

## 18. Non-proliferation: Hague Code of Conduct [293]

### Commitment

“In this regard we remain committed to implementing the Hague Code of Conduct against Ballistic Missile Proliferation and call upon other subscribing States to follow suit.”<sup>1712</sup>

*Heiligendamm Statement on Non-proliferation*

### Assessment

Country	Final Compliance Score		
	Lack of Compliance -1	Work in Progress 0	Full Compliance +1
Canada			+1
France			+1
Germany		0	
Italy		0	
Japan			+1
Russia			+1
United Kingdom		0	
United States			+1
European Union		0	
<b>Average Score</b>			<b>+0.44</b>

### Background

G8 nations have routinely used the statements issued at Leaders' Summits to call on non-signatory states to ratify The Hague Code of Conduct against Ballistic Missile Proliferation.<sup>1713</sup> The HCOC was finalized in 2002 in The Hague, Netherlands and, as of June 2008, 130 nations had signed the HCOC.<sup>1714</sup> The HCOC seeks to regulate and verify trade in ballistic missiles, and in delivery systems that might be used to carry weapons of mass destruction (WMD) over long distances. It calls on states to establish bilateral and multilateral systems for monitoring the proliferation of such apparatuses.<sup>1715</sup> The HCOC also aims to provide nations with a means of developing programs for the exploration of space with purely peaceful goals.

Signatory nations gathered for the 6<sup>th</sup> Regular Conference of Subscribing States in Vienna from 31 May to 1 June 2007.<sup>1716</sup> At the 6<sup>th</sup> Regular Conference, signatories to the convention agreed to strengthen confidence building measures; undertake outreach measures to increase the number of signatories; and endorse the activities of the Chairman of the Conference, Ivica Dronjic, to promote the HCOC at the International Organization of the Islamic Conference and the Non-Aligned Movement.<sup>1717</sup>

*Team Leader: Michael Erdman*

<sup>1712</sup> Heiligendamm Statement on Non-proliferation, G8 Information Centre (Toronto) 8 June 2007. Date of Access: 18 January 2008. <<http://www.g8.utoronto.ca/summit/2007heiligendamm/g8-2007-nonprolif.html>>

<sup>1713</sup> Statement on Non-proliferation, G8 Information Centre (Toronto) 16 July 2006. Date of Access: 18 January 2008. <<http://www.g8.utoronto.ca/summit/2006stpetersburg/nonprolif.html>>

<sup>1714</sup> Hague Code of Conduct Against Ballistic Missile Proliferation, The Austrian Foreign Ministry (Vienna). Date of Access: 4 June 2008. <[http://www.bmeia.gv.at/view.php3?f\\_id=54&LNG=en&version=>](http://www.bmeia.gv.at/view.php3?f_id=54&LNG=en&version=>)>

<sup>1715</sup> Hague Code of Conduct Against Ballistic Missile Proliferation, The Austrian Foreign Ministry (Vienna). Date of Access: 18 January 2008. <[http://www.bmeia.gv.at/view.php3?f\\_id=54&LNG=en&version=>](http://www.bmeia.gv.at/view.php3?f_id=54&LNG=en&version=>)>

<sup>1716</sup> Hague Code of Conduct Against Ballistic Missile Proliferation, The Austrian Foreign Ministry (Vienna). Date of Access: 18 January 2008. <[http://www.bmeia.gv.at/view.php3?f\\_id=54&LNG=en&version=>](http://www.bmeia.gv.at/view.php3?f_id=54&LNG=en&version=>)>

<sup>1717</sup> Hague Code of Conduct Against Ballistic Missile Proliferation, The Austrian Foreign Ministry (Vienna). Date of Access: 18 January 2008. <[http://www.bmeia.gv.at/view.php3?f\\_id=54&LNG=en&version=>](http://www.bmeia.gv.at/view.php3?f_id=54&LNG=en&version=>)>

## Canada: +1

Canada has fully complied with its commitment on the Hague Code of Conduct. Lacking ballistic missiles of its own, Canada has nevertheless been a vocal proponent of policies to promote the HCOC, a participant in relevant organizations, and a sponsor of research designed to further the goals of the HCOC.

On 26 October 2007, Canada's representative to the UN's First Committee argued that international disarmament needed to be more effective and suggested that it could "benefit from creative approaches" like those used in the Mine Ban Convention.<sup>1718</sup> Creative diplomatic approaches would help ensure that "disarmament bodies were a means to an end, and not an end unto themselves," a weakness hampering the Conference on Disarmament, he said.<sup>1719</sup>

Canada continued to be a member of the Wassenaar Arrangement (WA), the Missile Technology Control Regime (MTCR), the Proliferation Initiative (PSI) and the 1540 Committee. At the MTCR's plenary session on 7-9 November 2007, members "expressed their determination" to implement UN Security Council resolutions "inter alia, 1718, 1737 and 1747," agreed on practical measures for doing so and "called on all States to take all necessary steps at a national level to fully and effectively implement the missile relevant provisions of these resolutions."<sup>1720</sup> The extent and nature of Canada's participation in the MTCR are not known. Canada chaired the WA's Licensing and Enforcement Officers' Meeting (LEOM) and partook in the drafting of the "Statement of Understanding on End-Use Controls for Dual-Use Items" at the plenary session on 4-6 December 2007.<sup>1721</sup>

On 27 March 2008, Canada's representative to the Conference on Disarmament expressed full Canadian support for CD/1840, the new program of work put forward by the six Presidents of the Conference. He conveyed Canada's hope that other delegations would give the proposal careful consideration in order that the Conference might quickly settle on a program.<sup>1722</sup> Intended to re-invigorate discussions hampered by disagreements over the 2007 program, CD/1840 designates Canada Co-ordinator to preside over "substantive discussions dealing with issues related to prevention of an arms race in outer space."<sup>1723</sup> Co-ordinators are to present a progress report to the Conference before the conclusion of the session. At the same meeting, Canada expressed its appreciation for France's non-proliferation and disarmament policies, which included the proposal for an eight-point disarmament action plan.<sup>1724</sup>

Over the course of 2007, the International Security Research and Outreach Programme (ISROP) contributed to the 2008 edition of the Space Security Index, an annual examination of trends and developments related to space security. According to an ISROP research officer, the 2008 edition is expected to be released in the summer.<sup>1725</sup> In the field of nuclear non-proliferation and disarmament, ISROP supported Project

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<sup>1718</sup> Signing weapons reduction treaties, talking about non-proliferation not enough; nations must have 'political strength' for compliance, first committee told, General Assembly, GA/DIS/3353, United Nations (New York) October 2007. Date of Access: 3 May 2008. <<http://www.un.org/News/Press/docs//2007/gadis3353.doc.htm>>

<sup>1719</sup> Signing weapons reduction treaties, talking about non-proliferation not enough; nations must have 'political strength' for compliance, first committee told, General Assembly, GA/DIS/3353, United Nations (New York) October 2007. Date of Access: 3 May 2008. <<http://www.un.org/News/Press/docs//2007/gadis3353.doc.htm>>

<sup>1720</sup> Plenary Meeting of the Missile Technology Control Regime, Missile Technology Control Regime (Athens) November 2007. Date of Access 4 May 2008. <<http://www.mtcr.info/english/press/athens.html>>

<sup>1721</sup> Statement of Understanding on Implementation of End-Use Controls for Dual-Use Items, Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (Vienna) December 2007. Date of Access: 4 May 2008. <<http://www.wassenaar.org/publicdocuments/index%20PD07.html>>

<sup>1722</sup> Conference on Disarmament hears statements by France, Canada, Chile on behalf of 10 Latin American countries, Russia, Iran and China, The United Nations Office at Geneva (Geneva) March 2008. Date of Access: 3 May 2008.

<[http://www.unog.ch/unog/website/news\\_media.nsf/\(httpNewsByYear\\_en\)/DC4CBC38808C2EC6C125741900426FDC?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/DC4CBC38808C2EC6C125741900426FDC?OpenDocument)>

<sup>1723</sup> Conference on Disarmament hears statements by France, Canada, Chile on behalf of 10 Latin American countries, Russia, Iran and China, UN Office at Geneva (Geneva) March 2008. Date of Access: 3 May 2008.

<[http://www.unog.ch/unog/website/news\\_media.nsf/\(httpNewsByYear\\_en\)/DC4CBC38808C2EC6C125741900426FDC?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/DC4CBC38808C2EC6C125741900426FDC?OpenDocument)>

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<sup>1725</sup> Statement by ISROP Programme Research Officer in email correspondence. 9 May 2008. Past editions of the Space Security Index are available at <<http://www.spacesecurity.org/>>.

Ploughshares' April 2008 publication, "Transparency and Accountability – NPT Reporting 2002-2007."<sup>1726</sup> In 2000, as an accountability-enhancement measure, states party to the Non-proliferation Treaty (NPT) agreed to provide regular reports on the measures they had taken to meet the requirements of the treaty. This report examines the "frequency, format, and content of reporting to date and considers whether this experience offers guidance for the future elaboration and clarification of the Article VI reporting requirement."<sup>1727</sup>

As of 1 June 2008, Canada had still not posted its Declaration to the HCOC for 2006 or 2007 on the website of the Department of Foreign Affairs and International Trade.<sup>1728</sup> However, in correspondence with the G8 Research Group, a Foreign Affairs Officer affirmed that declarations had been filed.<sup>1729</sup>

On a final note, a *Globe and Mail* article published in March 2008 revealed Canadian efforts to discourage French missile tests over the North Atlantic in 2006 and 2007. According to the article, which cited records gained using the Access to Information Act, "Ottawa has complained to the French twice in the past 16 months, raising objections to the tests and, in the first instance, even asking Paris to cancel them."<sup>1730</sup> The first test, on 9 November 2006, involved an M51 ballistic missile. The second occurred on 21 June 2007. According to a classified Department of Transport briefing note dated 11 June 2007, the second complaint was made "on the grounds of public safety, potentially high costs to airlines and the general additional uncertainty this imposes on air traffic."<sup>1731</sup>

Canada has thus received a score of +1 for its active support of the implementation of the Hague Code of Conduct by all signatories.

*Analyst: Matthew Willis*

#### **France: +1**

France has fully complied with its 2007 Heiligendamm commitment to implement the Hague Code of Conduct against Ballistic Missile Proliferation. As member of both the EU and the MTCR, as well as in the domestic political arena, France has sought to implement the requirements of the Code.

In preparation for the 2008 Chemical Weapons Convention, France expressed its wish for greater international cooperation towards defining effective policy frameworks capable of preventing and countering proliferation threats.<sup>1732</sup> France reiterated its concern for the need to improve the effectiveness of verification systems world wide.<sup>1733</sup> To this end, possible solutions for the strengthening of verification measures were also discussed at a French CIAC (Convention pour l'interdiction des armes chimiques) seminar held in March 2008.<sup>1734</sup>

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<sup>1726</sup> Transparency and Accountability – NPT Reporting 2002-2007, Project Ploughshares (Waterloo, ON) April 2008. Date of Access: 9 May 2008. <<http://www.ploughshares.ca/libraries/Abolish/NPTreporting02-07.pdf>>

<sup>1727</sup> Transparency and Accountability – NPT Reporting 2002-2007, Project Ploughshares (Waterloo, ON) April 2008. Date of Access: 9 May 2008. <<http://www.ploughshares.ca/libraries/Abolish/NPTreporting02-07.pdf>>

<sup>1728</sup> Hague Code of Conduct against Ballistic Missile Proliferation (HCOC), Foreign Affairs and International Trade Canada (Ottawa) June 2007. Date of Access: 2 May 2008. <<http://www.dfait-maeci.gc.ca/arms/missile-hcoc-en.asp>>

<sup>1729</sup> Statement by Department of Foreign Affairs and International Trade official in email correspondence. 6 May 2008.

<sup>1730</sup> Steven Chase, "Canada blasts France over missile tests," *theglobeandmail.com* (Toronto) March 2008. Date of Access: 2 May 2008.

<[http://www.theglobeandmail.com/servlet/story/RTGAM.20080328.wmissile28/BNStory/National/?cid=al\\_gam\\_nletter\\_newsU](http://www.theglobeandmail.com/servlet/story/RTGAM.20080328.wmissile28/BNStory/National/?cid=al_gam_nletter_newsU)>

<sup>1731</sup> Steven Chase, "Canada blasts France over missile tests," *theglobeandmail.com* (Toronto) March 2008. Date of Access: 2 May 2008.

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<sup>1732</sup> France and the Chemical Weapons Convention, Ministère des Affaires Étrangères (Paris) March 2008. Date of Access: 8 May 2008. <[http://www.diplomatie.gouv.fr/en/france-priorities\\_1/disarmament\\_1109/regulation-of-the-international-arms-trade\\_5613/france-and-the-chemical-weapons-convention\\_9113.html](http://www.diplomatie.gouv.fr/en/france-priorities_1/disarmament_1109/regulation-of-the-international-arms-trade_5613/france-and-the-chemical-weapons-convention_9113.html)>

<sup>1733</sup> France and the Chemical Weapons Convention, Ministère des Affaires Étrangères (Paris) March 2008. Date of Access: 8 May 2008. <[http://www.diplomatie.gouv.fr/en/france-priorities\\_1/disarmament\\_1109/regulation-of-the-international-arms-trade\\_5613/france-and-the-chemical-weapons-convention\\_9113.html](http://www.diplomatie.gouv.fr/en/france-priorities_1/disarmament_1109/regulation-of-the-international-arms-trade_5613/france-and-the-chemical-weapons-convention_9113.html)>

<sup>1734</sup> Séminaire CIAC: Les nouveaux enjeux de la prolifération chimique, Délégation aux affaires stratégiques, Ministère de la Défense (Paris) 26 March 2008. Date of Access: 7 May 2008. <[http://www.defense.gouv.fr/das/actualites/evenements/seminaire\\_ciac\\_mars\\_2008](http://www.defense.gouv.fr/das/actualites/evenements/seminaire_ciac_mars_2008)>

The domestic policies of France conform to the terms of the HCOC. A 2007 Ministry of Defense Report to the French Parliament regarding defense equipments exports in 2006 attests both to government's transparency and to compliance with the European Code of Conduct.<sup>1735</sup> Furthermore, France has provided advance notice of ballistic missile and space-launch vehicle firings in accordance with and out of active support for HCOC voluntary provision.<sup>1736</sup>

At the United Nations, France, along with China, Croatia, Italy, the Russian Federation, the United Kingdom and the United States, sponsored Resolution 1810. Adopted on 25 April 2008 by the Security Council, the Resolution reaffirmed that "the proliferation of nuclear, chemical and biological weapons and their delivery means was a threat to international peace and security" and "extended for three years the mandate of the Committee created to monitor implementation of ... resolution 1540 (2004), which called on all States to establish domestic controls and adopt legislation to prevent the proliferation and use by non-State actors of weapons of mass destruction."<sup>1737</sup>

In October 2007, French Minister for Foreign and European Affairs, Bernard Kouchner, voiced concern about ballistic missile proliferation in the context of France's position on missile defense.<sup>1738</sup>

France has continued its support of the HCOC through its membership in the European Union and the Missile Technology Control Régime (MTCR). On 19 October 2007, the EU reiterated its support for the HCOC in a speech to the First Committee of the 62<sup>nd</sup> Session of the General Assembly.<sup>1739</sup> Furthermore, as a member of the MTCR, France attended the 22<sup>nd</sup> MTCR Plenary Meeting in November. In concert with other MTCR member countries, France reiterated its support for UNSCR 1540 and confirmed its commitment to exercise effective export controls "to prevent the transfer of any items, materials, goods and technology that could contribute to WMD ballistic missile programs of proliferation concern."<sup>1740</sup>

On 18 September 2007, the Council of the European Union released a new set of guidelines for the export of dual-use technologies, including those technologies that may be employed in the construction of ballistic missiles.<sup>1741</sup> The document was passed with the support of the French government and applies to the export of all dual-use technologies by French nationals. The guidelines refer specifically to the export of missiles, missile components and launching equipment; and they explicitly address those technologies that may be used in space exploration.<sup>1742</sup> The document represents a revision of the EU's earlier rules on the export of dual-use technology that date from 2000.<sup>1743</sup>

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<sup>1735</sup> Report to the French Parliament regarding defense equipment exports in 2006, Ministère de la Défense (Paris) 4 December 2007. Date of Access: 7 May 2008.

<<http://www.defense.gouv.fr/defense/content/download/99582/878044/file/Dossier%20de%20Presse%20en%20Anglais%20synthèse%20rapport%20au%20Parlement%202006%20V%20finale.pdf>>

<sup>1736</sup> Russia Halts Missile Launch Notices, Article by Wade Boese of the Arms Control Association (Washington) March 2008. Date of Access: 8 May 2008. <[http://www.armscontrol.org/act/2008\\_03/RussiaHalts.asp](http://www.armscontrol.org/act/2008_03/RussiaHalts.asp)>

<sup>1737</sup> Security Council extends '1540 Committee' for three years to halt proliferation of mass destruction weapons, encourages states to map out implementation plans, Security Council SC/9310, United Nations (New York) April 2008. Date of Access: 4 May 2008. <<http://www.un.org/News/Press/docs//2008/sc9310.doc.htm>>

<sup>1738</sup> CFE Treaty : joint article by Mr Bernard Kouchner and his German counterpart Frank-Walter Steinmeier, released in the newspapers "Le Figaro" and "Frankfurter Allgemeine Zeitung, Ministère des Affaires Étrangères (Paris) 29 October 2007. Date of Access: 12 December 2007. <[http://www.diplomatie.gouv.fr/en/european-union\\_157/european-policies\\_2190/freedom-justice-and-security\\_2460/cfe-treaty-joint-article-by-mr-bernard-kouchner-and-his-german-counterpart-frank-walter-steinmeier-released-in-the-newspapers-figaro-and-frankfurter-allgemeine-zeitung-29.10.07\\_10189.html?var\\_recherche=ballistic](http://www.diplomatie.gouv.fr/en/european-union_157/european-policies_2190/freedom-justice-and-security_2460/cfe-treaty-joint-article-by-mr-bernard-kouchner-and-his-german-counterpart-frank-walter-steinmeier-released-in-the-newspapers-figaro-and-frankfurter-allgemeine-zeitung-29.10.07_10189.html?var_recherche=ballistic)>

<sup>1739</sup> EU Presidency Statement - United Nations 1st Committee: Other Weapons of Mass Destruction, European Union (Brussels) 19 October 2007. Date of Access: 8 January 2008. <[http://europa.eu-un.org/articles/en/article\\_7424\\_en.htm](http://europa.eu-un.org/articles/en/article_7424_en.htm)>

<sup>1740</sup> 22nd MTCR Plenary Athens 2007 - Press Release, Hellenic Ministry of Foreign Affairs (Athens) 14 November 2007. Date of Access: 7 January 2008. <[http://www.mfa.gr/www.mfa.gr/Articles/el-GR/141107\\_F1537.htm](http://www.mfa.gr/www.mfa.gr/Articles/el-GR/141107_F1537.htm)>

<sup>1741</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 September 2007. Date of Access: 16 January 2008. <[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1742</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 September 2007. Date of Access: 16 January 2008. <[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

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A *Globe and Mail* article published in March 2008 revealed Canadian efforts to discourage French missile tests over the North Atlantic in 2006 and 2007. According to the article, which cited records gained using the Access to Information Act, “Ottawa has complained to the French twice in the past 16 months, raising objections to the tests and, in the first instance, even asking Paris to cancel them.”<sup>1744</sup> The first test, on 9 November 2006, involved an M51 ballistic missile. The second occurred on 21 June 2007. According to a classified Department of Transport briefing note dated 11 June 2007, the second complaint was made “on the grounds of public safety, potentially high costs to airlines and the general additional uncertainty this imposes on air traffic.”<sup>1745</sup>

Thus, France has received a score of +1 for its adherence to and support for the Hague Code of Conduct, including pre-notification of ballistic missile tests.

*Analyst: Pascale Latulippe*

### **Germany: 0**

Germany has partially complied with its commitment on the Hague Code of Conduct. Germany has continued to express its support for the HCOC through the European Union. On 19 October 2007, the EU urged all non-signatories at the United Nations to sign the HCOC. The EU Representative to the UN referred to the HCOC as a fundamental step in addressing the problem of missile proliferation. Furthermore, the EU encouraged all signatories to remain strongly committed to the implementation of the HCOC.<sup>1746</sup> In partnership with the EU, Germany remains committed to providing assistance to other countries who aim to fulfill the obligations of the Code.<sup>1747</sup>

On 18 September 2007, the Council of the European Union released a new set of guidelines for the export of dual-use technologies, including those technologies that may be employed in the construction of ballistic missiles.<sup>1748</sup> The document was passed with the support of the German government and applies to the export of all dual-use technologies by German nationals. The guidelines refer specifically to the export of missiles, missile components and launching equipment; and they explicitly address those technologies that may be used in space exploration.<sup>1749</sup> The document represents a revision of the EU’s earlier rules on the export of dual-use technology that date from 2000.<sup>1750</sup>

Thus, Germany has been awarded a score of 0 for its recognition of the HCOC as an important component of the non-proliferation régime and its failure to implement provisions of the Code.

*Analyst: Sophie Langlois*

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<sup>1744</sup> Steven Chase, “Canada blasts France over missile tests,” *theglobeandmail.com* (Toronto) March 2008. Date of Access: 2 May 2008. <[http://www.theglobeandmail.com/servlet/story/RTGAM.20080328.wmissile28/BNStory/National/?cid=al\\_gam\\_nletter\\_newsUp](http://www.theglobeandmail.com/servlet/story/RTGAM.20080328.wmissile28/BNStory/National/?cid=al_gam_nletter_newsUp)>

<sup>1745</sup> Steven Chase, “Canada blasts France over missile tests,” *theglobeandmail.com* (Toronto) March 2008. Date of Access: 2 May 2008. <[http://www.theglobeandmail.com/servlet/story/RTGAM.20080328.wmissile28/BNStory/National/?cid=al\\_gam\\_nletter\\_newsUp](http://www.theglobeandmail.com/servlet/story/RTGAM.20080328.wmissile28/BNStory/National/?cid=al_gam_nletter_newsUp)>

<sup>1746</sup> EU Presidency Statement - United Nations 1st Committee: Other Weapons of Mass Destruction, European Union (Brussels) 19 October 2007. Date of Access: 8 January 2008. <[http://europa-eu-un.org/articles/en/article\\_7424\\_en.htm](http://europa-eu-un.org/articles/en/article_7424_en.htm)>

<sup>1747</sup> EU Presidency Statement - United Nations 1st Committee: Other Weapons of Mass Destruction, European Union (Brussels) 19 October 2007. Date of Access: 8 January 2008. <[http://europa-eu-un.org/articles/en/article\\_7424\\_en.htm](http://europa-eu-un.org/articles/en/article_7424_en.htm)>

<sup>1748</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008. <[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1749</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008. <[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1750</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008. <[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

## Italy: 0

Italy has partially complied with its commitment on the Hague Code of Conduct. Although the government has taken no overt actions to address the issue of ballistic missile proliferation, it sponsored a UN resolution and participated in the creation of new EU measures, both in line with the aims of the HCOC.

On 18 September 2007, the Council of the European Union released a new set of guidelines for the export of dual-use technologies, including those technologies that may be employed in the construction of ballistic missiles.<sup>1751</sup> The document was passed with the support of the Italian government and applies to the export of all dual use technologies by Italian nationals. The guidelines refer specifically to the export of missiles, missile components and launching equipment; and they explicitly address those technologies that may be used in space exploration.<sup>1752</sup> The document represents a revision of the EU's earlier rules on the export of dual-use technology that date from 2000.<sup>1753</sup>

Italy continued to be a member of the Wassenaar Arrangement (WA), the Missile Technology Control Regime (MTCR), the Proliferation Security Initiative (PSI) and the 1540 Committee. At the MTCR's 7-9 November 2007 plenary session, members "expressed their determination" to implement UN Security Council resolutions "inter alia, 1718, 1737 and 1747," agreed on practical measures for doing so and "called on all States to take all necessary steps at a national level to fully and effectively implement the missile relevant provisions of these resolutions."<sup>1754</sup> The extent and nature of Italy's participation in the MTCR are not known. As a member of the WA, Italy partook in the drafting of the "Statement of Understanding on End-Use Controls for Dual-Use Items" at the 4-6 December 2008 plenary session.<sup>1755</sup>

On 14 November 2007, Italy's representative at the UN Security Council "supported the [1540 Committee's] emphasis on outreach and assistance. He also encouraged that Committee to continue and expand its cooperation with relevant international agencies."<sup>1756</sup>

Italy has continued commitment to the HCOC through its membership to the EU. The EU reiterated its support for the HCOC in a speech to the First Committee of the 62<sup>nd</sup> Session of the General Assembly on 19 October 2007.<sup>1757</sup>

At the United Nations, Italy, along with China, Croatia, France, the Russian Federation, the United Kingdom and the United States, sponsored Resolution 1810. Adopted on 25 April 2008 by the Security Council, the Resolution reaffirmed that "the proliferation of nuclear, chemical and biological weapons and their delivery means was a threat to international peace and security" and "extended for three years the mandate of the Committee created to monitor implementation of ... resolution 1540 (2004), which called on all States to

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<sup>1751</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.

<sup>1752</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.

<sup>1753</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.

<sup>1754</sup> Plenary Meeting of the Missile Technology Control Regime, Missile Technology Control Regime (Athens) November 2007. Date of Access: 4 May 2008. <<http://www.mtcr.info/english/press/athens.html>>

<sup>1755</sup> Statement of Understanding on Implementation of End-Use Controls for Dual-Use Items, Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (Vienna) December 2007. Date of Access: 4 May 2008. <<http://www.wassenaar.org/publicdocuments/index%20PD07.html>>

<sup>1756</sup> Universal co-operation in fight against terrorism, still major threat to peace, needed more than ever, Security Council told, Security Council SC/9170, United Nations (New York) November 2007. Date of Access: 4 May 2008. <<http://www.un.org/News/Press/docs//2007/sc9170.doc.htm>>

<sup>1757</sup> EU Presidency Statement - United Nations 1st Committee: Other Weapons of Mass Destruction, European Union (Brussels) 19 October 2007. Date of Access: 8 January 2008. <[http://europa-eu-un.org/articles/en/article\\_7424\\_en.htm](http://europa-eu-un.org/articles/en/article_7424_en.htm)>

establish domestic controls and adopt legislation to prevent the proliferation and use by non-State actors of weapons of mass destruction.<sup>1758</sup>

On 6 May 2008, a UN release noted that Italy's Security Council representative, responding to the report of the chairman of the 1540 Committee, "welcomed the recent renewal of the 1540 Committee's mandate for three more years and supported the emphasis to step up efforts to implement the resolution, particularly through outreach and lessons learned from the relevant committees and organizations."<sup>1759</sup> He also observed that international co-operation was "essential in ensuring compliance with the resolution's provisions, particularly on improving existing mechanisms to assist States in meeting their non-proliferation obligations."<sup>1760</sup>

It was not possible to verify whether the Italian government had made a declaration to the HCOC for 2007.

Thus, Italy has received a score of 0 for its limited advancement of the objectives of the Hague Code of Conduct.

*Analyst: Matthew Willis*

### **Japan: +1**

Japan has fully complied with its Heiligendamm commitment to implement the Hague Code of Conduct against Ballistic Missile Proliferation. Japan has demonstrated consistency and determination in the various steps it has taken to strengthen international non-proliferation efforts worldwide and in the Asian region in particular. Its national policies also satisfy the central components of the HCOC.

Since the Heiligendamm Summit, Japan met with both Iran<sup>1761</sup> and Pakistan<sup>1762</sup> to hold bilateral consultations on disarmament and non-proliferation issues. In these talks, Japan asked Pakistan to refrain from cooperating with the Democratic People's Republic of Korea (DPRK) in affairs of missile and missile-related technology.<sup>1763</sup> Japan urged Pakistan to sign and ratify both the Non-proliferation Treaty (NPT) and the Comprehensive Test Ban Treaty (CTBT).<sup>1764</sup>

Japan has frequently expressed its concern over DPRK missile capabilities<sup>1765</sup> and reiterated its appeal to the DPRK to comply with the provisions of the UNSCR 1718.<sup>1766</sup>

In his speech to the First Committee of the 62nd session of the General Assembly on 8 October 2007, Plenipotentiary Head of Delegation for Japan to the Conference on Disarmament, H.E. Mr. Sumio Tarui,

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<sup>1758</sup> Security Council extends '1540 Committee' for three years to halt proliferation of mass destruction weapons, encourages states to map out implementation plans, Security Council SC/9310, United Nations (New York) April 2008. Date of Access: 4 May 2008. <<http://www.un.org/News/Press/docs/2008/sc9310.doc.htm>>

<sup>1759</sup> Security Council briefed by chairmen of committees established to combat terrorism; Told of enhanced cooperation, common strategy in past months, Security Council SC/9323, United Nations (New York) May 2008. Date of Access: 10 May 2008. <<http://www.un.org/News/Press/docs/2008/sc9323.doc.htm>>

<sup>1760</sup> Security Council briefed by chairmen of committees established to combat terrorism; Told of enhanced cooperation, common strategy in past months, Security Council SC/9323, United Nations (New York) May 2008. Date of Access: 10 May 2008. <<http://www.un.org/News/Press/docs/2008/sc9323.doc.htm>>

<sup>1761</sup> The Seventh Japan-Iran Consultation on Disarmament and Non-proliferation Issues, Ministry of Foreign Affairs of Japan (Tokyo) 20 July 2007. Date of Access: 15 December 2007.

<[http://www.mofa.go.jp/announce/announce/2007/7/1174529\\_830.html](http://www.mofa.go.jp/announce/announce/2007/7/1174529_830.html)>

<sup>1762</sup> Statement by H.E. Mr. Sumio Tarui at the First Committee of the 62nd Session of the General Assembly, Delegation of Japan to the Conference on Disarmament (New York) 8 October 2007. Date of Access: 29 December 2007.

<<http://www.disarm.emb-japan.go.jp/statements/Statement/071008UNGA.htm>>

<sup>1763</sup> Japan-Pakistan Consultation on Disarmament and Non-proliferation, The Ministry of Foreign Affairs (Tokyo) 1 August 2007. Date of Access: 11 December 2007. <[http://www.mofa.go.jp/announce/announce/2007/8/1174753\\_832.html](http://www.mofa.go.jp/announce/announce/2007/8/1174753_832.html)> & Japan asks Pakistan to end missile cooperation with North Korea, Daily Times (Lahore) 26 July 2007. Date of Access: 12 December 2007. <[http://www.dailytimes.com.pk/default.asp?page=2007%5C07%5C26%5Cstory\\_26-7-2007\\_pg7\\_11](http://www.dailytimes.com.pk/default.asp?page=2007%5C07%5C26%5Cstory_26-7-2007_pg7_11)>

<sup>1764</sup> Japan-Pakistan Consultation on Disarmament and Non-proliferation, The Ministry of Foreign Affairs (Tokyo) 1 August 2007. Date of Access: 11 December 2007. <[http://www.mofa.go.jp/announce/announce/2007/8/1174753\\_832.html](http://www.mofa.go.jp/announce/announce/2007/8/1174753_832.html)>

<sup>1765</sup> Talks Between Minister for Foreign Affairs Masahiko Koumura and US Defense Secretary Robert Gates, The Ministry of Foreign Affairs (Tokyo) 8 November 2007. Date of Access: 11 December 2007.

<[http://www.mofa.go.jp/announce/fm\\_press/2007/11/1108.html](http://www.mofa.go.jp/announce/fm_press/2007/11/1108.html)>

<sup>1766</sup> Statement by H.E. Mr. Sumio Tarui at the First Committee of the 62nd Session General Assembly, Delegation of Japan to the Conference on Disarmament (New York) 8 October 2007. Date of Access: 29 December 2007.

<<http://www.disarm.emb-japan.go.jp/statements/Statement/071008UNGA.htm>>

emphasized Japan's determination to be a driving force in international efforts of nuclear disarmament. Mr. Tarui announced that Japan would once again "submit a draft resolution that maps out concrete measures towards the total elimination of nuclear weapons."<sup>1767</sup> Furthermore, in direct response to concerns about the proliferation risks of weapons of mass destruction (WMD) and their delivery systems, Mr. Tarui voiced support for the work of the International Atomic Energy Agency (IAEA) and their Comprehensive Safeguards Agreement and Additional Protocols. He also urged all states to be vigilant in strengthening their export controls in compliance with the UNSCR 1540.<sup>1768</sup>

In recognition of the need to strengthen non-proliferation systems in the Asian region, Japan has also endeavoured to increase the number of signatory states to the HCOC through Asian Export Control seminars.<sup>1769</sup> On 25 April 2008, the Japanese Ministry of Foreign Affairs held its Fifth Asian Senior-level Talks on Non-proliferation (ASTOP-V).<sup>1770</sup> At the meeting, Senior Vice-Minister of Foreign Affairs Kimura communicated his government's concerns relating to North Korean missile and nuclear issues as well as Iranian nuclear issues. Among other matters discussed at ASTOP-V, participants were encouraged to exchange views on the importance of strengthening export control systems, and universalizing the IAEA Additional Protocol<sup>1771</sup>.

Japan observes all of the international rules prescribed for the responsible exporting of dual-use and other technologies.<sup>1772</sup> In confirmation of its commitment to transparency and to promoting confidence building between states, Japan also voluntarily submits advance pre-launch notifications to the HCOC.<sup>1773</sup>

According to the *Defense of Japan 2007*, an annual white paper, Japan has pledged to play a positive role in approach toward nuclear disarmament and non-proliferation of other weapons of mass destruction and missiles as their means of delivery. In this regard, the Ministry of Defense dispatched its officials to an annual meeting of the Missile Technology Control Regime (MTCR) in order to make MTCR regulations and rules effective.<sup>1774</sup> The Missile Technology Control Regime (MTCR) held its 22 Plenary Meeting in Athens on 7 on 9 November 2007 to review its activities and further strengthen its efforts to prevent missile proliferation. Partners exchanged information and discussed trends in missile developments around the world and acknowledged the growing risk of proliferation of weapons of mass destruction and their means of delivery. In particular, they expressed concern over missile proliferation in Northeast Asia, South Asia and the Middle East and reaffirmed their determination to strengthen export controls, thereby discouraging missile programs and activities of proliferation concern.<sup>1775</sup>

Thus, Japan has been awarded a score of +1 for its domestic adherence to the HCOC protocol, as well as in recognition of the distinctive and important role it has taken in championing non-proliferation efforts in the Asian region.

*Analysts: Pascale Latulippe and Gleb Zhigailo*

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<sup>1767</sup> Statement by H.E. Mr. Sumio Tarui at the First Committee of the 62nd Session General Assembly, Delegation of Japan to the Conference on Disarmament (New York) 8 October 2007. Date of Access: 29 December 2007. <<http://www.disarm.emb-japan.go.jp/statements/Statement/071008UNGA.htm>>

<sup>1768</sup> Statement by H.E. Mr. Sumio Tarui at the First Committee of the 62nd Session General Assembly, Delegation of Japan to the Conference on Disarmament (New York) 8 October 2007. Date of Access: 29 December 2007. <<http://www.disarm.emb-japan.go.jp/statements/Statement/071008UNGA.htm>>

<sup>1769</sup> Disarmament Policy: Non-proliferation Regimes, Ministry of Foreign Affairs of Japan (Tokyo) September 2005. Date of Access: 9 May 2008. <<http://www.mofa.go.jp/policy/un/disarmament/policy/pamph0603/1-6.pdf>>

<sup>1770</sup> The Results of the Fifth Asian Senior-level Talks on Non-proliferation (ASTOP-V), Ministry of Foreign Affairs of Japan (Tokyo) 1 May 2008. Date of Access: 8 May 2008. <[http://www.mofa.go.jp/announce/announce/2008/5/1179532\\_1010.html](http://www.mofa.go.jp/announce/announce/2008/5/1179532_1010.html)>

<sup>1771</sup> The Results of the Fifth Asian Senior-level Talks on Non-proliferation (ASTOP-V), Ministry of Foreign Affairs of Japan (Tokyo) 1 May 2008. Date of Access: 8 May 2008. <[http://www.mofa.go.jp/announce/announce/2008/5/1179532\\_1010.html](http://www.mofa.go.jp/announce/announce/2008/5/1179532_1010.html)>

<sup>1772</sup> Measures for Defence of Japan: Efforts for Arms Control, Disarmament and Non-proliferation, Ministry of Defence (Tokyo) June 2007. Date of Access: 8 May 2008. <[http://www.mod.go.jp/e/publ/w\\_paper/pdf/2007/39Part3\\_Chap3\\_Sec3.pdf](http://www.mod.go.jp/e/publ/w_paper/pdf/2007/39Part3_Chap3_Sec3.pdf)>

<sup>1773</sup> Wade Boess, Russia Halts Missile Launch Notices, Arms Control Association (Washington D.C.) March 2008. Date of Access: 8 May 2008. <[http://www.armscontrol.org/act/2008\\_03/RussiaHalts.asp](http://www.armscontrol.org/act/2008_03/RussiaHalts.asp)>

<sup>1774</sup> Efforts for Arms Control, Disarmament and Non-proliferation, Ministry of Defense (Tokyo) 2007. Date of Access: 2 June 2008. <[http://www.mod.go.jp/e/publ/w\\_paper/pdf/2007/39Part3\\_Chap3\\_Sec3.pdf](http://www.mod.go.jp/e/publ/w_paper/pdf/2007/39Part3_Chap3_Sec3.pdf)>

<sup>1775</sup> Plenary Meeting of the Missile Technology Control Regime, Missile Technology Control Regime (Athens) November 2007. Date of Access 4 May 2008. <<http://www.mtcr.info/english/press/athens.html>>



## Russia: +1

Russia has fully complied with its Heiligendamm commitment to implement the Hague Code of Conduct against Ballistic Missile Proliferation. Russia has managed to implement most of the components of the HCOC while also encouraging other countries to follow suit.

After the 2007 G8 Summit in Heiligendamm, Russia undertook significant steps to launch discussions on creating clear mechanisms for the collection of information about missile settings in the Near and Middle East.<sup>1776</sup> Joint and unbiased assessments of dangers and risks to European countries, and definitive means of responding to these threats were prominent subjects of discussion. Russia is prepared to provide the US and European countries with relevant information about its southern Gabalinskaja radar system in Azerbaijan. In the short run, it has also suggested building a radar station in Armavir.<sup>1777</sup>

Russia suggested establishing a Russian-American analytical center in Moscow and an analogous center in one of the European countries. The Russian government insisted that the United States reconsider setting up an anti-ballistic missile (ABM) system in Europe. Instead, Russia suggested placing such a system in outer space. Russia insisted that decisions to establish ABM systems should be taken only after careful consideration of real threats. Russia is ready for serious cooperation with all countries interested in an ABM system that would create the capacity for an adequate response to missile threats. However, Russian officials are adamant that an eventual ABM system should not cause damage to any existing agreements or jeopardize global stability.<sup>1778</sup>

On 3 July 2007, Russia confirmed its intention to reduce strategic offensive armaments to the lowest possible levels and to explore new arrangements that would reflect the Treaty on Further Reduction and Limitation of Strategic Offensive Arms.<sup>1779</sup>

On 21 August 2007, the press service of the Russian Missile Forces of Strategic Destination announced that, in compliance with the Treaty on Further Reduction and Limitation of Strategic Offensive Arms, Russia had scrapped nine decommissioned "Topol" launchers.<sup>1780</sup>

On 29 August 2007, during bilateral consultations in Tokyo, representatives from the Russian and Japanese foreign ministries discussed arms reduction and non-proliferation.<sup>1781</sup>

On 25 October 2007, Russia and the United States addressed the UN General Assembly, calling upon all countries to join their Treaty on the Elimination of Intermediate and Short-Range Missiles. Representatives of the two countries emphasized the global significance of the non-proliferation regime and expressed their willingness to cooperate with interested parties.<sup>1782</sup>

On 23 November 2007, First Vice-Premier Sergey Ivanov held a meeting of the government committee for export control to discuss the implementation of the weapons of mass destruction (WMD) non-proliferation

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<sup>1776</sup> An interview of Minister of foreign affairs Sergey Lavrov to Itogy magazine. Ministry for Foreign Affairs of the Russian Federation (Moscow), 26 November 2007. Date of Access: 15 December 2007.

<sup>1777</sup> An interview of Minister of foreign affairs Sergey Lavrov to Itogy magazine. Ministry for Foreign Affairs of the Russian Federation (Moscow), 26 November 2007. Date of Access: 15 December 2007.

<sup>1778</sup> An interview of Minister of foreign affairs Sergey Lavrov to Itogy magazine, Ministry for Foreign Affairs of the Russian Federation (Moscow), 26 November 2007. Date of Access: 15 December 2007.

<sup>1779</sup> Russia and USA have proved their plans to elaborate new arrangements on a SNV treaty, RIA News Agency (Moscow) 3 July 2007. Date of Access: 15 December 2007. <[http://www.rian.ru/world/foreign\\_russia/20070703/68267899.html](http://www.rian.ru/world/foreign_russia/20070703/68267899.html)>

<sup>1780</sup> Russia scraps nine written-off "Topol" launchers, RIA News Agency (Moscow) 21 August 2007. Date of Access: 15 December 2007. <[http://www.rian.ru/defense\\_safety/weapons/20070821/72745142.html](http://www.rian.ru/defense_safety/weapons/20070821/72745142.html)>

<sup>1781</sup> Consultations on the issue of reduction of arms in Tokyo. RIA News Agency (Moscow), 30 August 2007. Date of Access: 15 December 2007. <[http://www.rian.ru/defense\\_safety/weapons/20070830/75718184.html](http://www.rian.ru/defense_safety/weapons/20070830/75718184.html)>

<sup>1782</sup> Russia and USA called upon to joint their bilateral treaty on reduction of small and middle distance missiles, RIA News Agency (Moscow) 25 October 2007. Date of Access: 15 December 2007. <[http://www.rian.ru/defense\\_safety/20071025/85501803.html](http://www.rian.ru/defense_safety/20071025/85501803.html)>

program. Vice-Premier Ivanov asserted that non-proliferation of WMD and sister technologies was one of the priorities of Russian foreign policy. Non-proliferation of WMD remains an area where the long-term interests of most countries are consistent, according to the Vice-Premier. He also emphasized the importance of acting collectively in order to achieve common goals.<sup>1783</sup>

On 5 December 2007, the UN General Assembly adopted a draft of the resolution on “measures for transparency and strengthening trust in space cooperation,” which was initiated and developed by Russia and China. In light of the transition towards a new technological level of armament developments, this initiative was designed to prevent the expansion of destabilizing types of armament in outer space. Approval of the project resolution by the General Assembly would be an important step towards strengthening the trust, transparency and predictability of countries’ military activities in outer space.<sup>1784</sup>

Also at the United Nations, the Russian Federation, along with China, Croatia, France, Italy, the United Kingdom, and the United States, sponsored Resolution 1810. Adopted on 25 April 2008 by the Security Council, the Resolution reaffirmed that “the proliferation of nuclear, chemical and biological weapons and their delivery means was a threat to international peace and security” and “extended for three years the mandate of the Committee created to monitor implementation of ... resolution 1540 (2004), which called on all States to establish domestic controls and adopt legislation to prevent the proliferation and use by non-State actors of weapons of mass destruction.”<sup>1785</sup>

On 12 February 2008, Russian Foreign Minister Sergey Lavrov reiterated Russia’s fundamental approach to disarmament, arms control, non-proliferation of weapons of mass destruction and other relevant issues in his speech at Geneva Conference on Disarmament. Minister Lavrov also stressed then Russian President Vladimir Putin’s suggestion to realize Soviet and American commitments on the global elimination of intermediate-range ballistic missile and short-range ballistic missile, and urged all countries to work in this direction.<sup>1786</sup>

On 5-6 April 2008, former President Putin and US President George W. Bush held a series of consultations and signed the Sochi Declaration. The Declaration is intended to reflect common positions on non-proliferation policy, strengthening security, arms trade control, defense technologies development cooperation, mass destruction weapons proliferation prevention, and nuclear security provision.<sup>1787</sup>

The two Presidents agreed to elaborate a legally binding agreement to replace the Treaty on Further Reduction and Limitation of Strategic Offensive Arms, which expires in 2009. Within this declaration, Russia confirmed its intention to support and implement international norms on armament control by participating in the Treaty on Non-proliferation of Nuclear Weapons, the Weapons of Mass Destruction Initiative, the Bratislava Nuclear Security Initiative, the Declaration on Nuclear Energy and Non-proliferation, and the Global Nuclear Energy Partnership.<sup>1788</sup>

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<sup>1783</sup> Governmental committee will discuss weapons of mass destruction non-proliferation program, RIA News Agency (Moscow) 23 November 2007. Date of Access: 15 December 2007.

<[http://www.rian.ru/defense\\_safety/weapons/20071123/89227049.html](http://www.rian.ru/defense_safety/weapons/20071123/89227049.html)>

<sup>1784</sup> On the adoption of project of resolution on “Measures for transparency and strengthening trust in space cooperation” by UN General Assembly on its 62 session, Ministry for Foreign Affairs of the Russian Federation (Moscow) 10 December 2007. Date of Access: 15 December 2007.

<[http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/67599e7fdc39a575c32573ae004d1f26/\\$FILE/11.12.2007.doc](http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/67599e7fdc39a575c32573ae004d1f26/$FILE/11.12.2007.doc)>

<sup>1785</sup> Security Council extends ‘1540 Committee’ for three years to halt proliferation of mass destruction weapons, encourages states to map out implementation plans, Security Council SC/9310, United Nations (New York) April 2008. Date of Access: 4 May 2008. <<http://www.un.org/News/Press/docs//2008/sc9310.doc.htm>>

<sup>1786</sup> Speech of Foreign Minister of Russian Federation Sergey Lavrov at Geneva Conference on Disarmament, Ministry for Foreign Affairs of the Russian Federation (Moscow) 13 February 2008. Date of Access: 30 April 2008.

<[http://www.in.mid.ru/brp\\_4.nsf/sps/89D91CD9EAE7BFB0C32573EE0046E01A](http://www.in.mid.ru/brp_4.nsf/sps/89D91CD9EAE7BFB0C32573EE0046E01A)>

<sup>1787</sup> Meeting of Russian President Vladimir Putin and USA President George Bush, 5-6 April 2008, Sochi, Ministry for Foreign Affairs of the Russian Federation (Moscow) 7 April 2008. Date of Access: 30 April 2008.

<[http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/\\$FILE/07.04.2008.doc](http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/$FILE/07.04.2008.doc)>

<sup>1788</sup> Meeting of Russian President Vladimir Putin and USA President George Bush, 5-6 April 2008, Sochi. Ministry for Foreign Affairs Of Russian Federation (Moscow) 7 April 2008. Date of Access: 30 April 2008.

<[http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/\\$FILE/07.04.2008.doc](http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/$FILE/07.04.2008.doc)>

As part of the Sochi Declaration, Russia unveiled an initiative to create a global nuclear energy infrastructure. This initiative implies provision of effective access to the benefits of nuclear energy to those states not already possessing the capacity to develop nuclear energy. As a first step, Russia and Kazakhstan established the Uranium Beneficiation International Center, which is located inside the Russian Federation's.<sup>1789</sup>

Thus Russia has been awarded a score of +1 for its near complete implementation of the components of the Hague Code of Conduct.

*Analyst: Yuriy Zaitsev*

### **United Kingdom: 0**

The United Kingdom has partially complied with its HCOC commitment. Since the Heiligendamm Summit in June 2007, the United Kingdom has demonstrated an active commitment to the implementation of the HCOC both domestically and internationally.

In March 2008, the Cabinet Office of the Prime Minister presented the National Security Strategy of the United Kingdom to the British Parliament with a number of provisions that were in line with HCOC commitments. The Strategy seeks to strengthen non-proliferation efforts by restricting access to fissile materials. Nevertheless, the document stipulates that the British government will “ensure implementation of relevant conventions”<sup>1790</sup> pertaining to the control regimes of proliferation sensitive materials, principally through the tightening of international export controls.

On 18 September 2007, the Council of the European Union released a new set of guidelines for the export of dual-use technologies, including those technologies that may be employed in the construction of ballistic missiles.<sup>1791</sup> The document was passed with the support of the British government and applies to the export of all dual-use technologies by British nationals. The guidelines refer specifically to the export of missiles, missile components and launching equipment; and they explicitly address those technologies that may be used in space exploration.<sup>1792</sup> The document represents a revision of the EU's earlier rules on the export of dual-use technology that date from 2000.<sup>1793</sup>

On 25 June 2007 at a Carnegie Endowment speech in Washington D.C., British Foreign Secretary Margaret Beckett downplayed the centrality and importance of the HCOC in non-proliferation efforts. Secretary Beckett stated that to attain a world free of nuclear weapons, “verification...will need to place more emphasis on the warheads themselves than the current arrangement which focuses primarily on delivery systems.”<sup>1794</sup>

However, the UK has continued its commitment to the HCOC through its membership in the EU and the MTCR. The EU reiterated its support for the HCOC through a speech to the First Committee of the 62<sup>nd</sup>

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<sup>1789</sup> Meeting of Russian President Vladimir Putin and USA President George Bush, 5-6 April 2008, Sochi. Ministry for Foreign Affairs Of Russian Federation (Moscow) 7 April 2008. Date of Access: 30 April 2008.  
<[http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/\\$FILE/07\\_04\\_2008.doc](http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/$FILE/07_04_2008.doc)>

<sup>1790</sup> National Security Strategy of the United Kingdom, Cabinet Office (London) March 2008, Date of Access: 3 May 2008.  
<[http://interactive.cabinetoffice.gov.uk/documents/security/national\\_security\\_strategy.pdf](http://interactive.cabinetoffice.gov.uk/documents/security/national_security_strategy.pdf)>

<sup>1791</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.  
<[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1792</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.

<[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1793</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.

<[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1794</sup> Address by Foreign Secretary Margaret Beckett at the Carnegie Endowment, Foreign and Commonwealth Office (London) 25 June 2007. Date of Access: 3 January 2007.

<<http://www.fc.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029391647&a=KArticle&aid=1181134008127>>

Session of the General Assembly on 19 October 2007, and urged all non-signatories to sign the HCOC as a fundamental step towards combating ballistic missile proliferation.<sup>1795</sup>

At the United Nations, the United Kingdom, along with China, Croatia, France, Italy, the Russian Federation, and the United States, sponsored Resolution 1810. Adopted on 25 April 2008 by the Security Council, the Resolution reaffirmed that “the proliferation of nuclear, chemical and biological weapons and their delivery means was a threat to international peace and security” and “extended for three years the mandate of the Committee created to monitor implementation of ... resolution 1540 (2004), which called on all States to establish domestic controls and adopt legislation to prevent the proliferation and use by non-State actors of weapons of mass destruction.”<sup>1796</sup>

Thus, the United Kingdom has been awarded a score of 0 for its support for the HCOC.

*Analyst: Hugues Létourneau*

#### **United States: +1**

The United States has fully complied with its HCOC commitment.

On 28 January 2008, H.R. 4986, the *National Defense Authorization Act for Fiscal Year 2008*, was signed into law by US President George W. Bush. H.R. 4986 contains several clauses on federal government funding for ballistic missile technology programs, including research and development; missile defense; information sharing and cooperative threat assessment practices with foreign states; and measures for non-proliferation. The Act calls on the US government to do its utmost to prevent Iran from acquiring ballistic missile technology. It also places restrictions on the US government in its attempts to create ballistic missile shields in Europe and Alaska. In particular, it requires the government to submit public reports to Congress on threat assessments, costs and the permission for and conditions imposed by foreign states on cooperation in the sphere of missile defense and ballistic missile technology.<sup>1797</sup>

On 13 November 2007, the President signed into law Bill H.R.3222 (*Department of Defence Appropriations Act, 2008*), which includes several provisions on non-proliferation and on the Nunn-Lugar Cooperative Threat Reduction program. The Bill commits US\$428 048 000 to Cooperative Threat Reduction program activities, including the elimination of WMDs; the safe and secure transportation of weapons; appropriate storage of weapons; and the establishment of programs to prevent proliferation of weapons.<sup>1798</sup> This is an increase of US\$56 million, or 15%, over similar allocations in the 2006 appropriations bill.<sup>1799</sup>

On 5-6 April 2008, US President George W. Bush and former Russian President Vladimir Putin held a series of consultations and signed the Sochi Declaration. The Declaration is intended to reflect common positions on non-proliferation policy, strengthening security, arms trade control, defense technologies development cooperation, mass destruction weapons proliferation prevention, and nuclear security provision.<sup>1800</sup>

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<sup>1795</sup> EU Presidency Statement - United Nations 1st Committee: Other Weapons of Mass Destruction, European Union (Brussels) 19 October 2007. Date of Access: 8 January 2008. <[http://europa-eu-un.org/articles/en/article\\_7424\\_en.htm](http://europa-eu-un.org/articles/en/article_7424_en.htm)>

<sup>1796</sup> Security Council extends '1540 Committee' for three years to halt proliferation of mass destruction weapons, encourages states to map out implementation plans, Security Council SC/9310, United Nations (New York) April 2008. Date of Access: 4 May 2008. <<http://www.un.org/News/Press/docs//2008/sc9310.doc.htm>>

<sup>1797</sup> H.R. 3986: National Defense Authorization Act for Fiscal 2008, GovTrack (Washington D.C.) 28 January 2008. Date of Access: 2 June 2008. <<http://www.govtrack.us/congress/bill.xpd?bill=h110-4986>>

<sup>1798</sup> H.R. 3222: Department of Defense Appropriations Act, 2008, GovTrack (Washington D.C.) 9 December 2007. Date of Access: 13 December 2007. <<http://www.govtrack.us/congress/bill.xpd?bill=h110-3222>>

<sup>1799</sup> H.R. 5631: Department of Defense Appropriations Act, 2007, GovTrack (Washington D.C.) 26 September 2006. Date of Access: 13 December 2007. <<http://www.govtrack.us/congress/bill.xpd?bill=h109-5631>>

<sup>1800</sup> Meeting of Russian President Vladimir Putin and USA President George Bush, 5-6 April 2008, Sochi, Ministry for Foreign Affairs of the Russian Federation (Moscow) 7 April 2008. Date of Access: 30 April 2008. <[http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/\\$FILE/07.04.2008.doc](http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/$FILE/07.04.2008.doc)>

The two Presidents agreed to elaborate a legally binding agreement to replace the Treaty on Further Reduction and Limitation of Strategic Offensive Arms, which expires in 2009. Within this declaration, the United States confirmed its intention to support and implement international norms on armament control by participating in the Treaty on Non-proliferation of Nuclear Weapons, Weapons of Mass Destruction Initiative, Bratislava Nuclear Security Initiative, Declaration on Nuclear Energy and Non-proliferation, Global Nuclear Energy Partnership.<sup>1801</sup>

At the United Nations, the United States, along with China, Croatia, France, Italy, the Russian Federation, and the United Kingdom, sponsored Resolution 1810. Adopted on 25 April 2008 by the Security Council, the Resolution reaffirmed that “the proliferation of nuclear, chemical and biological weapons and their delivery means was a threat to international peace and security” and “extended for three years the mandate of the Committee created to monitor implementation of ... resolution 1540 (2004), which called on all States to establish domestic controls and adopt legislation to prevent the proliferation and use by non-State actors of weapons of mass destruction.”<sup>1802</sup>

On 2 August 2007, President Bush signed into law Bill H.R. 1 (*Implementing Recommendations of the 9/11 Commission Act of 2007*), which includes a section on strengthening and expanding the activities of the Proliferation Security Initiative (PSI).<sup>1803</sup> The Bill instructs the President of the United States to provide detailed plans of PSI activities and funding for a three-year period and to report these activities to Congress.<sup>1804</sup> H.R. 1 also requires the President to provide assistance to American allies and those states that cooperate with the United States under the Arms Export Control Act and the Foreign Assistance Act of 1961.<sup>1805</sup>

On 25 October 2007, the United States issued a joint statement with the Russian Federation on the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles at the UN General Assembly. In this statement, the US reaffirmed its support for the treaty and expressed its concern with the ongoing proliferation of ballistic missiles and missile production technologies. The US also called on all member states to join the anti-proliferation regime and to renounce intermediate range and shorter-range ballistic missiles.<sup>1806</sup>

On 25 September 2007, H.R. 1400, the *Iran Counter-Proliferation Act of 2007*, passed the House of Representatives. It must now pass onto the Senate for readings and approval before it can be signed into law by the President. Among other provisions, H.R. 1400 calls on the US government to refrain from lifting sanctions and punitive measures imposed on the Islamic Republic of Iran until it has been confirmed that “Iran has ceased its efforts to design, develop, manufacture, or acquire ballistic missiles and ballistic missile launch technology.”<sup>1807</sup>

Thus, the United States has been awarded a score of +1 for its efforts to promote the components of the HCOC internationally and for funding threat-reduction programs.

*Analyst: Michael Erdman*

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<sup>1801</sup> <sup>1801</sup> Meeting of Russian President Vladimir Putin and USA President George Bush, 5-6 April 2008, Sochi. Ministry for Foreign Affairs Of Russian Federation (Moscow) 7 April 2008. Date of Access: 30 April 2008. <[http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/\\$FILE/07.04.2008.doc](http://www.in.mid.ru/bl.nsf/78b919b523f2fa20c3256fa3003e9536/220f8ffa13189609c32574240048c5b0/$FILE/07.04.2008.doc)>

<sup>1802</sup> Security Council extends '1540 Committee' for three years to halt proliferation of mass destruction weapons, encourages states to map out implementation plans, Security Council SC/9310, Department of Public Information (New York) April 2008. Date of Access: 4 May 2008. <<http://www.un.org/News/Press/docs//2008/sc9310.doc.htm>>

<sup>1803</sup> H.R. 1: Implementing Recommendations of the 9/11 Commission Act of 2007, GovTrack (Washington D.C.) 9 December 2007. Date of Access: 18 January 2008. <<http://www.govtrack.us/congress/bill.xpd?bill=h110-1>>

<sup>1804</sup> H.R. 1: Implementing Recommendations of the 9/11 Commission Act of 2007, GovTrack (Washington D.C.) 9 December 2007. Date of Access: 18 January 2008. <<http://www.govtrack.us/congress/bill.xpd?bill=h110-1>>

<sup>1805</sup> H.R. 1: Implementing Recommendations of the 9/11 Commission Act of 2007, GovTrack (Washington D.C.) 9 December 2007. Date of Access: 18 January 2008. <<http://www.govtrack.us/congress/bill.xpd?bill=h110-1>>

<sup>1806</sup> Joint U.S.-Russian Statement on the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles at the 62nd Session of the UN General Assembly, U.S. Department of State (Washington D.C.) 25 October 2007. Date of Access: 13 December 2007. <<http://www.state.gov/r/pa/prs/ps/2007/oct/94141.htm>>

<sup>1807</sup> H.R. 1400: Iran Counter-Proliferation Act of 2007, GovTrack (Washington D.C.) 25 September 2007. Date of Access: 2 Jun 2008. <<http://www.govtrack.us/congress/billtext.xpd?bill=h110-1400>>

## European Union: 0

The European Union has partially complied with its commitment to implement and promote the Hague Code of Conduct. It has set out new guidelines relating to the export of ballistic missile technology and has explicitly reiterated its support for the implementation of the HCOC.

On 19 October 2007 at a UN First Committee Meeting (Disarmament and International Security), the European Union, represented by Portuguese Ambassador Pereira Gomes, reiterated its belief that the HCOC is the most “concrete” initiative in the fight against ballistic missile proliferation. Ambassador Pereira Gomes reasserted the importance of remaining “committed to implementing the HCOC.”<sup>1808</sup> The Ambassador urged all states to adhere to the HCOC and to implement it.<sup>1809</sup>

On 18 September 2007, the Council of the European Union released a new set of guidelines for the export of dual-use technologies, including those technologies that may be employed in the construction of ballistic missiles.<sup>1810</sup> The document was passed with the support of the national governments and applies to the export of all dual-use technologies by nationals and firms governed by EU law. The guidelines refer specifically to the export of missiles, missile components, and launching equipment; and they explicitly address those technologies that may be used in space exploration.<sup>1811</sup> The document represents a revision of the EU’s earlier rules on the export of dual-use technology that date from 2000.<sup>1812</sup>

On 8 April 2008, Slovene Representative at the Disarmament Commission Sanja Stiglic, speaking on behalf of the European Union, reiterated the importance of disarmament, non-proliferation and arms control. The representative emphasized the importance of implementing UN Security Council Resolution 1540, which “plays a crucial role in developing an effective mechanism of prevention and counter proliferation of WMD, their means of production and delivery,”<sup>1813</sup> including ballistic missiles. This is in harmony with the overall goals of the HCOC, although the Code was not explicitly mentioned.

Thus, the European Union has been awarded a score of 0 for its promotion of the HCOC and its new export controls.

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<sup>1808</sup> Address by ambassador José Julio Pereira Gomes, Portugal on behalf of the European Union at the United Nations 62<sup>nd</sup> session, First Committee, European Union (Brussels) 19 October 2007. Date of Access: 10 December 2007.

<[http://europa-eu-un.org/articles/en/article\\_7424\\_en.htm](http://europa-eu-un.org/articles/en/article_7424_en.htm)>

<sup>1809</sup> Address by ambassador José Julio Pereira Gomes, Portugal on behalf of the European Union at the United Nations 62<sup>nd</sup> session, First Committee, European Union (Brussels) 19 October 2007. Date of Access: 10 December 2007.

<[http://europa-eu-un.org/articles/en/article\\_7424\\_en.htm](http://europa-eu-un.org/articles/en/article_7424_en.htm)>

<sup>1810</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.

<[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1811</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.

<[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1812</sup> ALLEGATO I: Elenco dei prodotti e delle tecnologie a duplice uso modificato, da ultimo, Ministero del Commercio Estero (Rome) 18 Septmeber 2007. Date of Access: 16 January 2008.

<[http://www.mincomes.it/dualuse/dualuse\\_norme/reg\\_1183\\_07\\_en.pdf](http://www.mincomes.it/dualuse/dualuse_norme/reg_1183_07_en.pdf)>

<sup>1813</sup> Statement on behalf of the European Union by H.E. Ambassador Sanja Štiglic, Permanent Representative of Slovenia to the United Nations, Disarmament Commission, United Nations (New York), 8 April 2008. Date of Access: 6 May 2008. <[http://www.eu2008.si/en/News\\_and\\_Documents/Statements\\_in\\_International\\_Organisations/April/0408MZZ\\_UN\\_UNDC.html](http://www.eu2008.si/en/News_and_Documents/Statements_in_International_Organisations/April/0408MZZ_UN_UNDC.html)>