

The image shows the cover of a spiral-bound notebook. The cover is a light beige or tan color with a textured, fibrous appearance. A silver metal spiral binding is visible along the left edge. The text is centered on the cover in a dark brown, serif font. The title is in all caps, with 'in JAPAN' in lowercase. The date and the ministry name are in title case.

WMD CATCH ALL CONTROLS
in JAPAN

APRIL, 2002

Ministry of Economy Trade and Industry

Background to the Introduction of Catch-All Controls

Catch-all controls: System in which authorization is required from the export control authorities for the export of all goods or technologies that may be used in the development of weapons of mass destruction.

- 1) In the 1990s UN inspections revealed that Iraq had purchased or was seeking to purchase many unlisted goods for developing nuclear weapons, and from this grew a greater realization that the agreed lists of the international export control regimes (NSG, AG, MTCR and Wassenaar Arrangement) alone was not enough to prevent the proliferation of weapons of mass destruction.
- 2) There are many goods and technologies not included on the agreed lists of the international export control regimes that would be effective in the development of weapons of mass destruction in countries of concern. Moreover, these goods and technologies are not always high-tech products.
- 3) Proposing such items at the conferences of the various regimes and having them added to the lists takes time, and even when items are proposed, agreement among the conference members is not always achievable, so security export control is not a fluid or flexible process.
- 4) Countries of concern developing weapons of mass destruction tend to procure unlisted items that can be used as substitutes for the stringently controlled listed items. Controlling such procurement activities, i.e. requiring prior authorization, would result in a list of a massive scale that would impede normal trade, and could place an enormous burden on exporters.
- 5) The USA and Germany introduced the catch-all system in 1991, and the EU in 1996. Today, almost all developed countries, including Australia and New Zealand, have introduced the system. Canada has recently announced its intention to introduce the catch-all system in the near future.

Outline of Catch-All Controls

Enforced from April 1, 2002

- 1) Controlled goods: → In principle, all goods

Note: Excludes some items considered to be unconnected with the development of weapons of mass destruction, such as food products and timber.

- 2) Regions subject to controls: → All regions excluding 26 countries

- 3) Conditions for invoking controls: / Objective conditions (details covered separately / Informed conditions)

Note: Regarding the user conditions under the objective conditions, applications for authorization are not necessary when the export goods are clearly not going to be used in connection with the proliferation activities of weapons of mass destruction, such as the manufacture of heavy water, research for nuclear fusion etc..

- 4) Public announcement of foreign user list.

- 5) Technologies, specially developed for design, production, and use of goods in catch-all controls, and transferred in physical form are also controlled.

Conditions for Invoking Controls

Informed conditions

In cases where the Ministry of Economy, Trade and Industry has notified exporters that they are required to apply for authorization regarding the export of goods or technologies in question based on the risk that such goods or technologies will be used in the development, manufacture, use, storage etc. of nuclear, biological or chemical weapons, or missiles.

Objective conditions

Objective conditions comprise the following two conditions.

-Use conditions

In cases where the exporter has information that the goods in questions or technologies which are going to overseas may be used in connection with the proliferation activities of nuclear weapons, biological or chemical weapons, or missiles. Under such conditions, the exporter should apply license for the export of the goods or technologies.

-End-user conditions

In cases where the exporter has information that the end-user of the goods or technologies in question will be involved in, is involved in or has been involved in the development, manufacture, use and storage of nuclear, biological or chemical weapons, or missiles (however, applications for authorization are not necessary when, considering usage or type of transaction, the said goods or technologies are clearly not going to be used in the development etc. of weapons of mass destruction, even if the end-user conditions apply). Under such conditions, the exporter should apply license for the export of the goods or technologies.

26 countries to which the Catch-All Controls do not apply

Argentina	Australia	Austria	Belgium	Canada	Czech Republic	Denmark	
Finland	France	Germany	Greece	Hungary	Ireland	Italy	Luxembourg
Netherlands	New Zealand	Norway	Poland	Portugal	Spain	Sweden	Switzerland
UK	USA	South Korea					