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COMMUNICATIONS RECEIVED FROM THE PERMANENT MISSION OF NEW ZEALAND REGARDING GUIDELINES FOR THE EXPORT OF NUCLEAR MATERIAL, EQUIPMENT AND TECHNOLOGY

1. The Director General has received a note verbale dated 22 December 1994 from the Permanent Mission of New Zealand to the International Atomic Energy Agency providing information on the nuclear export policies and practices of the Government of New Zealand.
2. In light of the request expressed in the note verbale, the text of the note verbale is annexed hereto.

NOTE VERBALE

The Permanent Mission of New Zealand presents its compliments to the Director General of the International Atomic Energy Agency and has the honour to provide further information on its Government's nuclear export policies and practices.

The Government of New Zealand has decided that the fundamental principles of safeguards and export controls of the Guidelines for Nuclear Transfer set out in INFCIRC/254/Rev.1/Part 1/Mod.1 should apply not only to nuclear transfers to any non-nuclear-weapon State for peaceful purposes, but also, in the case of controls on retransfer, to transfers to any State.

The Government of New Zealand has decided that the supplier's consent will be required for any retransfer of Trigger List items and any transfer referred to under paragraph 10 (a) (2) of INFCIRC/254/Rev.1/Part 1/Mod.1 from any State which does not require full scope safeguards, in accordance with paragraph 4 (a) of the Guidelines for Nuclear Transfers (INFCIRC/254/Rev.1/Part 1/Mod.1), as a condition of supply.

The Government of New Zealand has also decided that notwithstanding other provisions of the Guidelines for Nuclear Transfers as set out in INFCIRC/254/Rev.1/Part 1/Mod.1, it will authorize transfer of items identified in the Trigger List only when it is satisfied that the transfers would not contribute to the proliferation of nuclear weapons or other nuclear explosive devices.

A copy of the "Guidelines for Nuclear Transfers", with amendments to paragraphs 1 and 10 (b), a new paragraph 11 and the renumbering of subsequent paragraphs of the document, is attached.^{*/}

In reaching this decision, the Government of New Zealand is fully aware of the need to contribute to economic development while avoiding contributing in any way to the dangers of a proliferation of nuclear weapons or other nuclear explosive devices, and of the need to remove non-proliferation assurances from the field of commercial competition.

The Government of New Zealand would be grateful if the Director General will bring this Note to the attention of the Member States of the IAEA.

^{*/} See the Annex to document INFCIRC/254/Rev.1/Part 1/Mod.3.