

**CO-CHAIRS' SUMMARY REPORT OF  
THE FOURTH ASEAN REGIONAL FORUM INTER-SESSIONAL MEETING ON  
NON-PROLIFERATION AND DISARMAMENT (ISM-NPD)**

**Sydney, 8-9 March 2012**

1. Pursuant to the decision of the 18th Ministerial Meeting of the ASEAN Regional Forum (ARF) held in Bali on 23 July 2011, the Fourth ASEAN Regional Forum (ARF) Inter-Sessional Meeting on Non-Proliferation and Disarmament (ISM-NPD) was held in Sydney from 8 to 9 March 2012. The meeting was co-chaired by Australia (Mr Allan McKinnon, First Assistant Secretary, International Security Division, Department of Foreign Affairs and Trade), the Philippines (Mr Jose Brillantes, Undersecretary for Special and Ocean Concerns, Department of Foreign Affairs), and Japan (Mr Yoshiya Muto, Deputy Director-General for Disarmament, Non-Proliferation and Science Department of the Ministry of Foreign Affairs).

2. Participants from Australia, Bangladesh, Brunei, Cambodia, Canada, China, European Union, India, Indonesia, Japan, Laos, Malaysia, Mongolia, Myanmar, New Zealand, Pakistan, Papua New Guinea, the Philippines, Republic of Korea, the Russian Federation, Singapore, Thailand, Timor Leste, the United States, Viet Nam and the ASEAN Secretariat attended the meeting. Experts from the International Atomic Energy Agency (IAEA), the Organisation for the Prohibition of Chemical Weapons (OPCW), the Biological Weapons Convention Implementation Support Unit (BWC ISU), the United Nations Security Council (UNSC) Committee established pursuant to Resolution 1540, the Panel of Experts established pursuant to UNSC Resolution 1874, and the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO), and the Malaysian Ministry of International Trade and Industry briefed the meeting. The list of participants is attached at Annex I.

3. The ISM was preceded by the 15<sup>th</sup> meeting of the Council for Security Cooperation in Asia-Pacific (CSCAP) Study Group on countering the proliferation of WMD in the Asia-Pacific. On 9 March, at the conclusion of the officials' meeting, participants took part in a tour of the Australian Nuclear Science and Technology Organisation at Lucas Heights.

### **Opening Session**

4. Mr Allan McKinnon, First Assistant Secretary, International Security Division, Department of Foreign Affairs and Trade of Australia, host and ISM Co-Chair, opened the meeting. Mr McKinnon noted the significant role the ARF plays in enhancing international security, particularly in the Asia-Pacific region. With the growing strategic and economic importance of the region, the role of the ARF was more significant than ever, including in relation to non-proliferation and disarmament. Mr McKinnon noted several non-proliferation challenges critical to international security. These included illicit trade in WMD materials supporting WMD programs, progress towards a Middle East WMD Free Zone, the Iran and DPRK nuclear issues, and terrorist attempts to acquire biological weapons. He expected this meeting would strengthen the regional approach to addressing such issues and contribute to international security and stability.

## **Agenda Item 1: Introduction and Adoption of Agenda**

5. Co-Chair Mr Jose Brillantes, Undersecretary for Special and Ocean Concerns, Department of Foreign Affairs, the Philippines, emphasised the importance of non-proliferation and disarmament issues in the maintenance of peace and security in the Asia-Pacific region. He noted the prominence of these issues in the ARF agenda and in the “Hanoi Plan of Action to Implement the ARF Vision Statement by 2020”, which provides policy guidance for practical actions, including cooperation, to take forward the non-proliferation and disarmament agenda. Mr Brillantes reviewed recent major international and regional non-proliferation developments and noted they serve as an impetus for further cooperation. On the regional front, he recalled the development of the ARF Preventive Diplomacy Work Plan, agreed at the 18th ARF Ministerial Meeting in Bali, Indonesia in July 2011, and the impetus this gives to enhancing action on all four ARF priority areas of preventive diplomacy. He also commended the successful conclusion of the first cycle of the ARF ISM-NPD and the opportunity of the second cycle to take stock of recent gains and to develop concrete actions to sustain ARF cooperation on non-proliferation, disarmament and peaceful uses of nuclear energy.

6. Co-Chair, Mr Yoshiya Muto, Deputy Director-General for Disarmament, Non-Proliferation and Science Department of the Ministry of Foreign Affairs of Japan, reiterated the valuable work of the ARF Inter-Sessional Meetings on non-proliferation and disarmament in implementing the “Hanoi Plan of Action to Implement the ARF Vision Statement by 2020”, including through practical actions such as capacity building activities and best practices. He noted the meeting’s timeliness in the lead-up to the first NPT Preparatory Committee of the 2015 NPT Review process. In this regard Mr Muto outlined the work of the Japan/Australia-launched Non-Proliferation and Disarmament Initiative (NPDI), a cross regional group of ten countries working on practical proposals for the realization of a world without nuclear weapons. In providing an update on the post-Fukushima situation, Mr Muto emphasised that it is vital to learn from such accidents in order to enhance international nuclear safety. He also announced The Fukushima Ministerial Conference on Nuclear Safety which will be held from 15-17 December 2012, organised by the Government of Japan in co-sponsorship with the IAEA.

7. Mr Ralph Cossa and Mr Nguyen Hung Son, representing the Council for Security Cooperation in Asia-Pacific (CSCAP), reported on key findings of the 15<sup>th</sup> meeting of the CSCAP Weapons of Mass Destruction Study Group, which had met immediately preceding the ISM. They highlighted: Indonesia’s CTBT ratification, hoping this will be an impetus for others in the region to also ratify; the recent DPRK/US agreement as a positive first step, although developments needed to be carefully handled to avoid unrealistic expectations; and the extension of the UN Security Council Resolution 1540 creating a new phase for this Resolution. The ARF’s attention was drawn to the range of CSCAP publications available online, including the CSCAP Guidelines for Managing Trade of Strategic Goods.

8. The meeting adopted the Agenda of the Fourth ARF ISM-NPD as attached in Annex II.

## **Agenda Item 2: Strengthening Global and Regional Nuclear Non-Proliferation Measures**

9. Dr Peter Rance, of the International Atomic Energy Agency, presented on “Strengthening Global and Regional Nuclear Non-Proliferation Measures”. He noted that the non-proliferation regime was an interconnected web of national, bilateral, regional, multilateral and international mechanisms, processes and commitments. The NPT was the centrepiece of this web, with the IAEA responsible for verifying states’ NPT and other non-proliferation commitments. To both verify the

correctness and completeness of states' declarations, the IAEA needed the required legal powers, including through conclusion of Additional Protocols, as well as states' full cooperation. The number of countries with Additional Protocols has for the last three years exceeded those without one and numbers continue to steadily rise; reaching 116 as of 2012.

10. Ms Nalinie Sewpersadsingh, of the Preparatory Commission of the Comprehensive Nuclear Test-Ban Treaty Organization (CTBTO), provided an update on the status of the treaty and the activities of the CTBTO. With the recent ratification of the treaty by Indonesia, there remained only eight Annex 2 states needing to ratify for the CTBT to enter into force. She outlined the global International Monitoring System, which is currently over 80% complete and not only provides a detection capability for nuclear tests, but is contributing to civil and scientific efforts related to earthquakes, tsunami warning, and radiation and atmospheric studies. These capabilities were used in the aftermath of the Fukushima incident to inform the international community. The CTBTO has recently launched a new education and training capacity building initiative.

11. Participants warmly welcomed Indonesia's ratification of the CTBT and many expressed the hope that this would lead to other ARF participants' ratification of the treaty in the near future. The majority of participants expressed strong support for the CTBT entering into force at the earliest opportunity.

12. Various challenges facing the region were noted along with the collective obligation of ARF members to address these challenges. Non-proliferation and disarmament were key elements of international peace and security. It was highlighted that ARF members could further contribute through mechanisms such as stronger safeguards, tighter export controls, full implementation of UN Security Council resolutions and other means such as entry into force of the CTBT. The value of capacity building was highlighted and several participants offered assistance in helping ARF states with implementing non-proliferation mechanisms.

13. Participants party to the NPT expressed their support for the Treaty and emphasised the importance of all three NPT pillars: disarmament, non-proliferation and the peaceful uses of nuclear energy. They welcomed the successful 2010 NPT Review Conference and its outcomes documents, and highlighted the importance of maintaining momentum in taking forward the 64-point Action Plan agreed by NPT states. They looked forward to the May 2012 NPT Preparatory Committee as an opportunity to take stock of developments to date and make further progress on the three pillars of the NPT. The meeting noted that it was important for ARF members to make a strong contribution to the 2012 NPT Preparatory Committee meeting.

14. Participants shared common aspirations and objectives to reduce and eliminate the threat of the proliferation of weapons of mass destruction and their means of delivery, and committed themselves to engage in efforts to this end. The meeting discussed the current developments, challenges and opportunities in the nuclear non-proliferation regime. They particularly noted the continuing challenge of ensuring the entirely peaceful nature of civil nuclear programs. Participants welcomed reports that the DPRK has agreed to a moratorium on nuclear tests, long-range missile launches, and nuclear activities at Yongbyon, and to allow the IAEA to monitor the moratorium on these nuclear activities.

15. Some participants noted various non-proliferation initiatives, including: the Non-Proliferation and Disarmament Initiative (NPDI), a cross regional group of ten countries undertaking practical steps

to take forward the NPT Action Plan; the initiative to promote de-alerting of nuclear weapons; and the Proliferation Security Initiative (PSI). Several participants expressed the hope that non-proliferation and disarmament momentum could be increased towards progress on a Fissile Material Cut-off Treaty and a Nuclear Weapons Convention.

16. The issue of the South East Asia Nuclear Weapons Free Zone (SEANWFZ) was discussed. Participants welcomed the conclusion of direct consultations between ASEAN Member States and the Nuclear Weapon States (NWSs) at the 19<sup>th</sup> ASEAN Summit in November 2011. This was considered a significant step forward in formally preserving South East Asia as a nuclear weapons-free zone. The participants encouraged all ASEAN Member States and the NWSs to continue their constructive collaboration to ensure the early accession of the NWSs to the Protocol of the SEANWFZ Treaty. It is expected that signing of the Protocol by NWSs could occur during the 45<sup>th</sup> ASEAN Ministerial Meeting/Post Ministerial Conference/19<sup>th</sup> ARF Meeting in July 2012.

17. The meeting noted concerns about the possibility of terrorists obtaining nuclear or radiological material. In this regard the meeting looked forward to the March 2012 Nuclear Security Summit in Seoul, Republic of Korea. This meeting was expected to focus on progress since the first Nuclear Security Summit in Washington, security of radiological sources and circumstances where security issues could lead to safety issues.

18. Some participants expressed disappointment that, to date, the Conference on Disarmament had not been able to make substantial progress on its agreed work program. They expressed their willingness to participate in the work of the CD in a positive and constructive manner, so as to make substantive contributions to the work of the CD on nuclear disarmament, the Fissile Material Cut-off Treaty, preventing an arms race in outer space, as well as negative security assurances to non-nuclear-weapon-states.

19. Participants reiterated the right of all states to pursue peaceful nuclear programs, while stressing that this work must be done in ways that are consistent with all non-proliferation commitments and international obligations. The role of the IAEA in fostering cooperation in peaceful uses of nuclear energy was welcomed.

20. Participants noted that the ARF can play a constructive role in addressing nuclear non-proliferation issues, including through the sharing of national experiences and expertise, and fostering a climate that facilitates enhanced implementation of our shared non-proliferation commitments.

### **Agenda Item 3: Prospects for the Biological Weapons Convention (BWC) and the Chemical Weapons Convention (CWC), in view of the outcomes of the BWC Review Conference and the Conference of the States Parties to the CWC**

21. Mr Malik Azhar Ellahi, from the Organisation for the Prohibition of Chemical Weapons (OPCW) provided an outline of the outcomes of the 16<sup>th</sup> Session of the Conference of the States Parties to the Chemical Weapons Convention (CWC). The Conference had decided to extend the deadline for destruction of chemical weapons by Possessor States, to extend Libya's deadline for destruction of chemical weapons, and to renew the OPCW's Action Plan on Universality. The Conference had also reaffirmed the importance of national implementation and international

cooperation. Mr Ellahi also provided an outline of the main achievements and future OPCW challenges.

22. Participants expressed their strong support for the CWC and their appreciation for the verification work of the OPCW. They encouraged all states possessing chemical weapons to maintain momentum on destruction activities and for all states to facilitate and cooperate with the verification activities of the OPCW. Participants emphasised the importance of CWC universality as a vital step towards eliminating all chemical weapons everywhere. Cooperation between the ARF and the OPCW was considered important to strengthen the CWC and support CWC States Parties. One participant emphasised the need for further work on abandoned chemical weapons and another participant referred to recent progress made in this field.

23. Mr Richard Lennane, from the Biological Weapons Convention (BWC) Implementation Support Unit provided a briefing on the outcomes of the 7th Review Conference (RevCon) of the Convention held in December 2011. The meeting welcomed the enhanced inter-sessional process (ISP) agreed by the RevCon. The meeting noted the greater continuity the ISP would provide over the coming five years for states to address in a sustained manner the following issues: ways and means to enhance national implementation; review of developments in science and technology related to the Convention; and cooperation and assistance.

24. The meeting noted the growing threat of bio-terrorism - non-state actors accessing biological materials and technologies- and considered the BWC as one mechanism to address this threat. Effective national implementation of the BWC's provisions was identified as important in reducing the possibility of BW proliferation and in raising barriers to bioterrorism. Confidence Building Measure under the BWC reports were considered to provide welcome transparency and confidence. Some participants regarded further discussion on a verification mechanism for the BWC would be another positive step towards strengthening the treaty.

25. Participants also acknowledged the important goal of BWC universality.

26. Overlaps, synergies and convergence between the BWC and CWC were discussed and the benefits of greater effectiveness and reduced resources were identified. Participants expressed the view that a common national approach to implementing these two treaties could lead to better controls over dual-use CBW material, strengthen CBW counter terrorism strategies and raise awareness of non-proliferation among the chemical and biological industries.

27. Some participants yet to ratify the BWC and CWC affirmed their commitment to ratify both conventions.

#### **Agenda Item 4: Reducing the WMD threat through implementing UNSCR 1540 and other sanctions obligations: Role of the ARF**

28. The Chairman of the UN Security Council Resolution 1540 Committee, H. E. Ambassador Baso Sangqu, made a presentation on the implementation of UNSCR 1540 and the future work of the Committee. The meeting noted the long-term objectives of the Resolution and the extension of the 1540 Committee until 2021. Participants commended the role of UNSCR 1540, not only for filling the gap in international efforts to prevent non-state actors, including terrorist groups, from acquiring

WMD, but also its important role in preventing the proliferation of WMD-related goods and knowledge more widely. Participants noted the progress that has been made in implementing UNSCR 1540, and underlined the need for greater cooperation among UN member states in its implementation at the national, regional and global levels.

29. Participants stressed their commitment to UNSCR 1540, supported the role of the ARF in implementing the resolution, and shared national and regional experiences in this regard, including legal, regulatory, control and enforcement efforts. It was suggested that the ARF could encourage regional initiatives focused on implementation of UNSC Resolution 1540, including through encouraging participants to designate Points of Contact for implementation of the Resolution, a step already taken by other regional organisations such as OAS, AU and OSCE.

30. Mr William Newcomb, from the Panel of Experts established pursuant to UN Security Council Resolution 1874 provided an update on developments in relation to UNSC Resolutions 1718 and 1874. The meeting noted that these resolutions require the DPRK to suspend its ballistic missile and related activities, abandon its nuclear weapons program and return to the NPT. The resolution further requires all states to prevent the sale and transfer of arms, missile, WMD related items and luxury goods to the DPRK. The 1718 Committee, supported by the Panel of Experts, assesses the effectiveness of the implementation of these resolutions. New recommendations from the Committee focus on implementation by states of financial controls and sanctions.

31. Some participants raised the issue of reporting requirements under the UNSC resolutions on non-proliferation. In particular, they noted the burden that the range of proliferation instruments imposed particularly on smaller states dealing with a range of competing requirements with limited resources. In this regard, the Chair of the 1540 Committee and several participants offered assistance to help states establish and implement their obligations under UNSC Resolution 1540 and other non-proliferation undertakings.

#### **Agenda Item 5: Strengthening export controls and eliminating illicit trade in WMD sensitive goods**

32. Mr Faizal Mohd Yusof, Deputy Strategic Trade Controller, Malaysian Ministry of International Trade and Industry, spoke on Malaysia's experience with export controls and eliminating the illicit trade in WMD-sensitive goods. He outlined the legislation and regulatory process to bring into force such controls and the challenges involved. Implementation required not only coordination across a large number of government agencies, but also a significant education program for Malaysian industry and exporters.

33. Some participants shared their national and regional experiences on export controls in a detailed manner. Participants recognised the usefulness of this information in improving their own national infrastructure. Participants noted the importance of transparency, legitimacy, effectiveness, and inclusiveness in implementing effective export controls. While noting the positive impact that export controls can have on the promotion of trade, and on the peaceful development of nuclear, chemical and biological activities, participants stressed the need to ensure that the regimes do not hamper the legitimate rights of developing countries to sustainable economic development.

34. Participants noted the challenges faced in implementing effective export and domestic controls, including the need for capacity and resources, enforcement, interagency coordination, raising industry awareness, industry-government relations, and the complexity of regulating certain activities. The meeting noted ASEAN's efforts to improve implementation of export controls in ways that help to facilitate economic development, such as the ASEAN Single Window Program.

35. Several participants and international organisations present at the meeting offered assistance to help states establish and implement effective tools for preventing the illicit transfer of WMD-related items, and to promote the peaceful development of nuclear, chemical and biological activities.

#### **Agenda Item 6: Wrap up / closing session**

36. Participants were encouraged by the comprehensive, in-depth and fruitful discussions during this two-day meeting. They expressed the view that the ongoing work of ISM-NPD provided a valuable opportunity for the ARF to foster consensus on disarmament and non-proliferation, and other related issues concerning regional and international security and stability. Participants commended the open and thoughtful contribution of participants and noted that the meeting had been useful in informing states on pressing issues related to disarmament, non-proliferation and peaceful use in the region and the world at large.

37. Participants appreciated the progress undertaken inter-sessionally by states on the ARF work plan on non-proliferation and disarmament and agreed that the elaboration of such a plan is a positive development. Some participants noted that the work plan was "a living document" and would require regular review as part of the ISM processes. Participants further agreed to recommend the work plan (Annex III) to the next ARF Inter-Sessional Group meeting in May as a basis for discussion, with a view to its endorsement by ARF Senior Officials and its eventual adoption by Ministers at the ARF meeting in July 2012.

38. Several participants highlighted additional national and regional activities that contribute to non-proliferation and disarmament. The meeting noted the annual UN-ROK joint Conference on Disarmament and Non-Proliferation Issues, the UN conferences on Disarmament Issues in cooperation with Japan and the ASEAN/P5 arrangements supporting the SEANWFZ Treaty and promoting the peaceful uses of nuclear energy and safe disposal of radioactive waste.

39. Participants expressed their gratitude and appreciation to the Government of Australia for its generous hospitality and for the excellent arrangements made for the meeting.

40. The meeting agreed the ARF ISM on Non-Proliferation and Disarmament would meet again in the Philippines where it would focus on peaceful uses, and in Japan where it would focus on disarmament in 2013 and 2014.