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**STATEMENT  
BY**

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PERMANENT REPRESENTATIVE  
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**AT THE MEETING ON  
“NON-PROLIFERATION OF WEAPONS OF MASS  
DESTRUCTION: IMPLEMENTATION OF RESOLUTIONS  
1540 (2004) AND 1673 (2006)”**

**UNITED NATIONS SECURITY COUNCIL  
NEW YORK  
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**Check against delivery**

Mr. President,

South Africa welcomes the opportunity to discuss with other Member States issues related to resolution 1540 (2004).

Mr. President,

It is South Africa's firm conviction that weapons of mass destruction do not guarantee security, but rather distract from it. As long as these weapons exist, the world will always exist under a threat of a nuclear catastrophe.

Today, we are discussing the fear we all share that such weapons could fall in the wrong hands. However, since weapons of mass destruction are illegitimate and their destructive impact is indiscriminate, South Africa fails to find assurances in a status quo that seems to hold that these weapons are safe in some hands while not in others.

South Africa continues to believe that the objectives of disarmament and non-proliferation are mutually reinforcing processes that require continuous and irreversible progress on both fronts. We remain convinced that the only real guarantee against the use, or threat of use of these weapons, is their complete elimination and the assurance that they will never be produced again.

The overwhelming majority of States are as concerned about the vertical proliferation of weapons of mass destruction as they are about horizontal proliferation. With regard to horizontal proliferation, we note with grave concern a lack of even-handedness that further undermines efforts to deal effectively and credibly with proliferation issues. As it is, the existing arsenals of weapons of mass destruction are not only retained, but expanded and refined to make them more deployable in a conflict situation with even increased destructive powers.

Mr. President,

When resolution 1540 (2004) was introduced, it was described by its co-sponsors as an emergency and temporary 'stop gap' measure designed to close a missing link in the relevant international regimes addressing disarmament and non-proliferation. In other words, the fear was that non-State actors could potentially obtain weapons of mass destruction and their delivery systems.

Since the adoption of 1540, there have been no credible efforts made to close the gap in the international regimes. Instead, the Security Council adopted resolution 1673 (2006), extending the Committee's mandate until 27 April 2008.

South Africa is of the view that challenges facing the international community in the area of weapons of mass destruction and their delivery systems can only be addressed in a balanced and comprehensive manner in the context of the existing multilateral instruments. It is only through inclusive multilateralism and the reinvigoration of the relevant multilateral instruments and organisations that we can effectively deal with both old and new challenges in the area of disarmament and non-proliferation, including those covered by resolution 1540 (2004).

These international regimes provide a clear recognition of the inextricable link between disarmament and non-proliferation and set out the obligations of nuclear weapons States, while upholding the right of all States to peaceful uses of relevant technologies.

Mr. President,

My delegation wishes to highlight the importance of technical assistance and co-operation between Member States and international, regional and sub-regional organisations. This assistance should be provided, upon request of a State, in a way that respects the sovereignty and national priorities of the State making the request.

We should not lose sight of the fact that the objective of such co-operation would be to assist States in meeting their obligations under the relevant resolutions. Ensuring compliance with Security Council resolutions remains a national responsibility that cannot be transferred to international, regional or sub-regional organisations. International organisations and regimes are also not responsible for the drawing up of action plans and roadmaps for the implementation of Security Council resolutions by Member States.

Mr. President,

South Africa reiterates its conviction that in the implementation of resolution 1540 (2004) structures, such as the International Atomic Energy Agency (IAEA) and the Organisation for the Prohibition of Chemical Weapons (OPCW), which have already been established in accordance with international disarmament, non-proliferation and arms control agreements, should be utilised as the primary institutions in the international community's endeavours to combat the proliferation of weapons of mass destruction, including to non-State actors.

South Africa would also be concerned if the Security Council were to assume legislative and treaty-making powers that are not envisaged by the Charter of the United Nations. South Africa will not accept externally imposed norms or standards, whatever their source, on matters within the jurisdiction of the South African Parliament, including national legislation, regulations or arrangements, which are not consistent with South Africa's constitutional provisions and procedures, or are contrary to South Africa's national interests or infringe on its sovereignty.

Mr. President,

Regarding compliance with 1540, the list of non-reporting and late reporting States consists primarily of developing nations. The Committee's experts report that in addition to the lack of capacity and reporting fatigue, one of the reasons offered by States finding themselves on the late or non-reporting list is the fact that they do not have any proliferation sensitive nuclear, biological or chemical capabilities and that reporting is therefore not considered a priority for them.

Rather than assign international organisations the task of policing the implementation of the Security Council's resolutions or taking over the reporting obligations of Member States, we should acknowledge that the 1540 reporting requirements themselves are overly complicated and are not suitable for many developing States. The reporting obligations ought to be differentiated according to the capabilities of the State in question.

Instead of chastising these States for their late or non-reporting status, it is important to acknowledge that none of these States are possessors of weapons of mass destruction.

The 2005 World Summit called on the Security Council to consolidate its anti-terrorism activities and reporting requirements. The overlap between the functions and reporting regimes of the Counter-Terrorism Committee, Al-Qaeda and Taliban Sanctions Committee and the 1540 Committee needs to be addressed. To avoid duplication, the outreach activities and programmes of these Committees, including their expert support structures, should result in joint visits to Member States that could benefit their work.

Bearing this in mind, we welcome the objective of today's discussion to consider ways to harness the synergies that may exist between the work of the 1540 Committee and that of relevant international organisations. We believe this could assist non-reporting States in a manner that respects their sovereignty, as well as the mandates of the relevant international organisations.

Mr. President,

In conclusion, the vast majority of States still lend their primary support to cooperative approaches based on treaty-making combined with practical action within relevant international organisations. They see themselves as stakeholders in jointly managed systems of treaties and organisations for disarmament, arms control, verification and the building of security. Their principled renunciation of weapons of mass destruction should be reciprocated by an equal commitment to the disarmament of these weapons. Without honouring this most fundamental "bargain" that underpins all of our efforts, significant progress with respect to both disarmament and non-proliferation will continue to elude us.

I thank you, Mr. President.