

The status and latest issues on KAERI export control implementation

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1. Introduction

There are four informal non-proliferation arrangements which seek to control the proliferation of weapons of mass destruction and their missile delivery systems and the transfer of conventional weapons and dual-use technologies.

The four arrangements are Wassenaar Arrangement (WA) on export controls for conventional arms and dual use goods and technologies, Nuclear Suppliers Group (NSG), Missile Technology Control Regime (MTCR) and Australia Group (AG) on chemical and biological weapons materials.

ROK participates in four arrangements to seek to encourage responsible practice in the trade of strategic goods and technologies. It is achieved through the implementation of export control list. MKE Notification (Ministry of Knowledge Economy Notification No. 2009-250) specifies those items and technologies subject to control.

In this paper, the status and latest issues on KAERI export control implementation are described.

2. Status of KAERI export control implementation

KAERI researchers who have a plan to export or disclose a certain good/technology consult with NMCT (Nuclear Material Control Team). NMCT reviews its document to check whether it is strategic good/technology or not. If necessary, NMCT gets the approval of MEST (Ministry of Education Science and Technology) or MKE (Ministry of Knowledge Economy) for the strategic goods/technology export.

3. Latest issues on KAERI export control implementation

3.1 Export control compliance program

Government has recommended that the companies which produce and/or export high technology products establish a self-regulating system known as a CP (Compliance Program). The CP system is one of the measures to improve the export control.

The compliance program is currently performed in more than 100 companies in ROK. But the current export control compliance program is too product-oriented. So, research institutes like KAERI have difficulties to introduce the current CP due to its technology-oriented trade and variety of export goods/technologies.

Recently, government is pushing to revise the export control laws and regulations for the effective export control system. As part of government's efforts to improve the export control system, government is performing the trial export control compliance program by collaborating with some of government funded research institutions. It helps to grasp the problem of the current export control compliance program and to develop an effective export control and management system for research institution.

In line with the government's efforts to establish the effective export control system, KAERI needs to seek to introduce the export control compliance program for implementation of the effective export control.

3.2 Export control of international joint research

Export control regulations require a government approval before the export or disclosure of strategic goods and technologies to foreign entities. In case of strategic technology export, it is necessary to get a government approval before a deal is signed.

There are many joint research projects on the nuclear fuel cycle R&D conducted by KAERI and overseas institute.

Generally, the international joint research project consists of several phases and is proceeded by phases. After finishing a phase, the plan of next phase is determined. In this case, KAERI tried to get a government approval of the joint research project at once to avoid a red tape formalities. But KAERI couldn't get a government approval by project because the respective contents of the phases are not determined when KAERI makes a contract of joint research project. So, KAERI have to get a government approval by phase of the project to meet the export control regulations.

Also, international joint research is sometimes contained not in the formal form of a written record, in the verbal understanding. In this case, it is impossible to get a government approval before its contract is signed.

Therefore, it is necessary to review and amend the export control procedure of international joint research for easier formality of export control and facilitating the international joint research.

3.3 Export control of research reactor

A consortium formed by KAERI and Daewoo Engineering & Construction Co., LTD signed the formal contract this year with Jordan to construct a 'JRTR (Jordan Research and Training Reactor)'. At the

same time, the export control procedure for a research reactor export is recently issued. There is no guideline and procedure of export control for a research reactor export because it is the first-ever plant export in ROK.

In the JRTR export case, the procedure of export control was decided after discussion with the people concerned. Now, KAERI is classifying the detailed items of JRTR to establish the D/B of parts of a research reactor. Daewoo Engineering & Construction Co., LTD will get a government approval at an appropriate time for JRTR export.

The JRTR export will give opportunity for establishing export control system for a research reactor export. As research reactor exports are expected to increase, it is necessary to develop the export control system for it.

4. Conclusion

There are some export control issues on the current CP, joint research and research reactor export of KAERI. KAERI will make continuous efforts for effective export control implementation and facilitating strategic goods/technology export. Government support is essential for establishing effective export control system and fixing problems on these issues.

REFERENCES

1. Ministry of Knowledge Economy Notification No. 2009-250.
2. IAEA, Handbook on nuclear law(2003), 137~144.