



**Eighth Meeting of the
Council for Security Cooperation in the Asia Pacific (CSCAP)
Study Group on Countering the Proliferation of Weapons of
Mass Destruction in the Asia Pacific**

Bangkok, Thailand Jan. 23-24, 2009

Chairmen's Report

The Eighth Meeting of the Council for Security Cooperation in the Asia Pacific (CSCAP) Study Group on Countering the Proliferation of Weapons of Mass Destruction in the Asia Pacific was held in Bangkok, Thailand, Jan. 23-24, 2009. Over 30 participants from 13 member committees and other individuals (all in their private capacities) joined two days of discussions. The study group chairs would like to thank CSCAP Thailand for its fine work to make the meeting possible.

As this meeting focused on the contents of the Handbook on Countering the Proliferation of Weapons of Mass Destruction in the Asia Pacific and WMD Action Plan, this report will be shorter than usual; much of the meeting was taken up with editorial discussions of form and content rather than substantive issues. As always, this report reflects the views of the chair; it does not purport to be a consensus document although all meeting participants have reviewed its contents. Copies of the Handbook are available from USCSCAP (pacforum@hawaii.rr.com).

Discussion began with a presentation by *Sharon DeLand* (Sandia National Laboratories) on ways to think about *strategies to counter WMD proliferation*. Her framework identified four components of the “proliferation timeline”: the motivation to acquire weapons, development of WMD, achievement of that goal, and ways to retire such weapons. Each step has its own responses: for example, combating the motivation to acquire WMD essentially requires a reduction of demand, which can be done by providing security assurances, arms control, creating regional security mechanisms, and other similar measures.

Thinking about the response to a particular “phase” on the proliferation timeline must also take into account the appropriate level at which action should be taken – transnational, national, industry, or facility – as well as the type of response – security/safeguards, export controls, border security, or event response – and the principal actor (the owner-operator of a relevant facility, a national government, or international organization).

Ultimately, DeLand argued, strengthening the nuclear nonproliferation regime demands increased state responsibilities. This raises questions about state capacity and intent to act, whether the requisite actions are greater physical protection of nuclear facilities, sharing information about WMD activities, or responding to malicious events.

DeLand's presentation was intended to spur thinking about the recommendations that would constitute the bulk of the WMD Action Plan, which we have agreed will be a stand-alone effort as a series of memoranda, rather than as a Handbook chapter. Subsequent discussion explored the best ways to draw attention to the Handbook and the Action Plan and achieve maximum impact when it was completed.

The next sessions examined chapters already presented to the group and agreed upon in previous meetings. In echoes of those earlier meetings, several participants suggested that more attention be given to a discussion of disarmament. They noted that the disarmament movement has picked up momentum in recent years and the advent of the Obama administration may accelerate debate on this topic. At a minimum, however, there is a need to address disarmament within the handbook insofar as nuclear weapons are viewed as an existential threat and only their elimination – no matter how unlikely such an outcome may seem – would be an effective response. Attached is an annotated outline of the draft Handbook.

Ron Huisken (AusCSCAP) provided takeaways from a United Nations-sponsored meeting on disarmament that was held in the fall of 2008 to “seize the moment” and exploit the recent momentum. He characterized the meeting as a disappointment. Consistent with his presentations at previous meetings, Huisken stressed that all states have a role to play in “rebuilding the anti-nuclear weapon norm.” “Getting to zero will be a long journey” because “a powerful instinct has developed around the bomb that it deters in a way that cannot be duplicated by other weapons.” Countering this belief requires efforts by all states, not just those with nuclear weapons. A robust anti-nuclear norm would be built upon the conviction that nuclear weapons are a net liability; the conviction that selective possession of nuclear weapons cannot be reconciled with nonproliferation; robust consensus that new nuclear-armed states are unacceptable; decisive support for serious penalties for states that transgress; decisive support for wider/deeper scrutiny of nuclear activities to enhance early detection of transgression; acceptance of tighter verifiable and universal restrictions on national access to core nuclear technologies; and accepting collective responsibility to revise and implement new habits of global governance to encourage and facilitate the progressive elimination of nuclear weapons.

Other participants called on handbook contributors to address more squarely motivations behind the acquisition of WMD, in particular the belief, perpetuated by the nuclear weapon states (NWS), that such weapons are essential to defense policy and a central part of their national security doctrines. For **Rajesh Basrur** (CSCAP Singapore), “the Big Two” -- Russia and the U.S. -- should take initial steps to get the process rolling. They could dealert nuclear forces, halt patrols by nuclear-armed bombers and submarines, eliminate substrategic forces, and make deep cuts in strategic forces. Other NWS should explain when and under what conditions they would join the disarmament process. All states should make a declaration of intent to move toward disarmament, which would be accompanied by attempts to revive the Comprehensive Test Ban Treaty and the Fissile Material Cutoff Treaty, engaging India with the NPT, integrating elements of the global nonproliferation regime into a single system -- developing rules (especially compliance rules), ensuring secure supplies of nuclear power, and managing the risk of civilian

power projects. A “no first use” pledge would also help. Other participants suggested nuclear weapon states’ signature on protocols for and adherence to all nuclear weapons free zones.

We looked more closely at *regional nuclear weapons free zone initiatives* in Session 5. **Nguyen Vu Tung** (CSCAP Vietnam) highlighted the significance of the Southeast Asia Nuclear Weapon Free Zone (SEANWFZ), applauding its contribution to regional peace and stability. While the initiative is important, its impact has been limited by its geographical scope and the reluctance of NWS to sign the protocol of accession. To overcome those obstacles, Tung suggested that SEANWFZ link with other nuclear weapon free zones; that nuclear weapon states promise not to use weapons against Southeast Asian states; that ASEAN use the declaration of a code of conduct in the South China Sea as a guide to a similar document for SEANWFZ; that ASEAN explore China’s willingness to sign the Bangkok Treaty protocol (which creates the SEANWFZ); and that ASEAN develop a separate protocol with India, which has also indicated its willingness to sign the treaty protocol but cannot because of problems concerning the definition of nuclear weapon states.

Other speakers informed the group that the United Nations General Assembly (UNGA) has adopted a resolution that recognized the existence of SEANWFZ, similar that has been given to other existing nuclear-weapon-free-zones. One speaker suggested that the Bangkok Treaty be amended to close NPT loopholes: specifically he argued there should be amendments to ban reprocessing and enrichment (while assuring fuel supplies), as well as taking up questions of spent fuel storage. He urged restraint on “linking” SEANWFZ ratification to attendance at the East Asian Summit, arguing it could limit participation in the summit by nuclear weapon states. Another speaker suggested that the CSCAP Nuclear Energy Experts Group would be a good venue to tackle these issues and called for its revival.

Our examination of *plurilateral initiatives* began with a presentation by **Andy Rachmianto** (CSCAP Indonesia) in which he offered a Southeast Asian perspective on those initiatives. The presentation highlighted another concern: the significance of authorship. Crudely put, in recent years, the fact that an initiative originated in the United States was enough to blunt its appeal -- no matter how good the idea might be. This underscored the significance of process -- or as one participant asked, “are we doing the wrong thing or the right thing the wrong way?” He wondered whether the principle objection to the Proliferation Security Initiative (PSI) was that it is U.S.-led and inspired or that it did not operate under the UN umbrella. One participant stressed that Southeast Asia should be producing its own anti-WMD initiatives: after all, regional governments share objectives and have (broadly) convergent security concerns.

At this point, conversation veered into depressingly familiar terrain: whether CSCAP governments agree on the significance of the WMD threat. One speaker noted that the U.S. was the source of most WMD initiatives because other governments don’t take the threat seriously and therefore don’t feel a need to take action. Other participants noted that most governments would depend on aid from other countries -- intelligence in

particular -- to take effective action against WMD. This creates an uncomfortable reliance, especially given the controversy that surrounded U.S. intelligence about Iraq's WMD. Clearly, there is a need to better understand regional perspectives on the WMD threat and if they diverge or converge.

Fortunately, we heard suggestions on how to remedy these shortcomings. First, all initiatives should be brought under the UN umbrella. Second, if the intention is to fix loopholes in the global nonproliferation regime, then remedies should occur within the regime itself -- they shouldn't be "a patch" from outside. Third, it was proposed that bilateral cooperation be the primary vehicle for cooperation among states.

Our discussion of *export controls* focused on the memorandum produced by the Export Controls Experts Group, which was developed at the fourth meeting of that group that took place in Manila in August 2008 (and is available at the CSCAP website). Here again the question of priority was raised, with several speakers insisting that nonproliferation efforts, or at least export controls, are not a priority in Southeast Asia. This underscores the need for outside resources to fund capacity building efforts, which will ensure that such programs result from discussion with ASEAN dialogue partners. As always, it was emphasized that export controls need to be developed in ways that ensure that the needs of both developed and developing economies are met and that they are trade enabling, rather than devices to slow development.

We then looked at the role played by *nuclear energy and the need for a safety regime* in the Asia Pacific. **Raymund Quilop** (CSCAP Philippines) explained that any regional nuclear energy regime has to contend with three interlocking realities. The first is a regional nonproliferation norm that is backstopped by specific initiatives (SEANWFZ). While this is a promising foundation, regional governments must still move from tacit recognition of this norm to explicit actions to support it. Second, there are Southeast Asian nuclear realities: a rising demand for energy and increasing emphasis on the nuclear option; a large number of radiological materials in the region; and, despite acknowledgment in ASEAN meeting statements, a relative lack of emphasis on nonproliferation as a priority. The third key factor is "the ASEAN Way," and the limitations it imposes on regional action. According to Quilop, the ASEAN mindset means that the ASEAN doesn't operate as a region-wide body; rather, states take unilateral actions, which are coordinated among individual members and presented to the world as regional in scope. It is a bit of a fudge.

The implications of these realities are profound: nonproliferation is not a priority and efforts to move on this issue are likely to be half-hearted. Thus, Quilop argued, nonproliferation initiatives will only gain traction when they address concerns close to the heart of ASEAN members. He suggested that safety be the hook upon which nonproliferation policy hangs. This approach could make a difference as Southeast Asians worry most about safety issues -- not proliferation -- when they think about nuclear energy. This will necessitate a push for greater coordination among ASEAN ministries and agencies that address functional concerns -- science and technology, health or environmental standards -- rather than the "high politics" of foreign policy.

Unfortunately, many of these institutions are still identifying missions and building capacity. This opens the door to increased cooperation with other governments that can help acquire needed skills, as well as nongovernmental organizations, such as CSCAP, that can help raise consciousness about the significance of the WMD threat, build consensus on the need for action, or contribute to skill acquisition in a way that does not raise hackles about loss of sovereignty.

Mohd Yasin Bin Sudin (Malaysia Atomic Energy Licensing Board) then provided a look at Malaysian efforts to strengthen the security of nuclear and radiological materials in that country. His presentation looked at the two dimensions of this problem, safety and security, and provided strong indications that Malaysia understands the significance of the WMD threat. The Kuala Lumpur government has adopted the IAEA code of conduct on safety and security of radioactive sources and the AELB has developed a legal and regulatory framework to control the import and export of radioactive sources, an initiative that includes a real-time national detection and response monitoring system consisting of environmental radiation monitoring and portal monitors for radiation detection at various facilities with radiological materials and the airport.

Our discussion highlighted the obstacles to effective implementation of nonproliferation initiatives. Several officials acknowledged that it is tough to coordinate security and safety efforts across agencies that tackle various dimensions of the WMD threat. Even more challenging is spreading knowledge of the various programs between governments. One Southeast Asian official was surprised at the scope of the Malaysian effort, proof that there is little awareness in ASEAN of various national programs and a sign of the need for a “WMD clearinghouse” in the region.

Southeast Asian participants explained the debate among their governments on the best way to move forward on a safety and security regime. There is agreement that national initiatives don't get the regional attention they should. Thus, governments are discussing whether to strengthen the existing Asia Nuclear Safety Network (ANSN) which is working under the IAEA, one developed indigenously by ASEAN, or whether the Bangkok Treaty could serve as the legal basis for a safety system. The latter approach could accommodate the call for making adoption of the Additional Protocol part of the treaty or amending it to ban enrichment and reprocessing. Other participants argued that it is a mistake to amend the treaty; they counter that it would be more effective to set up a group modeled after the UNSC 1540 committee to press and coordinate regional nonproliferation efforts. Whatever the vehicle, it was proposed that the region make a comparative assessment of various regional nuclear safety regimes as well as develop best practices for national efforts to promote safety and security regarding WMD. As a first step, it was suggested that CSCAP resuscitate the nuclear transparency website that had been developed by the Nuclear Energy Experts Group. Since this data is already available, it would minimize demands on overburdened bureaucrats: there is already concern about “initiative fatigue.”

The meeting concluded with a call for all participants to develop specific proposals to include in the Action Plan. Suggestions should address the various dimensions of the

WMD problem laid out in the Handbook itself; there should be recommendations that correspond to specific chapters of the Handbook. The Study Group will take up those proposals at its next meeting. The date and place are not yet certain, but the co-chairs hope to hold the meeting in the spring, back to back with the inaugural meeting of the ASEAN Regional Forum Inter-sessional Meeting on Nonproliferation and Disarmament.