

Import/Export Control for ITT in KAERI

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1. Introduction

There were many efforts for the non-proliferation of WMD (Weapons of mass destruction) in the international society. The representatives of I/E (Import/Export) control in international society are NSG of nuclear fields, MTCR of missile fields, WA of conventional weapon fields and AG of bio-chemical fields. One of recent issues of the international I/E organizations is to strengthen ITT (Intangible Technology Transfer or Intangible Transfer of Technology).

According to the ITT policy, ROK governments reinforced domestic I/E control for the non-proliferation of WMD through the Foreign Trade Law recently modified. There are international transfers of various kinds of items and technologies produced in KAERI as an integrated R&D institute in nuclear fields.

In this study, KAERI is to develop a reasonable implementation methodology for the establishment of KAERI I/E control system to meet the requirements of the law.

2. Methods and Results

ROK has carried out faithfully domestic I/E control for non-proliferation of WMD under the Foreign Trade Law. Even though it is not easy to control ITT intrinsically because of the wide scope of ITT, KAERI should carry out I/E control to fulfill the requirements of the law.

For this, KAERI is to develop the implementation methodology for the establishment of I/E control system through the investigation on major changes in the modified law, determination of the leading group, clarification of work scope, assignment of responsibility and authority and others based on the experiences from the implementation of I/E control.

2.1 Major Changes in Foreign Trade Law

KAERI investigated and analyzed contents of the modified law. The main changes between the existing law and the new law can be shown in table 1 and summarized on I/E control on the nonproliferation of WMD as follows;

- Change in the definition of export: export without compensation should be controlled.
- Change in the items of export: technology export should be controlled.

- Specification of transfer media: unauthorized technology transfer through computation media, meeting, training, etc. should be controlled.

Table 1. Major changes in law

Contents	Existing law	Modified law
Target	Strategic items	ITT addition
Export definition	Charged Transfer	Transfer regardless of charge
Transfer media	-	Including computation media such as e-mail, fax, etc.

2.2 Methodology Development for KAERI I/E Control

In the macroscopic viewpoint, the advance of science is accomplished based on the technology transfer. Especially, in consideration of the characteristics of R&D activities, I/E control must be an approach not to hinder the flow of technical information as much as possible. Under this principle, KAERI approached to the development of implementation methodology as follows;

First is to prepare a KAERI regulation related to the import/export control of schematic item and technology defining the responsibility and authority, work flow, the implementation organization, reporting modalities, etc.

Second is to strengthen public relations and educations. It is important that each researcher needs to know overall I/E control system as a responsible person on individual transfer of items/technologies.

Third is to support technically. So far, there are so many researchers who don't know whether their R&D activities are related to the strategic item or technology. Therefore, based on the request from project manager, it is essential for experts to analyze the relationship between each R&D activity and WMD-technology.

Fourth is to get the CP (compliance program) license from MOTIE/KOSTI in the near future. Basically, I/E control activity should be carried out and completed before the export. It makes I/E control implementation difficult in KAERI. Fortunately, because CP provided to the competent company permits to report later, KAERI with CP may be possible to establish a systematic I/E control implementation frame.

2.3 Implementation Status based on Methodology

According to the methodology, KAERI held seminar twice for the public relations and education and prepared the regulation for I/E control. Especially, during the preparation of the regulation, KAERI could establish and realign I/E control system such as defining the responsibility and authority, work flow, the implementation organization, audit, reporting modalities, etc.

At present, KAERI is making a provision to check whether each R&D activity is related to the strategic item or technology. In the near future, KAERI will make efforts to get the CP license for effective implementation of I/E control of dual-use item/technology and follow up the changes of I/E control in nuclear field. The direction for the establishment of KAERI I/E control system based on the methodology is shown in Figure 1.

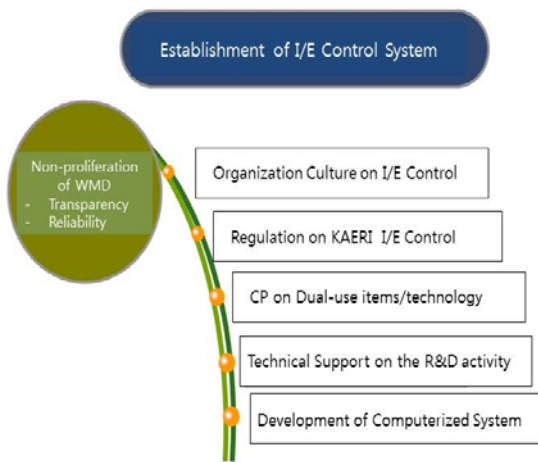


Fig.1. Establishment of I/E Control System

3. Conclusions

For the implementation of I/E control in KAERI, the methodology is successfully developed in consideration of the international and domestic environments. The main purpose of methodology development is to establish a frame of I/E control including ITT in KAERI. According to the methodology, KAERI held seminars twice for the public relations and education and prepared the regulation for I/E control. At present, KAERI is making a provision to check whether each R&D activity is related to the strategic item or technology.

In the near future, KAERI will make efforts to get the CP license for effective implementation of I/E control of dual-use item/technology and follow up the changes of I/E control in nuclear field.

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