

MEASURES TAKEN BY THE GOVERNMENT OF PAKISTAN TO STRENGTHEN ITS EXPORT CONTROL SYSTEM

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Pakistan fully shares the concern that proliferation of WMDs poses a threat to international peace and security. It is committed to fulfill its international obligations as a responsible nuclear weapon state and is also determined to pursue effective export controls in line with this commitment. Pakistan has, accordingly, instituted comprehensive legislative, administrative and regulatory measures to strengthen controls over the export of sensitive materials, facilities, technologies and equipment. Pakistan is also actively participating in international efforts to stem proliferation of WMDs and their means of delivery.

2. Pakistan's export control system dates back to 1950. However, until 2004, the nuclear export control framework was largely governed by statutory regulatory order, ordinances and acts which supported regulations issued by the Ministry of Commerce. Most of these procedures and regulations were consolidated in 2004 in the Export Control Act, which was enacted to streamline and harmonize controls over export of goods, technologies, material and equipment related to nuclear and biological weapons as well as their delivery systems.

3. In order to strengthen controls over export of sensitive commodities and related technologies, Pakistan has undertaken the following measures since the past few years:-

- a. **Export Control Act of 2004** further strengthens control over exports, re-exports trans-shipment and transit of goods, technologies, material and equipment. It also prohibits the diversion of controlled goods and technologies and provides for penalties up to 14 years imprisonment and Rs. 5 million fine or both as well as confiscation of property.
- b. Pursuant to the Export Control Act of 2004, **National Control Lists** were notified in 2005. These lists contain items which are to be subjected to strict regulatory requirements. These lists are consistent with the scope of export controls maintained by the Nuclear Suppliers Group, the Australia Group (related to biological agents and toxins) and the Missile Technology Control Regime (MTCR).
- c. A dedicated entity called the **Strategic Export Control Divisions (SECDIV)** has been established in the Ministry of Foreign Affairs since March 2007. SECDIV serves as the licensing body for items on the Control List and ensures implementation, coordination and enforcement of the Export Control Act, 2004.
- d. After its establishment, SECDIV initiated work on developing licensing and enforcement rules/regulations for implementation of Export Control Act 2004. Statutory notification on **export control (licensing and enforcement)** has been promulgated.
- e. An **Oversight Board**, comprising senior officials, is in place since July 2007 to independently review the implementation of export controls and to supervise the functioning of SECDIV. The Oversight Board is a forum for inter-agency coordination that sets policy guidelines for SECDIV, besides serving as a board of appeal in case of rejection of an export license.

- f. Outreach and capacity-building plans have developed and substantial progress has been achieved in these areas. SECDIV is also working on preparing its own training modules for capacity-building of relevant government officials as well as stakeholders from the industry and all other relevant sectors.
- g. As part of the public awareness campaign, a **dedicated link on the Ministry of Foreign Affairs' website** is available. An independent website of export controls will soon be operational.
- h. A **Joint Working Group** has been constituted to review, revise and update the Control Lists, as required under the Export Control Act 2004.
- i. Nuclear security in Pakistan has also substantially evolved during the past nine years through physical security and operational procedures. **Pakistan Nuclear Regulatory Authority (PNRA)** is implementing a national **Nuclear Security Action Plan (NSAP)**, which also includes the prevention and detection of illicit trafficking in nuclear and radioactive materials, as one of its primary objectives.

4. Pakistan is a party to the Chemicals Weapons Convention (CWC). The CWC Implementation Ordinance was promulgated in 2000 and provides for stringent export controls over all the scheduled chemicals covered by the CWC. The list of scheduled chemicals is notified by the Ministry of Commerce in the Annual Export Policy Order.

5. Pakistan has also been undertaking CWC familiarization through seminars, meetings, visits, correspondence and training events. In collaboration with OPCW an annual seminar for the domestic chemical industry and an annual training module at the Foreign Services Academy, are organized.

6. Pakistan regularly submits an Annual Declaration for Past Activities as well as a Declaration on National Programme for Protection against Chemical Weapons to OPCW. A sophisticated Wide Area Network (WAN) has been established to electronically receive data from the industry and importers/ exporters of scheduled chemicals.

7. Pakistan is a party to important international disarmament and non-proliferation related endeavors. In 2007, it joined the Global Initiative to Combat Nuclear Terrorism. It is participating in the Container Security Initiative (CSI) and also as an observer in the Proliferation Security Initiative (PSI). Pakistan has also been regularly interacting with representative of international export control regimes. NSG and MTCR delegations have visited Pakistan. Similarly, Pakistan has actively participated in NSG outreach activities in Vienna.

8. As part of its outreach, capacity-building and sharing of best practices, Pakistan has regularly participated in international conferences on export controls, including the US-sponsored Export Control and Related Border Security Programme (EXBS). Pakistan participates regularly in international workshops on export controls.