



# Center for International Trade and Security

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## Challenges of UNSCR 1540: Questions about International Export Controls

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### Introduction

In April 2004, the United Nations Security Council (UNSC) passed Resolution 1540 (see appendix), initiating a new era in the history of nonproliferation. For the first time, member states of the United Nations were required by international law<sup>1</sup> to have laws and enforcement capacity for nonproliferation export controls (Operative Paragraph [hereafter OP] 2 and OP 3c and 3d) and the protection and control of sensitive materials (OP 3a and 3b).

As such, and despite the considerable controversy surrounding its passage, most observers seem to view UNSCR 1540 as an opportunity to promote the internationalization of norms and procedures concerning control over the trade in weapons of mass destruction and delivery system technologies.<sup>2</sup> Among the potential benefits of UNSCR 1540: (a) The resulting implementation and reporting process may serve to accentuate weapons of mass destruction proliferation as an international security issue, and thereby to rally greater support for nonproliferation; (b) the reporting process pursuant to OP 4 may result in much greater transparency

concerning materials and export controls around the world; (c) the resolution offers free “advertisement” of the export control aid programs already established by several UN member states and intergovernmental and nongovernmental organizations; and finally, (d) it should promote a strengthening of the nonproliferation regime via the creation of new systems of export and materials controls in countries that previously had none.

Unfortunately, many issues remain unresolved concerning the implementation of UNSCR 1540, and the risks of complacency loom large. If UNSCR 1540 is not implemented, and/or if states do not adhere to OP 4 and other portions of the resolution that potentially enhance the importance of export controls and make such systems more transparent, then the result may well be a fatal weakening of the nonproliferation regime. Because of the importance of these issues, this brief seeks to propel three questions to the forefront of the debate on 1540, and to prompt a larger discussion about what might be done to complement the efforts of the so-called 1540 Committee, which was set up to monitor the implementation of UNSCR 1540, in its future work.

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<sup>1</sup> Using Chapter VII of the United Nations Charter, which addresses “threats to the peace, breaches of the peace, and acts of aggression,” as the basis of UNSCR 1540 indicates that the Security Council clearly sees proliferation as a threat to the peace and security of the international system. As such, failure to adhere to the provisions contained in OPs 1, 2, and 3 of UNSCR 1540 could result in UNSC sanctions, or even the use of force, against a non-compliant member state. See Charter of the United Nations, Chapter VII, especially Article 39, which gives the Security Council the authority to determine when a threat to international peace and security exists and to decide what remedial measures shall be taken; Article 41, relating to the use of sanctions; and Article 42, relating to the use of force. Of particular note, Article 25 of the Charter, found in Chapter V, makes Security Council decisions binding on all UN member states.

<sup>2</sup> For a synopsis of the controversy, see Gabriel Oostuizen and Elizabeth Wilmshurst, “Terrorism and Weapons of Mass Destruction: United Nations Security Council Resolution 1540,” Chatham House Briefing Paper 04/01, September 2004.

**Question 1: Will Countries Report?**

Operative Paragraph 4 of UNSCR 1540 initiates two related processes. It first mandates the creation of a committee to oversee the implementation of the resolution. The 1540 Committee will meet for a period of two years, reporting to the UNSC on member states' progress toward enacting the required export control laws and procedures to enforce them. The 1540 Committee consists of representatives from each member of the Security Council, along with any outside experts hired by the United Nations to help the Committee with its work.

Second, and more open to interpretation, is that Operative Paragraph 4 "calls upon States to present a first report no later than six months from the adoption of this resolution," describing their efforts to comply with UNSCR 1540's first three operative paragraphs. The wording of this statement leaves two issues open to state interpretation: (a) whether the member states are required to report, and, if so, (b) whether they must report within six months of April 28, 2004, the date UNSCR 1540 was approved.

It is easy to see the twin problems that the ambiguity in OP 4 creates for the 1540 Committee. First, in order to successfully complete the task delegated to it by the UNSC, the Committee must report back to the Council within two years after the resolution was passed. If member states were required to submit reports on the implementation of the establishment and enforcement of export controls and materials protection and storage exactly six months after the adoption of UNSCR 1540, or on October 28, 2004, then the 1540 Committee would have 18 months to analyze the member states' reports and draft a its own report to the Security Council by April 28, 2006.

If this process plays out successfully, the UNSC will have established a procedure for assessing global efforts against the proliferation of weapons of mass destruction and related delivery systems. If, however, some member states choose to interpret OP 4 to mean that

they are not obligated to report to the 1540 Committee at all, then any final report of the committee will be incomplete, and therefore not represent the intended "state of global efforts."

Second, if some member states interpret the statement in OP 4 to mean that the October 28, 2004 date is flexible, then the 1540 Committee will face the immediate challenge of losing time while waiting to receive the data needed to perform the analysis necessary to fulfill its mandate. Obviously, there is a direct and significant relationship between the length of the delay and the impact this has on the 1540 Committee's work: The Committee could probably work around a delay of a month or two by a few countries, but a year's delay, especially by key players, would leave the Committee with an unpalatable choice. It could either undertake a partial analysis of the data in hopes that the late submitters would not affect the analysis, or it could delay its analytic efforts until all of the data were in hand and risk running out of time. In either case, the quality of the analysis would suffer.

**Question 2: What Information Will Member States Report?**

To date, the reporting guidelines of the 1540 Committee are not publicly available, and interviews with representatives of the Committee reveal some uncertainty over what types of information will be reported by member states.<sup>3</sup> There are several options that could and perhaps have been spelled out already, or could be suggested even now, by the 1540 Committee.

First, member states may submit a report that lists the full scope and content of their efforts to comply with the first three operative paragraphs of UNSCR 1540. If they opt to go this route, governments will provide a thorough, detailed description of their entire export control process, tremendously enhancing the transparency norm of the nonproliferation regime.<sup>4</sup> A member state that opted for full disclosure would likely make a strong assertion, under OP 1, that it does not support non-state actors that may seek to acquire weapons of mass destruction

**3** It is rumored that one state, Malta, had submitted its report even before the 1540 Committee established the reporting guidelines, while another, the United Kingdom, had submitted a draft report designed as a template or guide for others to emulate. Turkmenistan was the first state to officially respond with a submission to the 1540 Committee in accordance with the guidelines.

**4** Transparency is important in nonproliferation because efforts to control the spread of weapons of mass destruction, delivery systems, and related technologies require coordination between national governments in order to be effective. The reason for this is twofold: first, because states implement export and materials controls based upon "national discretion," a norm that is enhanced by UNSCR 1540's requirement that states establish and maintain such controls; and second, because it is likely that actors seeking to acquire weapons technologies will devote the most effort to exploiting unknown, rather than exposed, loopholes in the broader regime.

technologies or delivery systems. Further, to report comprehensively under OP 2, it would provide details about its materials protection and export control laws and regulations. Finally, OP 3 requires member states to enact a full set of controls to account for (OP 3a) and protect (OP 3a and 3b) weapons of mass destruction-related technologies, along with relevant delivery systems. OP 3 also requires member states to establish a full set of institutions, procedures, personnel, and equipment to control border and port facilities (OP 3c), monitor brokering activities (including financing—OP 3c), conduct intelligence checks on end users<sup>5</sup> (OP 3d), scrutinize transits/transshipments (OP 3d), and, finally, levy criminal or<sup>6</sup> civil penalties for violations (OP 3d).

On the other hand, a member state may comply with UNSCR 1540 by merely listing the appropriate laws that are already on the books that it deems applicable to export controls and materials safeguards. Such a listing is fairly predictable: since most member states of the United Nations are also members of the Nuclear Non-Proliferation Treaty (NPT), they would list the laws passed upon accession to the NPT. Most states are also party to the Chemical Weapons Convention and the Biological Weapons Convention. These countries could list the laws enacted upon accession to the two treaties. If they have adopted the relevant Chemical Weapons Convention control list, they could cite the control list to assert compliance with OP 6 of UNSCR 1540. However, it is obviously the case that, while this information may provide useful indications of a state's adherence to UNSCR 1540, it provides little useful information about the efficacy of its export and materials controls. The name of a law reveals little about the quality of a law or its comprehensiveness. If the 1540 Committee gets information of this sort, it will be required to do considerable research in order to analyze whether member states have indeed complied with Resolution 1540.

However, even if a state provided only minimal information, such information could nonetheless be useful to the 1540 Committee and the UNSC by identifying member states that can, by virtue of their experience in the area of export controls

and materials accounting and protection, provide resources and recommendations to those that are relatively new to the field (see OP 7). Thus, countries that have not yet acted on their commitments to the abovementioned treaties from a legislative standpoint may be encouraged to (a) enact the necessary legislation, and (b) to do so after consulting with governments and nongovernmental entities that have amassed experience in these areas. A country with minimal export control legislation, for example, could use its report on UNSCR 1540 to signal to the United States that it would like to take part in the U.S. State Department-managed Export Control and Related Border Security Assistance (EXBS) program. Beneficiaries of EXBS enjoy access to the knowledge and expertise of the U.S. government on export controls and can even receive, free of charge, equipment they need to improve their export controls.

### Question 3: Are Safeguards, Laws, and Border Controls Enough?

Export controls and materials safeguards are best conceptualized and built as a system, as opposed to individual components that work in isolation from one other. Neither can one consider the establishment of a viable legal basis for export controls or materials safeguards in isolation from the institutions to staff, manage, and implement the laws. Likewise, highly task-specific equipment is needed in many areas of nuclear, chemical, and biological control, not to mention extensive operational training so that officials are not exposed to life-threatening substances while performing their duties. Developing such a system requires resources in addition to time and expertise. Although UNSCR 1540 directs UN member states to develop such systems, it does not provide the requisite resources.

In a well-developed export and materials control system, the government expends significant resources to inform and educate private sector actors (industry, shipping companies, lawyers, etc.) about their responsibilities under the law and their role in nonproliferation. Moreover, UNSCR 1540 recognizes the value (in OP

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<sup>5</sup> An end user is the entity that actually uses the item being exported. The end use is the actual purpose for which the exported commodity is to be used. End-use and end-user checks are particularly important because they imply that any technology useful to an illicit weapons of mass destruction program is subject to export controls. Without these considerations, countries would be justified in selling to an entity actively seeking to acquire weapons of mass destruction the "buttons that hold up the trousers of the workers who are building the missiles that are armed with the nuclear weapons that the political leaders are going to use to attack their enemies."

<sup>6</sup> The "or" in OP 3d, which discusses criminal "or" civil penalties, is problematic. One would hope that the proliferation of weapons of mass destruction technology would warrant both criminal "and" civil penalties, given the potential destructive power of some nuclear, chemical, and biological weapons.

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6) of national control lists of weapons of mass destruction and delivery systems-related technologies, while providing little guidance to member states on how to formulate lists of controlled commodities. Even if the lists are created and adopted, enforcement of export controls remains a difficult process. Experience shows that law enforcement is a targeting problem: an agency must somehow minimize the resources it expends on inadvertent violations and target its usually too-scarce resources on actual offenders. The surest way to do this is for the agencies that create the control lists to work with both the enforcement officials and with potential violators of the law via “industry outreach” and training programs. Such programs likewise require policy decisions, budgetary authority, well-designed programs with trained and knowledgeable staffs, and a means of delivery so that the correct information is provided to industry, allowing firms to steer clear of inadvertent violations.

**7** And also through the resources connected to various other entities of the formal and informal nonproliferation regime: the International Atomic Energy Agency, United Nations Monitoring and Verification Committee, Organization for the Prohibition of Chemical Weapons, Australia Group, Missile Technology Control Regime, Wassenaar Arrangement, Nuclear Suppliers Group, Zangger Committee, Hague Code of Conduct (on ballistic missiles), Group of Eight, Organization for Security and Cooperation in Europe, and NATO.

**8** A useful comparison may be made to other member states’ reports to comply with UNSC resolutions in international security areas deemed similar in priority to proliferation. Three related committees, all from the UNSC effort to combat international terrorism, tell similar stories in this regard. The first, the 1390 Committee initially received 43 reports from member states, with an additional 34 arriving in the six months after the initial deadline set by Resolution 1390. The committee established to monitor UNSCR 1455 initially analyzed 51 member states’ reports and ultimately received 83 total after six months. Finally, the third such committee to monitor reporting on sanctions activities against the Taliban and al-Qaeda, established by UNSCR 1526, received 43 additional reports by its initial deadline on March 31, 2004, bringing the total number of reporting states in the entire process to 126, almost exactly 2/3 of the UN member states.

UNSCR 1540 acknowledges that some states may need help with establishing these systems, and it invites more experienced states to provide their own national resources to helping redress shortcomings. But it neither provides an actual mechanism for doing so nor establishes a reporting mechanism on such efforts.

### Recommendations for the 1540 Committee

The above analysis points to three pertinent questions regarding UNSCR 1540. The analysis also indicates that energetic diplomacy by the Security Council may be in order if the resolution is to achieve one of its foremost purposes: raising awareness that nonproliferation is an important element of international security.

The resolution will not implement itself. UNSC members will have to work assiduously to persuade member states to embrace its letter and spirit. They should immediately dedicate diplomatic and outreach resources, through their UN missions and diplomatic posts around the globe,<sup>7</sup> to encouraging member states to submit reports to the 1540 Committee

by the October 28, 2004 deadline. The 1540 Committee itself can play two important roles in this regard: (a) making public appearances that advertise the purposes of UNSCR 1540 and energize member governments to meet their obligations, and (b) setting a goal, in terms of number of reports received by the 1540 Committee, as a metric of success. For the former, the Committee should enlist the network of transnational nongovernmental organizations, which is an integral part of the nonproliferation community and boasts the commitment, expertise, and resources to make a vital contribution.

### *For gauging success, a suggested metric<sup>8</sup> might be:*

**Minimal success:** All told, there are about 40 members of the informal nonproliferation regimes. At a minimum, all of these core states should submit their reports on time. Failure to do so by October 28 would represent a difficult situation not only for the 1540 Committee, but for the wider international nonproliferation community.

**Expected success:** Informal discussions with officials from several current Security Council governments suggest that about 60 countries will submit their reports by the deadline, and that as many as 20 more may do so by the end of 2004.

**Exceptional success:** The 1540 Committee should set ambitious goals. If the Committee seems content with minimal compliance, UNSC members will be less likely to exert themselves diplomatically to convince UN members to fulfill their obligations. Exceptional success might be defined as 100 countries reporting by the deadline. But such a figure is just a few percentage points more than half of the membership of the United Nations. The bar thus might be set even higher, at 150 or more. This would be a truly heartening show of support for the nonproliferation regime.

All of the above notwithstanding, the UNSC and the 1540 Committee cannot judge their efforts purely by the number of countries that submit

reports. Obviously, the reports themselves are not necessarily a valuable achievement. It is actually realizing the goals of UNSCR 1540—to build and implement export controls and materials protection, accounting, and safeguards—that is the real benchmark of success. As discussed previously, the paperwork turned in by UN members may vary widely in quality. Yet the substance of the reports is one of the primary tools for the 1540 Committee as it evaluates the efficacy of global nonproliferation efforts for its April 2006 report. To get as accurate a picture of these efforts as possible, the UNSC should not only encourage universal compliance with the resolution's mandate to implement export controls and materials safeguards, but also make a "model 1540 report" available to all member states. Such a model report would include:

1. Reporting templates for countries that are primarily producers of controlled weapons of mass destruction and delivery system technologies, and for those that are transit, transshipment, or destination countries. The nonproliferation requirements are different for producers and transit countries, and so should be the information contained in the reports to the 1540 Committee.
2. Detailed descriptions of export control institutions and processes. This would encourage member states to provide the best and most comprehensive information possible, easing the analytical tasks of the 1540 Committee.
3. A statement whether the government is willing to participate in either UN or nationally provided training and operational exercises. Such training would acquaint countries with immature export controls with the substance of UNSCR 1540 and help them bring their export controls and materials controls and accounting systems up to par.

The last point warrants additional discussion. The 1540 Committee is ideally positioned to link up member states that have amassed considerable export control expertise with member states in need of help as they develop their export control and materials safeguards programs.

The Committee could render invaluable assistance, by establishing a central database of national-level assistance programs. Several member states, as well as several international and nongovernmental organizations, have instituted outreach programs in this area, but these programs vary from country to country. At present no centralized resource describes these programs. Absent such a centralized repository, member states with needs may not know where to seek the resources to meet those needs, while members that have resources may not be allocating their resources where they can be of greatest help.

Finally, the 1540 regime will undergo a period of opportunity and risk when the temporary membership of the Security Council rotates at the end of 2004. The opportunity arises from the fact that at least one current member of the Council has proved to be obstructionist. With fresh members, the UNSC stands a better chance of forging a more cohesive framework for implementing UNSCR 1540.<sup>9</sup> The risk arises from the possibility of inexperience and confusion among the new members. The beneficial effects of the membership turnover will only be realized if the current members of the Security Council—especially the Permanent Five—undertake immediate and proactive efforts to educate incoming Security Council and 1540 Committee members beforehand. That way, the new members can hit the ground running, and the Committee can push ahead with its procedural and analytical work without undue delay.

### Conclusion

Perhaps the last point sums up the entirety of the Security Council Resolution 1540 and the resultant process of the workings and challenges of the 1540 Committee: opportunity and risk, two sides of the same coin. For the Security Council, the great opportunity represented by UNSCR 1540 and the 1540 Committee is that member states will at last come to recognize the ubiquity of the threat posed to the international system by the proliferation of weapons of mass destruction and related delivery systems.

<sup>9</sup> It is, perhaps, the worst-kept "secret" in the nonproliferation community that Pakistan, a country that has a recurrent and active reputation as a recipient of proliferation of weapons of mass destruction and delivery-system technology, was instrumental in delaying the passage of UNSCR 1540 in the first place. Islamabad also obstructed the creation of operating rules and procedures for the 1540 Committee, and sought to hinder the 1540 Committee's effort to craft reporting guidelines for member states. For recent press reports on the position of Pakistan, see "Pakistan Opposes Disarmament, Non-proliferation through UNSC," Daily Times (Pakistan), August 21, 2004.

Having grasped the seriousness of the threat, they will act more vigorously to bolster their materials and export controls, and to report to the United Nations about their efforts. Greater security will accrue to all UN member states. Such a recognition and reaction, though, likely will not come unaided, and indeed the issue area of proliferation is too important to be left to a chance, positive reading of UNSCR 1540. The members of the Security Council can and should expend considerable resources, individually and as a group, to ensure that the emphasis and expectations of the 1540 process—both the resolution itself and any reporting goals that the 1540 Committee may set—are clear.

The emphasis and expectations in this process should be clear because the risks of failure are clear: if the UNSCR 1540 process is deemed failure, the effort that has gone into nonproliferation mechanisms over the past 50 years will have been for naught. It matters little whether that failure stems from institutional weaknesses, a lack of resources, or an absence of leadership. The nonproliferation regime finds itself in a precarious spot, largely due to the many challenges that it has faced over the last 15 years.<sup>10</sup> A high-level, well-publicized failure could force the international community to start anew in its search for a grand bargain on nonproliferation.

### Appendix: United Nations Security Council Resolution 1540

#### Resolution 1540 (2004)

Adopted by the Security Council at its 4956th meeting, on 28 April 2004

#### The Security Council,

*Affirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery,<sup>11</sup> constitutes a threat to international peace and security,

*Reaffirming*, in this context, the Statement of its President adopted at the Council's meeting at

the level of Heads of State and Government on 31 January 1992 (S/23500), including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction,

*Recalling also* that the Statement underlined the need for all Member States to resolve peacefully in accordance with the Charter any problems in that context threatening or disrupting the maintenance of regional and global stability,

*Affirming* its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the United Nations Charter,

*Affirming* its support for the multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons and the importance for all States parties to these treaties to implement them fully in order to promote international stability,

*Welcoming* efforts in this context by multilateral arrangements which contribute to non-proliferation,

*Affirming* that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes while goals of peaceful utilization should not be used as a cover for proliferation,

*Gravely concerned* by the threat of terrorism and the risk that non-State actors such as those identified in the United Nations list established and maintained by the Committee established under Security Council resolution 1267 and those to whom resolution 1373 applies, may acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery,

*Gravely concerned* by the threat of illicit trafficking in nuclear, chemical, or biological weapons and their means of delivery, and

<sup>10</sup> For an interesting treatment of this issue, see "Weapons of Mass Destruction and the United Nations: Diverse Threats and Collective Responses," International Peace Academy, June 2004.

<sup>11</sup> Definitions for the purpose of this resolution only:

Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

Non-State actor: individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of this resolution.

Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

related materials, which adds a new dimension to the issue of proliferation of such weapons and also poses a threat to international peace and security,

*Recognizing* the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security,

*Recognizing* that most States have undertaken binding legal obligations under treaties to which they are parties, or have made other commitments aimed at preventing the proliferation of nuclear, chemical or biological weapons, and have taken effective measures to account for, secure and physically protect sensitive materials, such as those required by the Convention on the Physical Protection of Nuclear Materials and those recommended by the IAEA Code of Conduct on the Safety and Security of Radioactive Sources,

*Recognizing further* the urgent need for all States to take additional effective measures to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery,

*Encouraging* all Member States to implement fully the disarmament treaties and agreements to which they are party,

*Reaffirming* the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

*Determined* to facilitate henceforth an effective response to global threats in the area of non-proliferation,

*Acting* under Chapter VII of the Charter of the United Nations,

1. Decides that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;
2. Decides also that all States, in accordance with their national procedures, shall adopt

and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

3. Decides also that all 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 and to this end shall:
  - (a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;
  - (b) Develop and maintain appropriate effective physical protection measures;
  - (c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;
  - (d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing, and transporting that would contribute to proliferation, as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations;

4. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, for a period of no longer than two years, a Committee of the Security Council, consisting of all members of the Council, which will, calling as appropriate on other expertise, report to the Security Council for its examination, on the implementation of this resolution, and to this end calls upon States to present a first report no later than six months from the adoption of this resolution to the Committee on steps they have taken or intend to take to implement this resolution;
5. Decides that none of the obligations set forth in this resolution shall be interpreted so as to conflict with or alter the rights and obligations of State Parties to the Nuclear Non-Proliferation Treaty, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;
6. Recognizes the utility in implementing this resolution of effective national control lists and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;
7. Recognizes that some States may require assistance in implementing the provisions of this resolution within their territories and invites States in a position to do so to offer assistance as appropriate in response to specific requests to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;
8. Calls upon all States:
  - (a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;
  - (b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral nonproliferation treaties;
  - (c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;
  - (d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;
9. Calls upon all States to promote dialogue and cooperation on nonproliferation so as to address the threat posed by proliferation of nuclear, chemical, or biological weapons, and their means of delivery;
10. Further to counter that threat, calls upon all States, in accordance with their national legal authorities and legislation and consistent with international law, to take cooperative action to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;
11. Expresses its intention to monitor closely the implementation of this resolution and, at the appropriate level, to take further decisions which may be required to this end;
12. Decides to remain seized of the matter.