

AG/RES. 2358 (XXXVIII-O/08)

SUPPORT FOR IMPLEMENTATION AT THE HEMISPHERIC LEVEL OF  
UNITED NATIONS SECURITY COUNCIL RESOLUTION 1540 (2004)

(Adopted at the fourth plenary session, held on June 3, 2008)

THE GENERAL ASSEMBLY,

RECALLING the commitments set forth in resolutions AG/RES. 2333 (XXXVII-O/07) and AG/RES. 2107 (XXXV-O/05), in which member states were urged to fulfill their obligations under United Nations Security Council resolution 1540 (2004) to take and enforce without delay effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, and in which states in a position to do so were encouraged to offer assistance in response to specific requests;

REAFFIRMING the rules and principles of international law embodied in the Charter of the United Nations and the Charter of the Organization of American States (OAS), among other instruments;

BEARING IN MIND United Nations Security Council resolutions 1673 (2006) and 1810 (2008) and the report of the committee established under Security Council resolution 1540 (2004) (the 1540 Committee), of April 2006, in which, *inter alia*, states were invited to provide information on efforts under way to implement resolution 1540 (2004), including planning for measures still pending, in order to achieve full implementation of that resolution;

RECOGNIZING the exchange of views that took place at the meeting of the Committee on Hemispheric Security (CSH) on support for implementation at the hemispheric level of United Nations Security Council resolution 1540 (2004), held on January 31, 2008, in compliance with a mandate issued in resolution AG/RES. 2333 (XXXVII-O/07);

REAFFIRMING member states' commitment to arms control, disarmament, and the nonproliferation of all weapons of mass destruction, and to the principles and norms of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention), the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention), and the 1925 Geneva Protocol to the 1907 Hague Convention;

RECOGNIZING the importance of calling upon member states to work jointly to achieve nonproliferation and disarmament objectives leading to the elimination of all kinds of weapons of mass destruction, so that they do not fall into the hands of non-state actors, and as a guarantee of stronger international peace and security;

REAFFIRMING the necessity that all member states fulfill their obligations with respect to arms control and disarmament and avoid all forms of proliferation of all weapons of mass destruction;

NOTING that the aforementioned meeting of the CSH once again pointed out the role that regional organizations like the OAS could play in promoting the discussion of experiences,

disseminating best practices, and helping the states to present more and better reports in compliance with resolution 1540 (2004);

RECALLING that the statement by the President of the United Nations Security Council on February 23, 2007, says that Council is mindful of the need to further explore, with international, regional, and subregional organizations, the possibility of sharing experience and lessons learned in the areas covered by resolution 1540 (2004), and the availability of programs to facilitate implementation of that resolution;

STRESSING the usefulness of promoting the implementation of resolution 1540 (2004) by way of national, regional, subregional, and international seminars, such as those held in Guatemala City in July 2005, in Buenos Aires in September 2005, in Lima in November 2006, in Jamaica in July 2007, and in Mexico City in February 2008, as well as the workshop on nonproliferation controls held at United Nations headquarters in New York in March 2007, which was cosponsored by Chile, all of which demonstrate the commitment of the countries of the Hemisphere to monitor and promote full compliance with the mandates contained in the aforementioned United Nations Security Council resolution; and

STRESSING ALSO the OAS workshop on the implementation of United Nations Security Council resolution 1540 (2004), held in Buenos Aires on May 13 and 14, 2008, in compliance with resolution AG/RES. 2333 (XXXVII-O/07),

RESOLVES:

1. To reiterate that, pursuant to resolution 1540 (2004) of the United Nations Security Council, 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; and that none of the obligations set forth in said resolution shall be interpreted so as to conflict with or alter the rights and obligations of states parties to the Nuclear Non-Proliferation Treaty, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (Chemical Weapons Convention), and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention), or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons.

2. To urge member states to provide additional information to the 1540 Committee on efforts under way to implement resolution 1540 (2004), including road maps or action plans, as recommended by the 1540 Committee's report of April 2006.

3. To note with satisfaction the OAS workshop on the implementation of United Nations Security Council resolution 1540 (2004), held in Buenos Aires on May 13 and 14, 2008, in compliance with resolution AG/RES. 2333 (XXXVII-O/07), which constituted a new hemispheric contribution to the implementation of the aforementioned Security Council resolution.

4. To keep this topic on the agenda of the Committee on Hemispheric Security and to foster increased information-sharing, including with other international, regional, and subregional organizations, on the implementation of resolution 1540 (2004), thus contributing to the efforts of the United Nations.

5. To request the Permanent Council, through the Committee on Hemispheric Security to support the member states in their implementation of resolution 1540 (2004) by holding a meeting for, *inter alia*, discussing lessons learned and experience gained, identifying specific areas and projects in which assistance is needed, and setting priorities from a hemispheric perspective, as well as receiving the recommendations and conclusions of the aforementioned OAS workshop..

6. To request the Permanent Council to report to the General Assembly at its thirty-ninth and fortieth regular sessions on the implementation of this resolution, execution of which shall be subject to the availability of financial resources in the program-budget of the Organization and other resources.