

# Nuclear Proliferation: The Role and Regulation of Corporations

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# Overview

Changing role of corporations

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Influence of traditional model of  
international law

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Challenges for nonproliferation regime

→ Policy recommendations

# Role of Corporations

- Nuclear technology moved from government to private industry
- Private corporation involvement:
  - Low grade nuclear waste
  - Military industrial complex
  - Dual-use technology
    - E.g. A Q Kahn Network

# Traditional Model of International Law

- Focus on States as participants
- Deference to State sovereignty

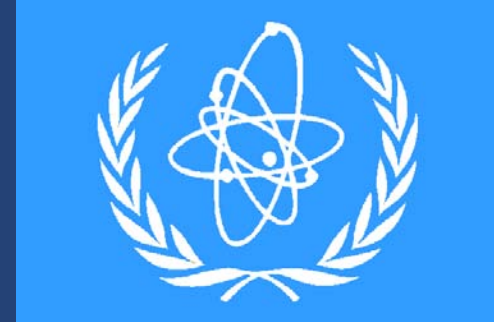
# Nonproliferation Regime

- Treaty based agreements
  - International Atomic Energy Agency (IAEA)
- UN Security Council Resolutions
- Informal arrangements

# Treaty Based Agreements

- Treaty on the Non-Proliferation of Nuclear Weapons (NPT)
- Obligations on States only
- Little relevance to dual-use technology

# IAEA



- Deals with States only
- Mandate limited by deference to State sovereignty
- Little relevance to dual-use technology

# UN Security Council Resolutions



- Resolution 1540
- Focus on non-State actors, but obligations remain on States
- No explicit reference to dual-use technology

# Informal Arrangements

- Nuclear Suppliers Group
- Zangger Committee
- Proliferation Security Initiative
  - No legal obligations



ZANGGER COMMITTEE

# Non-Proliferation Regime

- Regulation of corporations and dual-use technology left to implementation of domestic law
- Problems created by non-compliant States
  - Lack of will
  - Lack of capacity

# Policy Considerations and Recommendations

- Treaty focused on corporations and dual-use technology
- Greater compliance with Resolution 1540
  - Lack of capacity: IAEA assistance
  - Lack of will: Sanctions
- Direct Regulation of Corporations