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Summary record of the 69th meeting

Held at Headquarters, New York, on Monday, 20 June 2016, at 10 a.m.

Chair: Mr. Oyarzun Marchesi (Spain)
later: Mr. van Bohemen (Vice-Chair) (New Zealand)

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The meeting was called to order at 10.15 a.m.

Comprehensive review of the status of implementation of resolution 1540 (2004)

Adoption of the agenda

1. *The agenda was adopted.*

2. **The Chair** said that the present series of meetings (see [S/AC.44/SR.69](#); [S/AC.44/SR.70](#); [S/AC.44/SR.71](#); [S/AC.44/SR.71/Add.1](#); [S/AC.44/SR.72](#); [S/AC.44/SR.73](#) and [S/AC.44/SR.74](#)), taking the form of formal open consultations of the Committee with the Member States, international and regional organisations and civil society, would ensure that the comprehensive review of the status of implementation of resolution 1540 (2004) took into account the widest possible range of views. During the comprehensive review, which had started in 2015 and would result in the submission of a report to the Security Council by November 2016, the Committee had analysed information regarding the fulfilment by States of their obligations under the resolution, posting the resulting details on the Committee website. It had shared with Member States lessons learned in assistance, cooperation and outreach related to the prevention of the proliferation of weapons of mass destruction by non-State actors. In doing so it had interacted with international organisations, academics, industry and parliamentarians. The comprehensive review allowed Member States and others to consider the effectiveness of the resolution in preventing non-State actors from acquiring or using weapons of mass destruction and related materials, particularly for terrorist purposes. Since the adoption of the resolution, terrorists had become more determined to obtain such weapons, and chemical weapons had been used in the Middle East. Member States must both reap the benefits and prevent the misuse of rapid scientific and technological changes.

3. Although States had made progress since 2010 in adopting legislation to implement the resolution, there was room for improvement, particularly in the establishment of domestic controls on sensitive materials and technology. The Committee would make every effort to match requests for assistance with potential providers, but cooperation with international organizations must be maximized. The fact that 97 per cent of States had attended outreach events related to the resolution showed that their interest was high. He

welcomed representatives of industry and academia, and parliamentarians, to the open consultations and encouraged delegations to propose specific, clearly defined ideas and suggestions to improve implementation; to participate actively in the general debate and the thematic sessions; and to bear in mind that cooperation and prevention were the main features of the resolution and the activities related to it. If the international community failed to prevent the proliferation of weapons of mass destruction by non-State actors, it would fail those who counted on it to make the world safer.

Statement by the President of the General Assembly

4. **Mr. Lykketoft** (President of the General Assembly) said that resolution 1540 (2004) was essential to global non-proliferation. The recent increase in the number of terrorist and extremist acts had been emphasized at the May 2016 High-level Thematic Debate of the General Assembly on the United Nations, Peace and Security, at which Member States had discussed improving the Organization's ability to respond to global threats. The international community should not underestimate the threat of terrorists gaining access to nuclear weapons or dangerous chemical and biological substances, particularly because some terrorists had seized considerable military and financial resources and territory.

5. The resolution had helped the international community remedy legal deficiencies in disarmament and non-proliferation treaties, and had facilitated information-sharing and assistance among States. Many countries had recognized the need for legal frameworks to prevent proliferation by non-State actors; for Governments to enforce those frameworks with the help of national export controls and qualified experts; and, generally, for national action and international cooperation. Ninety per cent of Member States had reported to the Committee on their implementation of the resolution. The comprehensive review was an opportunity to identify best practices and shortcomings in such implementation and determine what further action was needed. It would allow the United Nations to help States build prevention capacities in the fast-changing commercial, technological and financial environment. Partnerships with researchers, industry, academia, parliamentarians

and civil society were needed, because private-sector actors now had access to, and operated in, industries using dual-use materials and technologies, including weapons technologies. The United Nations must raise stakeholders' awareness of the dangers of proliferation and capitalize on their expertise.

6. Regional organizations should also be involved in coordinating implementation of the resolution, given their deep understanding of regional practices and institutions. The Committee did not rely only on its global mandate, based on Member States' obligations under the Charter of the United Nations, to achieve its objectives; it also engaged in dialogue with States and had established an international environment of non-proliferation through cooperation. The comprehensive review was an opportunity for States to renew their commitment to the resolution. The discussions would support the United Nations Global Counter-Terrorism Strategy review and further the purposes of the United Nations.

Statement by the Deputy Minister for Foreign Affairs of Spain

7. **Mr. Ybáñez Rubio** (Spain), Deputy Minister for Foreign Affairs, said that the Committee's monitoring of the implementation of resolution [1540 \(2004\)](#) must have the backing of Member States, international organizations and civil society. The comprehensive review must be ambitious and based on consensus, must help Member States meet their obligations under the resolution, and must result in recommendations on how to respond to scientific, technological and commercial developments — ultimately leading to a new Security Council resolution on preventing non-State actors, particularly terrorists, from obtaining weapons of mass destruction, their related materials and their means of delivery. It must take into account efforts by non-State actors to bypass national and international controls using new technologies or commercial or financial networks that brought together legal and illegal activities, as well as the determination of terrorist groups, particularly Islamic State in Iraq and the Levant (ISIL), to obtain and use weapons of mass destruction, particularly chemical weapons. Examples already existed of such groups succeeding in that aim.

8. In 2015, to counter the proliferation of such weapons by non-State actors, Spain had adopted a voluntary national action plan for the implementation of the resolution. It endorsed the report of the European Union on support to the full and universal implementation of the resolution. The Committee should facilitate the provision of more assistance to certain regions and in the biological and chemical sectors, export controls and countering the financing of proliferation; increase the number of visits, which must be carried out only at the invitation of States; and have the capacity for better qualitative analysis.

9. The assistance mechanism should be improved. The Committee should build national capacity to implement the resolution, and should help States draft assistance requests, adopt legislation and prepare national reports and action plans. The United Nations Trust Fund for Global and Regional Disarmament Activities should be strengthened. The Committee must engage Member States and civil society in a culture of security and non-proliferation, holding annual meetings with international organizations to improve coordination, avoid duplication of effort and harmonize priorities. Civil society, in particular industry, which dealt with most dual-use materials, and academia, in connection with intangible technology transfers, must play a greater role. The Committee's support structures should be centralized so that it could fulfil its mandate, particularly in the area of assistance.

Statements by Member States and international, regional and subregional organizations and other entities

10. **Ms. Power** (United States of America) said that, since the adoption of resolution [1540 \(2004\)](#), intended to remedy deficiencies in international law after the 1995 Tokyo subway sarin gas attack, the events of 11 September 2001 and the revelations regarding the proliferation network established by A.Q. Khan, Member States had taken measures to prohibit proliferation, secure materials related to weapons of mass destruction within their borders and prevent illegal cross-border trafficking. Over 40 international and regional organizations had incorporated the resolution into their work. The international community had provided funding, technical assistance and capacity-building to States. The Committee had provided an overview of States' efforts to prevent proliferation and had helped remedy deficiencies in

national non-proliferation legislation. In the 2016 comprehensive review, it must take account of the evolution of the proliferation threat since 2004. State and non-State actors had used chemical weapons in the Middle East, nuclear and radioactive material had been stolen or put on sale on the black market, synthetic biology posed proliferation risks, and drones capable of delivering biological, chemical and radiological materials were increasingly available.

11. Despite States' efforts, the resolution had not been fully implemented. The international community must emphasize that the resolution was essential in the struggle against proliferation by non-State actors. It should use the imaginary scenario of an attack involving such weapons to identify the steps needed to prevent such an attack. It must stay ahead of those involved in proliferation, who would always seek new ways of bypassing State measures. The Committee would be needed long after its mandate expired in 2021 and should adopt a dynamic, creative approach. It should analyse trends and threats with input from relevant bodies, and should focus on biosecurity, chemical security, countering the financing of proliferation and controlling means of delivery, and on such regions as Africa, Latin America and South-East Asia, where the progress of implementation had been limited. In the light of the use of chemical weapons by ISIL, it should support entities that investigated non-State actors producing or using weapons of mass destruction. Justice systems should be empowered to imprison proliferators, criminals and terrorists. She encouraged delegations to provide feedback on the non-paper submitted by her Government on the implementation of the resolution and welcomed the Committee's use of new media and its efforts to reach out to young people through a student essay contest.

12. **Mr. Wilson** (United Kingdom) said that, in adopting resolution [1540 \(2004\)](#), the Security Council had acted decisively to prevent weapons of mass destruction from falling into the wrong hands. The use of such weapons in Syria and Iraq showed the importance of non-proliferation efforts and of Member States meeting their obligations under the resolution. Since the previous comprehensive review, States had adopted laws to implement the resolution, had improved reporting on their implementation efforts, and had improved the security of facilities and information connected with the weapons and materials

covered by the resolution. Some States had taken stronger measures than others, however, and less progress had been made in the field of nuclear and chemical materials than in the field of biological materials. Requests for assistance should be well-formulated and well-supported. Seventeen States had not yet submitted to the Committee a report on their national implementation of the resolution. A creative approach would be required to ensure that the resolution was implemented by 2021.

13. The work of the Group of Experts was a strong foundation for analysis of the implementation of the comprehensive review by region and by sector. The implementation of the resolution must address the evolving terrorist threat, in particular the advent of drones and three-dimensional printing. Regular dialogue and the convening of annual meetings with the participation of the International Atomic Energy Agency (IAEA), the Organization for the Prohibition of Chemical Weapons (OPCW) and the Implementation Support Unit of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention) would better support States. The matching of assistance requests with potential providers should be improved through coordination and partnerships and the holding of more matchmaking events. The Committee needed a longer or permanent mandate, given the long-term importance of non-proliferation, and its structure should be examined to ensure that it had the necessary resources. The international community owed it to those who had experienced the horrors of weapons of mass destruction to implement the resolution.

14. **Mr. Mashkov** (Russian Federation) said that the Russian Federation had spearheaded the development of the resolution and had helped to strike a balance of interests to prevent weapons of mass destruction from falling into the hands of non-State actors, including terrorists. The resolution was the only universal, legally binding document on the non-proliferation of such weapons and an undoubted success for international diplomacy, which, in addressing a complex, universal problem, had established an atmosphere of goodwill. The dialogue on the comprehensive review would mobilize efforts and improve discipline at the international and national

levels to accelerate the implementation of the resolution.

15. His Government took a very cautious approach to the resolution, and recognized that, while much had been achieved, much still remained to be done. Efforts must continue to ensure that all States implemented the resolution, acting voluntarily and within the bounds of their capabilities. The 2016 comprehensive review, which reflected the terms of resolution 1977 (2011), should be seen as an opportunity to improve the implementation of resolution 1540 (2004) within the Committee's current mandate, but not to modify the resolution itself or develop it through further resolutions. The review should focus on the effectiveness of the Committee and the Group of Experts; their interaction with States, international and regional organizations and civil society; the impact of outreach events; and the functioning of the assistance mechanism.

16. His delegation attached great importance to reporting, which was a matter of State accountability. The aim of the Committee must be to achieve one-hundred-per-cent compliance with the reporting obligation. The international community was only as strong as its weakest link in stopping the proliferation of weapons of mass destruction by non-State actors. His delegation was prepared to consider proposals on the regularity with which reports were updated, as a balance must be found between implementing the resolution and reporting on such implementation, in order not to place too heavy a burden on Government bodies or force the Group of Experts to work uninterruptedly and exclusively on updating the matrices. As stipulated in resolution 1977 (2011), States should provide additional information regarding their implementation of the resolution when appropriate or upon the request of the Committee. The ideals of cooperation reflected in resolution 1540 (2004) were not compatible with the establishment of blacklists or whitelists, or the apportioning of blame, to put pressure on specific countries, regions and subregions. Combating the proliferation of weapons of mass destruction was a common endeavour for the members of the international community, and the failure of a State to honour its obligations was a problem shared by all, because it jeopardized the implementation of the resolution. Use of the matrices to gauge compliance with the reporting obligation,

whether with regard to the presence or absence of a report, or the completeness or incompleteness of a report, was a universally accepted method from which there was no reason to deviate.

17. The notion of changing the focus of the resolution to counter-terrorism had often been discussed recently; at the Nuclear Security Summit, held in Washington in March and April 2016, for example, the resolution had been described as the cornerstone of the struggle against nuclear terrorism. Although the need to intensify counter-terrorism efforts was urgent, to do so through the resolution would be inappropriate. Other international mechanisms were more suitable; the Russian Federation had submitted to the Conference on Disarmament a draft international convention on combating chemical and biological terrorism. The present resolution provided neither the powers nor the tools needed to counter terrorism effectively, though it had a counter-terrorism component, which must be retained, in that it was designed to prevent weapons from falling into the wrong hands. To allow a more extensive counter-terrorism role, the resolution would need to be amended and the Committee, the Group of Experts, the programme of work and the system of country visits would need to be restructured. Such changes might weaken the non-proliferation component of the resolution and were unacceptable.

18. His delegation was also concerned about proposals to expand Member State obligations through the criminalization of the acts prohibited pursuant to paragraph 2 of the resolution, the establishment of interministerial bodies and national centres to support implementation and the maintenance and regular updating of lists of controlled materials. Given that the vast majority of countries had not fulfilled their existing obligations, it was premature to impose additional requirements, although some of the proposals could be disseminated in the form of the best practices of a specific State, region or subregion. The proposals raised the question of the Committee forcing Governments to provide services, particularly in relation to country visits. The so-called proactive stance was in fact nothing but coercion, particularly because it was accompanied by the idea of developing a list of basic measures that all States must take within a prescribed period. The proposals included the establishment of bodies, some of them redundant, of

the kind which would generate bureaucracy, drift away from the resolution and begin to work on their own account. They would ultimately form a spider's web around the Committee and expand the powers and membership of the Group of Experts. It was unclear how such a system would work, why it was necessary, and what the impact and financial implications were. Particular caution should be exercised in relation to the language of the resolution. In recent times, language not contained in the resolution itself had been used; references to nuclear, chemical and biological security, for example, either deliberately or involuntarily exceeded the scope of the resolution, which mentioned physical protection only.

19. Successful national, regional and subregional experiences in the implementation of the resolution must be used to the benefit of the international community. The promotion of best practices and model legislation was a step in the right direction. The assistance mechanism should be more carefully calibrated. In the case of sparsely funded assistance programmes, the focus should be on implementing such low-cost projects with a high level of expert support as the regional courses organized by China for national points of contact. The Government of the Russian Federation would be holding a similar seminar in Kaliningrad in June 2016, in conjunction with the Organization for Security and Cooperation in Europe and the United Nations Office for Disarmament Affairs.

20. Cooperation between the Committee and international and regional organizations required great effort; it was not easy to take account of the specific characteristics of each organization and match their work plans with requests from Member States. The proposals to establish a comprehensive list of the mandates and programmes of such organizations and make more active use of the United Nations regional centres for implementation of the resolution were welcome. The Committee should be more actively involved in national implementation in conjunction with the scientific and business communities, under the supervision of State structures.

21. **Mr. Bermúdez** (Uruguay) said that the threats to international peace and security were complex and indefinite. The so-called new threats, which were multidimensional in their effects and had many causes,

including terrorism, transnational crime, trafficking in arms and persons, and the proliferation of weapons of mass destruction without the knowledge of State authorities, jeopardized global security. No State could ignore the extreme violence practised by terrorist groups. Since such groups were close to acquiring or producing weapons of mass destruction, the international community must take rapid joint action. Strategies could be coordinated only on the basis of existing laws and institutions, through measures compatible with international law and the principles and purposes of the United Nations. Such acquisition would have unpredictable and devastating consequences.

22. The best tool at the international community's disposal for preventing the proliferation of weapons of mass destruction by non-State actors was resolution [1540 \(2004\)](#). Early warning systems must be designed to detect threats to peace and security. The preventive dimension of the resolution, the work of the Committee, cooperation and the sharing of best practices were essential to the counter-proliferation effort, as were the contributions of international and regional organizations and civil society. The success of the international community depended on compliance by Member States with their obligations, although his delegation recognized that non-compliance was often caused by lack of capacity rather than lack of willingness. International cooperation in institution- and capacity-building was essential to ensure that the decisions of the Security Council were implemented. The non-proliferation regime established under the resolution must be enhanced through improvements in the assistance mechanism and cooperation with international and regional organizations.

23. His Government was committed to strengthening international peace and security in compliance with international law and Security Council resolutions. In line with the principles of non-proliferation of weapons of mass destruction, peaceful resolution of conflicts and combating terrorism in all its forms, Uruguay had ratified most regional and international treaties in the area. It had made progress in developing a national strategy for the implementation of the resolution and a comprehensive anti-terrorism law.

24. **Mr. Yelchenko** (Ukraine) said that his Government, which had previously possessed nuclear

weapons and was a party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (Chemical Weapons Convention) and the Biological Weapons Convention, was committed to resolution 1540 (2004) and made every effort to prevent non-State actors from acquiring materials and technologies related to weapons of mass destruction. The updated information which it had submitted to the Chair of the Committee regarding implementation of the resolution would be publicly available on the Committee's website. Proliferation risks resulted not only from poor national legislation but also from rapid scientific and technological development and a lack of awareness in academia, industry and civil society. International legal prohibitions meant little to terrorists and criminals who wished to use chemical, biological, radiological and nuclear materials to attack civilians or critical infrastructure.

25. For the previous two years Ukraine had suffered from foreign military aggression, the most serious crisis in Europe since the Second World War, and could not control the sensitive facilities in the occupied parts of its territory. As a result of the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol, it had lost control over the Sevastopol National University of Nuclear Energy and Industry and five other locations subject to the Agreement between Ukraine and IAEA for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons. Specialized sites, including sites in Crimea and the east of the country, had previously contained 14 biological collections with Ukrainian national heritage status. Russian military aggression had destroyed the many high-risk Ukrainian chemical industry facilities. The situation was conducive to terrorist acts, including the use of hazardous chemicals, dangerous pathogens and radioactive material, far beyond the region.

26. The international community, including public authorities, the private sector, industry, civil society and non-governmental organizations, must unite to stop the erosion of the world order, continuous violations of international law, and conflicts in many parts of the world, which weakened chemical, biological, radiological and nuclear security and threatened peace. His Government welcomed the

establishment of the Organization for Security and Cooperation in Europe (OSCE) Group of Friends of resolution 1540 (2004) and other initiatives to strengthen the resolution in the long term. The comprehensive review must ensure that Member States respected international law.

27. **Mr. Wu Haitao** (China) said that the prevention of the proliferation of weapons of mass destruction was essential to regional and global security. The international consensus on non-proliferation had broadened and various mechanisms had been perfected. Although the international community's efforts had strengthened cooperation and national capacity, proliferation remained a serious concern and certain urgent and topical questions had not been resolved. Historical grievances, territorial disputes, ethnic clashes, security concerns and terrorism had impeded progress. All countries shared the responsibility of addressing the challenges of non-proliferation, and an integrated approach to its symptoms and causes was needed. Since universal security was essential to non-proliferation, countries should accommodate each other's legitimate security concerns, foster international relations on the basis of mutual trust and cultivate a peaceful, stable environment. Efforts to enhance the non-proliferation regime should be guided by balance and justice. While countries must honour their non-proliferation obligations, they had a right to use scientific and technological advances for peaceful purposes. Unilateralism, double standards and discriminatory practices must be rejected to ensure that the regime was fair and authoritative. Multilateral mechanisms were essential to the regime; on the basis of democratic consultation, the United Nations and other international organizations should coordinate national non-proliferation efforts. The best way to strengthen non-proliferation was to invigorate dialogue and cooperation to enhance understanding and trust. Confrontation and pressure would only aggravate conflict.

28. His Government categorically opposed the proliferation of weapons of mass destruction. As a permanent member of the Security Council, China honoured its non-proliferation obligations, participated in international and regional cooperation, and was committed to the political resolution of the urgent and topical issues in non-proliferation with the help of the United Nations. Resolution 1540 (2004), the first

Security Council resolution on non-proliferation, had crystallized the international consensus and fostered coordination in the area. His Government had submitted a report on its implementation of the resolution and participated in the Committee's work, including by hosting a country visit by Committee members and experts in October 2014, and by organizing training for national points of contact in the Asia-Pacific region in September 2015, in conjunction with the Committee. Since the launch of the previous comprehensive review in 2009, progress in the implementation of the resolution had been made. All parties should use the current review to assess such implementation and imbue it with renewed political dynamism.

29. The comprehensive review should be open and transparent, with the participation of all States, particularly developing States. The report on the review should be based on consensus and should reflect the views of all parties. States should take the lead in achieving the main purpose of the resolution, the prevention of proliferation by non-State actors, without introducing complicated matters beyond the scope of the resolution. The Committee should play a major role in assisting the implementation of the resolution. Its functions in coordinating international non-proliferation efforts should be strengthened to improve assistance and regional and subregional cooperation, and to meet the international assistance and cooperation needs of developing countries. The necessity for, and flexibility and operability of, proposed new measures for strengthening the implementation of the resolution should be comprehensively studied. Different national situations should be taken into consideration and caution should be exercised. Country visits should be made only on a voluntary basis, with national consent.

30. **Mr. Delattre** (France) said that the international community must face the new challenges in the implementation of the resolution with determination and ambition. The security of radioactive materials in ISIL-controlled territory was cause for concern, and uncertainty remained in relation to the Syrian Government's declaration to OPCW regarding its chemical weapons programme, since the potential existence of residual capacity in Syria only increased the risk of terrorists acquiring such weapons.

31. Most States had incorporated the resolution into their national law, and the international community had ensured that sensitive substances were physically protected, had strengthened border controls and had established export controls to prevent terrorists from acquiring chemical, biological, radiological or nuclear materials. Progress had been made in implementing the resolution in all regions and fields, including by international, regional and subregional organizations. France coordinated the Committee's working group on assistance, which was essential to the Committee's work, particularly with developing countries. It helped other States, including through the provision of financing, to return to France materials that might otherwise be abandoned.

32. To face the evolving threats, the comprehensive review must allow States to adapt and better counter the proliferation and acquisition by terrorists of weapons of mass destruction. States must give the highest priority to the security of sensitive materials. At the Nuclear Security Summit, held in Washington in March and April 2016, France had proposed to enhance the security of chemical and radioactive materials, thefts of which were rare but potentially hazardous if the materials were acquired by terrorists. The process through which Member State requests for assistance were matched with potential provider organizations must be strengthened, in particular by giving the Committee the prerogative in that area. The African Union review and assistance conference on the implementation of resolution 1540 (2004) in Africa, held in Addis Ababa in April 2016, had shown the importance of regional organizations in that process. The comprehensive review was a unique opportunity to improve collective security, prevent the risks of proliferation and enhance the protection of the most sensitive materials.

33. **Mr. Ibrahim** (Malaysia) said that despite the 7 per cent increase in the number of measures adopted by Member States to implement the resolution, deficiencies remained, particularly in relation to biological materials. Deficiencies in enforcement must be remedied, and his delegation supported the proposals in the United States non-paper to encourage the matching of national priorities with identified models while helping States to meet their obligations in accordance with national and regional capacities. His Government had endorsed the Proliferation

Security Initiative in 2014. In 2016, it would complete its review of the 2010 Strategic Trade Act, which prescribed severe penalties in the region for violations of export controls. It was committed to stopping the proliferation and trafficking of weapons of mass destruction from and through Malaysia while facilitating trade in accordance with its international obligations.

34. His delegation supported initiatives to match requests for assistance with assistance providers. Direct interaction with Member States improved implementation and reporting, and country visits should be encouraged in line with resolution 1977 (2011). The African Union review and assistance conference should be replicated in other regions. A study on the feasibility of the proposed establishment of a dedicated fund to finance assistance programmes should be conducted to ensure that existing sources of funds for the implementation of the resolution were exhausted before new ones were established. His delegation recognized the engagement of the Group of Experts with the Association of Southeast Asian Nations (ASEAN) Regional Forum, including the recent participation of an expert in the workshop on applying Financial Action Task Force (FATF) standards to combat the financing of proliferation of weapons of mass destruction, held by the Asia/Pacific Group on Money Laundering and the Central Bank of Malaysia in March 2016. In March 2014, ASEAN had submitted to the Committee a document setting out its experiences, lessons learned and effective practices in implementing the resolution, as called for in resolution 1977 (2011); such engagement between the Committee and international and regional organizations should continue. His Government encouraged collaboration and the appointment of dedicated regional coordinators. The Committee should share with the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh) Al-Qaida and associated individuals, groups, undertakings and entities and the Security Council Committee established pursuant to resolution 1373 (2001) (Counter-Terrorism Committee) information regarding non-State actors' intentions and capabilities in acquiring weapons of mass destruction; outreach activities; and existing links between industry and civil society, which the Committee had identified as

potentially facilitating implementation of resolution 1540 (2004).

35. **Mr. Hayashi** (Japan) said that, to enhance the implementation of the resolution, which, together with subsequent resolutions, formed the basis of the international non-proliferation regime, his Government, in its capacity as Chair of the Group of Seven, had adopted the Group of Seven Action Plan on Countering Terrorism and Violent Extremism, which stressed the need for such implementation. It had strengthened capacities in the area by holding the annual Asian Export Control Seminar and Asian Senior-level Talks on Non-Proliferation. In the previous two years, it had contributed \$28 million to counter-terrorism projects in the Middle East and Africa.

36. The comprehensive review must identify ways in which the international non-proliferation system could be enhanced through the resolution. The Committee's assistance functions should be strengthened. The Committee and the Group of Experts should act as consultants, help States identify their needs in enhancing domestic non-proliferation systems, and transmit the results to the donor community. The country visits conducted by members of the Group of Experts were extremely useful in that regard.

37. The analysis of the implementation of the resolution had revealed that States had been more effective in prohibiting proliferation than in preventing it through accounting, physical protection, border controls and export controls. More measures to detect and deter proliferation were needed; for example, government agencies in nearly 100 countries had no control lists.

38. In his capacity as Chair of the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, he drew attention to the statement submitted by his Government as a contribution to the comprehensive review on the need to enhance cooperation and collaboration between the Committee and the Global Partnership to ensure non-proliferation of such weapons.

39. **Mr. Seck** (Senegal) said that in some regions, including Africa, the threat of the use of weapons of mass destruction had become reality and the chances that terrorist groups would acquire such weapons were high. The comprehensive review would allow the

Committee to meet such challenges to international peace and security in a coordinated way through proposals by Member States. The progress of African States in implementing the resolution could be improved through the adoption of national legal frameworks related to biological weapons and the establishment of internal controls on sensitive materials and technologies. The African Union review and assistance conference, held in partnership with the Committee, had reflected the commitment of the Union to the implementation of the resolution. The Committee should conduct more consultations with African countries, which had benefited from its support in implementing the resolution. Its capacities in relation to assistance on request should be enhanced. He encouraged those States with the means to do so to help train national points of contact, thanked Morocco for volunteering to train points of contact from African States and welcomed the Committee's regional approach, reflected in the first meeting of parliamentarians on implementation of the resolution, held in Abidjan in February 2016, at which Senegal had represented the Committee. The prevention of proliferation in Africa and the strengthening of national legal frameworks to implement the resolution had been discussed at the meeting, which should be replicated in all regions.

40. Coordination between assistance requesters and providers must be improved to avoid duplication of effort and identify best practices. That would require funds and a lasting commitment from Member States, civil society, academia and the private sector. After the comprehensive review, the Committee should focus on implementation, assistance, cooperation and awareness-raising related to the resolution. Rapid scientific and technological development, globalization and changes in the business environment could help non-State actors acquire weapons of mass destruction; current measures must be reviewed or new ones taken to stop them. His Government had submitted a national report and a voluntary national action plan on its implementation of the resolution.

41. **Mr. van Bohemen** (New Zealand) said that compliance with resolution [1540 \(2004\)](#) was no small matter for Member States, for which the results of the comprehensive review would be significant. The broader United Nations membership must have the opportunity to give its views on the ways in which the

non-proliferation regime could be strengthened. All shared the goal of preventing the acquisition of weapons of mass destruction by terrorists and others who threatened to cause indiscriminate harm to civilians. Scientific and technological advances allowed terrorist groups to develop weapon components, while open source technology platforms made technical know-how more accessible. The framework implementing the resolution must be more responsive to the evolving threats.

42. Although Member States had implemented more non-proliferation measures since the previous comprehensive review, and nearly all had submitted at least one national report on their implementation of the resolution, more domestic controls on sensitive materials and technologies must be established. Fewer measures had been taken in certain geographical areas, including the Asia-Pacific region. Comprehensive international implementation and the universalization of the non-proliferation regime were essential, but success was not measured by the number of laws enacted alone. The circumstances of individual Member States must be taken into account. For small island developing States, the burden of complying with such complex obligations was heavy. Flexibility and pragmatism were required in the case of States that did not produce or store relevant materials or had a low risk profile.

43. His Government provided assistance under the resolution to its regional partners in conjunction with international and regional bodies. Its outreach events on counter-terrorism, border security, non-proliferation and export controls had helped small countries, in which the same officials were often responsible for all those areas, to prioritize time and resources. The Pacific regional workshop on model provisions on counter-terrorism and transnational organized crime, held in Auckland in May 2016 by his Government, the Pacific Islands Forum Secretariat, the United Nations Office on Drugs and Crime (UNODC), the FATF Asia/Pacific Group on Money-laundering and the Group of Experts of the Committee, was an example of such an event. Coordination between the Committee and international and regional organizations, including the Counter-Terrorism Committee and the Committee pursuant to resolutions [1267 \(1999\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#), must be enhanced. The Group of Experts should contact Member States to arrange country visits

where they were most needed. The assistance mechanism must be strengthened not only through increased funding but through support from the Group of Experts for small and developing countries in the submission of requests and the identification of funding sources. The Committee's work should be more streamlined and accessible for non-members of the Security Council. Member States should consider whether the international frameworks for monitoring the manufacture and use of chemical weapons by non-State actors were adequate.

44. **Mr. Lucas** (Angola) said that the perceived lack of legitimacy of, and low awareness regarding, resolution 1540 (2004), and the lack of Member State capacity to implement it, had been overcome. The Committee had contributed to such acceptance and implementation. The extension of its mandate for 10 years through resolution 1977 (2011) had helped to make it a permanent part of non-proliferation efforts and to improve its relations with international and regional organizations. The African Union review and assistance conference, held with the support of the Committee and the United Nations Office for Disarmament Affairs, had focused on meeting the assistance requirements of States members of the African Union to enhance national implementation of the resolution, and on gathering the views of Member States in preparation for the comprehensive review. The African legal framework for non-proliferation was based on the African Nuclear-Weapon-Free Zone Treaty, which prohibited nuclear devices in the continent and required the physical protection of nuclear materials, facilities and equipment to prevent theft or unauthorised use. The Committee was essential to helping African countries strengthen border controls to counter illicit trafficking in materials related to weapons of mass destruction, ensure control of transactions or activities that violated the resolution or the Treaty, and reinforce national and regional security.

45. Many African States had not submitted an initial report on their implementation of the resolution because of conflicts, disasters, porous State boundaries and the operations of terrorist groups affiliated to Al-Qaida and ISIL. Strengthening border security in Africa was essential to implementing the resolution and such instruments as the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn

of Africa. The national points of contact should coordinate with such regional and subregional organizations as the African Union, the East African Community, the Intergovernmental Authority on Development, the Economic Community of Central African States, the Economic Community of West African States and the Southern African Development Community to contain the proliferation of weapons of mass destruction on the continent.

46. The Committee was essential to minimizing the risks of nuclear terrorism through multilateral efforts, cooperation, partnerships and the sharing of best practices in nuclear security. The preliminary reports and additional information submitted to the Committee by Member States showed the progress made by the international community since the previous comprehensive review. His Government had drafted legislation to implement the resolution and had established a national authority for the control of nuclear activities, to be coordinated by the Ministry of Defence. Although it possessed no weapons of mass destruction, Angola had ratified the Comprehensive Nuclear-Test-Ban Treaty and the Chemical Weapons Convention. For universal implementation of the resolution, the Committee must be strengthened, States must interact more, technical assistance must be provided to strengthen national capacity, the matrices must be updated in a harmonized way, and the Committee and other Security Council subsidiary bodies dealing with counter-terrorism should cooperate among themselves and with international, regional and subregional organizations.

47. **Mr. Aboulatta** (Egypt) said that, since the adoption of resolution 1540 (2004), the world had become more complex and dangerous, and international security challenges had developed in worrying ways. European sources had reported that ISIL sleeper cells might possess prohibited radioactive, chemical or biological materials and use them in terrorist attacks in Europe. The international community must be constantly vigilant to reap the benefits of globalization, scientific and technological development and e-commerce while containing the associated risks. To strengthen the implementation of the resolution, the performance of the Committee, its working groups and its Group of Experts must be enhanced in cooperation with the United Nations Office for Disarmament Affairs and the Department of

Political Affairs. Through the comprehensive review, shortcomings in implementation must be remedied; the Committee's role in the technical assistance matchmaking procedure must be evaluated to ensure that such assistance was provided immediately to requesting States; cooperation with international, regional and subregional organizations must be strengthened; and transparency and outreach must be enhanced. As the delegation of Egypt coordinated the Committee's working group on cooperation with international organizations, his Government would make every effort to promote improved working methods in the Committee, in the context of resolutions 1540 (2004) and 1977 (2011). It had submitted to the Committee its fourth national report on the implementation of the resolution and its national implementation matrix, and had established a national commission on such implementation.

48. **Mr. Suárez Moreno** (Bolivarian Republic of Venezuela) said that his Government was committed to the elimination of weapons of mass destruction and reiterated the right of developing countries to acquire advanced technologies for peaceful purposes to help economic and social development. Pursuant to resolution 1540 (2004), it supported international efforts to prevent the acquisition of such weapons by non-State actors, including terrorist groups. Through the matchmaking process, the Committee supported Member States in a spirit of assistance and cooperation, but improvements could be made. The number of assistance requests received by the Committee had fallen from 45 between 2004 and 2011 to 14 since 2011. The reason was not a lack of commitment among States, since the number of measures taken to implement resolution 1540 (2004) had increased by 7 per cent in the previous five years; neither had the need for assistance decreased, since at least three regions continued to require it. On average, three offers of assistance were made by donor States or international organizations for each assistance request, but a very small percentage were accepted and honoured. Most offers were modest and linked to projects that were ongoing or subject to financial conditions, and few satisfied the requirements of the requesting State. Assistance was focused on a small number of States; most developing countries received little.

49. The Committee should have its own fund so that it could finance projects undertaken by international, regional and subregional organizations in response to State requests without discrimination, for the benefit of all. It should carry out projects jointly with such organizations. The Group of Experts should prioritize direct contact with States and regional and subregional organizations, since the visits it carried out at their request were its most effective tool in strengthening the implementation of the resolution. The African Union review and assistance conference should be replicated in other regions; it had shown the progress that could be made when the interaction among assistance requesters and potential donors was smooth. Change was needed if the Committee was to continue to promote cooperation and assistance among States and regional and subregional organizations.

50. **Mr. Ashikbayev** (Kazakhstan), Deputy Minister for Foreign Affairs, said that the threats of nuclear, biological and chemical terrorism had escalated and the number of non-State actors had grown too much to combat easily. Resolution 1540 (2004) and related instruments must be rigorously implemented to address the risks associated with technological developments. United Nations efforts must be coordinated with those of IAEA, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, OPCW, UNODC, the Counter-Terrorism Committee and its Executive Directorate, the International Criminal Police Organization (INTERPOL) and the Security Council sanctions committees. The resolution and related instruments should be viewed within the United Nations framework rather than as isolated initiatives.

51. The comprehensive review should include an analysis of the strengths, weaknesses, opportunities and threats related to the resolution, which was essential to global and regional security because the proliferation of weapons of mass destruction was a cross-border phenomenon. The international community must prevent not only non-State actors but also Governments from contributing to terrorism. All States must take ownership of the resolution, which transcended the Security Council and should be viewed more as a multilateral than a bilateral tool. Vulnerable States needed support in adopting legislation, administrative procedures and mechanisms to meet their obligations, particularly in light of the expected

expansion in nuclear technology. The resolution should address radioactive substances and such sources of pathogens as hospitals and laboratories. The Committee's work should be regularized and Governments must transparently honour their obligations; failure to do so must be taken seriously. Countries should be supported in improving their export controls and should report on their implementation of the resolution to allow global monitoring. The reports should be precise, emphasizing challenges and legislative deficiencies. The matrices should be updated and a database of assistance requesters and potential providers established to enhance capacity, training, the provision of equipment, funding and trust.

52. The regional workshops on the implementation of the resolution should comprise not only exchanges of information but also hands-on training and the acquisition of practical skills. His Government had held training workshops in 2011 and, to mark the tenth anniversary of the adoption of the resolution, in 2014, with the participation of 28 States and several international, regional and subregional organizations, to improve cooperation in enacting legislation and cooperation with regional bodies, parliamentarians, civil society and industry. His Government had also held events to encourage transparency, openness and mutual confidence among actors. With the other States parties to the Treaty on a Nuclear-Weapon-Free-Zone in Central Asia, Kazakhstan was developing a multilateral agreement on cooperation in the prevention of illegal trafficking of nuclear materials and combating nuclear terrorism in Central Asia.

53. **Mr. Mashkov** (Russian Federation), speaking in exercise of the right of reply, said that political issues should not be brought into the comprehensive review process. Crimea and Sevastopol were in reliable hands, and Russian legislation, including export controls, ensured that no materials related to weapons of mass destruction were removed from those territories. Complaints about a lack of controls were misplaced. If the Government of Ukraine wanted to debate such issues, it should introduce controls in its own territory to prevent arms trafficking by groups of bandits. The open consultations were intended to respond appropriately to specific situations and were not an appropriate forum for discussing the reasons for which terrorists had become more active or attempting to

divert the resolution to counter-terrorism. Accordingly, his Government had refrained from political comment, and, instead of questioning Ukraine about whether it realized the consequences of destroying State structures, had preferred to focus on what could be done to address the very real and dangerous threat of proliferation in an appropriate way. The resolution, which had taken almost a year to develop, struck a delicate balance of interests and must not be compartmentalized or politicized. Crimea had acceded to the Russian Federation in accordance with a decision of the people, and control had been transferred peacefully and calmly. The Ukrainian delegation should not attempt to shift the blame by turning the facts on their heads.

54. **Mr. Yelchenko** (Ukraine), speaking in exercise of the right of reply, said that General Assembly resolution [68/262](#) upheld the territorial integrity and sovereignty of Ukraine and the inviolability of its borders. With regard to bringing political questions into the comprehensive review, nothing was more important than questions of territorial integrity, in which emotion should not prevail. To state that Crimea was in good hands was to make a mockery of the United Nations. Everyone knew the circumstances surrounding the so-called referendum and decision of the people of Crimea.

55. **Ms. Lodhi** (Observer for Pakistan) said that the success of the resolution owed more to the cooperation it had fostered among Member States than to their obligations under the Charter of the United Nations. Most trends in non-proliferation were negative; long-standing norms had been undermined in the pursuit of narrow strategic, political and commercial interests, and the lack of progress in nuclear disarmament had undermined non-proliferation efforts. Her Government supported non-proliferation and disarmament; States should prevent the proliferation of weapons of mass destruction among non-State actors and other States. Pakistan would cooperate to promote equitable solutions to those challenges.

56. Although she welcomed the progress in the implementation of the resolution, there was a need for improvements in reporting frequency, visits to States, national action plans and the bodies responsible for such implementation. While the number of measures taken to implement the resolution had increased by

7 per cent since the previous comprehensive review, many States lacked expertise and resources, and their economic, industrial, legal and financial profiles differed widely. Developing States perceived a gap between the assistance promised and that provided. Reporting fatigue had set in, including among States that had submitted reports on their implementation of the resolution. Better cooperation with international and regional organizations and outreach to civil society, academia and industry would promote awareness and the exchange of effective practices and lessons learned. She expressed surprise that the Committee reached out more to external actors than to the Permanent Missions of Member States in New York. The Committee should not give the impression of micromanaging Member State implementation of the resolution; visits to States and the submission of national action plans should remain voluntary. The Committee should focus on its core mandate, the prevention of the proliferation of weapons of mass destruction by non-State actors. Suggestions regarding the enhancement of its role and the review of the bodies responsible for implementing the resolution should be evaluated by all Member States. The resolution stipulated that the obligations set forth in it should not be interpreted in such a way as to alter the responsibilities of IAEA or OPCW; the capacity-building work of international organizations was essential. The Committee's background paper and other documents related to the comprehensive review had omitted to mention the outcome of efforts to encourage the implementation by States parties of disarmament treaties and agreements.

57. Her Government had submitted four reports on its implementation of the resolution. Its nuclear regime was based on a command and control system that covered all aspects of nuclear policy; rigorous nuclear safety and security regulations that governed the physical protection of materials and facilities, material control and accounting, transport security, the prevention of illicit trafficking, and border controls; export controls that complied with international standards; and international cooperation in line with its national policies and international obligations. Her Government focused on capacity-building and international interaction, particularly with IAEA. It had offered its centre of excellence for training in nuclear security, physical protection and personnel liability as

a regional and international hub. It was deploying special nuclear material portals at key entry and exit points to prevent illicit trafficking in radioactive materials, was implementing its nuclear security action plan with IAEA and had developed a nuclear emergency response mechanism.

58. *Mr. van Bohemen (New Zealand), Vice-Chair, took the Chair.*

59. **Ms. Tan** (Observer for Singapore) said that, because of the complexity of proliferation networks and the transboundary impact of weapons of mass destruction, no country could address the threat alone and closer cooperation was essential. Her Government had approved the United Nations Act to implement Security Council resolutions. It regularly updated its export controls, in line with international practice, and the Schedule to its Strategic Goods (Control) Order 2015, which incorporated parts of the Wassenaar Arrangement Munitions List and the European Union list of dual-use items. Its Strategic Goods (Control) Act covered all goods and technology intended or likely to be used for purposes related to weapons of mass destruction. Its financial supervisors regularly inspected financial institutions to prevent money laundering and the financing of terrorism. By law, suspicious transactions, including those related to financial sanctions, must be reported.

60. Non-proliferation was the responsibility not only of security services and the military but also of legal authorities and the civil agencies responsible for ports, customs, immigration and trade, among which cooperation was essential. Through policy coordination, the Inter-ministry Committee on Export Controls, chaired by a senior official, had accelerated the implementation of Security Council resolutions. To address the complex non-proliferation challenges that Singapore faced as a major port, her Government had engaged the private sector. It conducted regular outreach programmes to keep the business and shipping communities aware of the latest requirements and to prevent them from inadvertently contravening goods control regulations. It rigorously prevented illicit assets from entering the financial system. The Monetary Authority of Singapore provided updates on changes in sanctions lists and guidance on preventing the financing of proliferation. Financial institutions and non-financial supervisory bodies were regularly

reviewed to ensure that the controls on such financing were implemented. Government agencies approached firms when they received intelligence regarding such financing, and took decisive action when faced with reasonable grounds for suspicion.

61. Her Government had implemented other Security Council resolutions and saw its actions as part of the international non-proliferation regime. It supported regional efforts through the ASEAN Regional Forum and the European Union Centre of Excellence for chemical, biological, radiological and nuclear risk mitigation in South-East Asia. It had held two Proliferation Security Initiative exercises and would hold a third in September 2016. Singapore was the only South-East Asian member of the Operational Experts Group of the Initiative, had been the first Asian country to hold a meeting of the Group, in July 2006, and would hold the next meeting in 2017. It had ratified the Biological Weapons Convention and the Chemical Weapons Convention, and submitted annual declarations to the Biological Weapons Convention Implementation Support Unit and OPCW. Although it possessed no significant nuclear material or facilities, it participated in the Nuclear Security Summit process and would serve on the IAEA Board of Governors for the fifth time starting in September 2016.

62. **Mr. Olguín Cigarroa** (Observer for Chile) said that proliferation threats had increased because of globalization, increased trading in components, technological progress, intangible technology transfer, front companies, and overseas acquisition and black-market distribution networks. Strategic controls were essential to preventing the acquisition of technologies by non-State actors. Resolution 1540 (2004) required States to establish national controls to prevent proliferators from exploiting the weaknesses of commercial control and distribution mechanisms. The work of OPCW in the prevention and legal aspects of, and response to, the threat had helped implementation of the resolution. The areas in which less progress had been made should be identified and a regional approach that took into account the situation of individual countries should be developed. The network of national points of contact should be strengthened and strategies to raise awareness of the main aspects of the resolution should be introduced. His Government had established national controls to counter trafficking in weapons of mass destruction and dual-use materials,

with the support of the Committee, the United Nations Office for Disarmament Affairs, the Organization of American States and other Member States.

63. **Ms. Pęksa** (Observer for Poland) said that the non-proliferation of weapons of mass destruction was essential to Polish security policy, since terrorist groups could now produce toxic substances and use them against the international community. To implement resolution 1540 (2004), her Government had in the previous two years reviewed national procedures to prevent the proliferation of weapons of mass destruction and established decision-making processes to stop the transfer of such weapons to non-State actors, so that national institutions were aware of their responsibilities. The review had enabled her Government to test its information-sharing arrangements and reporting lines and prepare a draft document that set out its international non-proliferation obligations, the related implementing arrangements and the procedure for preventing the suspicious transportation of weapons of mass destruction. The document would help strengthen institutional memory in the area.

64. At the regional level, the Polish and Croatian Governments had held a peer review in 2013 to compare their experiences of, and practices in, implementing the resolution. The review had allowed direct discussion and technical exchange between practitioners, enabled both sides to make better use of their expertise and improved bilateral cooperation in the area. Best practices relating to national strategies, inter-agency cooperation and information sharing, legal frameworks and cooperation with industry and academia had been exchanged. The Governments had shared their experience of the review in international forums and encouraged other States to hold similar events.

65. At the international level, her Government had strengthened non-proliferation efforts within the Global Partnership against the Spread of Weapons and Materials of Mass Destruction. In its capacity as Co-chair of the Chemical Security Sub-working Group of the Partnership from 2012 to 2015, it had improved cooperation in chemical security and safety among the partners. As a result, the Organization for Security and Cooperation in Europe (OSCE) had launched a programme for integrated chemical security and safety

in Ukraine in 2014. Her Government would help the current Co-chairs of the Sub-working Group to strengthen the enforcement of chemical non-proliferation instruments. In implementing the resolution, it sought to build synergies among such bodies as the Committee, the Global Partnership, the European Union Centres of Excellence Initiative on chemical, biological, radiological and nuclear risk mitigation, OSCE and the Proliferation Security Initiative.

66. **Ms. Bird** (Observer for Australia) said that the complexity of international trade, technology and finance had opened new avenues of proliferation by non-State actors. The length of the mandate established under resolution [1540 \(2004\)](#) should be extended, because international non-proliferation efforts must be underpinned by a strong legislative and institutional foundation. Since resources were scarce, the best use must be made of links with other United Nations instruments and multilateral non-proliferation and export control regimes, including the Australia Group, the Nuclear Suppliers Group, the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies and the Missile Technology Control Regime. In its capacity as Chair of the Australia Group, her Government would invite a representative of the Committee as a guest speaker at the next meeting of the Group, which was not an assistance provider but whose members were willing to provide bilateral assistance in the enforcement of export controls related to dual-use chemical and biological agents. With regard to the United States non-paper, the international community should improve the provision of assistance and adapt it to national needs. The implementation of the resolution should be coordinated with the fulfilment of other Security Council obligations. The Council should provide better guidance to small island developing States so that their legislation and law enforcement satisfied its requirements.

The meeting rose at 1.05 p.m.