

SUPPLEMENTARY GUIDANCE NOTE ON INTERNATIONAL PROLIFERATION AND ARMS CONTROL REGIMES

In addition to the UK law, the UK has obligations under the following international agreements.

- ***Treaty on the Non-Proliferation of Nuclear Weapons (NPT).***

The NPT dates from 1968 and commits the five "official" nuclear weapon states (USA, UK, France, Russia and China) to not transferring nuclear weapons or technology to others or assisting, encouraging or inducing their manufacture or acquisition. The other signatories of the NPT, the non-nuclear weapon states, have undertaken not to acquire nuclear weapons and to accept monitoring of their civil nuclear programmes by the International Atomic Energy Agency (IAEA). Over 180 countries are signatories of the NPT.

- ***Biological and Toxin Weapons Convention (BTWC)***

In force since 1975 the BWC bans the development, production, stockpiling, acquisition and use of bacteriological (biological) and toxin weapons, and provides for the destruction of existing weapons.

- ***Chemical Weapons Convention (CWC)***

The CWC entered into force in 1997. It bans the possession, development, stockpiling, transfer and use of chemical weapons, and provides for the destruction of existing weapons and their means of production. See Annex A for a list of States Parties to the CWC as of 15 September 2003 or go to the Organisation for the Prohibition of Chemical Weapons website at opcw.org/memsta/ratifyer.htm

To complement these legally binding treaties, like-minded countries have set up informal groups to work together against the threat of the proliferation of WMD. Their work involves drawing up common lists of goods and technology considered relevant to the activity of proliferators and agreeing to control exports of these. Many countries are now involved. Details about the activities of the Nuclear Suppliers Group, the Zangger Committee, the Australia Group and the Missile Technology Control Regime follow.

Chemical and Biological Weapons (CBW) - The Australia Group

Controls have been in place for many years on the export of chemical warfare agents and biological agents which have been adapted to produce casualties in humans or animals, or damage crops or the environment.

Since 1985 a group of like-minded countries known as the Australia Group (because of Australian Chairmanship) has met regularly to exchange information on CBW proliferation and agree common control lists of dual-use chemicals, pathogens, toxins and equipment which are critical for a significant CBW programme. The number of countries belonging to the Group has increased steadily since 1985.

The following list indicates the kinds of items appearing on the Australia Group's common control lists, and where export from the UK is specifically controlled.

- | | |
|---|--|
| * Chemicals which may be used as precursors for toxic chemical agents | * Certain human pathogens, zoonoses and toxins |
| * Vessels and equipment made from, or lined with, corrosion resistant materials, including: | * Certain animal and plant pathogens |
| - Heat exchangers | * Certain genetically modified micro-organisms |
| - Pumps | * Biological containment facilities |
| - Double or multi-walled piping | * Fermentation vessels |
| - Valves | * Freeze drying equipment |
| - Distillation columns | * Continuous flow centrifuges |
| * Toxic gas monitors | * Biological safety cabinets or isolators |
| * Incinerators designed to destroy chemicals | * Cross (tangential) flow filtration equipment |

You should consult the export control legislation for the full lists of goods and their specifications. You should also keep the end-use control in mind when considering exporting similar goods or other goods that might be useful in a chemical or biological weapon programme.

Missile Technology Controls

- The Missile Technology Control Regime

Exports of missiles, rockets, related equipment and accessories specially designed for military use have been controlled for many years.

In 1987, guidelines were agreed between Canada, France, the Federal Republic of Germany (as it then was), Italy, Japan, the United States and the United Kingdom covering the export of missile technology. The number of countries belonging to the Regime has increased steadily and became known as the Missile Technology Control Regime (MTCR). The MTCR was originally committed to controlling the transfer of equipment and technology able to contribute to a ballistic or cruise missile, which could deliver a 500 kg nuclear warhead to a range of at least 300 km. The MTCR has since become increasingly concerned about the proliferation of missiles capable of carrying chemical or biological payloads, which can be significantly lighter. In January 1993, the Regime therefore agreed to extend its scope to include any missile capable of a range of at least 300 km. Meetings of the Regime are held annually to exchange information about missile programmes and review the equipment and technology controlled commonly by its Partners and which are critical to missile programmes.

The MTCR is neither an international treaty nor a legally binding agreement. MTCR Partners voluntarily pledge to adopt the regime's export guidelines and to restrict the export of items in the regime's annex. There are no provisions in the regime for the enforcement of its terms or sanctions for violations. Trade of MTCR controlled items between regime partners and with non-partner states that adhere to the guidelines is not absolutely prohibited, but it is constrained by national export control legislation.

In the MTCR, Category I missiles are those capable of delivering at least a 500kg payload to a range of at least 300km. In reviewing the proposed applications for transfers of Category I missile systems each Partner will take account of the ability to trade off range and payload. However, the guidelines **do not** authorise the transfer of Category I production facilities and stipulate a "strong presumption to deny" transfer of Category I missiles.

The following list indicates the kinds of dual-use items controlled.

- | | |
|---|--|
| * Accelerometers and gyroscopes | * Metal powders |
| * Precision tracking systems | * Rocket engines |
| * Ceramics and carbon fibre composite materials | * Space launch vehicles and sounding rockets |
| * Production equipment for composite materials | * Telemetry equipment |
| * Gravity meters | * Small gas turbine engines |
| * Inertial navigation equipment | * Wind tunnels |
| Vibration test equipment | * Iostatic presses * |

You should consult the export control legislation for the full lists of goods and their specifications and related technology. You should also keep the end-use control in mind when considering exporting similar goods or other goods which might be useful in a missile programme.

Nuclear Weapons

- The Zangger Committee and The Nuclear Suppliers Group

To comply with the provisions of the Nuclear Non-Proliferation Treaty (NPT), and other commitments to nuclear non-proliferation, a number of nuclear suppliers (including the UK) co-ordinate their nuclear supply policies within the framework of the Zangger Committee and the Nuclear Suppliers Group (NSG). The Zangger Committee, which was set up in 1971 specifically to interpret obligations set out in the NPT, defines and controls equipment and materials that are especially designed or prepared for nuclear use.

The Nuclear Suppliers Group (NSG) was established in 1975 when the international community became concerned that conditions of nuclear supply needed strengthening to better meet nuclear non-proliferation objectives. The NSG agreed a set of guidelines, published in 1978, for handling nuclear exports to reduce the possibility that such transfers be diverted to nuclear explosive or unsafeguarded nuclear fuel cycle activities. These have been updated at intervals and now include goods especially designed or prepared for nuclear purposes. The NSG has also produced separate guidelines to cover nuclear-related dual-use goods.

Although the Zangger Committee and the NSG control similar items especially designed and prepared for nuclear use, the NSG control lists encompass a wider array of nuclear dual-use equipment, materials and technology.

The following list indicates the kinds of dual-use items controlled by NSG.

- * Capacitors (high energy)
- * Cold cathodes, triggered spark gaps and similar devices
- * Pressure sensors/transducers
- * Aluminium and titanium alloys
- * Beryllium
- * Boron enriched in the boron-10 isotope
- * Crucibles
- * Electron beam melting furnaces
- * Filament winding machines
- * Centrifugal balancing machines
- * Flow forming machines
- * Dimensional inspection machines
- * Machine tools
- * Isostatic presses
- * Lithium enriched in the lithium-6 isotope
- * Neutron generators
- * Hafnium
- * Maraging steel
- * Mass spectrometers
- * Vacuum induction furnaces
- * Zirconium
- * Flash discharge x-ray equipment
- * High speed cameras
- * Tritium

You should consult the export control legislation for the full lists of goods and their specifications and related technology. You should also keep the end-use control in mind when considering exporting similar goods or other goods that might be useful in a nuclear weapons programme.

Wassenaar Arrangement

The Wassenaar Arrangement was agreed between 33 co-founding Participating States in July 1996 and began operations in September 1996.

The Arrangement aims to contribute to regional and international security and stability, through transparency and responsibility in transfers of conventional arms and other military goods and of dual-use goods and technologies relevant to conventional military capability. It is not directed against any state or group of states, nor does it seek to interfere with the rights of states to acquire legitimate means to defend themselves, as recognised in Article 51 of the Charter of the United Nations, nor to impede *bona fide* civil transactions.

The Arrangement maintains agreed control lists of both military and of dual-use items considered relevant to its aims. It is for each Participating State to decide whether and under what conditions it authorises its own transfers of such items, in accordance with its national policies and with its own judgement as to the potential contribution to military capabilities and the impact on security and stability.

Participating States exchange information on a confidential basis on their transfers, and on their refusals to authorise transfer, of listed items. Information on transfers enables all the Participating States to be aware of trends in the movement and accumulation of controlled items. Information on refusals enables them to be aware of activity, involving attempted acquisition of controlled items, which could be contrary to the aims of the Arrangement. The information reported on military controlled items relates to transfers of the more major weapon systems and platforms. For dual use items, there is reporting of refusals, and of transfers of those items which are listed as being of greater sensitivity in terms of their potential to contribute to military capability. Other information may be reported where an individual Participating State considers it desirable to bring it to the attention of others.

The Wassenaar Arrangement's Secretariat, based in Vienna, provides administration which facilitates its work. Further information on the Arrangement can be found at its web-site (<http://www.wassenaar.org>).

The United Kingdom's implementation of the military goods controls agreed under the Wassenaar Arrangement is through the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003. The dual use controls are implemented in European Community legislation and can be found within Council Regulation (EC) 1334/2000. Details of current legislation are available from the ECO Helpline (contact details at the end of this document) or on the ECO web-site (<http://www.dti.gov.uk/export.control>).

This Note is for guidance only. It is NOT a statement of the law. Before exporting, you must refer to the regulations in force at the time.

NON-PROLIFERATION REGIMES AND WASSENAAR ARRANGEMENT : MEMBERSHIP
as at 16 September 2003

COUNTRY	NSG	MTCR	AG	WA
ARGENTINA	X	X	X	X
AUSTRALIA	X	X	X	X
AUSTRIA	X	X	X	X
BELGIUM	X	X	X	X
BELARUS	X			
BRAZIL	X	X		
BULGARIA	X		X	X
CANADA	X	X	X	X
CYPRUS	X		X	
CZECH REPUBLIC	X	X	X	X
DENMARK	X	X	X	X
FINLAND	X	X	X	X
FRANCE	X	X	X	X
GERMANY	X	X	X	X
GREECE	X	X	X	X
HUNGARY	X	X	X	X
ICELAND		X	X	
IRELAND	X	X	X	X
ITALY	X	X	X	X
JAPAN	X	X	X	X
KAZAKHSTAN	X			
LATVIA	X			
LUXEMBOURG	X	X	X	X
NETHERLANDS	X	X	X	X
NEW ZEALAND	X	X	X	X
NORWAY	X	X	X	X
POLAND	X	X	X	X
PORTUGAL	X	X	X	X
ROMANIA	X		X	X
RUSSIAN FED.	X	X		X
SLOVAK REPUBLIC	X		X	X
SLOVENIA	X			
SOUTH AFRICA	X	X		
SOUTH KOREA	X	X	X	X
SPAIN	X	X	X	X
SWEDEN	X	X	X	X
SWITZERLAND	X	X	X	X
TURKEY	X	X	X	X
UKRAINE	X	X		X
UNITED KINGDOM	X	X	X	X
USA	X	X	X	X

TOTAL MEMBERSHIP

40

33

33

33

States Parties to the Chemical Weapons Convention

The CWC was opened for signature on 13 January 1993. In accordance with [Article XVIII](#) of the Convention, the signature period ended on 28 April 1997, the day before the CWC entered into force. States that signed the Convention during this period (the "Signatory States") must also ratify it through their standard national processes; States that did not sign during this period, but now wish to become States Parties to the Convention, must accede to it. For latest list see <http://www.opcw.org> As at **21 May, 2004**, **162** countries are States Parties to the Chemical Weapons Convention.

Contracting State Party: Marshall Islands - EIF: 18 June 2004

No.	State	Signature	Deposit *	Entry into force
1.	Afghanistan	14-01-93	24-09-03	24-10-03
2.	Albania	14-01-93	11-05-94	29-04-97
3.	Algeria	13-01-93	14-08-95	29-04-97
4.	Andorra		27-02-03 [a]	29-03-03
5.	Argentina	13-01-93	02-10-95	29-04-97
6.	Armenia	19-03-93	27-01-95	29-04-97
7.	Australia	13-01-93	06-05-94	29-04-97
8.	Austria	13-01-93	17-08-95	29-04-97
9.	Azerbaijan	13-01-93	29-02-00	30-03-00
10.	Bahrain	24-02-93	28-04-97	29-04-97
11.	Bangladesh	14-01-93	25-04-97	29-04-97
12.	Belarus	14-01-93	11-07-96	29-04-97
13.	Belgium	13-01-93	27-01-97	29-04-97
14.	Belize		01-12-03 [a]	31-12-03
15.	Benin	14-01-93	14-05-98	13-06-98
16.	Bolivia	14-01-93	14-08-98	13-09-98

17.	Bosnia and Herzegovina	16-01-97	25-02-97	29-04-97
18.	Botswana		31-08-98 [a]	30-09-98
19.	Brazil	13-01-93	13-03-96	29-04-97
20.	<u>Brunei Darussalam</u>	13-01-93	28-07-97	27-08-97
21.	Bulgaria	13-01-93	10-08-94	29-04-97
22.	Burkina Faso	14-01-93	08-07-97	07-08-97
23.	Burundi	15-01-93	04-09-98	04-10-98
24.	Cameroon	14-01-93	16-09-96	29-04-97
25.	<u>Canada</u>	13-01-93	26-09-95	29-04-97
26.	Cape Verde	15-01-93	10-10-03	09-11-03
27.	Chad	11-10-94	13-02-04	14-03-04
28.	Chile	14-01-93	12-07-96	29-04-97
29.	China	13-01-93	25-04-97	29-04-97
30.	Colombia	13-01-93	05-04-00	05-05-00
31.	Cook Islands	14-01-93	15-07-94	29-04-97
32.	Costa Rica	14-01-93	31-05-96	29-04-97
33.	Côte d'Ivoire	13-01-93	18-12-95	29-04-97
34.	Croatia	13-01-93	23-05-95	29-04-97
35.	<u>Cuba</u>	13-01-93	29-04-97	29-05-97
36.	Cyprus	13-01-93	28-08-98	27-09-98
37.	<u>Czech Republic</u>	14-01-93	06-03-96	29-04-97
38.	<u>Denmark</u>	14-01-93	13-07-95	29-04-97
39.	Dominica	02-08-93	12-02-01	14-03-01
40.	Ecuador	14-01-93	06-09-95	29-04-97
41.	El Salvador	14-01-93	30-10-95	29-04-97
42.	Equatorial Guinea	14-01-93	25-04-97	29-04-97
43.	Eritrea		14-02-00 [a]	15-03-00
44.	Estonia	14-01-93	26-05-99	25-06-99
45.	Ethiopia	14-01-93	13-05-96	29-04-97
46.	Fiji	14-01-93	20-01-93	29-04-97
47.	<u>Finland</u>	14-01-93	07-02-95	29-04-97
48.	<u>France</u>	13-01-93	02-03-95	29-04-97
49.	Gabon	13-01-93	08-09-00	08-10-00
50.	Gambia	13-01-93	19-05-98	18-06-98
51.	Georgia	14-01-93	27-11-95	29-04-97
52.	<u>Germany</u>	13-01-93	12-08-94	29-04-97
53.	Ghana	14-01-93	09-07-97	08-08-97

54.	Greece	13-01-93	22-12-94	29-04-97
55.	Guatemala	14-01-93	12-02-03	14-03-03
56.	Guinea	14-01-93	09-06-97	09-07-97
57.	Guyana	06-10-93	12-09-97	12-10-97
58.	Holy See	14-01-93	12-05-99	11-06-99
59.	Hungary	13-01-93	31-10-96	29-04-97
60.	Iceland	13-01-93	28-04-97	29-04-97
61.	India	14-01-93	03-09-96	29-04-97
62.	Indonesia	13-01-93	12-11-98	12-12-98
63.	Iran (Islamic Republic of)	13-01-93	03-11-97	03-12-97
64.	Ireland	14-01-93	24-06-96	29-04-97
65.	Italy	13-01-93	08-12-95	29-04-97
66.	Jamaica	18-04-97	08-09-00	08-10-00
67.	Japan	13-01-93	15-09-95	29-04-97
68.	Jordan		29-10-97 [a]	28-11-97
69.	Kazakhstan	14-01-93	23-03-00	22-04-00
70.	Kenya	15-01-93	25-04-97	29-04-97
71.	Kiribati		07-09-00 [a]	07-10-00
72.	Kuwait	27-01-93	29-05-97	28-06-97
73.	Kyrgyzstan	22-02-93	29-09-03	29-10-03
74.	Lao People's Democratic Republic	13-05-93	25-02-97	29-04-97
75.	Latvia	06-05-93	23-07-96	29-04-97
76.	Lesotho	07-12-94	07-12-94	29-04-97
77.	Libyan Arab Jamahiriya		06-01-04[a]	05-02-04
78.	Liechtenstein	21-07-93	24-11-99	24-12-99
79.	Lithuania	13-01-93	15-04-98	15-05-98
80.	Luxembourg	13-01-93	15-04-97	29-04-97
81.	Malawi	14-01-93	11-06-98	11-07-98
82.	Malaysia	13-01-93	20-04-00	20-05-00
83.	Maldives	01-10-93	31-05-94	29-04-97
84.	Mali	13-01-93	28-04-97	29-04-97
85.	Malta	13-01-93	28-04-97	29-04-97
86.	Mauritania	13-01-93	09-02-98	11-03-98
87.	Mauritius	14-01-93	09-02-93	29-04-97
88.	Mexico	13-01-93	29-08-94	29-04-97
89.	Micronesia (Federated States of)	13-01-93	21-06-99	21-07-99
90.	Monaco	13-01-93	01-06-95	29-04-97

91.	Mongolia	14-01-93	17-01-95	29-04-97
92.	Morocco	13-01-93	28-12-95	29-04-97
93.	Mozambique		15-08-00 [a]	14-09-00
94.	Namibia	13-01-93	27-11-95	29-04-97
95.	Nauru	13-01-93	12-11-01	12-12-01
96.	Nepal	19-01-93	18-11-97	18-12-97
97.	Netherlands	14-01-93	30-06-95	29-04-97
98.	New Zealand	14-01-93	15-07-96	29-04-97
99.	Nicaragua	09-03-93	05-11-99	05-12-99
100.	Niger	14-01-93	09-04-97	29-04-97
101.	Nigeria	13-01-93	20-05-99	19-06-99
102.	<u>Norway</u>	13-01-93	07-04-94	29-04-97
103.	Oman	02-02-93	08-02-95	29-04-97
104.	Pakistan	13-01-93	28-10-97	27-11-97
105.	Palau		03-02-03[a]	05-03-03
106.	Panama	16-06-93	07-10-98	06-11-98
107.	Papua New Guinea	14-01-93	17-04-96	29-04-97
108.	Paraguay	14-01-93	01-12-94	29-04-97
109.	<u>Peru</u>	14-01-93	20-07-95	29-04-97
110.	Philippines	13-01-93	11-12-96	29-04-97
111.	<u>Poland</u>	13-01-93	23-08-95	29-04-97
112.	Portugal	13-01-93	10-09-96	29-04-97
113.	Qatar	01-02-93	03-09-97	03-10-97
114.	<u>Republic of Korea</u>	14-01-93	28-04-97	29-04-97
115.	Republic of Moldova	13-01-93	08-07-96	29-04-97
116.	<u>Romania</u>	13-01-93	15-02-95	29-04-97
117.	<u>Russian Federation</u>	13-01-93	05-11-97	05-12-97
118.	Rwanda	17-05-03	31-03-04	30-04-04
119.	Saint Lucia	29-03-93	09-04-97	29-04-97
120.	Saint Vincent and the Grenadines	20-09-93	18-09-02	18-10-02
121.	Samoa	14-01-93	27-09-02	27-10-02
122.	San Marino	13-01-93	10-12-99	09-01-00
123.	Sao Tome and Principe		09-09-03[a]	09-10-03
124.	<u>Saudi Arabia</u>	20-01-93	09-08-96	29-04-97
125.	Senegal	13-01-93	20-07-98	19-08-98
126.	Serbia and Montenegro		20-04-00 [a]	20-05-00
127.	Seychelles	15-01-93	07-04-93	29-04-97

128.	Singapore	14-01-93	21-05-97	20-06-97
129.	Slovakia	14-01-93	27-10-95	29-04-97
130.	Slovenia	14-01-93	11-06-97	11-07-97
131.	South Africa	14-01-93	13-09-95	29-04-97
132.	Spain	13-01-93	03-08-94	29-04-97
133.	Sri Lanka	14-01-93	19-08-94	29-04-97
134.	Sudan		24-05-99 [a]	23-06-99
135.	Suriname	28-04-97	28-04-97	29-04-97
136.	Swaziland	23-09-93	20-11-96	29-04-97
137.	Sweden	13-01-93	17-06-93	29-04-97
138.	Switzerland	14-01-93	10-03-95	29-04-97
139.	Tajikistan	14-01-93	11-01-95	29-04-97
140.	Thailand	14-01-93	10-12-02	09-01-03
141.	The former Yugoslav Republic of Macedonia		20-06-97 [a]	20-07-97
142.	Timor Leste		07-05-03[a]	06-06-03
143.	Togo	13-01-93	23-04-97	29-04-97
144.	Tonga		29-05-03 [a]	28-06-03
145.	Trinidad and Tobago		24-06-97 [a]	24-07-97
146.	Tunisia	13-01-93	15-04-97	29-04-97
147.	Turkey	14-01-93	12-05-97	11-06-97
148.	Turkmenistan	12-10-93	29-09-94	29-04-97
149.	Tuvalu		19-01-04 [a]	18-02-04
150.	Uganda	14-01-93	30-11-01	30-12-01
151.	Ukraine	13-01-93	16-10-98	15-11-98
152.	United Arab Emirates	02-02-93	28-11-00	28-12-00
153.	United Kingdom of Great Britain and Northern Ireland	13-01-93	13-05-96	29-04-97
154.	United Republic of Tanzania	25-02-94	25-06-98	25-07-98
155.	United States of America	13-01-93	25-04-97	29-04-97
156.	Uruguay	15-01-93	06-10-94	29-04-97
157.	Uzbekistan	24-11-95	23-07-96	29-04-97
158.	Venezuela	14-01-93	03-12-97	02-01-98
159.	Viet Nam	13-01-93	30-09-98	30-10-98
160.	Yemen	08-02-93	02-10-00	01-11-00
161.	Zambia	13-01-93	09-02-01	11-03-01
162.	Zimbabwe	13-01-93	25-04-97	29-04-97

*The date of deposit is the date on which the instrument of accession of ratification is received by the Secretary-General of the United Nations as Depositary. Throughout this table, “[a]” means “deposit of instrument of accession”.