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***The Role of Multilateral Export Control Regimes  
in Preventing Proliferation of Weapons of Mass Destruction***  
**Presented by Ambassador Thomas Graham, Jr.**  
**President of the Lawyers Alliance for World Security**  
**April 20, 1999, Moscow, Russia**

Good morning. I am pleased to be here today and have the opportunity to address this distinguished audience. I would like to thank Anatoly Bulotchnikov and my colleagues from the Bureau of Export Administration of the U.S. Department of Commerce for inviting me to take part in this important and timely conference. As always, Anatoly has done an excellent job in organizing this event. Before I begin my presentation, I would like to say a few words about my organization's productive relationship with the Russian Center for Export Controls.

As some of you know, in September 1998, the Lawyers Alliance for World Security, in close cooperation with our partner, the Russian Center for Export Controls, conducted an international seminar on the role of export controls in nuclear terrorism prevention which we hope will be the first of several such conferences. This seminar brought together senior security experts from Russia, Belarus, Ukraine, Kazakhstan, China, the United Kingdom, Poland, Latvia, Lithuania and the United States to address the issue of nuclear terrorism and the role that export control can play. It is worth noting the high level representation of numerous governments and outstanding expertise of the officials, who came to take part in the two-day seminar. Russia, for example, was

represented by senior officials from the National Security Council, Foreign Ministry, Federal Security Service, Customs Service, Defense Ministry, MINATOM and the Federal Export Control Service -- all of whom delivered in-depth presentations on various aspects of national export controls. In my view, the knowledge and expertise of the seminar participants, combined with the informal setting of the event, facilitated a frank and productive exchange of opinions on the subject, enabling experts to begin discussing practical steps which must be undertaken to successfully combat the threat of nuclear terrorism. Several months ago, Anatoly's Center produced a seminar report including transcripts of the seminar presentations. The report is now available for distribution at the Russian Center for Export Controls. My colleagues from LAWS and I greatly enjoyed and benefited from the seminar experience. I am positive that today's conference will be similarly productive as it builds on and widens our awareness of export control issues and each other's related concerns.

Yesterday, LAWS board member Dan Poneman addressed the issue of industry participation in export control policy development, and later today, my colleague Mr. Charles Peterson will discuss various aspects of the internal export control compliance programs of the U.S. nuclear industry. In this presentation, I will focus on the role multilateral export control regimes play in curbing proliferation of weapons of mass destruction and missiles.

The possibility of spread of weapons of mass destruction is one of the most dangerous and difficult security challenges confronting the international community at present time. The grave but unlikely danger of the global thermonuclear conflict between the two superpowers during the Cold War has been replaced by new, more imminent threats -- the acquisition and possible use of nuclear, biological and chemical weapons by sub-national groups, like terrorist

organizations, criminal conspiracies and religious cults. Recognizing these security threats, the world community is strengthening existing and establishing new mechanisms that form a layered defense against proliferation of weapons of mass destruction. These layers include limiting the political value of nuclear weapons, strengthening export control and non-proliferation regimes, providing for able security of nuclear weapons and fissile material, and reinforcing intelligence and enforcement cooperation. Each of the aforementioned layers of defense serve important but limited roles in preventing WMD proliferation and can act effectively only in a concerted and cooperative manner. Multilateral export control regimes are no exception. Established as informal, voluntary arrangements among countries, export control regimes alone cannot prevent WMD proliferation. Rather, their function is to reinforce existing, legally-binding international treaties (such as the Nuclear Non-Proliferation Treaty, and the Chemical Weapons Convention) and complement international enforcement efforts by regulating and limiting the trade of materials and technologies that can be used in the development of weapons of mass destruction. These export control regimes include the Australia Group, the Zangger Committee, the Nuclear Suppliers Group, the Missile Technology control Regime, and the Wassenaar Arrangement. I will briefly describe the scope of each of the regimes that I have mentioned and their role in minimizing the proliferation threat.

### ***Australia Group***

In response to the use of chemical warfare in Iraq-Iran war, the international community established a multilateral institution aimed at minimizing the threat of chemical and biological weapons proliferation. The Australia Group was founded in 1984 as an international forum allowing countries to develop and harmonize their national export control systems based on

international chemical and biological weapons non-proliferation standards. The practical value of this regime lies in its support of the two international treaties banning chemical and biological weapons. The Australia Group encourages countries to meet and adhere to their international obligations under the Chemical Weapons Convention and the Biological and Toxin Weapons Convention through implementation of national export licensing measures and information exchanges. The Australia Group has developed a list of 54 chemical precursors and a list of chemical weapons-related production equipment that are subject to export controls. In addition, members of the Australia Group have imposed export controls on certain microorganisms, toxins and equipment that could be used in a biological weapons program. The Australia Group is currently comprised of thirty member-countries.

#### *The Zangger Committee and The Nuclear Supplies Group*

The Zangger Committee, also known as the Non-Proliferation Treaty Exporters Committee, is an international volunteer organization established to provide regulatory and implementation basis for Article IV of the NPT. Article IV allows all the States Parties to the Treaty “to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy.” The Zangger Committee developed a so-called “trigger list” – a list of nuclear equipment and material which might be indicative of a nuclear weapons program that could be exported to the non-nuclear weapon state parties of the NPT only upon the application of full-scope IAEA safeguards. The Zangger Committee is comprised of 31 countries all of which are parties to the NPT.

The Nuclear Suppliers Group (NSG) or the London Group, as it was originally called, was formed to halt further nuclear proliferation after India exploded its first nuclear device in 1974. It strengthens the NPT by coordinating export control policies of the countries that are Parties to the Treaty as well as countries outside of the Treaty. The NSG brings together thirty-five of the world's major nuclear supplier nations who have committed themselves to the series of export control guidelines established by the Group. The NSG guidelines compliment the work of the Zangger Committee. The guidelines cover exports for peaceful purposes to any non-nuclear weapon state of materials or equipment on a list that parallels the Zangger Committee's "trigger list," but which also includes criteria for transfers of related nuclear technology, such as enrichment, reprocessing and heavy water production.

### ***Missile Technology Control Regime***

There is no international legally-binding treaty which would halt proliferation of missiles capable of delivering weapons of mass destruction. Recognizing the urgent need to address the missile proliferation problem, the international community established a volunteer export control regime in 1987 called Missile Technology Control Regime (MTCR). The regime is designed to prevent proliferation of missiles and space launch vehicles capable of delivering a 500 kilograms payload at least 300 kilometers. MTCR is comprised of twenty-seven countries which share common export policies applied to a common list of controlled items set forth by the Regime. Since the formation of MTCR, several states outside of the Regime have unilaterally adhered to the MTCR's guidelines and control list which demonstrates the effectiveness of the Regime in establishing an international norm of responsible export control behavior among many countries.

Finally, the *Wassenaar Arrangement*, which succeeded the Cold War era COCOM regime, was established to ensure export control transparency and greater responsibility among member states regarding transfers of conventional arms and dual-use technology. Members of the regime committed themselves to exchanging information on exports of dual-use items and technologies to non-participating states. They also pledged to control all dual-use items and technology on the “Wassenaar List” from illicit or unauthorized transfers. There are currently thirty-three countries that are members of the Wassenaar Arrangement.

As we move toward the 21<sup>st</sup> century, the threats posed by proliferation of weapons of mass destruction are becoming real and grave. The ability to curb these threats will depend directly on our efforts to fully utilize all available layers of defense, including international regimes for export control and non-proliferation. Most countries confirm their commitment to global non-proliferation efforts by actively participating in international export control fora and by developing comprehensive national export control systems based on international standards. This export control conference is a testimony of good faith and commitment on the part of the Russian Government and Russian industry to play a major role in enhancing the world’s ability to fight WMD proliferation.

Thank you for your attention and I will be glad to answer any questions you may have.