

Policy Advice for Addressing the Myanmar Nuclear Issue by Mark Fitzpatrick

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As the nuclear renaissance comes to Southeast Asia, the countries of the region face an important turning point. Decisions taken today will help determine whether nuclear energy will play a positive role in their economic development or whether a shadow of nuclear danger will accompany the benefits of this energy source. There are worries about nuclear safety, the opacity about Myanmar's nuclear plans and its growing connections with North Korea, and the extent to which vulnerabilities in national trade controls have been exploited by outside states and non-state actors.

ASEAN states have an opportunity to reinforce global standards aimed at minimizing the safety, security, and proliferation risks of nuclear energy. With ASEAN's tradition of cooperation, the region's relatively benign strategic environment and the nonproliferation norm epitomized in the Southeast Asian Nuclear-Weapon-Free Zone Treaty (Bangkok Treaty), the region can develop strengthened arrangements for safe and secure nuclear energy that can be a model for others. For Myanmar, three recommendations should be considered.

Keep close watch

The Bangkok Treaty requirement for members to share information about nuclear-development plans is nowhere more important than with Myanmar. Elsewhere in Southeast Asia, concerns about nuclear projects are focused on safety and security issues. Those concerns are relevant to Myanmar as well. However, the prospect of that country having an interest in nuclear weapons causes the most concern. Although reports of a North Korea nuclear link are unconfirmed, Myanmar's relationship with Pyongyang, the leadership's secretive nature, paranoid perspective, and disregard for international norms along with the North's record of onward proliferation are ample reason for others to be closely attentive.

Insist on openness

Myanmar can help address these concerns by adopting international standards of nuclear transparency. This means accepting and fully implementing the IAEA Additional Protocol and amending the Small Quantities Protocol (SQP) to Myanmar's safeguards agreement. Myanmar currently adheres to an old version of the SQP, which holds in abeyance most of operative provisions of the IAEA's verification tools. The country's neighbors should encourage this transparency, and those that also have the outdated SQP (Brunei, Cambodia, and

Laos) should follow the lead of Singapore and adopt the September 2005 version of this protocol promulgated by the IAEA to close the loophole.

Although the Myanmar government has not shown itself to be susceptible to external pressure in its treatment of domestic opposition, it does care about its international reputation and may be more amenable to persuasion in selective cases, as demonstrated by its apparent agreement to adhere to UN Security Council resolution 1874 banning arms exports from North Korea. Fellow ASEAN members may wish to consider invoking the Bangkok Treaty Article 13 provision to request a fact-finding mission to Myanmar to clarify some of the questions that have been raised. Myanmar should also allow the IAEA to investigate credible reports of clandestine nuclear cooperation with other countries. Other states should be willing to share with the IAEA any intelligence information about such reports, so that the agency has good grounds for conducting an investigation.

Myanmar's nuclear cooperation with Russia is not itself of proliferation concern, given the plutonium-production limitations of the planned 10MWt reactor. The possibility cannot be dismissed, however, of Myanmar having a hidden nuclear agenda. National pride is the most logical explanation for why such an impoverished country would seek such a high-tech facility, but it is conceivable that secondary motivations might include providing a cover for a parallel military nuclear effort or as a step in a program to build up a cadre of technical expertise that might be used for weapons-related work. Myanmar is aware of what North Korea accomplished in the nuclear field after starting in the early 1960s with a small research reactor. It would behoove Russia to insist on full transparency – as well as strict adherence to international safety conventions – before a final contract is agreed. Russia and Myanmar should also share with the IAEA details of discussions on site selection and provide design information before any construction begins on the reactor.

Begin contingency planning

If concerns are borne out and it is discovered that Myanmar is, in fact, engaged in secretive nuclear cooperation with North Korea or any other country or non-state actor, ASEAN and the SEANWFZ will be put to the test. If Myanmar were to pursue nuclear weapons, the Association as it stands today and its dispute-resolution mechanisms alone would not be able to dissuade Myanmar from that path. Prudent planning for such a contingency could lead ASEAN members to take steps now to improve these mechanisms, starting with enforcing the information-sharing requirements of the Bangkok Treaty. Meanwhile, India and Myanmar's other closest neighbors along with outside powers with regional interests may wish to consider sharing analysis of Myanmar's nuclear intentions.