

**8th International Export Control Conference
6-8 March 2007, Bucharest**

**Export Control in Pakistan: A Commitment to Non-proliferation of Weapons of
Mass Destruction and their Means of Delivery**

Consistent with its strong commitment to disarmament and non-proliferation of WMD, Pakistan has, nationally, instituted comprehensive legislative, administrative and security measures to strengthen its export control system and ensure the safety and security of sensitive materials, facilities, technologies and equipment. Internationally, Pakistan remains a partner in efforts to stem proliferation of WMD and their means of delivery.

2. Pakistan's Export Control regime dates back to 1950 and comprises: (a) The Import and Exports (Control) Act 1950. It authorizes the Federal Government to prohibit, restrict or control the import or export of goods and regulate all practices and procedures connected therewith; (b) Pakistan Nuclear Safety and Radiation Protection (PNSRP) Ordinance of 1984 and Regulation of 1990, which contains provisions for control of import/export of nuclear substances and radioactive materials, extending to whole of Pakistan, has been further strengthened with Pakistan Nuclear Regulatory Authority (PNRA) Ordinance 2001. This Ordinance authorizes PNRA to issue licenses for all imports and exports of any radioactive materials or radiation sources; (c) Export Policy Order, which is issued annually to regulate exports of all items from Pakistan; (d) Chemical Weapons Convention Implementation Ordinance 2000. It enables full implementation and enforcement of the provisions of the Chemical Weapons Convention and fulfills Pakistan's obligations under Article VII of the Convention mandating national implementing measures; and (e) Export Control on Goods, Technologies, Material and Equipment related to Nuclear and Biological Weapons and their Delivery Systems Act 2004.

3. The key elements of the Export Control Act 2004 include: (a) Controls over export, re-export, transshipment and transit of goods, technologies, material and equipment, including Prohibition of diversion of controlled goods and technologies; (b) wide jurisdiction (also includes Pakistanis visiting or working abroad); (c) envisages an authority to administer rules and regulations framed under this legislation which also provides for the establishment of an Oversight Board to monitor the implementation of this legislation; (d) comprehensive control lists and catch all provisions; (e) Penal provisions: Up to 14 years imprisonment and Rs. 5 million fine or both, and on conviction offender's property and assets, wherever they may be, shall be forfeited to the Federal Government.

4. Pursuant to the 2004 Export Control Act, the Government of Pakistan in 2005 notified national Control Lists of Goods, Technologies, Materials and Equipment related to Nuclear and Biological Weapons and their Delivery Systems, which are be subject to strict export controls. The Control Lists adopted by Pakistan encompass the lists and scope of export controls maintained by the Nuclear Suppliers Group (NSG), the Australia

Group (AG) which relates to biological agents and toxins, and the Missile Technology Control Regime (MTCR). The classification system is based on the European Union's integrated list. The notification of Control Lists further highlights Pakistan's policy to implement its national and international non-proliferation commitments as a responsible nuclear weapons state.

5. Pakistan is a Party to the Convention on the Physical Protection of Nuclear Material and is also committed to following the guidelines of the IAEA Code of Conduct on the Safety and Security of Radioactive sources. Pakistan participates in the IAEA Illicit Trafficking Database (ITDB).

6. Pakistan Nuclear Regulatory Authority requires all license holders and operators in Pakistan to apply the IAEA guidelines as contained in INFCIRC/225-Rev4 for the security of nuclear material and facilities, which is the latest international standard in this regard. Application of stringent security standards for nuclear material, radioactive sources and nuclear facilities also contribute to the strengthening of controls over proliferation sensitive materials.

7. Pakistan has also signed a MoU with the United States of America on Container Security Initiative (CSI). All US bound container cargo from Pakistan has to be scanned prior to departure from Pakistani ports. As such, Pakistani exports to US will be covered under the CSI.

8. Pakistan is establishing a National Export Control authority for further institutionalized implementation of Export Control policy in line with the legislative requirements, formulation of rules and regulations for export of controlled items and issuing licenses. The authority will also conduct industrial outreach programmes.

9. As a member of the Security Council in 2004, Pakistan worked closely with the sponsors of the Security Council Resolution 1540 for its adoption. Pakistan submitted its national report in 2004. The national report was supplemented by a comprehensive matrix in 2005, which detailed all the legislative and administrative measures in force in Pakistan to fulfill the obligations of 1540.

10. Pakistan's strategic assets are completely safe and secure and the highest level of protection is accorded to them. They are under strong organizational, administrative and command and control structures since 1999. Consistent with its obligations as a nuclear weapons state, Pakistan formally instituted an elaborate Nuclear Command and Control mechanism in February 2000. The National Command Authority (NCA), chaired by the President of Pakistan, oversees custodial controls of all strategic assets.

11. Pakistan attaches value to exchange of best practices, information and experience on Export Control. Our interaction in this regard has been multifaceted. At the international level, we have been engaging with the NSG and MTCR. Bilaterally, we have been participating in Export Control events organized by the United States and Japan and have held joint Export Control workshops in Pakistan with Japan and the

European Union. Meetings with Germany, France and Russia are planned in the field of Export Control.

12. Pakistan's experience indicates that interaction amongst States on Export Controls leads to better understanding of each others policies and enhancing the level of mutual confidence. In our view, such interaction should also pave the way for access to nuclear technology for peaceful uses including nuclear power generation, dual use technology for economic development, nuclear safety equipment and space technology on a non-discriminatory basis.