

Implementing Resolution 1540: Assessing Progress in National Nuclear Controls

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Tracking Progress

- Examines 92 countries that currently have or are seeking nuclear power programs or research reactors
 - NWS
 - NSG members
 - “States of proliferation concern”
 - Developed and developing states
- Relies on the assessments in the 1540 matrices approved by the committee
- Identifies key gaps in implementation
- Compares 2010 progress with 2006 study

1540 Matrices

What the Matrices Tell Us

- An overview of laws and authorities pertaining to WMD proliferation
- Whether those laws and authorities are relevant to specific 1540 provisions
- Lacunae in WMD controls

What the Matrices Do Not Tell Us

- Whether provisions are fully implemented
- The effectiveness of the laws/authorities in place
- When laws/authorities are strengthened
- Compliance

Implementation Quintiles

| | | |
|--|---|--|
| 0-20%: 12 States DPRK, Ecuador, Iran, Kuwait, Libya, Morocco, Nigeria, Saudi Arabia, Senegal, Sudan, Thailand, Yemen | 41-60%: 8 States Azerbaijan, Colombia, Georgia, Jordan, Peru, Serbia, Singapore, Sri Lanka | 81-100%: 28 States Australia, Austria, Belgium, Bulgaria, Denmark, Estonia, Finland, France, Germany, India, Ireland, Italy, Japan, Latvia, Lithuania, Netherlands, New Zealand, Norway, Pakistan, Poland, ROK, Romania, Slovakia, Slovenia, South Africa, Switzerland, UK, US |
| 21-40%: 13 States Algeria, Bangladesh, Chile, Egypt, Ghana, Iraq, Kenya, Mongolia, Myanmar, Namibia, Syria, Tunisia, Uganda | 61-80%: 22 States Albania, Argentina, Armenia, Belarus, Brazil, Canada, Cuba, Czech Republic, DR Congo, Greece, Hungary, Israel, Kazakhstan, Mexico, Portugal, Russia, Spain, Sweden, Turkey, Ukraine, UAE, Venezuela | |

Average Implementation %

| | <i>Legal Framework</i> | <i>Enforcement</i> |
|-------------------------------------|------------------------|--------------------|
| Criminalization | 54.8% | 60.5% |
| Accounting & Security | 74.3% | 61.8% |
| Border & Export Controls | 60.0% | 55.1% |
| Overall | 62.8% | 57.7% |

Key Implementation Gaps

- **Criminalization**

- Stockpile/store 57%
- Develop 51%
- Means of delivery 42%

- **Accounting /Security**

- Reliability check of personnel 51%
- Means of delivery 30%

- **Border & Export Controls**

- Licensing of deemed exports 28%
- Control of providing funds 30%
- Control of providing transport services 22%
- Extraterritorial applicability 29%
- Means of delivery 51%

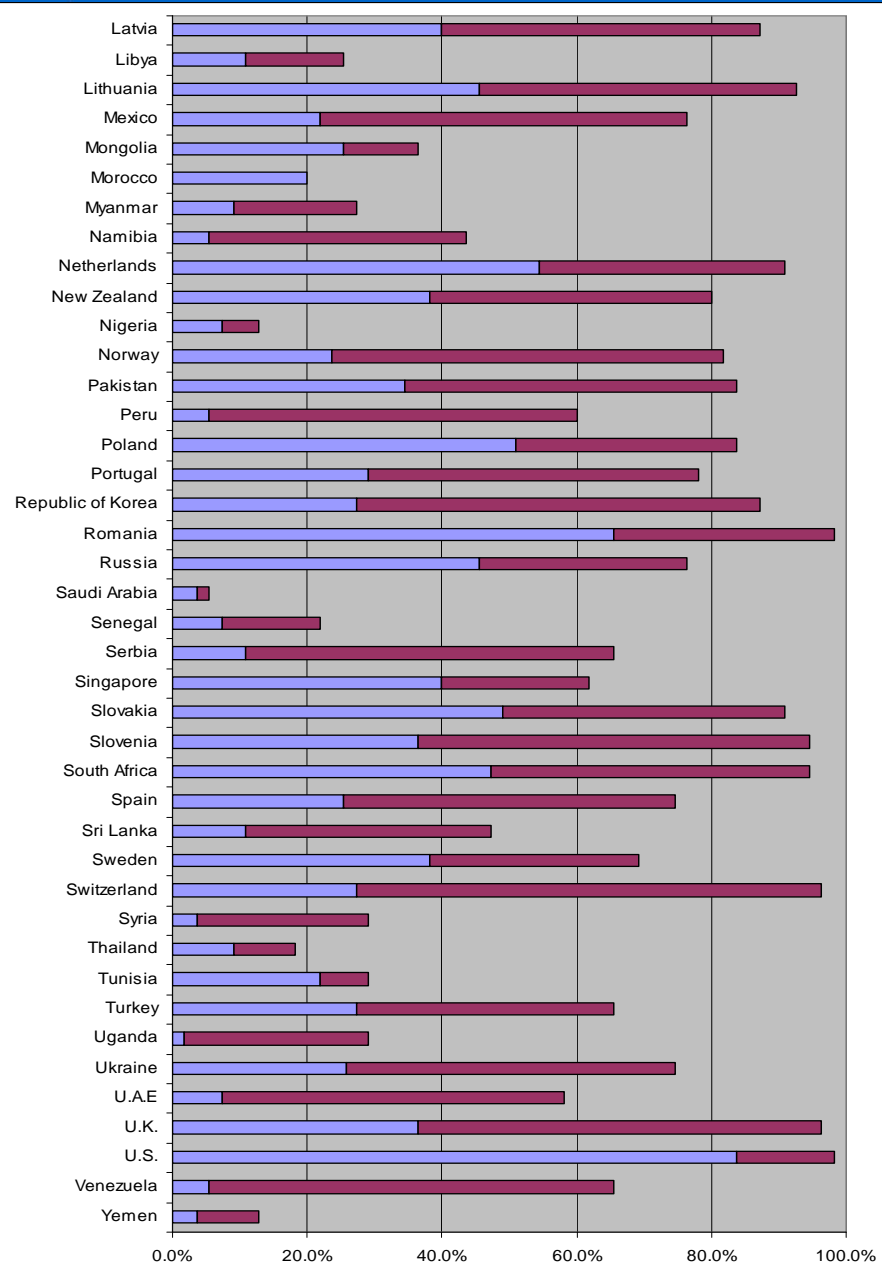
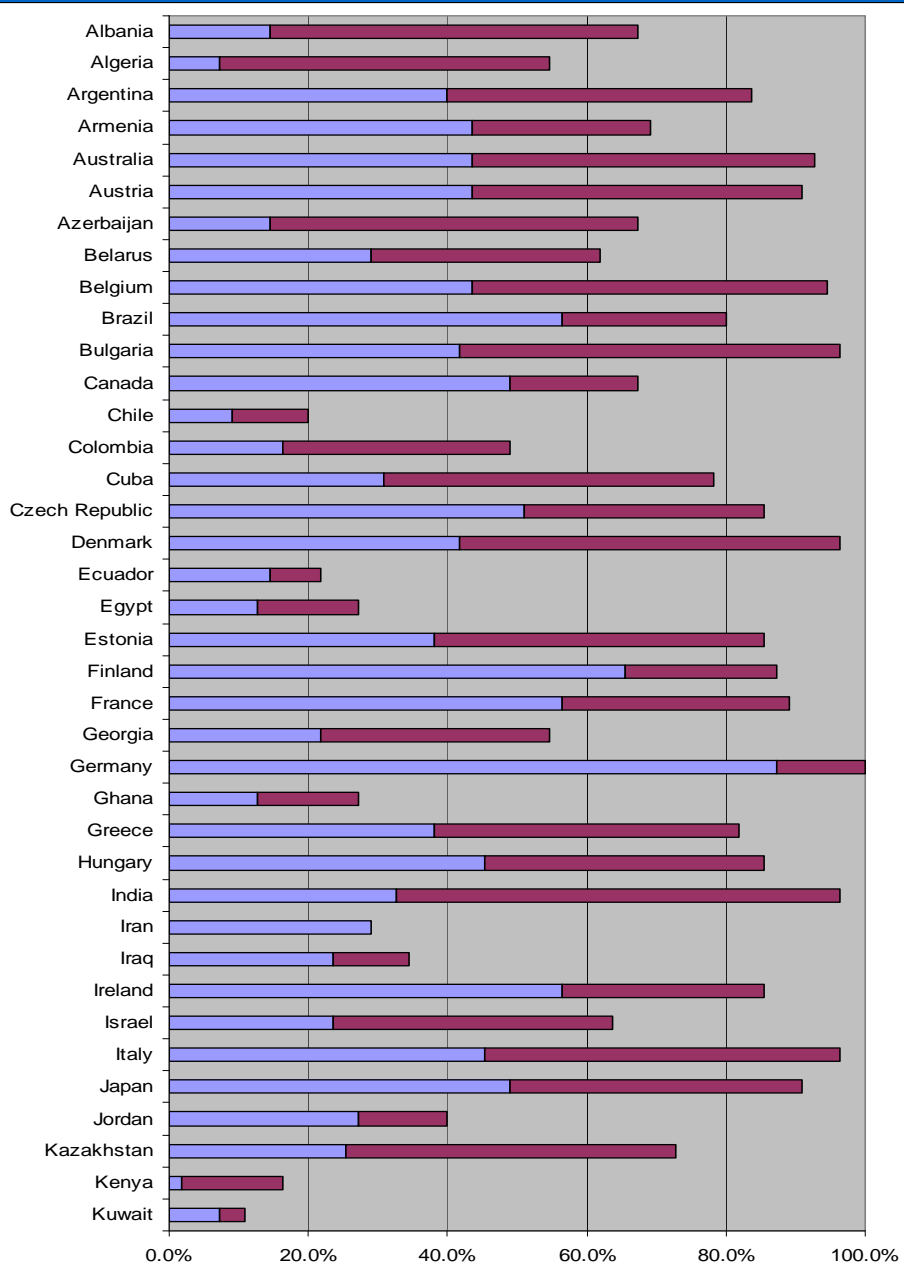
The Missile Gap

- UNSCR 1540 is the first legally binding international instrument addressing WMD delivery systems
- “specifically designed for such use” = nuclear capable or nuclear designated?
- Are some states “Not Applicable?”
- Traditional delivery systems unlikely to be used by non-state actors for nuclear terrorism
- Greater risk of illicit trafficking in goods and technology

The Enforcement Gap

- Discrepancy between legal framework and enforcement mechanisms appears to be closing since 2005
- Matrices do not assess how a state uses its laws and authorities to prevent or respond to violations
 - Civil/criminal penalties imposed
 - Licenses issued/denied
 - Safety and security reviews conducted

5-Year Implementation Progress: Legal Framework



5-Year Implementation Progress: Enforcement

