



Above Mr Wahid Supriyadi, Indonesian Consul General to Melbourne giving the Opening Remarks.



Right Senator the Hon Robert Hill, Australian Minister for Defence, giving the Opening Speech.

Below L to R: Professor Michael Crommelin, Dean of Law at The University of Melbourne; Senator the Hon Robert Hill, Australian Minister for Defence; and Mr Wahid Supriyadi, Indonesian Consul-General to Melbourne.



## OPENING SPEECH

SENATOR THE HON ROBERT HILL\*

### INTRODUCTION

Mr Consul General, Dean of the University of Melbourne Law School, ladies and gentlemen, it is a great pleasure to open this Workshop on the Biological Weapons Convention (BWC).<sup>1</sup>

I welcome our foreign visitors who have come from all over our region. I hope that your short stay in Australia is interesting and enjoyable.

This Workshop is co-hosted by the Australian and Indonesian Governments. I would like to acknowledge the support of the Government of Indonesia in helping us to make this event occur. This is one of an increasing number of cooperative endeavours by our two governments in areas of common security concern.

I also want to thank the Asia Pacific Centre for Military Law and the University of Melbourne for their support and for providing us with this venue. The Centre is a joint venture between the Law School and the Department of Defence that has been running for five years. A recent review of the Centre recommended that it extend its work into the area of disarmament and arms control, and this Workshop is the first such initiative.

### THE THREAT

The Australian Government has assessed the threat posed by the proliferation of Weapons of Mass Destruction (WMD) in our most recent statement on our security environment, *Australia's National Security – A Defence Update 2003*.<sup>2</sup> In this document we identified the proliferation of WMD as one of the major challenges to our international security.

Other challenges come from the rise of global terrorism and instances of internal instability in our region.

These challenges are inter-related. They are also ones that cannot be resolved by nations acting alone. They require joint and concerted effort.

---

© Commonwealth of Australia 2005.

\* Senator the Hon Robert Hill is the Australian Minister for Defence, and Leader of the Government in the Senate. The Minister's Opening Speech is also available from the Department of Defence at <<http://www.minister.defence.gov.au/hill/index.htm>>.

<sup>1</sup> *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction*, opened for signature 10 April 1972, 1015 UNTS 163 (entered into force 26 March 1975).

<sup>2</sup> Available at <<http://www.defence.gov.au/ans2003/index.htm>>.

There are increasing concerns about the possibility of terrorists acquiring WMD, including biological weapons. Removing the threat of terrorism, including bio-terrorism, is of vital importance to all of us in this region.

But again, the prevention of bio-terrorism and the proliferation of biological weapons cannot be assured by any one country acting in isolation.

Thus, meetings of this type are of such importance.

### THE AUSTRALIAN RESPONSE

We are glad to be able to play a role in supporting non-proliferation in our region. In the past year alone, the Australian Government has hosted a ministerial-level Asia-Pacific Conference on Nuclear Safeguards and Security in Sydney. A key theme of the Conference was preventing nuclear and radiological terrorism, and the conference promoted regional cooperation to minimise this risk through adherence to the highest international nuclear safeguards and security standards.

Australia also hosted a meeting of countries participating in the Proliferation Security Initiative (PSI), the second time Australia has done so. This meeting increased the operational focus for the PSI, and examined ways to open PSI further to more practical involvement by other states, particularly in this region.

In April we will host the 20<sup>th</sup> Anniversary Plenary meeting of the Australia Group, a voluntary agreement which has proven to be highly successful in focussing efforts to limit the potential for sensitive chemical and biological materials to be misused.

And later this year Australia will host the third senior-level meeting of the Asian Export Control Policy Dialogue.

Next year, Australia will chair the Wassenaar Arrangement in Vienna, which seeks to control transfers of conventional arms and sensitive technologies.

On the domestic front we have also been looking critically at our own preventive measures. The Australian Government takes these obligations seriously. As Minister for Defence, I have responsibility for Australia's export controls. I have made it a priority this year to enhance our export control procedures and systems. I want to be sure that our processes reflect the best possible practice.

### GLOBAL THREATS, GLOBAL RESPONSES

Countries in the Asia Pacific have signalled their strong support for global non-proliferation efforts through:

- the Chairman's Statement on Non-Proliferation at the 11<sup>th</sup> Association of Southeast Asian Nations (ASEAN) Regional Forum Ministerial Meeting in July last year;
- undertakings in 2003 and 2004 in the Asia-Pacific Economic Cooperation (APEC) Leaders' Declaration to strengthen national export controls;
- the Tokyo Declaration at the Japan-ASEAN Commemorative meeting;
- the Chair's Statement from the ASEAN Regional Summit in Hanoi in October 2004, and in the Joint Statement of the 2004 Ministerial Meeting on strengthening of the International Atomic Energy Agency (IAEA) safeguards system; and

- the Outcomes Statement from the Asia-Pacific Ministerial Nuclear Safeguards and Security Conference in Sydney in November last year.

These efforts have been significantly bolstered by the unanimous adoption of United Nations Security Council resolution 1540 last April, committing all states to adopting effective exports controls.

But the bedrock of our international response remains the non-proliferation treaties and these treaties were written in a very different world.

The Nuclear Non-Proliferation Treaty is now 35 years old.<sup>3</sup> The BWC is almost 30 years old. And the Chemical Weapons Convention was developed in the late 1980s and finalised in 1992.<sup>4</sup> If we are to successfully reduce the threat from these horrific weapons — whether biological, chemical, radiological or nuclear — we must work together to ensure the traditional regimes remain rigorous, effective, and relevant in the new circumstances of the 21<sup>st</sup> century.

It is sobering to realise how far a state like Libya, for example, was able to go in acquiring information, materials and equipment for its WMD programs before its government made the welcome decision to renounce these weapons.

A disturbing aspect of the Libyan case was the involvement of a well organised proliferation network, without the overt assistance of a state, as the transmission mechanism between suppliers of material and customers for WMD.

## BIOLOGICAL WEAPONS

Today we are particularly addressing the threat from biological weapons that may fall into the hands of non-state players — the growing and very real threat of bio-terrorism.

The threat is not only real, but a growing one, because of the rapid advances in the biological sciences and bio-technology, and the widespread availability of this information and associated material. These trends have coincided with the emergence of non-state actors determined to seek weapons of mass effect to use against civilian populations.

We have seen recent misuse of biological materials to induce terror in the United States with the anthrax attacks in 2001 and, in the mid-1990s, in Japan when the Aum Shinrikyo cult attempted to use biological agents before their more popularly-known attacks in Tokyo involving chemical agents. And we must remember the particular lessons that we learned from Iraq.

Iraq is an example of the challenges faced in detecting evidence of a biological weapons program. Despite suspicions that Iraq possessed a biological weapons program, the United Nations Special Commission (UNSCOM) conducted inspections from 1991 in Iraq for four years without uncovering solid evidence (although by the mid-1990s, UNSCOM had uncovered solid evidence of procurement of growth media, fermenters and other requirements which had clearly been destined for Iraq's

---

<sup>3</sup> *Treaty on the Non-Proliferation of Nuclear Weapons*, opened for signature 1 July 1968, 729 UNTS 161 (entered into force 5 March 1970).

<sup>4</sup> *Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction*, opened for signature 13 January 1993, 1974 UNTS 45 (entered into force 29 April 1997).

biological weapons program). Ultimately, it would be the August 1995 defection of Lieutenant-General Hussein Kamal — primary director of Iraq's WMD programs — which precipitated Iraq's July 1995 declaration that it did indeed have a biological weapons program. Iraq had spent several years developing, producing and weaponising a number of biological agents, and by the 1991 Gulf War, Iraq had weaponised anthrax, botulinum toxin and aflatoxin in R-400 aerial bombs, and also declared having filled 25 Al Husayn warheads with these biological agents.

Highlighting the dual-use dilemma, following the 1991 Gulf War Iraq's primary biological weapons production facility, Al Hakam (later destroyed by UNSCOM) switched to the production of legitimate agricultural products using the same equipment once used to produce biological weapons agents.

Each country represented at this Workshop is a party to the Biological Weapons Convention. We have all agreed to be bound by its obligations and we share a common resolve to uphold its principles. However, we also share a common burden to ensure that the BWC remains relevant and effectively inhibits the development of biological weapons.

Indeed, we are all on a steep learning curve as we grapple with the complexities of how we might raise the barriers to bio-terrorism and the proliferation of biological weapons in ways that do not hamper the growth and sharing of scientific knowledge and the global spread of beneficial advancing technologies. No one country has all the answers. So the Workshop will seek to complement the Geneva program of work by considering the implementation of the various parts of the program from a regional perspective.

Unlike the Nuclear Non-Proliferation Treaty and the Chemical Weapons Convention, the Biological Weapons Convention has never had formal machinery for monitoring compliance. The Australian Government strongly supported the development of a Protocol to strengthen the BWC. We worked vigorously in the negotiation process between 1995 and 2001 to develop a comprehensive Protocol containing strong compliance measures that would reduce the opportunities for proliferation and offer substantive security benefits.

The failure of these efforts is a matter of record. While we are disappointed with this outcome, the Australian Government will nevertheless support continued efforts to promote the universalisation of the Convention, and encourage adherence by States Parties to its existing provisions, including effective national implementation measures.

The last Review Conference of the BWC held in 2002 decided by consensus to meet annually to discuss and promote common understanding and effective action on a set number of useful objectives. These objectives include national measures to implement the Convention; laws and administration; enhanced security of pathogenic micro-organisms and toxins; and establishing sound codes of conduct for scientists working in this area.

Australia takes these commitments seriously and is taking further action in each of these areas. Our BWC obligations have been written into domestic legislation since 1976. But we are currently reviewing our legislation and developing proposals that will tighten controls on biological materials.

We are also examining existing codes of conduct for scientists and technologists with a view to strengthening them in the context of the BWC work program.

The purposes of this Workshop are therefore to bring together experts and responsible officials from around the region to share our respective experiences in giving effect to the BWC and complement the BWC program of work in Geneva. That program of work focuses on national efforts. If we all take steps to strengthen national legislation on bio-security, the BWC will be strengthened. In that way, not only national, but international security will be greatly enhanced.

The Workshop is the first of its kind in the region. I hope that it is not just a one-off event. It would be a useful thing for you to consider how you might follow up this activity in the region between now and the next Review Conference of the BWC, due in late 2006.

The Australian Government would support further meetings of this kind, should regional governments find them useful. We would also be happy to offer short courses of familiarisation training on disarmament and arms control issues to officials throughout the region to spread understanding of these issues and their compliance obligations. We can also help in the development of national legislation.

In particular, we are hoping that all countries in our region will be able to report to the Sixth Biological Weapons Convention Review Conference, to be held in Geneva in late 2006, that they have made considerable progress in national implementation of the various measures identified at the reconvened session of the Fifth Review Conference. As I mentioned earlier, this will be achieved through the:

- development and enactment of domestic laws;
- enhancing the security of pathogens and toxins;
- development and promulgation of codes of conduct for scientists.

By gathering here to progress these issues you are helping to make this region safer and keeping this key instrument rigorous and effective. I commend you and your governments for undertaking this important work.

## **OPENING REMARKS**

### **INDONESIAN CONSUL GENERAL TO MELBOURNE M WAHID SUPRYADI**

The Hon Robert Hill, Minister for Defence of Australia, distinguished participants, ladies and gentlemen; it is with great pleasure and privilege for me to join Senator Robert Hill in welcoming you to the Biological and Toxin Weapons Convention Regional Workshop in Melbourne.

The Government of Indonesia is indeed very appreciative to the Government of Australia's offer to co-host this meeting and wishes to extend its gratitude to the Australian Department of Defence, Department of Foreign Affairs and Trade, the Asia Pacific Centre for Military Law, and the University of Melbourne for the arrangement of this meeting.

In fact, both governments have been closely working together in convening regional meetings on matters related to peace and security in the region. Together with Australia, we have organised a number of regional forums on terrorism, on people smuggling and the traffic in persons, and on money laundering and the financing of terrorism. These have had a profound positive impact on the efforts of regional countries to combat terrorism and other transnational crimes.

In addition, in order to promote understanding and foster harmony between faith communities across our region, both of our governments have successfully co-sponsored an interfaith dialogue last year.

Distinguished participants, ladies and gentlemen; we meet today under turbulent circumstances. The bombing incidents and other terrorist attacks in some parts of the world, including our region, have brought a new focus to the threat posed by Weapons of Mass Destruction (WMD). The horrendous attacks revealed the existence of highly organised and well financed transnational terrorist organisations that operate on a global scale. The risk of WMD falling into the hands of terrorists, terrorist organisations, extremist groups, or irresponsible groups of people has indeed become a real and not a hypothetical danger. Indonesia, as one of the victims of terrorist attack, views this danger with grave concern. No one is immune to the threat of terrorism.

Over the past year we have witnessed that anyone could be a target and that the possession of WMD in the wrong hands poses a grievous threat to our common security. Under such circumstances, all countries, including Indonesia, have to reassess their security and strategic interests. One way of doing this is for countries to curb the proliferation of WMD — nuclear, biological or chemical. I believe, for any country, a single nuclear, chemical or biological attack would be catastrophic for the entire nation. In such tenuous times, the Hon Robert Hill was right when he mentioned earlier that the prevention of bio-terrorism and the proliferation of biological weapons cannot be assured by any one country acting in isolation.

Distinguished participants, ladies and gentlemen; as you are all aware, the Biological Weapons Convention (BWC),<sup>2</sup> which was opened for signature in 1972 and entered into force three years later, is a multilateral treaty to outlaw biological weapons. It prohibits States Parties from developing, producing, stockpiling or otherwise acquiring or retaining biological weapons and their means of delivery.

In 2001, we unfortunately witnessed the failure of the negotiations on the Protocol that would provide States Parties with compliance measures and a verification mechanism. Nonetheless, we have to work to ensure that the BWC remains a vital and effective element of the international response to the threat of biological weapons.

This Workshop is organised to enhance the awareness and interest of the countries in the region in the BWC, and encourage these countries to recognise the security benefits derived from full and effective implementation of the BWC. This five-day Workshop also intends to offer participants the opportunity to exchange views on various issues related to the BWC.

As part of the Workshop, participants will also visit biological material related facilities. The tours will hopefully give an opportunity to participants to enrich their experience and further encourage cooperation among scientists with a view to maintaining and promoting security of biological materials as well as technical cooperation based on mutually beneficial collaboration.

Distinguished participants, ladies and gentlemen; Indonesia signed the BWC in 1972 and ratified the Convention in 1992. The rationale behind the ratification of the Convention is stipulated in Paragraph IV to the Preamble of the *1945 Constitution of the Republic of Indonesia*, which refers to 'participat[ing] in creating a world order based on a lasting peace'. The existence of biological weapons poses a serious threat to world peace and security. We support any efforts to achieving a complete disarmament of this particular weapon under strict and effective international control. We believe multilateralism remains an indispensable approach for the international community to collectively address concerns in the field of disarmament.

The possible acquisition of biological weapons by non-state actors has become an increasing concern and has been progressively discussed in various international forums dealing with disarmament and non-proliferation of WMD, as well as forums dealing with international peace and security in general. In fact, the recently published Report of the United Nations Secretary-General's High-Level Panel on Threats, Challenges and Change has also given due attention to this problem.<sup>3</sup> It can not be denied that the international community must continue to be vigilant and consolidate its collective efforts to prevent non-state actors from acquiring biological weapons and using them to achieve their objectives.

On the other hand, we must recognise and admit the benefit of biological agents for peaceful purposes. Scientific advances in the biotechnology sector hold out the prospect of prevention and cure for many diseases. The role and potential of biotechnology in supporting the achievement of sustainable development and the process of nation-building should be recognised. This is the right of all States Parties

---

<sup>2</sup> *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction*, opened for signature 10 April 1972, 1015 UNTS 163 (entered into force 26 March 1975).

<sup>3</sup> United Nations, Report of the Secretary-General's High-Level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility* (2004).

as clearly stipulated in Article X of the Convention. Indeed, up to this very moment the BWC continues to lack formal measures for monitoring compliance. The absence of a verification system, however, does not hamper States Parties in closely watching the development of biotechnology. It remains the responsibility of states to take appropriate measures and improve them if necessary to prevent the misuse of dual-use biological agents.

Distinguished participants, ladies and gentlemen; I consider a forum of this nature highly beneficial as it enables the officials and scientists from various countries in the region to acquire a better understanding about the Convention. By doing so, this will undoubtedly help efforts to further disseminate the Convention to the public of their respective countries. It is similarly commendable to note that this Workshop may facilitate the creation of a network at a regional level which will support the continued implementation of the Biological Weapons Convention as well as the enrichment of experience and knowledge needed in developing national awareness. I certainly hope that through this exercise best practices in each country can also be taken as valuable reference to others. Finally, I wish all the participants to this Workshop fruitful discussions. Thank you.

## **WORKSHOP CONVENOR'S ADDRESS AT THE OPENING CEREMONY**

### **OVERVIEW OF THE BIOLOGICAL WEAPONS CONVENTION REGIONAL WORKSHOP**

DR BOB MATHEWS\*

In a nutshell, what we are trying to do during the Biological Weapons Convention Regional Workshop this week is 'bring Geneva to Melbourne'.

The objective of this Workshop is to help the States Parties of the Biological Weapons Convention (BWC)<sup>1</sup> in our region become better engaged with the Geneva-based BWC three-year program of work as a means to reduce the possibility of bio-terrorism in our region, or the inadvertent assistance by states in our region to biological weapons programs being developed elsewhere.

#### **GENEVA-BASED THREE-YEAR PROGRAM OF WORK**

At the reconvened session of the Fifth BWC Review Conference in November 2002, the States Parties agreed, as follows:

- (a) To hold three annual meetings of the States Parties of one week duration each year commencing in 2003 until the Sixth Review Conference, to be held not later than the end of 2006, to discuss, and promote common understanding and effective action on:
  - i the adoption of necessary national measures to implement the prohibitions set forth in the Convention, including the enactment of penal legislation;
  - ii national mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins;
  - iii enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease;
  - iv strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants;
  - v the content, promulgation, and adoption of codes of conduct for scientists.

---

© R Mathews 2005.

\* Dr Bob Mathews is Head of NBC Arms Control at the CBRN Defence Centre, Defence Science and Technology Organisation (DSTO), Australian Department of Defence, Melbourne.

<sup>1</sup> *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction*, opened for signature 10 April 1972, 1015 UNTS 163 (entered into force 26 March 1975).

- (b) All meetings, both of experts and of States Parties, will reach any conclusions or results by consensus.
- (c) Each meeting of the States Parties will be prepared by a two-week meeting of experts. The topics for consideration at each annual meeting of States Parties will be as follows: items i and ii will be considered in 2003; items iii and iv in 2004; item v in 2005. The first meeting will be chaired by a representative of the Eastern Group, the second by a representative of the Group of Non-Aligned and Other States, and the third by a representative of the Western Group.

#### THE STORY SO FAR ...

The BWC meetings in 2003 and 2004 have been regarded as very useful. There have been many national Working Papers prepared and discussed. Indeed, one commentator has referred to the ‘mountain of papers’ produced by the annual meetings.

However many BWC States Parties, including a number from our region, have been unable to become fully engaged in the Geneva-based three-year program of work. So the objective of this Workshop is to enable participants from regional BWC States Parties to meet and become more involved in what hopefully will become part of an ongoing regional dialogue and cooperation, so that all States Parties in our region obtain the security benefits derived from full and effective implementation of the BWC.

#### MONDAY — SETTING THE SCENE

This morning we will briefly discuss the history of biological warfare, including background information on biological weapons and bio-terrorism, including the increased concerns in light of the revolution of the biological sciences.

This afternoon we will turn our attention to the efforts of the international community to prohibit biological warfare. This will include a discussion of the efforts by the international community to control and eliminate the threat of biological weapons and bio-terrorism through the BWC, including efforts to strengthen the BWC. We will then briefly review the lead-up to the three-year Geneva-based program of annual meetings of States Parties from 2003–05.

#### TUESDAY MORNING — LEGISLATION

In this session, our objective is to discuss, and promote common understanding and effective action, on the adoption of necessary national measures to implement the prohibitions set forth in the BWC, including the enactment of penal legislation (the first topic listed for 2003).

This will include a presentation of model legislation drafting elements which are being designed to facilitate the development of the necessary legislation for those States Parties which have yet to enact all the necessary legislation. This will be followed by presentations by a number of participants who have agreed to provide an outline of their country’s experiences in the national implementation of the Convention.

## TUESDAY AFTERNOON — SECURITY OF PATHOGENS

In this session, our objective is to discuss, and promote common understanding and effective action on national mechanisms to establish and maintain the security and oversight of pathogenic micro-organisms and toxins. This will include a number of presentations on regional perspectives. This will be followed by a discussion on the role of the BWC, if effectively implemented, as a means to raise the barriers to bio-terrorism.

## WEDNESDAY MORNING — VISIT TO DSTO BIOLOGICAL DEFENCE FACILITY

On Wednesday morning, we will travel by bus to the Australian Defence Science and Technology Organisation (DSTO) laboratory at Fishermans Bend to visit Australia's biological defence facility. The overall objective of this visit is to familiarise participants with the main elements of biological defence, followed by a discussion of Australia's bio-defence program, including the approval and monitoring processes for each project. These presentations will be followed by a tour of the biological defence facility.

## WEDNESDAY AFTERNOON — DISEASE SURVEILLANCE

### ALLEGED USE INVESTIGATIONS

On Wednesday afternoon, we will be back in the Law School at the University of Melbourne. We will discuss disease surveillance issues and investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease. This discussion will be led by Dr Ottorino Cosivi, from the World Health Organization (WHO) in Geneva, who will discuss relevant activities being undertaken in our the region by the WHO, including the activities of the WHO in managing bio-risks in laboratory environments.

We will then briefly consider the issue of investigations of alleged use of biological weapons, including the outcomes of the BWC meetings in 2004.

## THURSDAY MORNING — CODES OF CONDUCT

The overall objective of this session is to consider the development and implementation of codes of conduct for biological scientists, including various outreach and awareness-raising activities among biologists and the broader scientific community. This will include a presentation by Dominique Loye, who works for the International Committee of the Red Cross (ICRC) in Geneva, on the ICRC Biotechnology, Weapons and Humanity project.

This will be followed by a panel discussion on the role of the scientific community in supporting effective national implementation of the BWC, including as a means to raise the barriers to biological weapons proliferation and bio-terrorism.

#### THURSDAY AFTERNOON — VISIT TO A PC4 FACILITY

On Thursday afternoon, we will visit the Australian Animal Health Laboratory (AAHL). The AAHL is a PC4 high containment facility located near Geelong (about one hour by bus from Melbourne). There will be presentations by AAHL personnel on the features and operational aspects of the facility, together with short presentations on two or three of the projects of regional interest currently being undertaken in the high containment facility.

#### FRIDAY MORNING — CONCLUDING SESSION

As we have discussed, the objective of the three-year BWC program of work is to ‘discuss, and promote common understanding and effective action’ on the five topics.

Our aim in this session is to consider how we can best achieve the objectives of the BWC three-year program. Hopefully by Friday lunchtime we will all have a common understanding of what needs to be done, with recognition of the benefits of working cooperatively within our region in order to make better progress in achieving these objectives. For example, we are hoping that participants will want to establish a network of government officials and biological scientists. We are also hoping there will be a follow-up workshop in 2006. And hopefully all States Parties will be able to report substantial progress at the Sixth Review Conference in November 2006.

#### SOCIAL ACTIVITIES

<i>Monday Evening</i>	Official Reception Dinner hosted by Indonesia
<i>Tuesday Evening</i>	Official Reception hosted by the Melbourne Law School Centres
<i>Wednesday Evening</i>	Official Dinner hosted by Australia
<i>Thursday Evening</i>	BBQ at Barwon Heads beach following AAHL visit

**ADDRESS AT THE OFFICIAL WORKSHOP DINNER**  
**COUNTER-TERRORISM &**  
**NON-CONVENTIONAL WEAPONS**

AMBASSADOR LES LUCK\*

THE THREAT FROM TRANSNATIONAL TERRORISM

Australia has become, and remains, a target. The September 2004 attack on the Australian Embassy in Jakarta is the latest manifestation of this reality, but we were a target before 9/11. Many other countries are targeted by terrorism, including countries represented at this Workshop. Indonesia has suffered a number of attacks; as has the Philippines, most recently in a series of coordinated bombings on St Valentine's Day.

The predominant terrorist threat we face — and which the world faces at the moment — is from transnational terrorists operating in the name of an extremist Muslim cause. At the outset, I want to make clear that Australia does not associate terrorism and extremism with a particular religion, culture or nationality. However, it is a reality that the present threat is projected by people who invoke a Muslim cause and identity, however illegitimate.

In the Australian Government's view, the contemporary threat has a number of characteristics which distinguish it from the many examples of terrorism in history:

- It is global in its ambitions and presence, and transnational in its dynamic. It is not limited by territory or geography nor defined by the bounds of a particular geo-political conflict (although evidently it can co-opt more regional or localised causes).
- This threat is audacious in its scale and ambitions, seeking transformation of the Muslim world and much of the international geo-political landscape. These goals are essentially political and strategic in nature although they are projected in a religious guise in the interests of an extremist Muslim cause.
- Those interests allow no remedy except subjugation or annihilation; they are goals which are not amenable to negotiation or compromise.
- They will attack anywhere opportunity presents, often with fellow Muslims as victims. The threat is directed at mainstream Muslims and secular governments as much as it is directed at the West.
- It is an asymmetrical threat, capable of wreaking disproportionate damage, not only in human and physical terms, but also to economic confidence and social harmony.
- It is both a threat to our security and an assault on the values of tolerance, pluralism and openness which underpin contemporary societies making their way in the world.

---

© Commonwealth of Australia 2005.

\* Ambassador Les Luck is the Australian Ambassador for Counter-Terrorism, Department of Foreign Affairs and Trade, Canberra.

We have every reason to believe al Qaeda when it says that there can be no negotiation and that it will not compromise over its goals.

### THE TERRORIST THREAT IN OUR REGION

The threat based on the al Qaeda model has continued to evolve, often spreading to more localised causes and autonomous groupings which broadly share al Qaeda's agenda. And in looking for global partners to advance its terrorist campaign, al Qaeda has found willing allies in South-East Asia focused on the terrorist group Jemaah Islamiyah (or JI as it is known).

South-East Asia has become a frontline in the global fight against terrorism, largely as a result of the attacks conducted by JI. The group was responsible for the Bali nightclub bombings in October 2002, which resulted in the deaths of 202 innocent people, including many Australians and a number of British citizens. It also carried out the Marriott Hotel bombing in Jakarta in August 2003, which killed 12 people and injured 150. The Australian Embassy bombing, which killed nine Indonesians and injured many others, has all the hallmarks of a JI attack. The St Valentine's Day bombings in the Philippines were the latest in a series of attacks there in recent years.

While JI and al Qaeda operate largely independently of each other, there are close and direct links. JI leader, Hambali, who was captured in Thailand in August 2003, is widely understood to have been al Qaeda's South-East Asian operations chief, and certainly provided ongoing contact between JI and al Qaeda. The relationship between JI and al Qaeda is more a loose alliance forged through a shared ideology — and shared experiences and connections often formed in Afghanistan — rather than a hierarchical structure of command and control. Yet, al Qaeda represents a potent inspiration and example to South-East Asian Muslim militants, and has provided resources for their terrorist operations.

JI has its origins in the Darul Islam separatist movement in Indonesia. However, its tentacles have spread throughout South-East Asia as it pursues its goal of creating a regional Islamic caliphate covering Indonesia, Malaysia, Singapore, the southern Philippines and southern Thailand. It goes wherever shortcomings in effective government control present themselves. It goes where it can operate and train freely alongside other extremist Muslim groups. It has, for example, forged training and logistics links with the Moro Islamic Liberation Front (MILF) and the Abu Sayyaf Group in the southern Philippines, a region of increasing security concern to Australia and other countries in the region.

The Philippines has been targeted by international terrorist networks, including al Qaeda, for funding, networking, recruiting and planning since at least the early 1990s. The difficulties of maintaining central government control over parts of the southern Philippines have contributed to its use for terrorist training camps. The Government of the Philippines, which is engaged in peace negotiations with the MILF, has acknowledged publicly that elements of the MILF have been developing links to JI. The Abu Sayyaf Group's Islamic rhetoric and violence has brought it into contact with al Qaeda and enabled it to attract donations from the Middle East. While the Group started out as a kidnap-for-ransom criminal group, using Islam and a loose separatist agenda as a justification for its extortion and piracy, there is evidence that it

may be expanding its links with transnational terrorist organisations, and developing its own terrorist repertoire.

Ji and other known terrorist groups remain the primary threat to Australia in South-East Asia, but they are not the only potential partner in the region for al Qaeda or another transnational terrorist group. In South-East Asia, small militant Muslim groups have formed that are not linked in any substantial way either to Ji or to each other. There is evidence that physical and bomb-making training has been carried out for such groups by graduates of the Soviet–Afghan war. To complicate the picture even further, there is evidence that links have been developed between terrorist groups in South Asia, such as Lashkar-e-Tayyiba (LeT), and South-East Asia. Ji's links with Lashkar-e-Tayyiba in Pakistan and Kashmir are particularly significant for our region. In 2003, a Ji cell in Karachi, which was found to contain South-East Asian university students being groomed as future Ji leaders, was disrupted. Ji's South Asian connections show how transnational terrorist networking is not a one-way flow. International extremist groups reach into South-East Asia but groups from within our region can also reach out to connect with counterparts elsewhere.

#### TERRORISM AND NON-CONVENTIONAL WEAPONS

It is clear that terrorist groups such as al Qaeda have a strong interest in acquiring and using chemical, biological, radiological and nuclear (CBRN) weapons:

- Osama bin Laden has publicly stated since the late 1990s al Qaeda's willingness to acquire and use CBRN weapons;
- there is strong evidence to suggest al Qaeda was pursuing an anthrax program based in Afghanistan; and
- authorities in recent years in Europe (the United Kingdom and Italy) and the Middle East (Jordan) have foiled several planned attacks by groups linked to al Qaeda that appeared to involve non-conventional weapons — although the details remain unclear as court cases are pending.

The discovery of a rudimentary chemical and biological manual in a Ji safe house in the Philippines in 2003 indicates that there is a real possibility of terrorists in our own region having similar ambitions.

There are substantial technical and practical difficulties involved in making and using CBRN weapons, in particular, nuclear weapons. While it is comparatively easy to produce crude chemical, biological and radiological devices which would endanger a relatively small number of people, there are significant difficulties in being able to deploy sophisticated military-style CBRN weapons to cause mass casualties. Most terrorist organisations have had considerable success in making and using simpler and cheaper conventional weapons (eg car bombs) to devastating effect, and these are likely to remain popular. However, the massive humanitarian, psychological and economic impact of a CBRN attack is inherently attractive to terrorist groups such as al Qaeda, and the fact that CBRN weapons are difficult for terrorist groups to make and deploy is no reason for complacency. In fact, the United Nations Monitoring Team on the effectiveness of its al Qaeda and Taliban Sanction Committee

(the '1267 Committee') noted in its latest report, released 15 February 2005, that it was only a matter of time before there is an attack involving CBRN weapons.<sup>1</sup>

Australia takes this threat seriously. That is why the Australian Foreign Minister, Mr Alexander Downer, hosted an international Ministerial Conference in Sydney last year on nuclear safeguards and security. As Mr Downer said at that conference, 'it would be foolhardy in the extreme to assume terrorists are not seeking to develop or acquire unconventional weapons. The reality is that the potential consequences are so high that we must take this threat seriously'. Australia is leading efforts to tighten controls on the materials that we know terrorists are seeking. We work to encourage countries to strengthen national BWC-relevant legislation. As chair of the Australia Group, the international regime setting the standards for export control on chemical and biological materials, we have focused the Group in recent years on dealing with terrorist threats. The Australian Nuclear Science and Technology Organisation (ANSTO) is working with regional countries to improve and strengthen regulatory controls and physical security of radioactive sources to ensure compliance with the International Atomic Energy Agency (IAEA) Code of Conduct on the Safety and Security of Radioactive Sources. Australia has set aside A\$4.4 million over three years to implement this program in South-East Asia and the Pacific.

Internationally, the IAEA has provided strong leadership and valuable expertise in international efforts to reduce the risk of nuclear and radiological terrorism. Australia was an early contributor (A\$200 000) to the IAEA Nuclear Security Fund established to support activities to combat the threat of terrorism. Australia has also contributed A\$10 million to the G8 Global Partnership Against the Spread of WMD (funds directed to the Japanese-led program for dismantlement and destruction of decommissioned Russian nuclear submarines, which contain spent fuel that could present a nuclear security risk). Australia supports efforts underway in the UN to develop a Convention for the Suppression of Acts of Nuclear Terrorism.

## CONCLUSION

The identified terrorist threat we face today is driven by people with an agenda that is non-negotiable. They have already demonstrated that they can use conventional weapons to devastating effect to pursue their agenda. The fact that terrorists have shown a clear interest in acquiring and using non-conventional weapons — chemical, biological, radiological and nuclear — to commit terrorist acts creates the possibility of a much greater and more complex terrorist threat. This threat underlines the importance of the work carried out by international and regional fora such as this, which develop the essential practical means for preventing the misuse of CBRN technology by terrorists. You all hold important responsibilities in your respective countries for this work and I wish you well in what is obviously a high quality exchange among experts.

---

<sup>1</sup> *Second Report of the Analytical Support and Sanctions Monitoring Team Appointed pursuant to Resolution 1526 (2004) concerning Al-Qaida and the Taliban and Associated Individuals and Entities*, UN Doc S/2005/83 (15 February 2005).