

EFFECTIVE PRACTICES IN COORDINATION: ROLE OF NGOS

A CASE STUDY OF PAKISTAN



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*Ambassador Kim Sook
1540 Committee Chairman*



UNSC 1540: A Decade of Existence

INSTITUTE OF DEFENSE STUDIES & ANALYSES.

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Pakistan's export controls framework is governed by the following legal and administrative instruments:

- Import and Export (Control) Act, 1950 (Act No. XXXIX of 1950). This Act authorizes the Federal Government to prohibit, restrict or control the import or export of goods and to regulate practices and procedures connected therewith.
- Pakistan Nuclear Safety and Radiation Protection (PNSRP) Ordinance, 1984 and PNSRP Regulation, 1990. It lays down provisions for control of import and export of nuclear substances and radioactive materials.
- Statutory Notification No. SRO-782 (1), 1998 prohibits the export of fissionable materials.
- Statutory Notification No.SRO-124 (1)/ 1999 requires a No Objection Certificate from the MoDP for export of arms, ammunitions, explosives and ingredients.
- Statutory Notification No.SRO-767 (1)/2009 issued by the Ministry of Commerce lays down the Export Policy Order 2009.

- Pakistan Nuclear Regulatory Authority Ordinance, 2001. Ordinance. Under this Ordinance, PNRA issues the required No Objection Certificate for import and export of any radioactive materials or radiation sources.
- Export Control Act (Act No. V) 2004. This Act relates to Export Controls on Goods, Technologies, Material and Equipment related to Nuclear and Biological Weapons and their Delivery Systems.
- The National Command Authority Ordinance, 2007. Empowers the NCA to exercise complete command and control over all nuclear and space related technologies, systems and matters and assist the Federal Government pursuant to any obligation on Pakistan relating to non proliferation

Export Control Act 2004

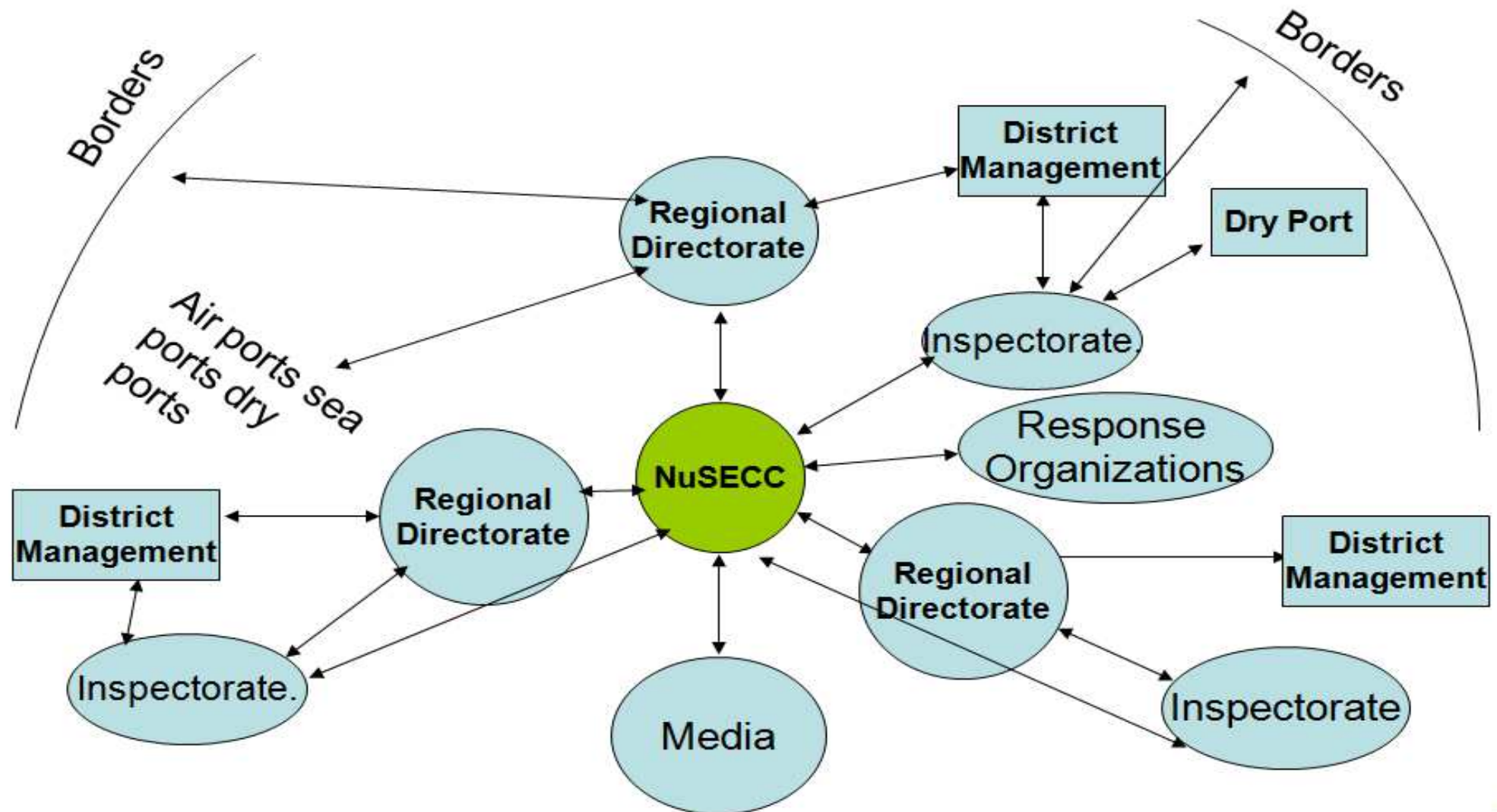
- 1998 - Strategic Export Controls –responsible power
- Pakistan started working on Strategic Export Control Act.
- The bill was passed by both the Houses of the Parliament and promulgated through Gazette Notification on 23 September 2004.
- **BASED ON CATCH ALL**

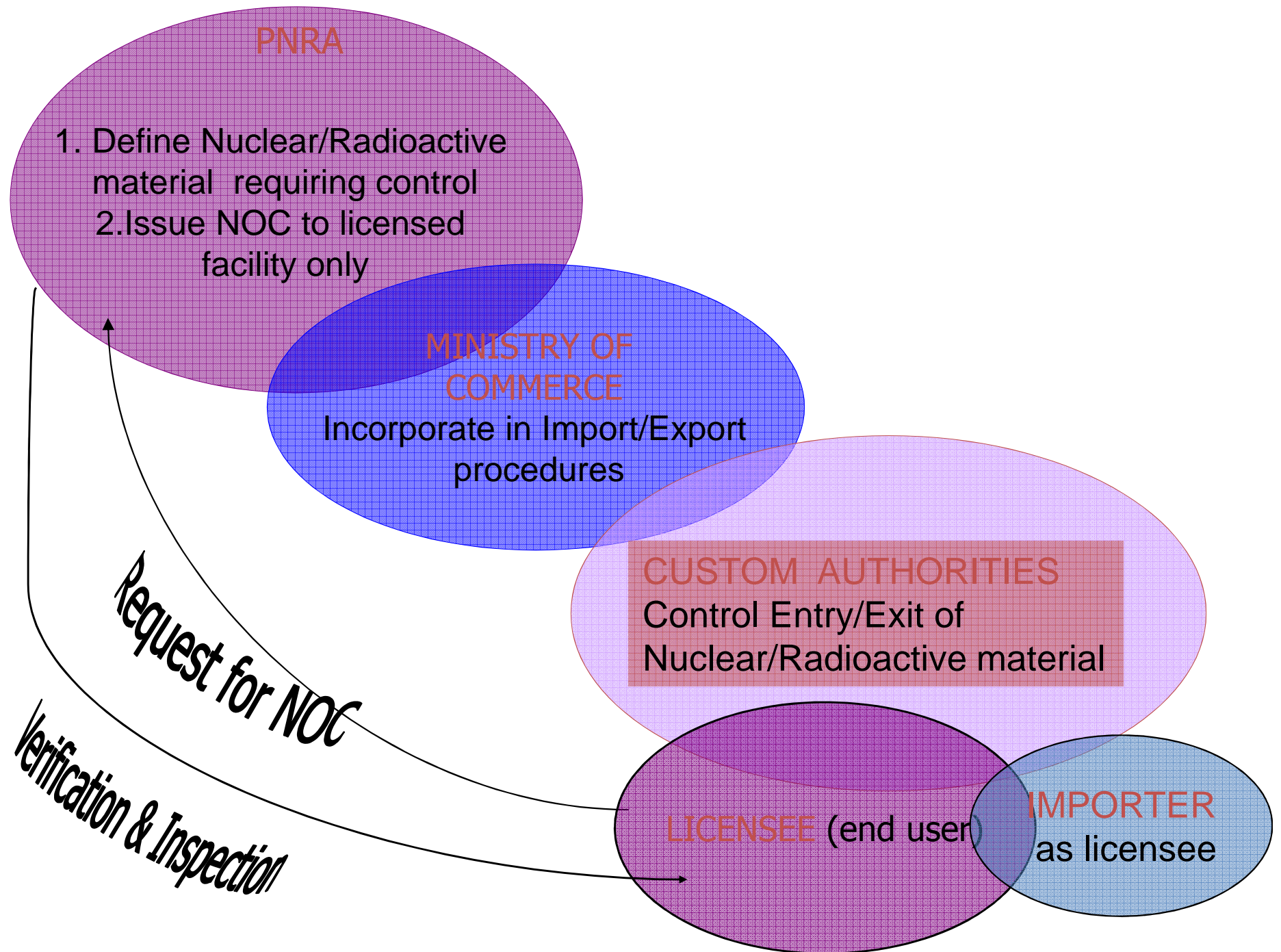
The main purpose of formulating a Strategic Export Control Act was the following:-

- To control export, re-export, trans-shipment, transit of goods, technologies, material and equipment, which may contribute to the designing, development, production, stockpiling, maintenance, or use of nuclear and biological weapons and their delivery systems.
- To make the materials, equipment and services which could contribute to the designing, development, production, stockpiling, maintenance or use of nuclear and biological weapons and their delivery systems subject to the provisions of this law.
- To cover transfer of goods or technology within Pakistan with the knowledge or intent that the goods or technology will be shipped, transferred or transmitted to an unauthorized recipient outside Pakistan.

Establishment of the Strategic Export Control Division (SECDIV)

In 2007, Pakistan established the Strategic Export Control Division (SECDIV). As required by Article 3 of the Export Control Act, the Prime Minister approved the setting up of Strategic Export Control Division (SECDIV) as part of the Ministry of Foreign Affairs. It is an independent Oversight Board has also been constituted to oversee the implementation of the Act.





Response Planning

- Establishment of NuSECC
 - At Islamabad as part of NRECC
 - Six mobile labs at PNRA regional directorates and inspectorates
 - Manned round the clock
 - Direct liaison with the PNRA regional directorates, inspectorates, mobile emergency labs., users, customs, local governments and law enforcing agencies etc.
 - Communication systems
 - Continual tracking of high activity sources during movement



ROLE OF CIVIL SOCIETY

- Export Controls Are Dynamic In Nature
- Role In Public And Policy Buy In
- Physical Measures
- Policy Awareness
- Stakeholders Buy In
- Public Buy In
- Under Regulated Areas
- High Tec Trade

- Capacity Building
- Completing The Supply Chain
- Buy In In The Policy Chain
- Threat Awareness- Balance With Industry Requirement
- Sectors
- National Implementation Programs
- Industry ,Transport, Law Enforcement Agencies, Border Security, judiciary & Economic Councils.

- **ROLE OF CIVIL SOCIETY.**
- Non Kinetic Threats Networks Overlap – Drugs ,IEDS, organised Crime.
- Power And Value Added To Procurement Of Nuclear Weapons Technology By Non State Actors.
- Dual Use Technology
- SME
- Focus On State Or Non State Actors.

ROLE OF CIVIL SOCIETY.

Public Buy In, Policy Buy In & Industry Buy In -
National Level

International Non Proliferation Regime , Regional
Security Export Control Architecture- Global Level

High Tech Trade Chain - Global Level

New Entrants- Internal Compliance- Domestic
Level

- STRIKE BALANCE BETWEEN TRADE DEVELOPMENT, EFFECIENCY AND TRADE RESPONSIBILITY.
- TRSNSHIPMENT VS BORDER SECURITY ARRANGEMENT
- REDUCING TIME AND ENHANCED UNDERSTANDING OF LISCENCING PROCEDURES.
- ENHANCING CAPACITY BUILDING .

ROLE OF CIVIL SOCIETY.

**ENHANCING POLICY UNDERSTANDING AND
CAPACITY IN ALL RELEVANT SECTORS.**

THANK YOU