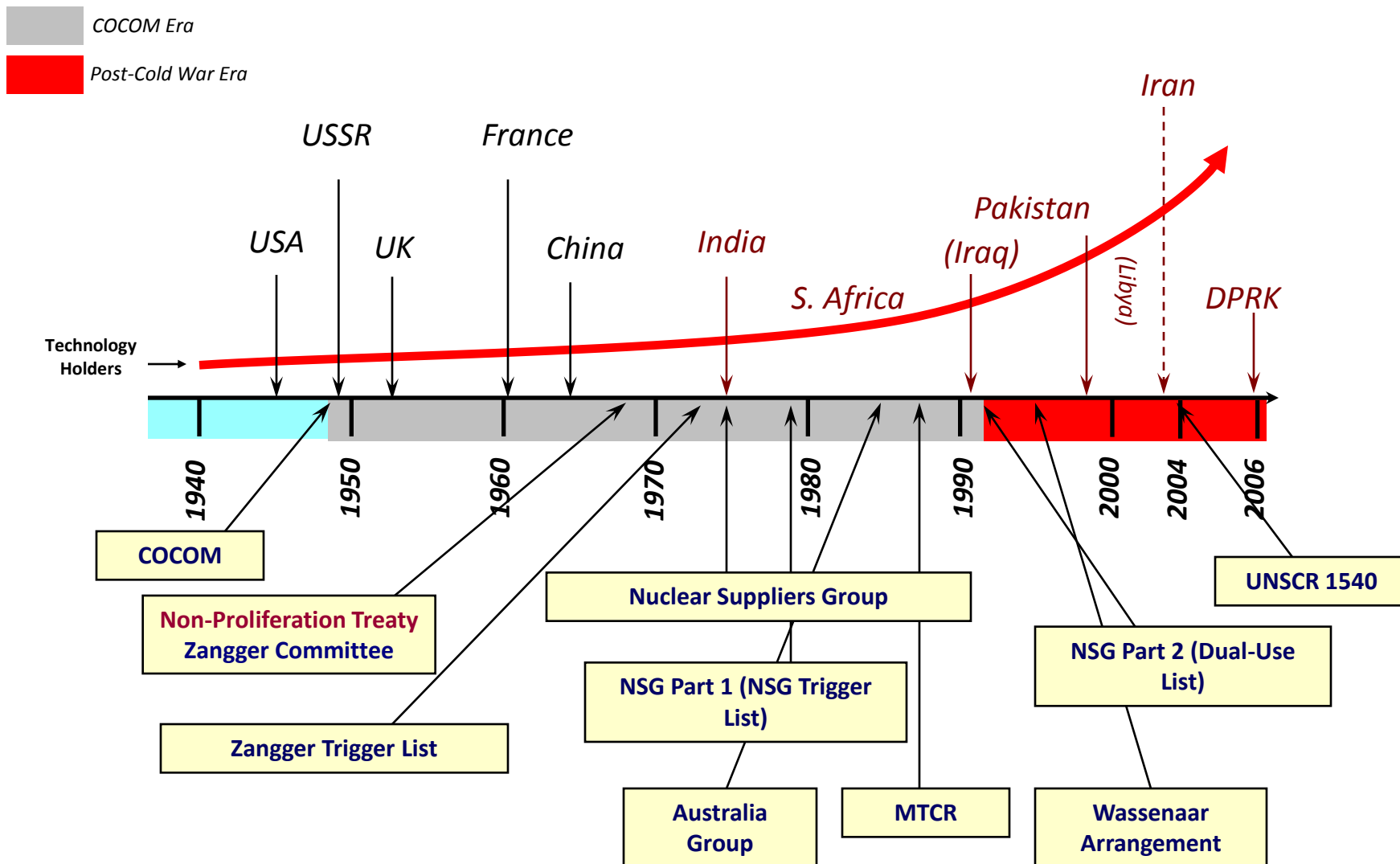




International Nonproliferation Export Control Program (INECP)

Overview of the Multilateral Export Control Supplier Arrangements: NSG, MTCR, AG, and Waasenar

WMD Acquisition Threat and Export Control Response



The multilateral export control “regime”

- **Multilateral export control arrangements**
 - Informal groups of like-minded supplier countries which seek to contribute to the **non-proliferation of WMD and delivery systems** through national implementation of **Guidelines and control lists** for exports.
 - Guidelines are voluntarily implemented in accordance with national laws and practices
 - *Establish a set of global norms that **limit the ability of proliferators to “shop” items and technology in countries that do not have export control systems in place***
- **UN Security Council Resolution 1540**
 - Legally binding Chapter VII Resolution
 - **Calls upon all States** to take and enforce effective measures to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including related materials, equipment, and technology **covered by relevant multilateral treaties and arrangements.**

Multilateral Export Control Arrangements

Regime	Established	Participating Countries	Controls
Australia Group (AG)	1985	41	Chemicals, biological agents, and dual-use equipment & technology
Missile Technology Control Regime (MTCR)	1987	34	Ballistic missiles, cruise missiles and dual-use goods & technology
Nuclear Suppliers Group (NSG)	1975	48	Nuclear and dual-use goods & technology
Wassenaar Arrangement (WA)	1996	41	Conventional weapons & dual-use goods and technology

Nuclear Suppliers Group (NSG)

- **The Nuclear Suppliers Group (NSG) was created following India's Smiling Buddha nuclear explosion in 1974**
 - Nuclear suppliers realized that the technology they transferred for peaceful purposes could be misused
- **The NSG is a group of 48 nuclear supplier countries which seeks to contribute to the non-proliferation of nuclear weapons through the implementation of two sets of Guidelines**
 - INFCIRC/254 Part I - Guidelines for Nuclear Transfers
 - INFCIRC/254 Part II - Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software and Related Technology

NSG Guidelines

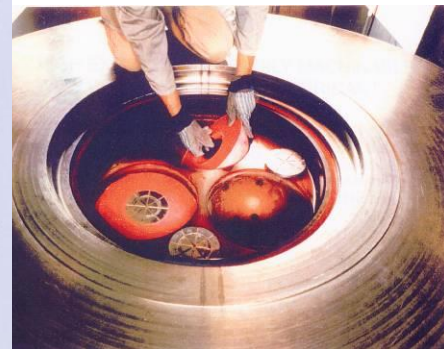
- **Guidelines for Nuclear Transfers (INFCIRC/254, Part 1)**
- **First published in 1978**
 - Governs the export of items that are especially designed or prepared (EDP) for nuclear use. These include:
 - *Nuclear material*
 - *Nuclear reactors and equipment therefore*
 - *Non-nuclear material for reactors*
 - *Plant and equipment for the reprocessing, enrichment and conversion of nuclear material and for fuel fabrication and heavy water production*
 - *Technology associated with each of the above*
- **Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software and Related Technology (INFCIRC/254, Part 2)**
- **First published in 1992**
 - Governs the export of items that can make a major contribution to an unsafeguarded nuclear fuel cycle or nuclear explosive activity, but which have non-nuclear uses as well.
 - *Industrial Equipment*
 - *Materials*
 - *Uranium Isotope Separation Equipment and Components*
 - *Heavy Water Production Equipment*
 - *Test and Measurement Equipment for the Development of Nuclear Explosive Devices*
 - *Components for Nuclear Devices*

**Items for nuclear-specific uses:
“Trigger List”**

**Dual-use items with nuclear
applications: “Dual-Use List”**

Examples of NSG Dual-Use List Items

- High-density radiation shielding windows and remote manipulators
- Machine tools
- Isostatic presses
- Fibrous and filamentary materials
- Vacuum pumps
- Pressure transducers
- Frequency changers or generators
- Switching devices
- Vibration test systems



Australia Group (AG)

- **Formed in response to chemical weapons use in the Iran-Iraq War**
- **Assists participants in fulfilling their obligations under the Chemical Weapons Convention and the Biological and Toxin Weapons Convention**
 - Ensure that exports do not contribute to the development of chemical or biological weapons
- **Initial focus on chemicals was expanded in 1990s to include biological weapons and dual-use equipment**
 - Guidelines for Transfers of Sensitive Chemical or Biological Items
 - Common Control Lists

AG Common Control Lists: Examples of Listed Items

- **Chemical weapons precursors**
 - Specific compounds of phosphorus, sulfur, fluorine, cyanide...
- **Dual-use chemical manufacturing facilities and equipment and related technology and software**
 - Corrosion-resistant chemical reaction vessels, agitators, heat exchangers, distillation columns, valves, pumps...
- **Dual-use biological equipment and related technology and software**
 - Fermenters, centrifugal separators, cross flow filtration equipment, freeze and spray drying equipment...
- **Human and animal pathogens and toxins**
 - Anthrax bacteria, smallpox virus, botulinum toxin...
- **Plant pathogens**
 - Pathogens causing diseases in staple crops...



Missile Technology Control Regime (MTCR)

- **Formed to prevent the proliferation of unmanned delivery systems capable of delivering WMD**
- **Members coordinate national export licensing efforts through:**
 - The Guidelines on Export Policy
 - The Equipment, Software and Technology Annex
 - *Category I*
 - Complete ballistic and cruise missiles with range greater than 300 km and payload greater than 500 kg
 - Major subsystems such as engines, guidance sets, etc.
 - Space launch vehicles, sounding rockets, and unmanned aerial vehicles (UAVs)
 - *Category II*
 - items to construct Category 1 systems and non-Category 1 systems

Examples of MTCR Annex Items

- **Rocket systems and UAVs**
- **Engines and motors**
 - Liquid propellant, solid propellant, turbofan, turbojet
- **Propellant chemicals**
- **Filament winding machines**
- **Accelerometers and gyroscopes**
- **RADAR systems**
- **Gravity meters**
- **Vibrational and environmental test systems**



The Wassenaar Arrangement (WA)

- **Established in 1995, replacing a previous export control mechanism (COCOM Coordinating Committee on Multilateral Strategic Export Controls)**
- **Formed to contribute to regional and international security and stability, by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies**
 - **Guidelines, Procedures, and Best Practices**
 - **Control Lists**
 - *Munitions list;*
 - *22 Categories*
 - *Dual-use goods and technology*
 - *9 Categories*
 - *Sensitive*
 - *Very Sensitive List*

WA List of Dual-Use Goods and Technologies: Categories

- **Dual-Use List**

- *Category 1 Advanced Materials*
- *Category 2 Materials Processing*
- *Category 3 Electronics*
- *Category 4 Computers*
- *Category 5 - Part 1 Telecommunications*
- *Category 5 - Part 2 “Information Security”*
- *Category 6 Sensors and Lasers*
- *Category 7 Navigation and Avionics*
- *Category 8 Marine*
- *Category 9 Propulsion*

- ***Sensitive List***

- ***Very Sensitive List***

Multilateral Export Control Arrangements: Common Elements

- **Voluntary group of like-minded supplier countries seeking to meet the obligations of their treaty commitments and ensure that their exports do not contribute to proliferation**
- **Develop common guidelines and control lists that**
 - Balance economic/trade concerns with security/proliferation concerns
 - Keep pace with technological advancements and changes in structure of global trade
 - Are capable of achieving consensus within the group
- **Guidelines and control lists are implemented in accordance with national laws and practices**
- **Information sharing among members is encouraged**
 - No undercut policy limits the ability of proliferators to shop for suppliers

Multilateral Regime Guidelines: Common Elements

- **A “Nonproliferation Principle” – strong statement that transfers of items or related technology identified in their control lists should not be made if:**
 - The Government is not satisfied that the transfers would not contribute to the proliferation of WMD
 - A significant risk of diversion to WMD or terrorists purposes

- **Special restraint and conditions on transfers of certain items**
 - NSG Trigger List
 - MTCR Cat I

- **Conditions on re-transfer**
 - No re-transfer without consent of supplier

Multilateral Regime Guidelines: Common Elements, Continued

- **Technology controls**
 - The transfer of technology directly associated with items in the control lists will be controlled to the same extent as the items

- **Catch-All Provision**
 - National export control legislation shall require an authorization for transfer of non-listed items
 - *If the exporter has been informed...that the items may be intended...for use in connection with delivery of WMD (MTCR)/a “nuclear explosive activity” (NSG)/chemical or biological weapons activities (AG)*

- **The Guidelines also include factors to consider when evaluating a proposed transfer including:**
 - Assessment of the recipient and intermediary states’ export control systems
 - Assessment of the end-use and end-user

Summary

- The multilateral export control arrangements are informal groups of like-minded supplier countries that aim to restrict the trade in strategic commodities and sensitive technologies to **peaceful purposes**.
- The Guidelines and control lists of the arrangements have helped **set international standards** for how countries should control exports of sensitive items
- Guidelines are implemented by each participant in accordance with its national laws and practices.
 - Decisions on export applications are taken at the national level in accordance with national export licensing requirements
 - **Effective and consistent national export control implementation by all regime participants and others adhering to their guidelines is vital**
- The advent of global terrorism has heightened concerns about the long standing threat of proliferation of weapons of mass destruction. The multilateral export control arrangements play a **key role in preventing terrorist acts employing WMD**.