

The Nuclear Suppliers Group (NSG) at a Glance

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Established in 1975, the Nuclear Suppliers Group (NSG) is comprised of 45 nuclear supplier states,¹ including China, Russia, and the United States, that have voluntarily agreed to coordinate their export controls governing transfers of civilian nuclear material and nuclear-related equipment and technology to non-nuclear-weapon states. The NSG aims to prevent nuclear exports for commercial and peaceful purposes from being used to make nuclear weapons. NSG members are expected to forgo nuclear trade with governments that do not subject themselves to international measures and inspections designed to provide confidence that their nuclear imports are not used to develop nuclear arms. The NSG has two sets of Guidelines listing the specific nuclear materials, equipment, and technologies that are subject to export controls.

GUIDELINES AND OPERATION

The NSG Guidelines require that importing states provide assurances to NSG members that proposed deals will not contribute to the creation of nuclear weapons. Potential recipients are also expected to have physical security measures in place to prevent theft or unauthorized use of their imports and to promise that nuclear materials and information will not be transferred to a third party without the explicit permission of the original exporter. In addition, final destinations for any transfer must have International Atomic Energy Agency (IAEA) safeguards in place. The IAEA is charged with verifying that non-nuclear-weapon states are not illicitly pursuing nuclear weapons. IAEA safeguards to prevent nuclear material or technology from being stolen or misappropriated for weapons include inspections, remote monitoring, seals, and other measures.

The Guidelines are comprised of two parts, each of which was created in response to a significant proliferation event that highlighted shortcomings in then-existing export control systems. Part I lists materials and technology designed specifically for nuclear use. These include fissile materials, nuclear reactors and equipment, and reprocessing and enrichment equipment. First published in 1978, Part I responded to India's diversion of nuclear imports for supposedly peaceful purposes to conduct a nuclear explosion in 1974. Part II identifies dual-use goods, which are non-nuclear items with legitimate civilian applications that can also be used to develop weapons. Machine tools and lasers are two types of dual-use goods. NSG members adopted Part II in 1992 after discovering how close Iraq came to realizing its nuclear weapons ambitions by illicitly employing dual-use imports in a covert nuclear weapons program before the 1991 Persian Gulf War.

At a May 2004 meeting, NSG members adopted a "catch-all" mechanism, which authorizes members to block any export suspected to be destined to a nuclear weapons program even if the export does not appear on one of the control lists.

To be eligible for importing Part I items from an NSG member, states must have comprehensive IAEA safeguards covering all their nuclear activities and

facilities. In the case of Part II goods, IAEA safeguards are only required for the specific nuclear activity or facility that the import is destined for.

Because the regime is voluntary, NSG members may ultimately make any export they wish. For instance, Russia transferred nuclear fuel to India in January 2001 even though 32 of 34 NSG members earlier declared that the shipment would contradict Russia's NSG commitments.²

Members are supposed to report their export denials to each other so potential proliferators cannot approach several suppliers with the same request and get different responses. NSG states are expected to refrain from making exports identical or similar to those denied by other members.

ORGANIZATION

NSG members periodically review the Guidelines to add new items that pose proliferation risks or to eliminate goods that no longer require special trade controls. An annual plenary, which is chaired on a rotating basis among members, is held to discuss the regime's operation, including possible changes to the Guidelines. All NSG decisions are made by consensus. Members also participate in regular meetings of separate standing bodies—known as the Dual-Use Consultations and the Joint Information Exchange—devoted to reviewing Part II of the Guidelines and exchanging information.

The Permanent Mission of Japan in Vienna serves as the NSG point of contact. It distributes NSG documents, schedules meetings, and assists with other administrative work.

MEMBERSHIP

Any state that conducts exports appearing on the Guidelines may apply for NSG membership. A potential member is evaluated on its proliferation record, adherence to international nonproliferation treaties and agreements, and national export controls. All existing members must approve an applicant for it to join the regime. There are several countries with nuclear programs outside the NSG, most notably India, Israel, Pakistan, and North Korea.

HISTORY

Negotiated in 1968, the nuclear Nonproliferation Treaty (NPT) granted non-nuclear-weapon states access to nuclear materials and technology for peaceful purposes as long as they committed not to develop nuclear weapons. Recognizing that materials and technologies used in peaceful nuclear programs could be used to develop weapons as well, several NPT nuclear supplier states sought to determine in relation to the treaty what specific equipment and materials could be shared with non-nuclear-weapon states and under what conditions. These supplier states formed the Zangger Committee in 1971 to require states outside the NPT to institute IAEA safeguards before being allowed imports of certain items that could be directly used to pursue nuclear weapons. These items were collectively referred to as the "Trigger List."

India's explosion of a nuclear device in 1974 reaffirmed the fact that nuclear materials and technologies acquired under the guise of peaceful purposes could be diverted to build weapons. In response to India's action,

several Zangger Committee members joined with France, which was not a member of the NPT at that time, to establish the NSG to further regulate nuclear-related exports. The NSG added technologies for control to the original Zangger Committee's "Trigger List." This became Part I of the NSG Guidelines. In addition, NSG members agreed to apply their trade restrictions to all states, not just those outside the NPT.

—*Research by Brandon King*

NOTES

1. Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, China, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Kazakhstan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, South Africa, South Korea, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom, and the United States.

2. General Accounting Office, "Nonproliferation: Strategy Needed to Strengthen Multilateral Export Control Regimes," October 2002, 50pp.