

**Report pursuant to UNGA resolution 65/62 entitled
“Measures to Prevent Terrorists from Acquiring Weapons of Mass Destruction”**

Submitted by Thailand

Executive Summary

Thailand has continuously undertaken and strengthened national measures, through the work of designated national focal points as well as various legal instruments, to support international efforts to prevent terrorists from acquiring weapons of mass destruction (WMD) and related materials and technologies.

At the national level, Thai concerned agencies are in the process of developing an integrated export control system, incorporating licensing and enforcement, to enhance Thailand’s capability in controlling WMD-related materials particularly sensitive dual-use items. In July 2010, the Cabinet approved the setting up of an export control system for dual-use items and assigned the Ministry of Commerce to be the focal point for this matter. The Committee on Export Administration for Dual-Use Items, chaired by the Minister of Commerce and composed of all concerned agencies, has been established. This Committee is mandated to determine guidelines for export controls of dual-use items and establish a national control list.

Intelligence cooperation and regional/international mechanisms for information sharing between exporting and importing countries should be developed so as to monitor and strictly control WMD and WMD-related materials, as well as to alert concerned authorities on suspicious cases. In this regard, points of contact of each country for information sharing should be designated.

As a capacity-building measure, training courses and workshops on how to identify WMD-related materials and equipment are also important to enhance the capacity of officers at the operational level to effectively detect, deter, prevent and combat the illicit trafficking and transport of WMD and related materials.

It is also important to engage the private sector through various industry outreach programmes to keep them informed of the need for and progress in establishing controls on the export of dual-use items, in order that they understand that such measures do not hamper export promotion, but have become an integral part of today’s international trade regime.

Measures to Prevent Terrorists from Acquiring Weapons of Mass Destruction (WMD)

*Submitted by Thailand
May 2011*

General Policy

1. Thailand has continuously undertaken and strengthened national measures to support international efforts to prevent terrorists from acquiring weapons of mass destruction (WMD) and related materials and technologies.

2. To ensure that WMD would not fall into the wrong hands, Thailand has designated national focal points to control and monitor movement of WMD and related materials into and out of the Kingdom as follows.

- The Ministry of Defense is the national authority responsible for regulating and controlling missiles, conventional weapons and related materials.

- The Office of Atoms for Peace is the national authority responsible for the non-proliferation of nuclear weapons in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons, as well as regulating and controlling nuclear and radiological materials.

- The Ministry of Industry is the national authority responsible for the non-proliferation of chemical weapons, as well as regulating and controlling scheduled chemicals in accordance with the Chemical Weapons Convention and other hazardous chemicals and precursors.

- The National Center for Genetic Engineering and Biotechnology is the national authority responsible for the non-proliferation of biological weapons in accordance with the Biological Weapons Convention, while the Ministry of Public Health is the national authority regulating and controlling biological agents and toxins.

- The Ministry of Commerce is the national authority responsible for setting up an export control system for dual-use items.

Measures Undertaken at the National Level

3. To complement its efforts in preventing terrorists from acquiring WMD, Thailand has enacted and enforced several legal instruments as follows:

- Customs Act (1926);
- Act Controlling the Exportation of Arms, Armament and War Implements (1952);
- Atomic Energy for Peace Act (1961);
- Export and Import Goods Act (1979);
- Disease Control Act (1980);
- Munitions of War Control Act (1987);
- Royal Decree Controlling the Exportation of Arms, Armament and War Implements (1992);
- Hazardous Substance Act (1992);
- Animal Disease Control Act (2001);
- Pathogens and Toxins Act (2001);

- Amendment to the Section of 135 of the Penal Code regarding terrorist acts and offences;
- Private Arms Factory Act (2007);
- Royal Decree Controlling the Exportation of Arms, Armaments and War Implements (No. 2) (2009).

4. The Ministry of Defence controls the production, possession, import, export, as well as transfer of arms and munitions in accordance with national laws by licensing import and export permits to ensure that they will not be re-transferred or re-exported to other countries. Licensing considerations are primarily based on end-user verification and purchase contract.

5. The Ministry of Industry controls the import and export of toxic chemicals, including scheduled chemicals under the Chemical Weapons Convention, as well as other hazardous chemicals through licensing and inspection measures.

6. The Office of Atoms for Peace controls, through a licensing process, the import, export, possession, domestic use, and transfer of nuclear and radiological material, and related equipment. In 2007, the Office of Atoms for Peace has further issued a Ministerial Regulation to require, as a prerequisite in licensing considerations, a physical protection plan in accordance with the IAEA document on the Physical Protection of Nuclear Material and Nuclear Facility, INFCIRC 225 Rev. 4, to prevent nuclear proliferation.

7. The Ministry of Public Health, in collaboration with the National Center for Genetic Engineering and Biotechnology and the Ministry of Agriculture and Cooperatives, has developed a national mechanism to control biological dual-use material through bio-safety and bio-security principles. Measures to prevent abuse of pathogens have also been put in place.

8. The Ministry of Commerce has undertaken necessary steps to include in the national export control system, dual-use items that are not covered under the existing control lists of other agencies. In July 2010, the Cabinet approved the setting up of an export control system for dual-use items and assigned the Commerce Ministry to be the focal point for this matter. The Committee on Export Administration for Dual-Use Items, chaired by the Minister of Commerce and composed of all concerned agencies, has been established. This Committee is mandated to determine guidelines for export controls of dual-use items and establish a national control list. Thailand has also conducted cooperation activities with the United States of America, Japan and the European Union in the field of export control, covering all its aspects, i.e. legal, licensing, outreach, enforcement, as well as investigation and prosecution. In addition, the Ministry of Commerce issues an "Import Certificate" upon request by the exporting country to ensure that end-users in Thailand will not re-export the imported high technology product to other countries.

9. In August 2010, the National Security Council has established the Coordinating Sub-Committee on WMD Prevention, composed of all concerned agencies, to serve as a mechanism to respond to emergency cases of smuggling of WMD-related materials and proscribed items into or via Thailand.

10. Thailand signed the Declaration of Principles for the Container Security Initiative (CSI) with the United States in June 2003 and has implemented the CSI by

using X-ray container equipment to pre-screen and detect high risk containers at Laem Chabang Port in Chonburi Province since 2004.

11. Thailand participates in the Megaports Initiative to prevent the smuggling of nuclear and radioactive material. Laem Chabang Port has been equipped with X-ray scanning device and radiation portal monitors to detect the illicit trafficking in special nuclear materials and other radioactive materials.

12. Thailand is also a nation partner the Global Initiative to Combat Nuclear Terrorism to contribute to global efforts to prevent, detect, and respond to the threat of nuclear terrorism.

Views on Additional Relevant Measures

13. At the national level, Thai concerned agencies are in the process of developing an integrated export control system, incorporating a national control list, licensing and enforcement, to enhance Thailand's capability in controlling WMD-related materials, particularly sensitive dual-use items. Technical assistance from more advanced countries would be helpful in this regard.

14. As a capacity-building measure, training courses and workshops on how to identify WMD-related materials and equipment are also important to enhance the capacity of officers at operational level to effectively detect, deter, prevent and combat the illicit trafficking and transport of WMD and related materials.

15. It is also important to engage the private sector through various industry outreach programmes to keep them informed of the need for and progress in establishing controls on the export of dual-use items, in order that they understand that such measures do not hamper export promotion, but have become an integral part of today's international trade regime.

16. Intelligence cooperation and regional/international mechanisms for information sharing between exporting and importing countries should be developed so as to monitor and strictly control WMD and WMD-related materials, as well as to alert concerned authorities on suspicious cases. In this regard, points of contact of each country for information sharing should be designated.
