

## Supplier Power

Both the principles and the practices of safeguards were initially established through a network of bilateral interstate nuclear co-operation agreements. The IAEA is to a great degree the heir to this network. Thus, historically, the development of safeguards owes a great deal to the willingness and ability of the suppliers of nuclear goods and services to require safeguards as a condition of supply. A chemical weapons verification body will profit from the historical development of safeguards in the nuclear area, but would be less directly dependent on a straightforward supply-safeguards linkage than the Agency has been. Nonetheless, certain aspects of the Agency's experience could be of relevance here.

Strong supplier support would be needed to create a strong regime of safeguards over relevant chemical industry exports, whether of materials, plant or technology. The prospect for supplier control is more difficult to assess in the chemical than in the nuclear area, as the chemical industry is more complex and widespread, and at least some sectors of it are more easily entered, than is the case for the nuclear industry. The variety of chemical agents and precursors that might be controlled, and the varying degrees or types of control to which they could be subject, are also sources of complexity. Even where the prospects for supplier control were good, however, too great a dependence on supplier control, without some efforts to develop a broader basis for political support, could lead to difficulties.

As the number of suppliers has increased in the nuclear area, so has the difficulty of co-ordination among them. This creates a danger that less demanding suppliers will undercut those who put stiffer controls on their exports. This problem has been exacerbated by differences among suppliers over the nature of the proliferation problem — differences that also exist between suppliers and recipients. An international convention or organization could serve as a co-ordinating mechanism, but such a potential has not been fully realized in the nuclear area. The Agency has at best been used for this in a limited fashion. The "trigger list" of items the export of which would require safeguards under the NPT was developed by a committee of major suppliers acting essentially outside the IAEA. It was never accepted by the Agency's Board of Governors, but rather was communicated to members of the IAEA.<sup>7</sup> Similarly, the Nuclear Suppliers Group (NSG) guidelines on technology transfer and other issues were developed outside the Agency, which served as a channel of communication. Certain key elements of the nuclear non-proliferation system, then, have been left up to states acting unilaterally or co-ordinating outside the Agency.

In defence of this limited use of the Agency, one can point to the low probability that such controls would have resulted if the Agency had been the forum of creation. Aside from a different definition of the problem, in the