



ASEAN' s Efforts Towards Non-Proliferation

A presentation by
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Commitments

- ❖ 2008 **ASEAN Charter** : “To preserve Southeast Asia as a Nuclear Weapon-Free Zone and free of all other weapons of mass destruction (Article 1, Para 3)
- ❖ 1995 Treaty on the Southeast Asia Nuclear Weapon-Free Zone (**SEANWFZ**, Bangkok Treaty, entered into force on 27 March 1997)
 - + 10 States Parties in Southeast Asia (all the 10 are ASEAN Member States) have agreed to the following basic undertakings:
Not to develop, manufacture or otherwise acquire, possess or have control over nuclear weapons; not to station or transport nuclear weapons; not to test or use nuclear weapons; not to dump at sea or discharge into the atmosphere any radioactive material or wastes; or to allow its territory any other state to do so; not to seek or receive any assistance in violation of the basic undertakings; *To preserve Southeast Asia as a Nuclear Weapon-Free Zone and free of all other weapons of mass destruction*
- ❖ **ASEAN Political-Security Community Blueprint**
Comply with the undertakings in the SEANWFZ Treaty, including accession to the International Atomic Energy Agency (IAEA) safeguards agreements and related instruments



Commitments (continued)

- Peaceful purposes of nuclear material and facilities;
- Peaceful nuclear energy programme conforming to guidelines and standards recommended by the IAEA;
- Support the NPT and the IAEA safeguard system;
- Disposal of radioactive wastes and other radioactive material in accordance with IAEA standards and procedures on land within its territory or on land within the territory of another state which has consented to such disposal;
- Not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to any non-nuclear-weapon state except under conditions subject to the NPT safeguards or in conformity with IAEA safeguards agreements.

SEANWFZ Plan of Action 2007

❖ Plan of Action

to Strengthen the Implementation of the SEANWFZ Treaty (2007–2012)

+ Encourage States Parties to complete their accession to the IAEA safeguard agreements, and join international agreements, e.g. the CTBT, Convention on Nuclear Safety and IAEA Additional Control

+ Establish a regional nuclear safety regime, to regulate and oversee the safety assessment requirements for those State Parties which have embarked on peaceful nuclear energy programmes

-+ Increase the international profile of SEANWFZ : UNGA resolutions in 2007, 2009, and the third one in 2011

-+ Collaboration with like-minded countries in other nuclear weapon-free zones

-+ Reactivate direct consultations with the five nuclear weapon-states (NWSs)

Need Support of NWSs

- +ASEAN and the five NWSs reached an agreement in Bali last November for the five NWSs to sign a revised Protocol to the Treaty on SEANWFZ.

The agreement includes the following :

- – Text of the Treaty shall stay as it is.
- – ASEAN and China to formalize their understanding that China's support for SEANWFZ shall not in anyway affect the sovereignty, the sovereign rights and the jurisdiction over territories, exclusive economic zones, and continental shelves of any party.
- – Negative security assurance (NSA) from the five NWSs shall be given to the 10 Southeast Asian States Parties to the Treaty to cover only their territories and territorial seas - but not their EEZs or continental shelves.

Need Support of NWSs (continued)

- However, the five NWSs agree to accept the undertaking on environmental protection in Article 3, Paragraph 3 of the Treaty, which includes refraining from dumping at sea or discharge into the atmosphere any radioactive material or wastes anywhere in SEANWFZ - including the EEZs and continental shelves of the Southeast Asian States Parties to the Treaty.
- The Southeast Asian States Parties can each decide whether to allow visits by foreign ships and aircraft to its ports and airfields, transit its airspace by foreign aircraft, and navigation by foreign ships through its territorial seas or archipelagic waters in a manner not governed by the rights of innocent passage, archipelagic sea lanes passage or transit passage, as provided for in Article 7 of the Treaty. Exercising this sovereign right to make the decision shall not be considered as a deviation from the basic undertakings of the States Parties under Article 3 Paragraph 2 (a).

Non-proliferation and Disarmament on ARF Agenda

- ASEAN Regional Forum (ARF) was established by ASEAN Foreign Ministers in 1994
- 10 ASEAN Member States + 18 others (Australia, Canada, China, the E.U., India, Japan, the RoK, New Zealand, Russia, the U.S., Papua New Guinea, Pakistan, Mongolia, the DPRK, Timor-Leste, Sri Lanka, Bangladesh) are participating
- ARF Statement on Non-Proliferation at the 11th ARF in 2004
 - it is vital to prevent terrorists or those who harbour them from acquiring or developing WMD, their means of delivery and related materials;
 - support the adoption of UNSCR 1540 and the UN Committee 1540;
 - encourage ARF participants to enact or improve national legislation, regulations and procedures to exercise effective control over the transfer of WMD;
 - ARF participants would carry out cooperative actions to strengthen measures against proliferation of WMD, including: implementing effective export control and enforcement measures; working with international cooperative mechanisms to provide technical assistance against proliferation of WMD.

ARF's Support for Resolution 1540

- ARF Statement on Supporting National Implementation of United Nations Security Council Resolution 1540 (2 August 2007)
 - ❖ calling on ARF participants to provide additional information, as appropriate, to the 1540 Committee on national implementation as part of the ongoing process of Resolution 1540 implementation
 - ❖ working toward practical capacity-building activities and cooperation in the ARF region to help participants meet their obligations under Resolution 1540 and other WMD non-proliferation commitments, in full cooperation with the 1540 Committee
 - ❖ remaining seized of the matter in the ARF in the future and may hold further exchanges of views on the implementation of Resolution 1540.

ARF ISM on NPD

- **Activities pertaining to non-proliferation of WMD and its related matters**
 - ❖ ARF Export Licensing Experts Meeting in Singapore on 17-18 November 2005. The outcome document “Best Practices in Export Control” was endorsed by the 14th ARF in 2007.
 - ❖ ARF Seminar on Non-Proliferation of Weapons of Mass Destruction, Singapore, 27-29 arch 2006
 - ❖ ARF Workshop on UN Security Council Resolution (UNSCR) 1540 Implementation, San Francisco, 13-15 February 2007
 - ❖ ARF Workshop on Biological Threat Reduction, Manila, 10-11 June 2009

- **The ARF Inter-Sessional Meeting on Non-Proliferation and Disarmament (ISM on NPD)**
 - ❖ Established in 2008 to oversee non-proliferation and disarmament issues
 - ❖ 1st ISM on NPD in Beijing on 1-3 July 2009; 2nd ISM on NPD in Singapore in July 2010
 - ❖ A work plan on non-proliferation and disarmament was discussed at the 3rd ISM on NPD in Las Vegas, 23-24 February 2011
 - ❖ The work plan is expected to be finalized at the upcoming 4th ISM on NPD in Sydney, 7-9 March 2012.



- ❖ **Nuclear Security** and the ASEAN Ministerial Meeting on Transnational Crime (AMMTC)

- Border security management
- Law enforcement, intelligence sharing in preventing the illegal trafficking and use of explosives, firearms, and other deadly weapons, as well as nuclear, chemical and biological materials
- Activities under the framework of counter-terrorism between ASEAN and its Dialogue Partners

- ❖ Workshop on Preventing Bioterrorism, July 2007, Manila

- ❖ ASEAN Seminar on Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE) Consequence Management (21–23 Oct 2009)

- ❖ Seminar on ASEAN–EU Cooperation on CBRN Centres of Excellence, 8 July 2010, Jakarta

- ❖ ASEAN Convention on Counter-Terrorism entered into force on 28 May 2011

Nuclear Power in the ASEAN Community

- Worldwide nuclear energy '*renaissance*' has reached the ASEAN Community :
- **Viet Nam** soon to start building first nuclear power plant in Ninh Thuan with Russian support; to be operation by 2020; second nuclear power plant also in Ninh Thuan will be built with Japanese support. Viet Nam plans to build eight nuclear power plants with 15,000 MW installed capacity by 2030.
- **The Philippines** is looking for a new site to build another nuclear power plant; its first in Bataan has to remained mothballed.
- **Indonesia, Malaysia and Thailand** have made active preparations to go for nuclear energy. Indonesia is actively studying Bangka Island off eastern Sumatra as a possible site.
- Even **Singapore** would no longer dismiss nuclear energy as a possible solution to energy security in the longer-run.

Small steps toward nuclear safety

- ASEAN energy officials took more than two years to negotiate the TOR of the Nuclear Energy Cooperation Sub-Sector Network (NEC-SSC)
 - + The debate on whether there is any need to establish a regional regime for nuclear energy safety (Isn't conformity with the IAEA safeguards and standards sufficient?)
- Immediate priorities of the NEC-SSN:
 - – capacity-building, exchange of technical experts
 - – public information, public education on nuclear power
 - – sharing of best practices in institutional, legislative and regulatory issues

No ASEAN approach to WMD

- After securing support from the five NWSs for SEANWFZ, ASEAN can move on to enhance regional cooperation on nuclear security and nuclear safety.
- ASEAN Member States support the implementation of Resolution 1540 individually as part of their UN participation
- ASEAN has not yet developed any regional approach to export controls of strategic goods (so far only Singapore and Malaysia have their respective strategic exports control laws in place)
- No ASEAN Member States in any of the four multilateral control regimes
- Different ASEAN bodies have different priorities: Which ASEAN body can take the lead? ASEAN Foreign Ministers Meeting (AMM), ASEAN Defence Ministers Meeting (ADMM), ASEAN Economic Ministers Meeting (AEM), ASEAN Ministerial Meeting on Transnational Crime (AMMTC), ASEAN Customs DGs, ASEAN S & T Ministers Meeting?



Thanks for supporting ASEAN

ASEAN needs all the help it can get for:

- Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ)
- Keeping Southeast Asia free of all weapons of mass destruction (WMD)
- Ensure nuclear safety in Southeast Asia
- Developing export controls nationally, and perhaps regionally later on.