



**The Third Meeting of the CSCAP
Study Group on Nonproliferation and
Disarmament in the Asia-Pacific**

**A Conference Report
By Federica Dall'Arche**

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Pacific Forum CSIS

Based in Honolulu, the Pacific Forum CSIS (www.pacforum.org) operates as the autonomous Asia-Pacific arm of the Center for Strategic and International Studies in Washington, DC. The Forum's programs encompass current and emerging political, security, economic, business, and oceans policy issues through analysis and dialogue undertaken with the region's leaders in the academic, government, and corporate areas. Founded in 1975, it collaborates with a broad network of research institutes from around the Pacific Rim, drawing on Asian perspectives and disseminating project findings and recommendations to opinion leaders, governments, and members of the public throughout the region.

Council for Security Cooperation in the Asia Pacific (CSCAP)

The Pacific Forum joined with nine other institutes in July 1993 in Kuala Lumpur to establish CSCAP as a forum for non-governmental "track-two" multilateral security dialogue. Founding members represent institutes in Australia, Canada, Indonesia, Japan, South Korea, Malaysia, the Philippines, Singapore, Thailand, and the U.S. Newer members include China, Mongolia, New Zealand, North Korea, Russia, Vietnam, the European Union, India, Cambodia, and Papua New Guinea. CSCAP members seek to enhance regional security and stability through dialogue, consultation, and cooperation on concrete policy issues and problems of mutual concern. The Council's research and analyses support and complement the efforts of regional governments and official multilateral dialogue mechanisms such as the ASEAN Regional Forum (ARF). The Pacific Forum manages the U.S. committee (USCSCAP).

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Key Findings

The Pacific Forum CSIS, with support from the Carnegie Corporation of New York, held the Third Meeting of the CSCAP NPD Study Group in Auckland, New Zealand on March 5-7, 2017, on the front-end of the ASEAN Regional Forum (ARF) Inter-sessional Meeting on Non-proliferation and Disarmament (ISM/NPD). Approximately 65 senior scholars and officials and Pacific Forum Young Leaders attended, in their private capacity. Off-the-record discussions focused on recent developments in Non-proliferation and disarmament, Korean Peninsula denuclearization, strategic trade controls (STC) and nuclear governance, biosafety and biosecurity, Non-proliferation and nuclear security implementation, and possible workshop proposals for the ARF ISM/NPD. Key findings from this meeting include:

Adherence to Non-proliferation and nuclear security instruments by Asia-Pacific states has improved but implementation still lags behind in many states. Implementation gaps stem from lack of capacity, lack of awareness, and/or lack of political will. CSCAP and the ARF should focus on raising awareness and capacity-building, while encouraging states to exercise the political will required to come into full compliance.

There are questions about the future of nuclear security implementation in the aftermath of the Nuclear Security Summit; to date, no state or organization has picked up the baton to ensure that progress continues. Because much depends on high-level political support, governments should continue to make nuclear security a priority. The ARF could become an institutional home for regional nuclear security governance. The ASEAN Network of Regulatory Bodies on Atomic Energy (ASEANTOM), which seeks to enhance cooperation among ASEAN members on nuclear safety, security, and safeguards could also play a leading role.

Looming negotiations for a treaty banning nuclear weapons are raising fundamental questions about the future direction of Non-proliferation and disarmament efforts. Advocates of a Ban Treaty highlight the dangers of nuclear weapons and the need to move swiftly toward their long-overdue elimination. Skeptics stress that a better approach is to continue to proceed toward disarmament in an incremental manner, while seeking to address security concerns that for the moment make disarmament risky. Middle ground suggestions included discussing on ban on use rather than possession as a first step and/or examining the prospects of a WMD vice nuclear ban.

The difficulty of *getting to* zero should not stand in the way of efforts to *move toward* zero however. More research is needed to identify realistic pathways to nuclear disarmament that take into account nuclear weapons *and* other weapon systems, including high-precision conventional weapons and missile defense, as well as the growing roles of the space and cyber domains.

The prospects for denuclearization of the Korean Peninsula seem bleak. The DPRK appears determined to remain a nuclear-armed state; it continues to expand and improve its arsenal, which it regards as critical to its survival. DPRK participants stress

that their country will “never give up nuclear weapons,” but also maintain that these weapons are exclusively for defensive purposes and that the DPRK will not proliferate.

At present there appears to be no clear path toward Korean Peninsula denuclearization. Given that neither war nor acceptance of the DPRK as a nuclear-armed state are viable options, efforts should be made to renew negotiations. Absent a breakthrough, stricter implementation (and strengthening) of United Nations sanctions against the DPRK appears likely. UN Resolutions 2270 and 2321 are broadening the scope of sanctions, which remain aimed at bringing the DPRK back into compliance with the NPT, preferably through a resumption of Six-Party Talks on the basis of the 2005 Joint Declaration.

There is a great deal of anxiety and uncertainty regarding future US policy. While the Trump administration has yet to formulate its nuclear policy, many worry that it may break with the US tradition of support for Non-proliferation and disarmament. Others fear a nuclear arms race. Since most participants agreed that US leadership on NPD issues is critical to further progress, participants called for an early clear articulation of US nuclear policy.

The CSCAP “experts groups” on STC and nuclear governance have helped regional states make headway in both areas. The STC group has shown that STC implementation in fact *facilitates* rather than inhibits trade of monitored items. Recommendations on how to develop STC are laid out in CSCAP Memorandum No. 14, including the need for states to: adopt comprehensive STC laws; establish regulatory frameworks, enforcement mechanisms, and a single point of contact; and integrate core principles into the agenda of relevant regional initiatives.

Similarly, the experts group on nuclear governance has produced important recommendations on how to keep sensitive materials safe and secure, including: encouraging individual states’ leadership and responsibility; priority management of radioactive sources; giving equal importance to safety, security, and safeguards; and having realistic expectations.

More work is needed in the area of nuclear governance. Topics of interest include nuclear waste management and efforts to expand the Southeast Asian Nuclear-Weapon-Free Zone (SEANWFZ) into an enrichment-and-reprocessing free zone and/or a weapons of mass destruction (WMD) free zone. Given that all ASEAN member states have endorsed the Biological and Chemical Weapons Conventions, turning SEANWFZ into a WMD-free zone seems politically feasible.

There are important bio-threats in the Asia Pacific, ranging from natural threats (SARS, Zika, or bird flu) to the accidental or intentional release of biological agents. Little progress has been achieved under the auspices of the Biological Weapons Convention; the December 2016 Review Conference was a disappointment. There are numerous mechanisms to help states build capacity to prepare for and combat bio-threats, however.

Recent events in Malaysia also highlight the need for continued vigilance in dealing with chemical weapons threats. While nuclear use may be the most catastrophic, chem/bio use appears more likely and ARF states in general are ill-equipped to deal with this challenge. Establishing a CSCAP Chem/Bio Experts Group would help develop a better understanding of the threats and of the opportunities and challenges to address them.

CSCAP NPD Study Group participants recommend the ARF ISM/NPD consider convening the three following workshops to help implement its Action Plan: 1) a workshop on nuclear security governance in the Asia Pacific; 2) a workshop on SEANWFZ; and 3) a workshop on nuclear disarmament verification, drawing on the work of the International Partnership on Disarmament Verification, or IPNDV.

Conference Report

By Federica Dall'Arche*

The Pacific Forum CSIS, with support from the Carnegie Corporation of New York, held the Third Meeting of the CSCAP NPD Study Group in Auckland, New Zealand on March 5-7, 2017, on the front-end of the ASEAN Regional Forum (ARF) Inter-sessional Meeting on Nonproliferation and Disarmament (ISM/NPD). Approximately 65 senior scholars and officials and Pacific Forum Young Leaders attended, in their private capacity. Off-the-record discussions focused on recent developments in nonproliferation and disarmament, Korean Peninsula denuclearization, strategic trade controls (STC) and nuclear governance, biosafety and biosecurity, nonproliferation and nuclear security implementation, and possible workshop proposals for the ARF ISM/NPD.

Session 1

Recent developments in nonproliferation and disarmament

Maria Rost Rublee (Monash University, Australia) provided an overview of recent developments on nonproliferation and disarmament. The International Conference on Nuclear Security, sponsored by the International Atomic Energy Agency (IAEA) and held in December 2016, provided a venue for over 2,000 participants from 139 countries to exchange technical knowledge and information. Because of limited participation at the political level, however, the meeting did not produce many concrete deliverables. Also disappointing was the 8th Biological and Toxin Weapons Convention Conference, which took place in November 2016. No consensus was reached on a program of work for future intersessional meetings, let alone on verification mechanisms. Meanwhile, there is enthusiasm for the negotiations for a nuclear ban treaty, set to begin in March 2017. In November 2016, 123 states at the United Nations General Assembly voted in favor of Resolution L41, calling for a legally binding instrument to outlaw nuclear weapons and eliminate them. Resolution L41 was the result of a long process initiated by New Agenda Coalition in 1998 and continued by the recent Humanitarian Consequences Initiative, and a consequence of the frustration of non-nuclear weapons states for the lack of progress on nuclear disarmament. Our speaker pointed out that the general belief that the United States is in decline and may become increasingly isolationist, continued concerns about horizontal and vertical nuclear proliferation, potential nuclear crises and/or nuclear uses, as well as the possibility of unilateral British nuclear disarmament as a result of Scottish independence will weigh heavily on the outcome of the negotiations.

During the discussion, numerous participants expressed concerns about the seemingly high level of unpredictability of the new US administration and the lack of clarity about nuclear policy. Uncertainties have also arisen as to who would provide leadership on nonproliferation and disarmament should the United States forgo its

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traditional role. With regards to negotiations for a nuclear ban treaty, some participants expressed skepticism, arguing that the ban fails to offer an alternative to nuclear deterrence, which is critical to maintain strategic stability. Other participants noted that failing to acknowledge the frustration of non-nuclear weapons states and civil society over the lack of progress on disarmament will result in a collapse of the nonproliferation regime. There was general agreement, however, that the difficulties of getting to zero should not stand in the way of moving towards zero, and some participants suggested that a more realistic objective may be a ban on nuclear weapons use.

Session 2

The Korean Peninsula and Denuclearization

The second session examined the current situation on the Korean Peninsula. Song Il Hyok (Institute for Disarmament and Peace, DPRK) provided some context on the current situation on the Korean Peninsula. He explained that during the Korean War, both the South and North faced the threat of nuclear weapons from external actors. After the armistice was signed, the United States continued to support the South and conducted exercises that threaten the DPRK. In recent years, the intensity of these exercises has increased, along with US hostility towards the North. Song defined the exercises as unnecessary, provocative, and offensive because they simulate the invasion of Pyongyang and the decapitation of the DPRK regime. He claimed that the DPRK nuclear program was a necessary response to such “provocations.” Without a powerful nuclear arsenal, “the tragic scenario of Iraq and Libya would have occurred on the Korean Peninsula” and the DPRK would have not been able to safeguard its national sovereignty. Song argued that progress can only be made if the United States ends its hostile policies and joint US-ROK military exercises. Lifting UN sanctions is also paramount. (In this regard, the DPRK has requested the United Nations to organize an international forum to discuss the legal basis of the sanctions). Song concluded by stating that the DPRK is willing to cooperate and find peaceful solutions to the current crisis with any “progressive country” willing to respect its sovereignty.

Yang Yi (Institute of International Studies, China) explained that China seeks the denuclearization of the Peninsula, and Beijing is taking important steps to achieve this goal. China is also committed to implementing UN Security Council Resolutions 2270 and 2321. Moreover, and significantly, Beijing decided to suspend all coal imports from the DPRK. That being said, China believes that efforts are needed to ensure that the DPRK’s humanitarian needs are met. China also believes that sanctions alone don’t work and that diplomacy and dialogue are essential to making progress. China is a strong proponent of the Six-Party Talks and believes that the parties involved should resume negotiations.

Stephanie Kleine-Ahlabrant and Philipp Schell (United Nations Security Council Panel of Experts on North Korea) briefed the audience on the UN sanctions regime on the DPRK and, particularly, on how UNSCR 2270 and 2321 have expanded this regime. Sanctions are not intended to produce adverse humanitarian hardship on the country but, rather, aim to persuade the DPRK to return to the negotiation table and to facilitate a

peaceful and comprehensive resolution of the current situation. Over the years, the United Nations has adopted several sanctions resolutions targeting the DPRK, which include arms embargos, financial and vigilance measures, commodity/sectoral bans, interdiction and transportation restrictions. UNSCR 2270 and 2321 impose additional financial sanctions, strengthen sectoral sanctions prohibiting the trade of minerals, rare earth materials, among other things, and require mandatory inspections on all cargo destined for or originating from the DPRK (including personal luggage and checked baggage). The resolutions also introduce further measures to combat the proliferation of weapons of mass destruction (WMD), including the expansion of the ‘prohibited dual-use items’ lists, restrictions on scientific and technical cooperation in certain fields, and the reduction of staff at DPRK diplomatic missions and consular posts. UN member states are required to provide information on any non-compliance with the sanctions and to submit national implementation reports in a timely manner. Despite these sanctions, the 2017 UN Panel of Experts report highlighted how identity fraud, foreign nationals and entities, large quantities of gold and cash, as well as DPRK banks, diplomats, and embassies, are still successfully used by the DPRK to circumvent the regime.

During the Q&A session our DPRK participants reiterated that their country’s behavior has been driven by its rocky relations with the United States, and that nuclear weapons, while not intended for “first use,” are the only means they have to obtain respect. They also stressed that the DPRK is not interested in proliferating or in a nuclear status. Pyongyang regards its weapons as critical to defend itself. Nonetheless, when asked if the DPRK would be willing to relinquish its nuclear arsenal in exchange of the normalization of relations with the United States and ROK and a peace treaty, the DPRK responded that it “will not denuclearize until all countries in the world are ready to do so.” US participants stressed that accepting a nuclear DPRK would have dramatic consequences for the nonproliferation regime, as it could lead others to follow suit. This is a rationale behind UN sanctions, and until the DPRK complies with international nonproliferation rules, it will be subjected to more stringent sanctions. Given that neither war nor acceptance of the DPRK as a nuclear-armed state are viable options, most participants agreed that more efforts should be made to resume dialogue and negotiations.

Session 3

Update on the “Experts Groups” work on strategic trade management and nuclear security governance

In recent years, the Pacific Forum CSIS has run experts groups on strategic trade management and nuclear security governance to facilitate cooperation among countries, develop a better understanding of the key components of these areas, and provide opportunities for regional countries to improve implementation.

David Santoro (Pacific Forum CSIS) provided an update on the work of these experts’ groups. The STC expert group meets twice a year. The first meeting, which brings together STC experts, focuses on ways to address specific issues of concern, such as transit and transshipment, free trade zones, and intangible technology transfers. The second meeting is an introductory course on STC designed for countries, particularly in

Southeast Asia, that are at the initial stage of STC implementation. While UNSCR 1540 requires all states to implement “appropriate and effective STC,” many Southeast Asian countries still lag behind in implementing such controls, due to a combination of political, institutional, and technical reasons. The experts group on STC has been helpful in assisting States overcome those difficulties. In 2009, the Pacific Forum has developed “[Guidelines for Managing Trade of Strategic Goods](#)”, a blueprint with recommendations for STC implementation. Over the past couple of years, the Pacific Forum has also sought to develop scholarship on STC by sponsoring research.

The second expert group on nuclear governance takes place once a year, usually in Southeast Asia. The focus of the expert group evolved over time. While it originally focused on nuclear energy, in recent years it shifted to nuclear safety, security, and safeguards issues. With a focus on the management of radioactive sources, the peaceful use of nuclear energy, and implementation of safeguards, the work of this group has helped participants from around the region better understand the three S’s (safety, safeguards, security) and how to implement them, and has helped enhance regional cooperation to address nuclear dangers. In recent years, states have invested in both top-down and bottom-up initiatives to enhance nuclear governance in the region. The experts group has resulted in four key findings so far: 1) stronger nuclear governance is primarily the responsibility of States: individual governments should take the lead in endorsing major nuclear instruments and they should draw up national risk and threat assessment plans on safety and security; 2) management of radioactive sources used outside the nuclear power industry should be the main focus; 3) equal importance should be given to nuclear safety, security, and safeguards because adopting a holistic approach to achieve faster and more concrete progress; and 4) regional cooperation requires time and resources in Asia.

Some participants noted that one of the main concerns of Southeast Asian countries is that strong STC could jeopardize trade and development. Our presenter noted that one of the main achievements of the experts group on STC has been to illustrate how implementing a strong STC regime would, on the contrary, facilitate trade, as companies are more likely to invest in states with robust trade controls in place. Some participants concurred, noting that involving commercial entities and vendors in the discussion could play a significant role in convincing states of the importance of implementing strong STCs.

Session 4

Biosafety and Biosecurity in the Asia Pacific

Angela Woodward (Verification Research Training and Information Centre, VERTIC, New Zealand) opened with an overview on the biological nonproliferation regime, focusing on the Biological and Toxins Weapons convention (BTWC) and the status of its implementation in the Asia Pacific. The BTWC prohibits the development, production, stockpiling of bacteriological (biological) and toxin weapons and provides for their destruction. Despite having entered into force in 1975, most countries have not yet implemented its provisions. In fact, while there is an increased attention to bio-

security - as the dangers of biological agents are now increasingly recognized, there are extensive gaps in the convention's coverage. Woodward explained that the lack of capacity is one of the main reasons for the lack of BTWC implementation. Agencies, and organizations such as the European Union, the Australia Group, and VERTIC have been helpful in offering implementation and legal assistance to governments that request it, either by supporting the development of new comprehensive legislations, or by helping amend existing laws.

Shuji Amano (Nihon Institute of Medical Science, Japan) built on Woodward's presentation by explaining the significance of bio-risks in the Asia Pacific. From natural threats, such as SARS, Zika, or bird flu, to the accidental or intentional release of biological agents, these threats often find countries in the region unprepared. While the International Health Regulations (IHR), the Asia Pacific Strategy for Emerging Diseases (APSED), the APSED and Public Health Emergencies, as well as the BTWC offer good resources and support in promoting bio-safety and security, further actions should be taken to improve countries' understanding of bio-risks. The establishment of a CSCAP experts group on biological threats, for instance, could provide a forum to help reflect on these threats, find ways to address them, and coordinate capacity-building efforts in the region.

Session 5

A scorecard on nonproliferation and nuclear security for the Asia Pacific

Federica Dall'Arche (Pacific Forum CSIS) presented on the status of adherence of CSCAP members' countries to the key components of the nonproliferation regime. The scorecard covers the biological, chemical, and nuclear domains and shows that regional governments have made considerable progress in recent years. The presentation has been published on *Issues and Insights* and it is accessible here: <https://www.csis.org/programs/pacific-forum-csis/publications/issues-and-insights> .

Nguyen Tiep (Diplomatic Academy, Vietnam) analyzed the status of implementation of the main nuclear nonproliferation instruments, and offered suggestions on how to enhance nonproliferation, security, and safety in the Asia Pacific. While important progress has been achieved in recent years when it comes to get states to adhere to nonproliferation instruments, much still needs to be done to get them to transition to implementation. As the SEANWFZ plays a crucial role for peace and stability in Southeast Asia, a good start would be to begin consultations between ASEAN and the P5 to promote the signature of the protocols. Active participation in all nonproliferation processes would also be a welcome development. With regard to nuclear security, regional cooperation must be strengthened, and there should be more exchanges of information and best practices. The ASEAN Regional Forum (ARF) Inter-Sessional Meeting on Non-Proliferation and Disarmament could play a significant role for regional nuclear security governance by becoming a forum where capacity-building efforts can be coordinated. The ASEAN Network of Regulatory Bodies on Atomic Energy (ASEANTOM), which seeks to enhance cooperation among ASEAN members on nuclear safety, security, and safeguards, could also play a leading role. ASEANTOM

could assume the task of “activity coordinator.” It could also be institutionalized as a professional organization of ASEAN (being listed in annex I of the ASEAN charter), helping the creation of a framework for ASEAN-Partner dialogue and cooperation.

Session 6

Implementing Nonproliferation and Nuclear Security

The last session looked at suggestions of workshops on nonproliferation and nuclear security for the ASEAN Regional Forum (ARF). Given the increasing interest in nuclear energy by ASEAN countries, Sharon Squassoni (Center for Strategic and International Studies) suggested that more attention should be paid to topics related to nuclear safety, security, and nonproliferation. To this end, the ARF should organize three workshops: a workshop on nuclear security governance, one on the SEANWFZ, and one on nuclear disarmament verification, drawing on the work of the International Partnership on Disarmament Verification (IPNDV).

Karla Mae G. Pabelina (Foreign Service Institute, The Philippines) also offered suggestions of workshops for the ARF. Pabelina proposes that the ARF focus on the SEANWFZ. In addition to helping ARF participants to develop a better understanding of the treaty, the workshop would serve as a confidence-building measure to facilitate consultation between extra zonal states (namely, the P5 and other nuclear weapons states) and zonal states. The rationale would be to create a platform where states can exchange views, share best practices, organize capacity-building activities, offer expertise, and, more specifically, establish regional networks for early warnings and develop a regional emergency preparedness and response team. In the long run, the workshop would help overcome the deadlock between ASEAN members and nuclear weapons states.

Appendix A



COUNCIL FOR SECURITY COOPERATION IN THE ASIA-PACIFIC

**Third Meeting of the CSCAP Study Group on
Nonproliferation and Disarmament in the Asia-Pacific
Grand Millennium Auckland, New Zealand, March 5-7, 2017**

AGENDA

Sunday, March 5, 2017

18:30 **Welcome Reception/Opening Dinner**

Monday, March 6, 2017

8:30 **Registration**

9:00 **Welcome remarks**
(CSCAP Vietnam and USCSCAP)

9:05 **Session 1: Recent developments in nonproliferation and disarmament**
This session will focus on recent developments in nonproliferation and disarmament. In October 2016, UN member states voted to start negotiations on a treaty to ban nuclear weapons. What does this mean? What lies ahead for this process? What are the major outcomes of the fifth Biological Weapons Convention Review Conference? What other developments have taken place, specifically in nonproliferation and nuclear security? What has the December 2016 IAEA Nuclear Security Conference achieved?
Speaker: Maria Rost Rublee

10:30 **Coffee Break**

10:45 **Session 2: The Korean Peninsula and denuclearization**
This session will examine the current situation on the Korean Peninsula. What are the respective parties' assessments of recent developments, especially since the latest nuclear test in September 2016? What is the focus of the new sanctions adopted by UN Resolution 2321? What other actions should be taken to improve the situation?
Speakers: Song Il Hyok
 Yang Yi
 Stephanie Kleine-Ahlbrandt and Phillip Schell

12:15 **Lunch**

13:30 **Session 3: Update on the "Experts Groups" work on strategic trade management and nuclear security governance**
This session will discuss the status and future plans of the CSCAP experts groups on strategic trade controls and nuclear security governance. What are these groups doing? What have they achieved? What are their plans for the future? What are the trends in each area? What is the relationship between them? How can they improve?
Speaker: David Santoro

15:00 **Coffee Break**

15:15 **Session 4: Biosafety and biosecurity in the Asia Pacific**

This session will focus on bio-threats and what can be done in the areas of biosafety and biosecurity to address them. What are the most significant bio-threats in the Asia Pacific? How should they be addressed? What capacity-building is needed in the region to address these threats? Where can it be found? Is there a role for regional organizations in promoting biosecurity and biosafety?

Speakers: Angela Woodward
Shuji Amano

16:45 **Session adjourns**

18:30 **Dinner**

Tuesday, March 7, 2017

9:00 **Session 5: A scorecard on nonproliferation and nuclear security for the Asia Pacific**

This session will focus on the status of regime implementation in the Asia-Pacific region and plans for to enhance nonproliferation and nuclear security. What are the key nonproliferation and nuclear security treaties and conventions? To what extent have countries in the region acceded to them? What have countries done to implement UNSCR 1540? What has been achieved at the regional level? What are the plans for the future?

Speakers: Federica Dall'Arche
Nguyen Thiep

10:30 **Coffee Break**

10:45 **Session 6: Implementing nonproliferation and nuclear security**

This session will explore nonproliferation and nuclear security workshop proposals for the ASEAN Regional Forum.

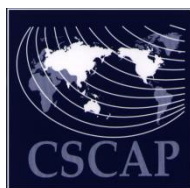
Speakers: Sharon Squassoni
Karla Mae Pabelina

11:45 **Wrap-up**

12:00 **Lunch**

13:30 **Meeting Adjourns**

Appendix B



COUNCIL FOR SECURITY COOPERATION IN THE ASIA-PACIFIC

**Third Meeting of the CSCAP Study Group on
Nonproliferation and Disarmament in the Asia-Pacific
Grand Millennium Auckland, New Zealand, March 5-7, 2017**

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