Analysis for the NSG Fundamental Review of Controlled Items

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1. Introduction

With the development of the industry, realization of control lists (trigger list and dual-use list) was needed among NSG participating governments (PGs).

Past reviews of NSG control items have tended to focus, under separate work endeavors, as either a "Trigger List exercise" or a "Dual-Use List exercise." So, Participating Governments have agreed to conduct a fundamental, comprehensive review of the NSG's technical lists, both the Trigger List (Annex A and Annex B to (INFCIRC/254/Part 1) and the Dual-Use List (Annex to INFCIRC/254/Part 2) in 2009 Budapest NSG plenary. And, in 2010 Christchurch NSG plenary, Terms of Reference that including a detailed schedule and plan was adopted by PGs.

This fundamental review will take a "look at the big picture" to reflect on whether PGs are addressing, in an integrated way, the nuclear proliferation challenges each of the key technical areas face today.

2. Major Contents of the Fundamental Review

Fundamental Review will be complete in 2013 NSG plenary. This working arrangement may be summarized as follows:

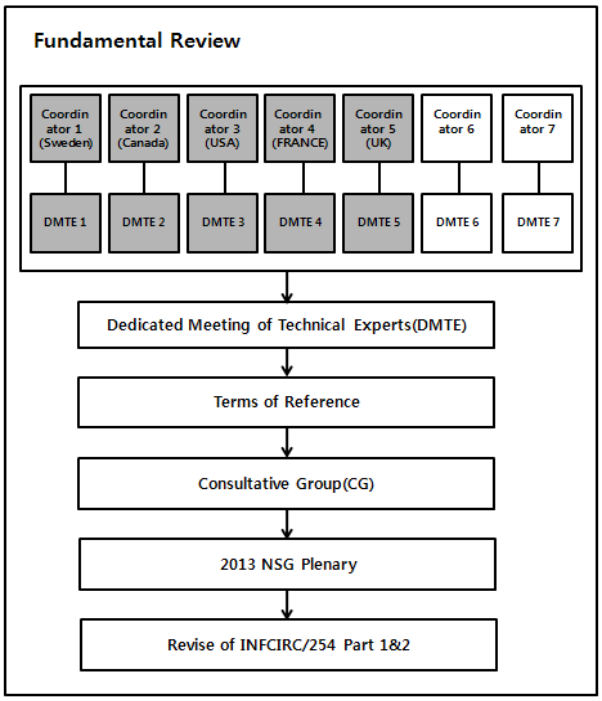

Fig. 1. Fundamental Review arrangement

In order to promote a fundamental approach to the technical review, work shall be organized and discussed around the following main thematic areas, covering both lists (Trigger List and Dual-Use List) at the same time:

1. Nuclear Reactors and supporting non-nuclear materials
2. Conversion and fuel fabrication
3. Isotope separation
4. Reprocessing, Spent fuel processing /handling
5. Weaponization
6. Industrial equipment
7. Other

Each thematic area, or combination of thematic areas, will be addressed at dedicated meetings of technical experts (DMTE). The DMTE will conduct an initial expert level discussion to prepare proposals for technical modifications, additions, and/or deletions to the control text for the CG''s thorough consideration.

The DMTE is the lead body for drafting NSG technical proposals and agreeing by consensus changes to the technical lists. The DTME reports to the Consultative Group (CG). Major functions of DMTE are following:

1. Develop proposals to modify the Trigger List and the Dual-Use List, based on suggestions by PGs
2. Ensure that all proposals follow a common format
3. Maintain configuration control of proposals and associated PG positions
4. ensure that work on specific issues is time-tabled so as to facilitate the participation of relevant technical experts from each PG

2.1 Dedicated Meetings of technical experts schedule

PGs discussed the practical consequences of the 8 week deadline stipulated in the DMTE Terms of Reference (TOR) for the submission on fundamental review website of final proposal before a DMTE. Then, PGs would be invited to post comments online under the specific proposals during a period of, minimally, four weeks. Following this, the respective DMTE coordinator would have two weeks to coordinate with those PGs who had made comments and to incorporate their comments into a new draft proposal, which would be then discussed at the following DMTE. After the 2

week coordination period, PGs would have a final two weeks to consider the proposals and make up their minds on their DMTE position.

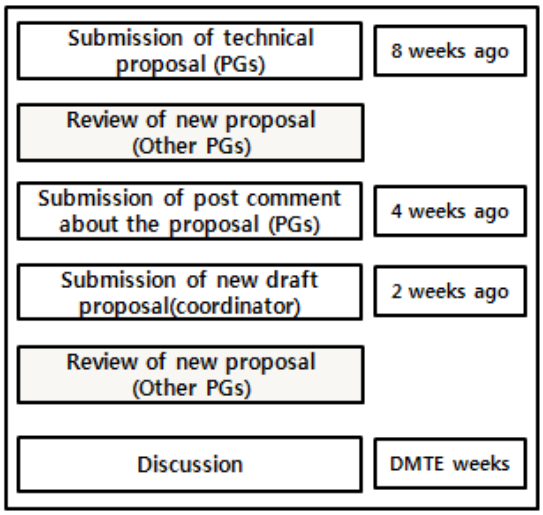

Fig. 2. Fundamental review schedule

2.2 Technical proposal

Before submission of the technical proposal, PGs carefully consider following questions:

- Are there control entries that should be added or deleted?
- Are there control entries for which technical parameters have become obsolete or outdated and need to be changed / updated?
- Have we accounted for new and emerging technologies and recent developments applicable to both the nuclear fuel cycle and to weaponization activities as appropriate/ needed?
- Do the Dual-Use List entries continue to have the appropriate balance between “"significance” "(proliferation contribution and concerns) and "controllability" (legitimate commercial equities, supply outside the regime)?
- Have we achieved the appropriate balance between the especially designed or prepared (EDP) principle and the technical parameters/specificity in the Trigger List entries?
- Are we implementing the EDP principle in a consistent and optimum way in the Trigger List entries?
- Are there items that we have considered in the past for control that we should again consider?
- Have we adequately and appropriately covered key, specially designed component parts and manufacturing performs for controlled items?
- Are there control entries also covered by other multilateral regimes and for which we should seek to better harmonize control text?

3. Conclusions

Through this review, if the existing item is removed from the control list, exporting businesses can be saving their time and manpower. Because exporting license is not necessary. On the contrary, new controlled item is necessary. So, this review’s results are actually very important to export businesses.

Therefore, export businesses, control agency and government must consider what should be added, deleted, changed or updated in control list. And, once the technical proposals received from other country, we must consider what impact of proposals on our industries.

REFERENCES

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