

Communication Received from the Permanent Mission of Pakistan to the International Atomic Energy Agency Regarding Guidelines for the Export of Nuclear Material, Equipment and Technology and the Guidelines for Transfers of Nuclear-related Dual-use Equipment, Materials, Software and Related Technology

1. The Director General has received a note verbale dated 18 May 2016 from the Permanent Mission of Pakistan to the International Atomic Energy Agency providing information of Pakistan's adherence to, and decision to act in accordance with, the latest version of INFCIRC/254, Part 1 and Part 2, with regard to the transfer of nuclear material, equipment and related technology, including nuclear related dual-use equipment, materials, software and related technology.
2. As requested in the note verbale, the note verbale is herewith circulated for the information of all Member States.



PERMANENT MISSION OF PAKISTAN
TO THE INTERNATIONAL
ORGANIZATIONS
VIENNA

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The Permanent Mission of the Islamic Republic of Pakistan to the International Organizations in Vienna presents its compliments to the Director General of the International Atomic Energy Agency (IAEA) and has the honour to transmit this communication concerning Pakistan's strategic export control policies and practices with regard to transfer of nuclear and dual-use material, equipment, software and related technology.

Consistent with Pakistan's strong commitment to the objective of non-proliferation and its policy of consistent support for international efforts towards the non-proliferation of weapons of mass destruction and their means of delivery, Pakistan has recently adopted the Policy Guidelines on Strategic Export Controls, which harmonize Pakistan's national export control measures with those of multilateral export control regimes, including the Nuclear Suppliers Group (NSG).

Pakistan remains committed to responsible and secure nuclear trade for peaceful purposes on non-discriminatory basis.

Pakistan has established a comprehensive export control regime backed by legislative, regulatory and enforcement mechanisms. Pakistan's "Export Control on Goods, Technologies, Material and Equipment related to Nuclear and Biological Weapons and their Delivery Systems Act" 2004 (INFCIRC/636 dated 23 November 2004), not only covers export, re-export, transshipment, transit of goods, technologies, material and equipment that may contribute to the designing, development, production, stockpiling, maintenance or use of nuclear and biological weapons and their delivery systems, it also prohibits diversion of controlled goods and technologies. The Act covers intangible technology transfers. It also includes catch-all controls. The Act criminalizes violations.

Pursuant to the Export Control Act 2004, Pakistan adopted National Control Lists (NCL) of Goods, Technologies, Material and Equipment related to Nuclear and Biological Weapons and their Delivery Systems in 2005 (INFCIRC/669 dated 20 February 2006). The NCL is periodically reviewed to make it consistent with the controls of multilateral export control regimes. First review of NCL was completed in 2011 (INFCIRC/832 dated 30 November 2011), followed by the latest review in 2015 (INFCIRC/890 dated 9 November 2015). The latest version has completely harmonized national lists with those maintained by Nuclear Suppliers Group (NSG) and other relevant export control regimes.

In 2007, as required by Article 3 of the Export Control Act 2004, the Strategic Export Control Division (SECDIV) was established as part of the Ministry of Foreign Affairs. SECDIV formulates and enforces rules and regulations for the implementation of export controls and also acts as a licensing body. In 2009, "Export Control (Licensing and Enforcement) Rules" were promulgated which include detailed procedures in this regard.

Various initiatives have also been launched to further strengthen the enforcement mechanism. These include the deployment of detection equipment, commodity identification training, outreach, capacity-building and inter-agency coordination.

The aforementioned elements of an effective export control regime enable Pakistan to act in accordance with the NSG Guidelines. In view thereof, Pakistan declares its adherence and decides to act in accordance with NSG Guidelines contained in the latest version of INFCRIC/254/Part 1 and Part 2, incorporating the changes agreed during 2015 NSG Plenary, with regard to transfer of nuclear material, equipment and related technology, including nuclear related dual-use equipment, materials, software and related technology.

Pakistan considers that its legally-based national export control regime, with effective enforcement mechanisms, makes it a like-minded state to advance the objectives of NSG. Pakistan would continue to contribute towards the global non-proliferation efforts and seek non-discriminatory access to nuclear technology for peaceful purposes.

The Permanent Mission requests the Director General to circulate this note to all IAEA Member States for their information.

The Permanent Mission of the Islamic Republic of Pakistan avails itself of this opportunity to renew to the Director General of the International Atomic Energy Agency the assurances of its highest consideration.

Director General of the
International Atomic Energy Agency (IAEA),
Vienna, Austria.

