The 15th meeting of the Council for Security Cooperation in the Asia Pacific (CSCAP) Study Group on Countering the Proliferation of Weapons of Mass Destruction (WMD) in the Asia Pacific was held in Sydney, Australia on March 6-7, 2012. The meeting was co-chaired by Ralph A. Cossa (USCSCAP) and Nguyen Hong Sun (CSCAP Vietnam) and included over 80 security specialists (officials, policymakers, and academics) from throughout the Asia-Pacific region, including many who also attended the ASEAN Regional Forum Intersessional Meeting on Nonproliferation and Disarmament (ARF ISM/NPD) which was held immediately following the CSCAP Study Group meeting. All attended in their private capacities. While all participants have had a chance to comment on this report, it reflects the opinions of the chair and is not a consensus document.

Session 1: Recent Developments in the Global Nonproliferation Regime

This session focused on recent developments in nonproliferation and disarmament. Maria Rost Rublee (Australian National University) explained that although the 2010 NPT Review Conference was widely seen as a success – especially in light of the failure in 2005 – serious and deep divisions persist. These include the lack of progress on the Middle East nuclear-weapon-free-zone, prospects for the conclusion of a nuclear weapons convention and the adoption of timelines for disarmament, disagreement over multilateralizing the nuclear fuel-cycle, and the universalization of the Additional Protocol. Meanwhile, the proliferation crises in Iran and North Korea continue with few prospects for prompt resolution. These divisions are likely to resurface with a vengeance in the near future. The fading glow of 2010 will not get us to the next Review Conference successfully.

In her review of the implementation status of key action items of the NPT Review Conference Final Document, Rublee focused on four issues: the Conference on Disarmament (CD), New START and the Comprehensive Test Ban Treaty (CTBT), nuclear security, and the conference for the establishment of a nuclear-weapon-free zone in the Middle East. She explained that several items depend on the CD, notably the pressing conclusion of a Fissile Material Cut-off Treaty (FMCT), but that it has been deadlocked for over 15 years because of a lack of consensus among members. As a result, some states have threatened to take FMCT negotiations to other forums, notably the UN General Assembly. Another possibility is reform of the CD and to abolish the consensus rule. Yet another possibility is an international initiative similar to that taken in support of the Anti-Personnel Mine Ban Convention. These choices are likely to come to a head sooner rather than later.

Rublee stressed that New START, which entered into force in February 2011, will reduce the number of US and Russian strategic nuclear warheads to no more than 1,550 within the next seven years. The ratification debate in the United States, however, has undermined Russian (and global) confidence in President Obama’s ability to move the nuclear disarmament agenda forward. It also suggests that US ratification of the CTBT will not happen in 2012. A second Obama administration may be in a better position to press the issue. In the meantime, studies in the Pentagon suggest that the US may be considering deep nuclear reductions, down to 300-400 strategic nuclear warheads.
The NPT Review Conference Final Document includes several action items on nuclear security. The Fukushima Daichi nuclear accident of March 2011 further highlighted the urgency to invest not only in nuclear security, but also in nuclear safety, especially given the planned nuclear energy programs in the Asia-Pacific region. These issues will be discussed at the next Nuclear Security Summit scheduled to take place in late March 2012 in Seoul.

Finally, Rublee noted that the most contentious agenda item is the conference on the establishment of a nuclear-weapon-free zone in the Middle East. The prospects for success are not good as the Arab states want formal processes to get to such a zone and Israel does not. In an election year, Washington is likely to only seek a short, high-level meeting to exchange views and develop a mandate for future progress. The recent political unrest in Arab states is further complicating planning for the conference, although agreement has been found on a host (Finland) and a facilitator (Jaakko Laajava). It is a serious issue: there have been reports of Arab states threatening to withdraw from the NPT if the conference does not take place. The first NPT Preparatory Committee Meeting, scheduled for April 30-May 11, 2012, will offer the opportunity to discuss this issue as well as the others discussed above.

Ta Minh Tuan (CSCAP Vietnam) discussed recent developments in Iran, Myanmar, Indonesia, and North Korea. He stressed that tensions were rapidly escalating over the Iranian nuclear crisis with dangerous implications a nuclear-weapon-free zone in the Middle East. Although significant progress has been made in Myanmar in recent months, he indicated that questions about the country’s nuclear intentions and capabilities are unlikely to be raised in the near future. Rather, the focus has been – and should remain – on building confidence with Myanmar authorities. He noted that Indonesia’s ratification of the CTBT was a bold exercise of ASEAN chairmanship and suggests that nonproliferation is increasingly mainstream practice in the region. Other good news included North Korea’s recent agreement to sign a moratorium on nuclear and missile tests and nuclear activities at Yongbyon, its readiness to accept IAEA inspectors on its territory, and the resumption of dialogue with the United States.

Ta closed by noting progress in obtaining accession of the nuclear weapon states (NWS) to the protocol of the Southeast Asian Nuclear-Weapon-Free Zone (SEANWFZ). Consensus was reached in a meeting in Cambodia in February 2012 to develop a new protocol. A separate memorandum of understanding is being developed to facilitate Chinese accession to the protocol. There remain important outstanding issues, however, notably over nuclear security assurances and exclusive economic zones. Nevertheless, Ta stressed the goal was to get traction before the next East Asia Summit by approaching each NWS separately.

In the discussion, the CTBT was the initial focus of attention. Many participants stressed that it was important to build on momentum created by Indonesia’s ratification in order to reach universality, particularly ratification by the eight remaining Annex II countries. (In ASEAN, three countries have not acceded to the Treaty: Brunei, Thailand, and Myanmar. In the South Pacific, six small countries are yet to accede.) The Treaty’s verification system has made considerable progress, but it is necessary to provide more technical information (through outreach efforts) on how it operates. Several participants from countries that have not ratified/acceded to the Treaty indicated that they have not ratified it because of financial responsibilities that come with it and uncertainty as to whether it will enter into force. It was suggested that CSCAP could help organize a workshop to serve as outreach and identify gaps, benchmark progress, and develop a roadmap for the CTBT’s entry-into-force.
Other topics discussed were nuclear security in the lead-up to the second Nuclear Security Summit in Seoul, SEANWFZ, and the status of negotiations for the conclusion of an FMCT. Several participants suggested that nuclear security has become a critical topic and that the second summit would build on the achievements of the first, establishing a regular diplomatic process. After the Fukushima nuclear accident, safety concerns are likely to be increasingly discussed alongside security concerns.

Several participants suggested it is time for SEANWFZ to address nuclear security. The development of a separate protocol may be a good opportunity to include nuclear security. One participant also indicated that at the SEANWFZ Commission Meeting, no request for clarification was issued to Myanmar about its alleged nuclear cooperation with North Korea.

**Session 2: The Korean Peninsula and Denuclearization**

This session explored the status of denuclearization talks on the Korean Peninsula. William Newcomb (*UN Panel of Experts*) explained the implementation status of UN Security Council Resolution (UNSCR) 1718 (2006) and 1874 (2009) against North Korea. He summarized the resolutions, noting that they require the DPRK to not conduct further nuclear tests, to suspend all ballistic missile-related activities, to retract its withdrawal from and return to the NPT, and to abandon all nuclear weapons and existing nuclear programs in a complete, verifiable, and irreversible manner. The resolutions require all UN member states to prevent the transfer of arms, listed items that could contribute to WMD and missile programs, and luxury goods to North Korea. They also require all UN member states to freeze funds owned by persons and entities designated as supporting North Korea’s illicit WMD activities, to prevent suspicious financial services to North Korea, and to avoid entering into new commitments for financial assistance with the North, except for humanitarian and developmental purposes. Finally, the resolutions require all member states to inspect all cargo to and from North Korea believed to contain prohibited items (and to do so on the high seas with the consent of flag state), to seize and dispose of the prohibited items, and report the inspection, among other things.

UNSCR 1718 established a committee with a mandate to monitor implementation of sanctions, examine and take appropriate action regarding alleged violations, and make recommendations to strengthen the effectiveness of the measures. UNSCR 1874, however, established a panel of experts to provide neutral, fact-based assessments and analysis as well as recommendations to improve implementation. It has an enlarged mandate and reports to the UN Security Council at least every 90 days. Effective implementation depends on member states submitting a report on steps taken to implement sanctions, inspecting all suspect cargo, and communicating with and reminding companies that trading with North Korea is tightly regulated.

Newcomb concluded by mentioning the Financial Action Task Force’s new recommendation on targeted financial sanctions. It requires countries to establish appropriate authority to collect, share, and utilize all available information to identify persons and entities engaged in financing of proliferation, and to implement and enforce targeted financial sanctions against identified persons and entities.

The second presentation was by Li Hong (*CSCAP China*), who noted that although the North Korean crisis remained unresolved, blind pressure and sanctions would not solve the problem. The recent US-North Korea bilateral talks, however, have brought hope of policy realignment.
on both sides. Although the agreement has yet to be implemented, it can provide a positive confidence-building measure between the United States and North Korea.

Li stressed that sustaining momentum requires prompt implementation of the agreement in an action-for-action manner. He argued that the United States should take the first step and not focus too strongly on verification issues. Also important is for the international community, notably Japan, to engage North Korea. He insisted that South Korea should be more proactive in improving South-North relations. Because it is in everyone’s interests to maintain peace and stability in the peninsula, all states should refrain from military exercises. Finally, Li explained that denuclearization of the peninsula should remain the common goal of the international community and that the Sept. 19, 2005 agreement should remain the basis of future talks. Resumption of the Six-Party Talks would be ideal to address the crisis, but it is unlikely to happen in the near future.

Several participants agreed that the recent announcements were encouraging but that it was too early to assume that they were significant advances to resolve the crisis. Some potential pitfalls include the fact that the moratorium applies only to Yongbyon, it is unclear how much access IAEA inspectors will have to North Korean facilities, there is no mention of the Six-Party Talks, and no consideration of the need for improving North-South relations.

One participant suggested that the United States should not put too much emphasis on verification. Other participants countered that verification was critical because of the need to ensure that the agreement is duly implemented: agreeing on documents that are not implemented is not helpful.

Another topic of discussion was sanctions and their effectiveness. Several participants asked about the second sanctions report, in particular why it was not released publicly. Newcomb indicated that some members were resisting its release, a situation that sets a dangerous precedent. One participant also explained that the United States was holding workshops on sanctions and that CSCAP could be a good vehicle to get the word out on how to implement them more effectively.

Session 3: The Nonproliferation-Disarmament Nexus

This session examined the relationship between nonproliferation and disarmament. Tanya Ogilvie-White (CSCAP New Zealand) opened by asking whether it is accurate to assume that disarmament progress by the nuclear-armed states will lead non-nuclear-armed states to adhere to stronger nonproliferation measures. She stressed that many influential experts (and US officials) do not believe that disarmament progress by nuclear-armed states will lead the potential proliferators to give up their nuclear weapons ambitions, but it could help persuade other non-nuclear-armed states to cooperation. She felt that this assumption is probably correct and is deeply embedded in the NPT, at a minimum ignoring it could backfire, as illustrated by the failure of the 2005 NPT Review Conference. The more respectable outcome of the 2010 NPT Review Conference is partly due to the US readiness to acknowledge the linkage between nonproliferation and disarmament.

Whether disarmament progress is actually leading to increased nonproliferation cooperation is difficult to measure, however. The conclusion of New START seems to have boosted nonproliferation cooperation in some areas and it has clearly improved atmospherics in nonproliferation and disarmament forums. Two areas where more cooperative
nonproliferation activity seems to be occurring are UNSCR 1540 implementation and the Nuclear Security Summit process.

Tensions remain between states that possess nuclear weapons and those that do not. It may be possible to accelerate progress in disarmament and nonproliferation by negotiating clearer trade-offs between nuclear-armed and non-nuclear-armed states, with specific implementation benchmarks. Agreement on a series of incremental, concrete bargains would help undercut arguments that disarmament is not occurring fast enough and would reduce opportunities for proliferators to exploit divisions between nuclear-armed and non-nuclear-armed states. More importantly, it would expose the weakness of claims that disarmament is not going to happen. The Asia-Pacific region could play an important leadership role in pushing this approach. A track-II process dedicated to exploring possible nonproliferation and disarmament trade-offs could be productive, especially if launched with the realistic expectation that any deals would be hard won and modest at the outset – but could lead to significant progress over the long-term.

Manpreet Sethi (CSCAP India) explained that the linkage between nonproliferation and disarmament dates back to the early days of the nuclear age and is based on the principle of equity and the idea of a grand bargain between the nuclear weapon states (NWS) and the non-nuclear weapon states (NNWS). The problem, however, is that NWS believe that a commitment to nonproliferation should create the conditions for disarmament while NNWS believe that credible steps toward disarmament are necessary to sustain nonproliferation. Moreover, Article VI of the NPT is vague and open to interpretation: it is not clear who it targets, how the targeted parties are meant to proceed, in what sequence, and to whose satisfaction. Similarly, Article IV allows nuclear cooperation if there is technically no diversion into military programs, but a stronger nonproliferation regime has been needed.

Sethi explained that it was essential to negotiate stronger rules for nuclear trade, notably a mandatory Additional Protocol and restrictions on the transfer of enrichment and reprocessing technologies. She suggested that this will not be possible without a credible move by NWS toward nuclear disarmament. Progress toward disarmament (in a non-discriminatory, transparent, verifiable, and universal manner) is critical because it would remove the legitimacy of nuclear weapons, ease threat perceptions, and strengthen international norms, making it easier to address proliferation crises.

Thomas Burn (British High Commission, Canberra) gave a presentation on the UK-Norway initiative on nuclear dismantlement verification research. He explained the rationale behind the project, stressing that effective verification is an important precondition to fulfill the goals of NPT Article VI and make progress toward disarmament before it proceeds as a multilateral process. He also pointed out that dismantlement is perhaps the least sensitive area and that this research will help develop technical expertise and policy options. Also significant is NWS-NNWS collaboration, which strengthens trust, understanding, and confidence, and makes clear that NNWS should be full participants in the nuclear disarmament project.

Three exercises have been conducted and a workshop with interested NNWS took place in London in December 2011. Lessons learned suggest that proliferation, safety, and national security risks are manageable concerns, that NWS and NNWS can collaborate effectively on nuclear disarmament verification research (and that in addition to building trust among themselves, both parties bring unique and valuable contributions to the process), and that this process is simple and cost-effective. In the near future, the United Kingdom will host a P-5
discussion behind closed doors to discuss lessons from the initiative. A presentation will also be made at the 2012 NPT Preparatory Committee Meeting. Earlier this year, the initiative was granted a new workplan through to the 2015 NPT Review Conference.

Malcolm Coxhead (Australian Safeguards and Non-Proliferation Office, Department of Foreign Affairs and Trade) added that the UK-Norway Initiative is unique because it is the first time that a bottom-up, technically-focused approach to nuclear disarmament has been tested. The Conference on Disarmament is a top-down approach and civil society efforts are centered “on the side” of the process. There remain significant challenges: dismantling weapons in a verifiable way while minimizing the risk of disclosing sensitive information.

Discussion explored whether disarmament was a serious goal at the negotiation of the NPT. In fact, the central goal of the NPT was first and foremost the prevention of proliferation. Disarmament was subsequently added to the language of the treaty to satisfy the NNWS. Nevertheless, disarmament has gradually become integral to the NPT process and is now considered a necessary to move forward on the nonproliferation front. A few participants stressed that the language of Article VI (on disarmament) was clarified and further entrenched as a core goal of the international security agenda in the 1996 Advisory Opinion on the Legality of Nuclear Weapons.

The issue of a nonproliferation “gold standard” was raised, using the United Arab Emirates as the lead example. Several participants wondered whether a similar model could be applied in Southeast Asia. All agreed, at least in theory, that double standards on nuclear cooperation agreements are detrimental to nonproliferation goals.

Another question focused on the relationship between nuclear and conventional forces. Some participants wondered how nuclear disarmament can be achieved with current advances (and imbalances) in conventional weapon inventories. Others indicated that conventional imbalances existed only because there are nuclear weapons.

The Obama approach of endorsing the disarmament project in the hope that it will lead to advances on nonproliferation has not had much success. Several participants wondered how more progress could be achieved, and if the new paradigm was indeed workable. One suggestion was to focus efforts on the P-5 and outside the NPT review progress, as has been done with P-5 meetings in London (September 2009) and Paris (June 2011).

Finally, participants discussed the UK-Norway Initiative. Many stressed that it was successful because it was concrete. Several participants suggested that the United States could/should conduct a similar initiative with a non-nuclear weapon state.

**Session 4: UNSCR 1540 and Security of WMD-Related Materials**

This session looked at implementation of UNSCR 1540 and at WMD security and safety in the Asia-Pacific. Deepti Choubey (Nuclear Threat Initiative) presented the Nuclear Materials Security Index released by her organization earlier this year. The goal of the project was to produce a country-by-country assessment of the status of global nuclear materials security conditions and develop a public baseline assessment to serve as a basis for dialogue on priorities and against which progress can be measured. She stressed that the Index’s country classification takes into account 1) quantities and sites, 2) security and control measures, 3)
global norms, 4) domestic commitments and capacity, and 5) societal factors, before giving an account of results in Asia Pacific countries.

The findings show that countries are more aware of the threat and trying to address it. However, there is no consensus on priorities and a lack of transparency impedes confidence and accountability. Key recommendations include establishing a dialogue on priorities, benchmarking progress and holding states accountable, building transparency practices to increase international confidence, stopping the increase in stocks of weapons-usable nuclear materials, accelerating the clean-out in as many states as possible, strengthening security and control measures (especially to mitigate “insider threats”), bringing all civilian production facilities under international safeguards, ratifying relevant treaties and fulfilling existing treaty obligations, and targeting assistance to states in need.

Togzhan Kassenova (Carnegie Endowment for International Peace) then discussed strategic trade controls. She explained that the goal of strategic trade controls is to allow and facilitate trade of sensitive items to be used for legitimate purposes while preventing their diversion to WMD programs. Their various components include adherence by states to all relevant international treaties and agreements, appropriate domestic laws and regulations as well as a comprehensive licensing system, compliance and enforcement capabilities, and a close working relationship between government and industries.

Kassenova then outlined five fundamental myths that often block the development of effective strategic trade controls: 1) that a country with no WMD history and no advanced high-tech industry should not concern itself with these controls; 2) that WMD proliferation and WMD terrorism pose a threat only to Western countries; 3) that strong strategic trade control legislation equals a strong strategic trade control system; 4) that strategic trade controls stifle economic development and hamper or prohibit trade; and 5) that resources spent on strategic trade controls are resources diverted from issues of higher priority. She concluded by stressing that strategic trade controls are not a panacea, but they can substantially minimize WMD proliferation.

Thomas Brown (UNSCR 1540 Coordinator, US Department of State) then gave an update on UNSCR 1540. He stressed that since the 10-year extension of its mandate in April 2011, the resolution has become an important topic of discussion in all major forums. Gradually, implementation reports are being completed. One reason for the slow response by some is a capability problem, not a political problem. Although the resolution facilitates the access and provision of assistance, delivery of assistance is often difficult. Another problem is a lack of resources to implement programs to ensure effective compliance – this underscores the importance and continuation of the trust fund.

Brown suggested that progress would be achieved once all countries have appointed points of contact responsible for UNSCR 1540 implementation because it is essential to have a centralized office to respond to requests in a swift and informed manner. Another option is to rely on regional organizations such as ASEAN or the ARF (or CSCAP) to assist in implementation. The resolution will only reach its full potential over the long term and as a result of efforts by all states.

In the discussion, several participants raised questions about the Index. One participant, for instance, took issues with its methodology, arguing that corruption (which the Index identifies as one source of problems) has no connection whatsoever with security. Others suggested that
the *Index* is a very helpful study and that a similar one on radioactive materials should be conducted. The author indicated that the *Index* was not definitive, that it would be updated in the lead-up to the third (2014) nuclear security summit, and that NTI was open to additional information from states to improve it, in particular from those that were unresponsive to NTI requests for the completion of the first *Index* issue.

Turning to UNSCR 1540 and associated nuclear security regimes, several participants stressed that it was important to look beyond sensitive goods because proliferators are focused on acquiring capabilities that take them to the threshold of a nuclear capability. Thorough and comprehensive implementation of UNSCR 1540, therefore, is critical. A few participants stressed that ASEAN is still treating 1540 as part of the UN system but this will change as the ASEAN Community develops; one speaker suggested that a common list of export controls should be developed. Although a growing number of 1540 reports have been completed, some participants noted that implementation of the measures adopted is key. ASEAN has much work to do on export controls, in particular, because member states have focused on export promotion, not on export controls. One participant explained that it is essential to personnel are key to the development of export control legislation because it is a complex matter that encompasses more than just WMD.

Session 5: The 7th BWC Review Conference

We then turned to the proceedings and findings of the 7th Biological Weapons Convention Review Conference that took place in Geneva on Dec. 5-22, 2011. Richard Lennane (*BWC Implementation Support Unit, or ISU*) explained that the main outcomes of the Review Conference included the adoption of a new, restructured intersessional program (2012-2015), the revision of confidence-building measures (CBMs), the creation of a database for assistance requests and offers, the sponsorship of a key BWC program, and the renewal of the mandate of the Implementation Support Unit through to 2016.

The new intersessional program contains three standing agenda items: cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X, a review of developments in the field of science and technology related to the Convention, and the strengthening of national implementation. Other topics include ways to enable greater participation in CBMs, ways to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by states parties, and how to achieve BWC universalization.

CBM forms have been updated and simplified to focus on most relevant information not otherwise available and to encourage participation. The aim of the new database is to facilitate requests for and offers of exchange of assistance and cooperation: states will provide information and use the database directly, informing the ISU of matches and the ISU will administer the database and provide a report on offers, requests, and matches made. Funded by voluntary contributions (yet to be received) and administered by the ISU, the sponsoring program seeks to support and increase participation in the intersessional process. It was noted that while the ISU is taking on these extra activities, its financial resources have not been increased.

Lennane stressed that preparation for and participation in the new intersessional program are essential for Asia-Pacific countries, as are increased participation in the CBMs and continued work on national implementation of the Convention. It is critical to encourage non-BWC
members to join the Convention. Regional organizations such as the ARF or CSCAP can play an important role in this process.

Masamichi Minehata (*University of Bradford/Pacific Forum Young Leader*) began by asking if the BWC Review Conference had met expectations. One focus of attention was the vexing issue of compliance and verification. In an attempt to break the longstanding deadlock over this issue, it was proposed that there be a “conceptual and technical consideration of practical ways and means of assuring compliance of states parties.” Although the United States was on board with this language, some members rejected it, arguing that a stronger, legally binding verification mechanism was needed. Also troubling was the increase in ISU responsibilities coupled with the failure to increase its funding. The challenge, therefore, will be to continue to promote the BWC in a time of “zero growth.”

Irma Makalinao (*University of the Philippines*) provided a framework to think about biological weapons proliferation: she suggested that the intentional misuse of biological agents sits at the intersection of the public health and security domains. It is therefore critical to raise knowledge and awareness of the threat and create an environment of shared responsibility based on cooperation, trust, and interactions between the relevant actors in the field. Makalinao described the chemical-biosecurity network in the Philippines, which is the shared responsibility of the health sector, local government units, academia and the life sciences, and the defense and security sector. This network includes pharmaceutical industries, relevant professional organizations, community organizations and civil society, and various other international partners and pertinent stakeholders.

Identifying the synergies between organizations and initiatives tasked to address biosecurity and biosafety (e.g., the BWC, UNSCR 1540, or the G8 Global Partnership) is critical because the domains of concern include public health emergencies, travel and transport, food security, water security, animal health, and plant health. It is also important to explore and encourage further South-South cooperation. A good opportunity for progress will be the next ARF meeting on Biological Threat Reduction, tentatively scheduled for September 2012.

In the discussion, participants expressed concern about the monitoring of BWC compliance, including why it has been impossible to negotiate a verification mechanism. Some saw it primarily as a political problem while others saw it as a technical/financial problem. Several proposals had been put forward at the Review Conference to bridge differences on the issue, including through the establishment of a ‘Compliance Working Group’. Despite the more nuanced US position on compliance mechanisms, several states parties would not agree to the proposed language, arguing that it was not strong enough. There will still be scope to consider the issue during the next intersessional period, however, including at the academic level – including to define what ‘BWC compliance’ means in the life sciences.

Several alternatives were proposed on the BWC compliance issue. One participant suggested that states parties should demonstrate their compliance with the BWC rather than focus on creating an external verification mechanism. As suggested, many of the compliance concerns can be addressed by thorough and comprehensive implementation of the Convention by all States Parties. Another participant pointed out that the US has launched an openness initiative to increase transparency about its biological activities as a means to demonstrate its compliance with the BWC. This effort includes tours of laboratories for international experts, scientist-to-scientist engagement, etc.). Another participant noted that there are many mechanisms to deal with biosecurity and biosafety issues, in addition to the prohibition
regime embodied by the BWC. Ideally, these mechanisms would not overlap and would be better coordinated, but this is difficult to achieve in practice, particularly at the region level. The second-best solution, therefore, is to keep open channels of communication between the various initiatives.

Session 6: The Chemical Weapons Convention

A hard look at the Chemical Weapons Convention followed, and speakers examined recent developments pertaining to chemical weapons nonproliferation and disarmament. Lara Howe (Securus Strategic Trade Solutions) suggested that focusing on chemical threats was important because the chemical sector is a critical (and growing) area of regional and international trade, and chemical weapons are the most likely of all forms of WMD to be used. She described the relationship between prohibitions in the Chemical Weapons Convention (CWC) and the obligations under UNSCR 1540, including the CWC’s nonproliferation and destruction obligations as well as the need to develop appropriate legislation and enforcement structures at the national level.

All but two Asia-Pacific nations are states parties to the CWC. Chemical weapons destruction continues, and while destruction of US and Russian CW stockpiles will not be completed by April 29, 2012 deadline required by the CWC, good progress is being made. While all Asia-Pacific countries have designated CWC National Authorities, not all have specific CWC implementation and enforcement legislation. Meanwhile, four Asia-Pacific countries are now participants of the Australia Group, and at least eight countries in the region have incorporated Australia Group guidelines and/or control-list items in their national export control systems.

Regional efforts have included bilateral and multilateral CWC (and UNSCR 1540) implementation workshops and the provision of technical assistance, including training courses. More efforts need be made, particularly given the momentum in the development of strategic trade controls in the region. The ARF and CSCAP should take full advantage of this momentum and consider outreach and sharing information and resources on the CWC, UNSCR 1540, and Australia Group implementation.

Robert Mathews (DSTO / University of Melbourne Law School, Australia) gave a comprehensive analysis of the CWC and detailed its key objectives and provisions, including universality, national implementation, disarmament, nonproliferation, the provision of assistance and protection, and international cooperation. He noted that eight states were not CWC parties, of which two signed but had not ratified (Israel and Myanmar) and six neither signed nor acceded (Angola, Egypt, North Korea, Somalia, South Sudan, and Syria). Although 98 percent of states parties have set up a national authority to implement the Convention, only 47 percent have adopted implementing legislation in all key areas. Chemical disarmament is well under way but is taking more time than initially envisioned, despite the deadline extension. He commented that the nonproliferation activities under the CWC are also working well, including through the declarations and routine inspections of relevant parts of chemical industry. There have been no requests for a challenge inspection yet, although the OPCW conducts occasional exercises to ensure that it remains ready to conduct such an inspection if requested). In recent years, a number of courses have been organized by the Organization for the Prohibition of Chemical Weapons (OPCW) Technical Secretariat to provide training to first responders, government experts, and emergency response units in building and developing national and regional capabilities and emergency response systems.
against the use, or threat of use, of chemical weapons. Several programs have been developed to promote international cooperation in the peaceful uses of chemistry.

Mathews commented that CWC-related national implementation activities help raise barriers against chemical terrorism. This includes multilateral cooperation among several government agencies, the criminalization of chemical terrorism and related activities, effective law enforcement, and the limitation of access to and misuse of chemicals through chemical safety/security regulations and related measures. Although the CWC is not a counterterrorism treaty, the effective implementation of its various provisions is of paramount importance in the fight chemical terrorism.

The CWC faces a number of challenges as a result of the revolution of information and communication technology, the growing globalization of chemical and biological industries, and the increased convergence of chemical and biological sciences. A number of recommendations on the way forward were developed in the OPCW Advisory Panel Report S/951/2011 of July 25, 2011. They include the achievement of full and effective national implementation of the CWC, the prevention of the re-emergence of chemical weapons and the misuse of toxic chemicals, the retention of chemical weapon expertise by the OPCW so that the OPCW can retain the necessary level of preparedness to respond effectively to the use or threat of use of chemical weapons, and the promotion of the peaceful uses of chemistry.

Several participants stressed that the convergence of biological and chemical science and technology, and suggested that the potential security challenges resulting from these developments should be addressed as a single problem, including through greater engagement of the biosafety/biosecurity and chemical safety/security communities. It was noted that there are lessons to be learnt in the chemical and biosecurity areas from nuclear security activities. Also needed is an in-depth definition of key terms. For example, one participant suggested that the concept of “chemical security” is not clearly understood; this ambiguity impedes efforts to address the problem.

It was recognised that there is already a significant amount of in-house knowledge about chemical safety and security in regional chemical laboratories. The challenge is thus to raise awareness of latent threats. Much can be achieved at the regional level. In fact, much is being done but greater efforts can be made to better coordinate policies and programs (and avoid overlaps). One participant asked if it would be possible to develop a regional military-to-military dialogue on these issues, and how to do so.

Session 7: CSCAP Memoranda and Handbook Review

During this session, participants discussed the Memorandum on the Reduction and Elimination of Nuclear Weapons and the Memorandum on Nonproliferation. Carl Baker (USCSCAP) indicated that the review of the CSCAP Memorandum #19, Reduction and Elimination of Nuclear Weapons was complete and that it will be available on the CSCAP website soon. He then presented a new draft of the Nonproliferation memorandum. We discussed optimum organization of its content and there were several suggestions on language, amendments, and additions. All study group participants were asked to provide all comments no later than March 31 so they can be included in the final draft that will be circulated to member committees.
Baker also explained how the *Handbook on Preventing the Proliferation of Weapons of Mass Destruction in the Asia Pacific* would be amended and updated to take stock of developments. (The *Handbook* is a single-source reference outlining global and regional nonproliferation and disarmament challenges, treaties and conventions, compliance mechanisms, and initiatives, along with policy recommendations for dealing with associated challenges.)

**Session 8: Wrap Up and Future Plans**

As always, we concluded with a look ahead: what should the WMD Study Group do to remain useful and relevant. Areas of focus include study of the demand-side of proliferation and work to strengthen interagency cooperation and coordination at national levels and international collaboration at regional (and global) levels to reduce nuclear threats. Several participants suggested that the Study Group should play a role in promoting CTBT ratification/accession in the region, particularly following the ratification of the treaty by Indonesia. Thinking through mechanisms to coordinate efforts to build and enhance regional capacity to comply with nonproliferation regimes and ensure resources are utilized most efficiently is another area on which the Study Group should focus. Yet another area of interest is nuclear energy and its security/safety implications given the growing development of civilian nuclear energy sources in the region; there was support for the resuscitation of the Nuclear Energy Experts Group. Finally, there is a pressing need to study and develop responses to biochemical threats. The creation of an experts group to raise awareness of biochemical threats within the CSCAP framework could prove extremely useful.

The meeting concluded with the co-chairs reminding the group that they would be developing a set of key findings to be presented at the ARF Inter-Sessional Meeting on Nonproliferation and Disarmament the following day. Those key findings are included here as Appendix 1. The date of the next meeting will be in late 2012.

### 15th CSCAP WMD Study Group Meeting

**Sydney, Australia, March 6-7, 2012**

**Key Findings**

The 15th meeting of the Council for Security Cooperation in the Asia Pacific (CSCAP) Study Group on Countering the Proliferation of Weapons of Mass Destruction (WMD) in the Asia Pacific was held in Sydney, Australia on March 6-7, 2012. It involved over 90 security specialists (officials, policymakers, and academics) from throughout the Asia-Pacific region, including from the ASEAN Regional Forum Inter-Sessional Meeting on Nonproliferation and Disarmament (ARF ISM/NPD). All attended in their private capacities. Key findings and recommendations include:

- Nonproliferation and disarmament are inextricably linked. Understanding this linkage is key to progress on both fronts. The way forward for nuclear disarmament requires progress on nonproliferation and vice-versa.

- Disarmament and nonproliferation discussions are dependent on wider social and geopolitical issues, obscuring real obstacles and making progress difficult. The "demand" side of proliferation should also be taken into account.
- Proliferation is a complex, multifaceted phenomenon that requires interagency cooperation and coordination at national levels and international collaboration at regional (and global) levels.

- Attempts to identify (for the purpose of reducing) WMD-related threats and vulnerabilities are complicated by concerns about the potential exploitation of transparency. In some cases, resistance to transparency is related to perceived national security concerns; in other cases it reflects social and cultural traditions. A common understanding is needed to help identify confidence-building measures.

- The ARF should build on momentum created by Indonesia's recent ratification of the Comprehensive Nuclear-Test-Ban Treaty to encourage remaining regional non-parties to ratify the Treaty. An enhanced understanding of its importance, its dispositions, and its verification system could assist in both promoting ratification of the Treaty and developing additional monitoring stations.

- Deeper understanding is needed as to why regional states do not sign or ratify WMD-related treaties and agreements or fall short on full compliance. Technical and financial constraints appear to be a bigger consideration than lack of acknowledgment of the issue's importance. Regional institutions such as ASEAN and the ARF could serve as mechanisms to coordinate various efforts to build and enhance regional capacity to comply with non-proliferation regimes, ensure that these resources do not overlap and are utilized in efficient ways.

- The recent US-DPRK simultaneous unilateral announcements proclaiming a moratorium on DPRK missile and nuclear tests and nuclear activities at Yongbyon under IAEA inspection do not constitute a bilateral agreement although they may represent a first step on the road to a resumption of Six-Party Talks and eventual denuclearization on the Korean Peninsula. Clear milestones or guidelines are needed linking the eventual lifting of current national and UNSC sanctions to specific denuclearization activities.

- Six-Party Talks participants are urged to recommit to the goal of complete denuclearization of the Korean Peninsula as outlined in the Sept. 19, 2005 Joint Statement. It is critical to keep engaging the DPRK to identify misunderstandings and potential solutions.

- The growing development of civilian nuclear energy sources in the region raises safety and security concerns. Current and potential nuclear energy producers seeking to develop fuel-cycle technologies may consider the option of establishing reprocessing and enrichment free zones once their fuel supply requirements are assured.

- Additional recommendations regarding nuclear energy regional cooperation, national legislation, verification and transparency, outreach and capacity building, and compliance with international regimes can be found in CSCAP Memorandum No. 17: Promoting the Peaceful Use of Nuclear Energy.

- In contrast to previous years, there was near-universal support for management of strategic trade of WMD-related items, including those that may be categorized as dual-use. Opposition to such efforts has diminished as regional governments gain greater appreciation for the value and necessity of such efforts. CSCAP Memorandum No. 14 provides possible Guidelines for Managing Trade of Strategic Goods; we urge its full consideration and adoption by the ARF.
- The 10-year extension of UN Security Council Resolution (UNSCR) 1540 created a new phase for the resolution. Focus has shifted from raising awareness of WMD proliferation to the thorough and comprehensive implementation of measures to halt its spread. Again, financial and technical capabilities constrain full implementation.

- There is a tendency to equate WMD with nuclear weapons but biological and chemical weapons remain a serious threat. Biothreats in particular are increasingly understood as a critical regional security issue.

- Public health concerns are driving regional biosecurity and biosafety agendas. A whole of government approach that links all stakeholders, including law enforcement authorities, is needed. The need for national "champions" to move this process forward is essential. Financial constraints pose significant limits on building a framework to deal with biosecurity and biosafety, however.

- There is no ‘one-size-fits-all' approach to mitigating biothreats. Different types of cooperation, including non-RevCon activities and initiatives, are needed to address different individual national and regional types of problems. North-South cooperation has been helpful, but it is important to develop South-to-South cooperation as well. (The creation of an experts group to raise awareness of biothreats, identify vulnerabilities, and opportunities for collaboration could prove useful.)

- Concerns about chemical threats are also rising in the region. Greater dialogue between the chem- and bio-safety and security communities may facilitate more effective responses to these threats.

CSCAP remains committed to promoting greater awareness and regional cooperation in dealing with a wide spectrum of WMD concerns. To this end, CSCAP Memorandum No. 19: Reduction and Elimination of Nuclear Weapons offers a set of principles to guide policy recommendations in that direction. In addition, CSCAP's Handbook on Preventing the Proliferation of Weapons of Mass Destruction in the Asia-Pacific provides a single source reference outlining global and regional nonproliferation and disarmament challenges, treaties and conventions, compliance mechanisms, and initiatives, along with policy recommendations for dealing with associated challenges. It, and all CSCAP products, are available online at http://www.cscap.org.

For more information, please contact CSCAP Countering the Proliferation on WMD Study Group co-chairs Ralph Cossa [RACPacForum@cs.com] or Nguyen Hung Son [nguyenhungson2005@yahoo.com]. These findings reflect the view of the seminar chairmen; this is not a consensus document.