

2004 ASEAN REGIONAL FORUM STATEMENT ON NON-PROLIFERATION

Adopted in Jakarta, Indonesia on 2 July 2004

1. The Chairman of the ASEAN Regional Forum, on behalf of the ARF participants, issues the following statement:
2. Recognizing that:
 - A. The proliferation of weapons of mass destruction (WMD) in all its aspects and their means of delivery constitute a threat to international peace and security and a growing danger to all states;
 - B. The proliferation of WMD and the spread of terrorist groups increase the risk that terrorists may gain access to WMD and their means of delivery;
 - C. A multilateral approach to security, including disarmament and nonproliferation, contributes to maintaining international order, therefore every effort should be undertaken to uphold, implement and strengthen the multilateral disarmament and nonproliferation treaties and agreements to which ARF participants are States Parties.
 - D. The support of international institutions charged respectively with verification and upholding of compliance with these treaties is of key importance.
 - E. It is vital to prevent terrorists or those who harbor them from acquiring or developing WMD, their means of delivery, and related materials, and continued efforts to reduce this threat should be greatly encouraged.
 - F. In the interest of international peace and security, ARF participants agree that it is vital that we prevent, with utmost vigilance and urgency, the proliferation of WMD, their means of delivery, and related materials.
 - G. The effort to prevent the proliferation of WMD and their means of delivery requires a comprehensive approach in accordance with international law.
 - H. Critical to such an approach is to encourage all ARF participants to comply with their respective nonproliferation commitments and disarmament obligations under the international treaties to which they are parties. They are also encouraged to adopt new measures as appropriate on effective export controls and on establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations.
 - I. The ARF has long recognized the threat posed by the proliferation of WMD and their means of delivery to the Asia-Pacific region and the need to uphold, implement and strengthen the multilateral disarmament and nonproliferation treaties and agreements to which ARF participants are states parties. These principles were reflected in the 1996 ARF Chairman's Statement, which referred to the ARF Seminar on Nonproliferation in Jakarta on December 6-7, 1996, and in subsequent ARF statements. The ARF commends Canada's proposal to conduct a seminar on export licensing in the next ARF cycle.
 - J. The prevention of proliferation should not hamper international cooperation in materials, equipment and technology for peaceful purposes.

3. The ARF supports, in line with Article 25 of the UN Charter, the adoption of UN Security Council Resolution 1540 on nonproliferation of weapons of mass destruction (2004) and presumes that all its provisions, having unequivocal supremacy over this Statement, should be effectively implemented. To this end, ARF participants will closely collaborate with each other and duly cooperate with the Committee of the Security Council established under Resolution 1540. This Statement is a contribution at the regional level to achieving the goals of the aforesaid Resolution

4. The ARF notes the progress that has been made by ARF participants in addressing proliferation concerns. The ARF encourages ARF participants to further enhance their efforts and commitments to prevent the proliferation of WMD and their means of delivery in a more comprehensive manner that takes into account ARF participants' resources and capacities. The ARF encourages ARF participants to make best efforts:

- A. To redouble their efforts to maintain and strengthen the disarmament and nonproliferation treaties, and for all States parties to these treaties to fully implement them in accordance with their obligations under these treaties.
- B. To enact or improve national legislation, regulations and procedures to exercise effective control over the transfer of WMD and related materials, while ensuring that such legislation, regulations and procedures are consistent with the obligations of States Parties under international treaties;
- C. To strengthen cooperation in sharing of information among ARF participants and with relevant multilateral and international organizations in order to deal effectively with proliferation of WMD and their means of delivery and related transfers.
- D. To take cooperative measures to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery and related materials in accordance with national legal authorities and legislation and consistent with international law; and
- E. To strengthen national legal measure, as appropriate, for criminalizing the illicit exports of equipment and technology that contributes to the proliferation of WMD, their delivery systems, and related materials.

5. To accomplish these goals, ARF participants have decided to carry out the following cooperative actions, as appropriate and in accordance with international law, for strengthening measures against proliferation of WMD and their means of delivery:

- A. ARF participants will implement effective export controls and enforcement measures to control the transfer of materials, technology and expertise that can contribute to the design, development, production or use of WMD and their means of delivery, where necessary reinforcing their national authorities and capabilities toward this end, while ensuring that such policies and practices are consistent with obligations of States Parties to the international treaties. However, efforts to prevent the proliferation of WMD should not hamper international cooperation in material, equipment and technology for peaceful purposes.
- B. To this end, ARF participants recognize the utility of effective national export control lists as well as the need, where necessary to rigorously enforce and further develop them, without affecting the rights to develop research, production and use of (nuclear, chemical and biological) materials for peaceful purposes.
- C. Given that safe and secure management of radioactive sources is very important in the current security climate, ARF participants will review their abilities to control radioactive sources and will make a political commitment to work toward following guidance contained in the International

Atomic Energy Agency's (IAEA) Code of Conduct on the Safety and Security of Radioactive Sources, or "Code."

- D. Agreeing that the denuclearization of the Korean Peninsula would contribute to the peace and stability of the Asia-Pacific region, ARF participants will continue to support the Six Party Talks to resolve the nuclear issue peacefully through dialogue.
 - E. ARF participants will continue to enhance cooperation with the IAEA and the OPCW in order to strengthen international nuclear and chemical safeguards respectively, and to uncover networks that provide WMD-related equipment, materials and technologies illegally.
 - F. All participants will foster regional dialogue and cooperation in order to strengthen a global response to this serious challenge and threat to international security.
6. In addition, ARF participants decided that they will:
- A. Work actively with international cooperative mechanisms to provide, when and where possible, technical assistance to strengthen mechanisms against proliferation of WMD, their delivery systems and related materials and technologies, to ARF participants that request such assistance; and
 - B. Encourage the ARF Chair to explore with the ASEAN Secretariat, or, if established, and ARF Unit, whether it would be willing to record requests from ARF participants for assistance in implementing measures to strengthen their respective WMD national authorities and other mechanisms against proliferation of WMD, their delivery systems and related materials and technologies.
7. ARF participants will review the progress of these and other efforts to strengthen nonproliferation of WMD in all its aspects and their delivery means at the 12th ARF Ministerial Meeting in 2005.