

Lawrence Livermore National Laboratory

Integration of Nuclear Infrastructure Development with UNSCR 1540 Implementation - Context and Challenges -



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United Nations Security Council Resolutions



- **On 28 April 2004, the UN Security Council adopted Resolution 1540 (2004), obliging States, *inter alia*, to refrain from supporting by any means non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their delivery systems.**
 - **It imposes binding obligations on all States to establish domestic controls to prevent the proliferation of nuclear, chemical and biological weapons, and their means of delivery, including by establishing appropriate controls over related materials.**
- **This mandate was extended an additional two years with the adoption of Resolution 1673 (2006) and an additional three years with the adoption of Resolution 1810 (2008).**



A dramatic opportunity

- **“Resolution 1540 establishes several far-reaching generic legislative and technical obligations... Although similar nonproliferation resolutions have established binding obligations.... Resolution 1540 is the first one to determine generic nonproliferation obligations.”** Monika Heupel Carnegie Papers Number 87, June 2007
- **“UNSCR 1540: a dramatic opportunity ... A key new nonproliferation tool - but so far not used to its full potential.”** Mathew Bunn, INMM Annual Meeting, 19 July 2008
- **“The obligatory nature of the resolution raises the question of implementation. This is, for many states, a daunting task.** Lawrence Scheinman and Johan Bergenäs, http://www.cns.miis.edu/stories/080909_1540.htm, 9 September 2008



Stimson Center's "Next 100 Project"



Study focused on sustainable implementation of UNSCR 1540

- **Four key lessons :**
 - **The cooperative nonproliferation programs of the G8 Global Partnership and U.S. government are under-utilized in implementing 1540**
 - **Less than uniform perception of the risks make sustainability of programs an issue**
 - **Sustainability of nonproliferation assistance requires integration with long-term institution and capacity-building**
 - **The multifaceted 1540 issues require a basis of good governance and domestic “interagency” coordination**



Questions

In order to have good safeguards infrastructure, a state needs good overall nuclear infrastructure

- **Given the magnitude of improving or establishing effective nuclear infrastructure on a globally integrated way, how can we accomplish this task and accomplish it as efficiently as possible?**
- **Who is the best host for information sharing and coordination efforts?**
- **Can there be commonly accepted standards to strive toward?**



Steps toward development of needed infrastructure



- **Evaluation of nuclear infrastructure needs in a particular country or region - taking into account the 3 Ss (nonproliferation/safeguards, safety, security)**
- **Identification of gaps (if some infrastructure does exist)**
- **Mechanisms for assistance or support that will create a sustainable infrastructure**
- **Internal domestic coordination where appropriate**
- **Broader cooperation between donors/assisting countries to eliminate overlap and fill gaps**
- **Define measures of success; Verification of effective 1540 implementation**



Elements needed for 1540 implementation with respect to nuclear WMD

- Nuclear and radiological material control & accounting (domestic and international requirements)
- Physical protection (could apply across CBW)
- Export controls (could be leveraged across CBW)
- Border security (could be leveraged across CBW)

Many programs already exist

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1540 COMMITTEE

Security Council Committee established pursuant to resolution 1540 (2004)

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United Nations Security Council Resolution 1540 (2004)

On 28 April 2004, the United Nations Security Council unanimously adopted [Resolution 1540 \(2004\)](#) under Chapter VII of the United Nations Charter, obliging States, inter alia, to refrain from supporting by any means non-State actors from developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their delivery systems.

[Resolution 1540 \(2004\)](#) imposes binding obligations on all States to establish domestic controls to prevent the proliferation of nuclear, chemical and biological weapons, and their means of delivery, including by establishing appropriate controls over related materials. It also encourages enhanced international cooperation on such efforts, in accord with and promoting universal adherence to existing international non proliferation treaties. The 1540 Committee released its report to the United Nations Security Council on implementation of the Resolution in April 2006.

1540 Committee has made progress over the past years and has collected a lot of information.

Does it provide the information needed to those interested in providing assistance?



1540 Committee

- At best, the committee can facilitate coordination.
- Do they have the right expertise?
- Do all members have similar priorities?
- Could this be overcome with added power and resources? Would this be the best choice?
- Would improved institutionalization of experience sharing and information exchange be useful?

1540 COMMITTEE
Security Council Committee established pursuant to resolution 1540 (2004)

Relevant Assistance provided by international organizations and other arrangements*

Organization	Unit	Assistance for Legislative and Enforcement Measures	Technical Assistance
United Nations	United Nations Institute for Disarmament Research		✓ more information
	United Nations Office of Drugs and Crime	✓ more information	
International Atomic Energy Agency (IAEA)	Department of Nuclear Safety & Security		✓ more information
	Department of Technical Cooperation	✓ more information	✓ more information

- Would it be better to identify another organization to act as a unbiased coordinator?



Other examples of organizations involved

IGOs and venues

- IAEA
- WINS
- ASEAN
- OSCE
- G8 Global Partnership

- Some organizations have more substantial programs than others
- No organization has a clear mandate to coordinate
- Regional groups have more “local perspective”

NGOs

- Monterey Institute of International Studies
- Univ. of Georgia’s Center for International Trade & Security
- VERTIC
- CSCAP
- Many others





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IAEA already has fundamental role

- State System of Accounting (SSAC) Evaluation and Training (ISSAS)
- Technical Cooperation
- Milestones guidance for nuclear energy infrastructure
- Nuclear Security Evaluation and support (IPPAS)
- Safety assistance
- Accustomed to responding to State's needs

- **Would this dilute the IAEA's key mission? Would significant new resources be needed?**
- **Would the IAEA be perceived as an unbiased clearinghouse?**
- **How could we ensure leverage to CBW infrastructure developments?**



Report on the G8 Global Partnership

Paragraph 31. Based on the agreement that the Global Partnership will address such risks [*spread of WMD and materials*] worldwide, the partners will work together constructively and practically to identify specific focuses of the expanded GP.... The effective implementation of the IAEA safeguard agreement and the AP, UNSCR 1540 and the Global Initiative to Combat Nuclear Terrorism are areas where partners may seek to engage through the GP.

We can use the G8 Global Partnership as an example of effective coordination and sharing of information and/or explore having this group transition its focus to 1540 implementation.

What are the pros and cons?



Conclusion

- **UNSCR 1540 is a key nonproliferation and counterterrorism tool that needs to be implemented well**
- **Its obligations are a core part of nuclear infrastructure development**
- **The presentation intended to raise a lot of questions**
- **Let's consider how to best encourage and support fast, effective and integrated 1540 implementation**

