

**Security Council**

Distr.: General
1 April 2009

Original: English

Letter dated 27 March 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1540 (2004), and in accordance with paragraph 8 of Security Council resolution 1810 (2008), I submit herewith a report on the consideration by the Committee of a comprehensive review of the status of implementation of resolution 1540 (2004) (see annex).

I would appreciate it if you would bring the present letter and its annex to the attention of the members of the Security Council and have it circulated as a document of the Council.

(Signed) Jorge Urbina
Chairman
Security Council Committee established
pursuant to resolution 1540 (2004)



Annex

Report of the Security Council Committee established pursuant to resolution 1540 (2004) on modalities for considering a comprehensive review in accordance with paragraph 8 of Security Council resolution 1810 (2008)

1. The review should be a process to:
 - (a) Assess the evolution of risks and threats;
 - (b) Address specific critical issues that have not yet been resolved;
 - (c) Identify possible new approaches for the implementation of the resolution.
2. It is recommended that the review be based on an open-ended meeting of the Committee, which would:
 - (a) Be held during the period from October to November;
 - (b) Be held for two to four days;
 - (c) Include the participation, by invitation, of all States members of the United Nations, related intergovernmental organizations and regional organizations.^a
3. The final outcome of the review should not constitute an update of the report of the Committee on compliance, presented in July 2008, but rather be of a complementary nature.
4. The final outcome should:
 - (a) Be prepared on the basis of information and inputs from the wider United Nations membership, related intergovernmental organizations and regional organizations;
 - (b) Have an analytical character;
 - (c) Identify gaps in the implementation of resolution 1540 (2004);
 - (d) Include specific recommendations;
 - (e) Focus on specific elements.
5. Some of the specific elements might include:
 - (a) Assessment of the impact of resolution 1540 (2004), including through measures taken after its adoption;
 - (b) Assessment of whether States have undertaken measures derived from resolution 1540 (2004), including through the establishment and enforcement of appropriate criminal or civil penalties for violations of export control laws and regulations;

^a The Committee will request: the United Nations Secretariat to present a detailed paper on the administrative costs and logistical details; and the experts to present the substantive background papers.

(c) Conduct of regional analyses of implementation, with some examples of national and regional practices and experience sharing;

(d) Generate new tools, such as guidelines on handling assistance requests, and develop practical means to address the most commonly found “gaps” in implementation;

(e) Evaluate, as appropriate, the impact of national implementation measures on individuals and due process standards;

(f) Analyse the work of the Committee and identify possible ways of increasing the effectiveness of its activities;

(g) Assess the existing templates, particularly the matrix of the Committee, in light of the information gathered for the 2006 and 2008 reports;

(h) Develop methodologies to improve the effectiveness of cooperation with individual States, subregional, regional and international organizations, multilateral arrangements dealing with export controls and relevant entities within the United Nations system, and to assess the level of cooperation between the Committees established pursuant to resolutions 1540 (2004), 1267 (1999) and 1373 (2001), assessing, in particular, the level of information sharing and coordination on visits to countries, and make specific recommendations, if appropriate, for enhancing cooperation.

6. A tentative date for the presentation of the final document would be 31 January 2010.

7. The 1540 Committee, with the assistance of its experts, will continue to define further details.
