

Is the NSG Up to the Task?

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The Nuclear Suppliers Group (NSG) was established 35 years ago to reinforce the nuclear Nonproliferation Treaty (NPT) by establishing guidelines for nuclear supply. These voluntary guidelines were designed to prevent the transfer of the most sensitive nuclear technologies and block nuclear commerce with states that do not abide by basic nonproliferation standards.

Although the NSG has provided an important check on proliferation, in recent years it has failed to agree to tighter restrictions on the transfer of uranium-enrichment and spent fuel reprocessing technology. To their great discredit, a few leading NSG states have reversed or ignored NSG guidelines for commercial profit and improved bilateral ties with nuclear trading partners.

In 2001, Russia sold uranium to India and agreed to build two additional reactors for India in violation of NSG guidelines barring nuclear trade with non-NPT countries. In 2008 the NSG agreed on an exemption for nuclear transfers to India over the protestations of the governments of Austria, Ireland, and New Zealand. The exemption, which was initiated by the George W. Bush administration and strongly backed by France, Russia, and the United Kingdom, reversed the long-standing NSG and NPT policies barring nuclear trade with states that have not accepted comprehensive international safeguards.

Now, China is reportedly planning to sell two nuclear power reactors to NPT holdout and serial proliferator Pakistan, which would violate current NSG rules.

The NSG must respond appropriately or risk irrelevance. Responsible NSG governments should actively oppose the Chinese-Pakistani deal as a violation of NSG guidelines, work to mitigate the damage caused by the India exemption, and agree to tougher rules against the transfer of enrichment and reprocessing technologies, which can be used to produce fissile material for weapons.

When China joined the NSG in 2004, it had already built a power reactor at Pakistan's Chashma site. It claimed at the time that it was entitled to build a second one on the grounds that the second reactor project was covered in its existing agreement with Pakistan. At the time, however, there was no declaration of any intention to build additional nuclear power plants at Chashma.

States at the recent NPT review conference, including China, reaffirmed that "new supply arrangements" for nuclear transfers should require that the recipient accept International Atomic Energy Agency (IAEA) "full-scope safeguards and international legally-binding commitments not to acquire nuclear weapons."

Nuclear trade with Pakistan or India would give those NPT nonmembers the rights and privileges reserved for NPT members that follow nonproliferation rules. Worse still, nuclear trade with either country would indirectly contribute to their weapons programs by freeing up domestic uranium reserves for the production of enriched uranium and plutonium for weapons purposes.

Recognizing this danger, NPT parties expressed concern about the negative effects of civil nuclear trade with the two countries. The NPT conference's final document "urges all States parties to ensure that their nuclear-related exports do not directly or indirectly assist the development of nuclear

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weapons or other nuclear explosive devices.”

In response to the NSG’s 2008 India exemption, Israel and Pakistan, which are still subject to the NSG ban on nuclear trade, have sought similar exemptions—so far unsuccessfully. Also, Pakistan has accelerated its efforts to increase its capacity to produce enriched uranium and plutonium for weapons and has blocked the start of negotiations on a global treaty to ban the production of nuclear material for weapons purposes.

The NSG must hold firm and oppose nuclear trade with Israel, Pakistan, or any country that does not meet commonsense nonproliferation and disarmament standards.

Notwithstanding the 2008 NSG exemption for India, states such as Australia and Japan should resist commercial and political pressures for engaging in nuclear trade with India, at least until New Delhi complies with UN Security Council Resolution 1172, passed in June 1998, which calls on India and Pakistan to stop producing fissile material for weapons, to sign the Comprehensive Test Ban Treaty, and undertake other nuclear risk reduction measures.

Those NSG governments that have decided to sell nuclear material and reactors to India should clarify that if India or any other state breaks its nonproliferation commitments and conducts a nuclear test explosion for any reason, they will immediately terminate nuclear trade with the offending state.

The NSG must address future proliferation risks as well. India and other states in regions of proliferation concern are seeking advanced enrichment and reprocessing equipment and technology. In response, the United States and other NSG countries must overcome opposition from South Africa and Turkey and adopt tougher guidelines that would bar the transfer of such technology to those states that have not signed the NPT and do not have in place IAEA comprehensive safeguards and enhanced inspections under an additional protocol.

If the NSG is to remain effective and credible, member states must respect and uphold their own rules, avoid actions that feed the nuclear arms race, and strengthen their guidelines to prevent weapons-related nuclear technology from proliferating in the years ahead.

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