**, by the Committee,
- ❑ States that have requests for assistance to provide the 1540 Committee, as appropriate, with **specific details of the assistance needed**,
- ❑ States to **inform 1540 Committee**, as appropriate, of areas in which they are **able to provide assistance**.



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NEXT STEPS

- Implementing the Committee's 2019 Programme of Work
- Revision of the Matrix Template for country data
- Engage non-reporting States
- Conduct 1540 Points of Contact training Courses
- Enhance assistance system
- Develop collaboration with international organisations
- Focus outreach activities



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What can parliamentarians do?

In General

Responsibility to:

- Legislate at the national level;
- Approve the ratification of international treaties;
- Monitor government performance;
- Hold governments accountable for their actions;
- Raise awareness and stimulate public debate.



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CONTACT DETAILS

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Secretariat of the 1540 Committee

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1540 Committee Website

www.un.org/sc/1540