

# **Japan's Catch-All Export Control System**

Catch-All controls is the system in which authorization must be required from the METI for the export of all items that may be used in related to the development (\*4) of weapons of mass destruction.

**(1) Date of Start:**

April 1, 2002

**(2) Controlled items: In principle all goods, technologies and software (\*1)**

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

**(3) Regions subject to controls: All Regions**

Note: Excludes 26 countries (\*2)

**(4) Conditions for invoking controls**

**(a) "Informed" conditions**

In cases where the METI has notified exporters that they are required to apply for authorization based on the risk that the goods, technologies or software to be exported will be used in the development, manufacture, use, storage etc. of nuclear, biological or chemical weapons, or missiles.

**(b) "Objective" conditions**

Objective conditions comprise of the following two conditions.

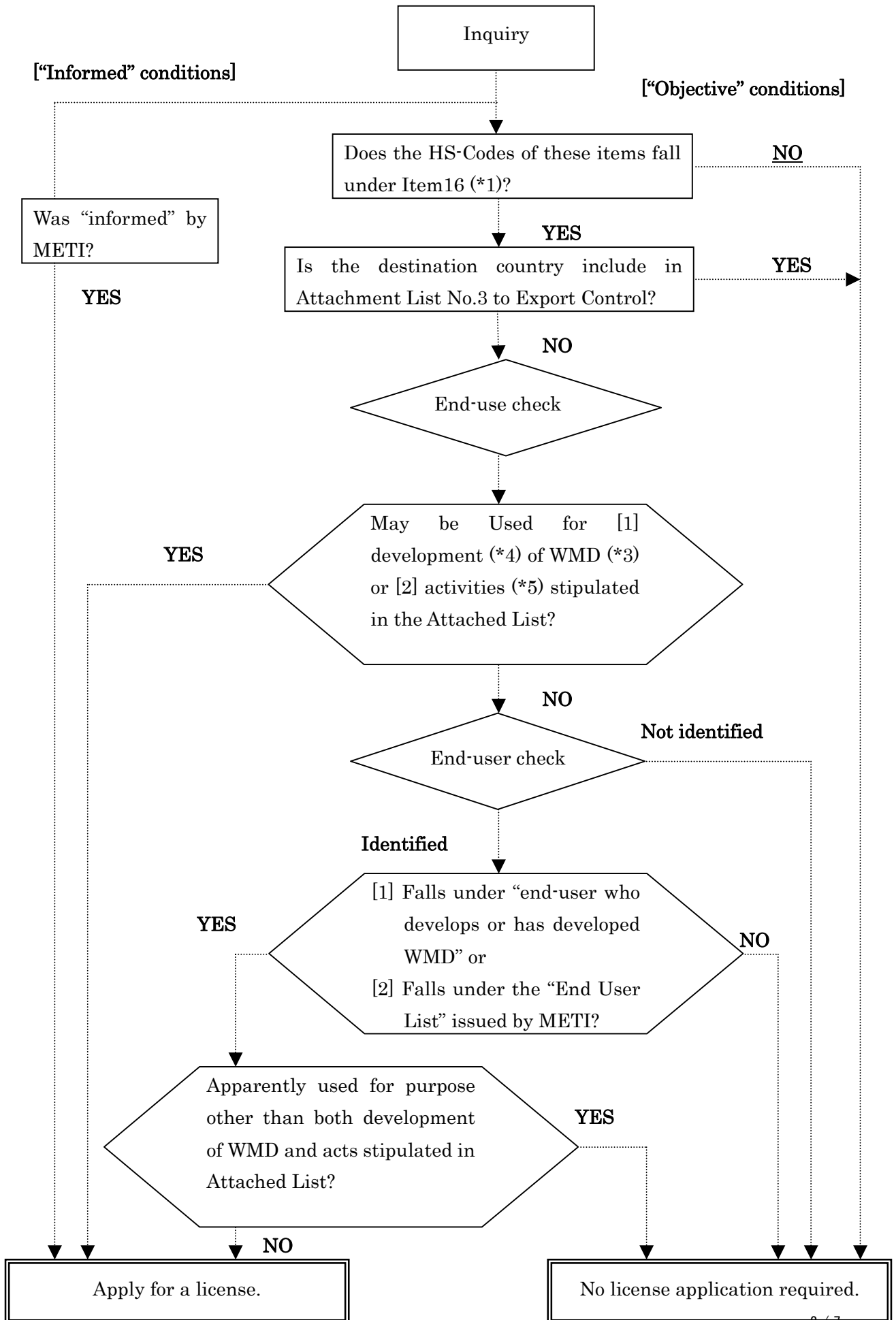
**i) End-Use conditions**

In cases where information is available in writing that the goods, technologies or software in question may be used in the development (\*4) of WMD (\*3) or in acts stipulated in the "Attachment List"(\*5)

**ii) End-user conditions**

- In cases where the exporter has information in writing that the end-user of the goods in question will be involved in, is involved in or has been involved in the development, manufacture, use and storage of WMD (\*3).
- Additionally, METI published a Guideline for exporters to judge cases where the said goods, technologies or softwares are apparently used for purpose other than development (\*4) etc of WMD (\*3). (see Appendix 2)
- METI has published "End-user list" as a reference.

## Catch-all export control (Item16), export procedure flow chart



**(\*1): Item 16:**

Goods which fall under Category 25 – 40, Category 54 – 59, Category 63, Category 68 – 93, or Category 95 of HS code.

**(\*2): Countries in Attachment List No. 3 to Export Trade Control Order:**

Argentina, Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherland, New Zealand, Norway, Poland, Portugal, Republic of Korea, Spain, Sweden, Switzerland, United Kingdom, United States of America

**(\*3): WMD:**

- Nuclear weapons
  - Chemical weapons
  - Biological weapons and toxic weapons
  - Devices spreading [sprinkling] bio-chemicals for military use
  - Rockets with at least 300 km. of range
  - Unmanned aircrafts of at least 300 km. of range
- \*including parts.

**(\*4): Development:**

Development, manufacture, use, or storage

**(\*5): Acts stipulated in Attachment List:**

- Development of nuclear fuel or nuclear source material
- Research on atomic fusion
- Development of nuclear reactors (excluding light-water reactors for power generation) or their parts or supporting equipment
- Manufacture of heavy water
- Processing of nuclear fuel
- Reprocessing of nuclear fuel
- Activities stipulated below and carried out by administrative agencies of related to military or national defense, or carried out by the entities which have apparent contracts with these agencies:
  - a. Development or manufacture of chemical substances
  - b. Development of microorganisms or toxins
  - c. Development of rockets or unmanned aircraft.
  - d. Aerospace research

## End-Use Check List

Number:

Date (yyyy/mm/dd) :

Business Division Name: \_\_\_\_\_

Person in Charge: \_\_\_\_\_

Tel:

Please check whether it has become known that the items will be put to any of the end use mentioned below. At the same time, please also check whether it is stated or recorded that the items will be put to any of the end use mentioned below on the contract documents related to the transaction of ordered items, or on any documents or recording media obtained in connection with the transaction. Please circle "Yes" or "No" for each item on the list.

1. Development, production, use or storage of nuclear weapons	Yes	No
2. Development, production, use or storage of chemical agents for chemical weapons	Yes	No
3. Development, production, use or storage of bacterial agents for biological weapons	Yes	No
4. Development, production, use or storage of equipment for dispersal of chemical agents for chemical weapons or bacterial agents for biological weapons	Yes	No
5. Development, production, use or storage of missile that have a transport range of at least 300 km	Yes	No
6. Development, production, use or storage of unmanned aircraft that have a transport range of at least 300 km	Yes	No
7. Operation of a nuclear reactor for power generation	Yes	No
8. If the answer to question 7 is <b>Yes</b> , please specify the type of nuclear reactor, the name and address of the power generation plant on a separate sheet.		
9. If the answer to question 7 is <b>No</b> , please answer to questions 9-1 and 9-2 below:		
9-1. Development, production, use or stockpiling of <u>nuclear fuel materials</u> or <u>nuclear raw materials</u> (Please refer to the attached <b>GLOSSARY</b> for details.)	Yes	No
9-2. Development, production, use or stockpiling of nuclear reactors, <u>their parts</u> , or <u>their attached equipment</u> (Please refer to the attached <b>GLOSSARY</b> for details.)	Yes	No
10. Research related to nuclear fusion	Yes	No
11. Production of heavy water	Yes	No
12. Processing of nuclear fuel materials	Yes	No
13. Reprocessing of nuclear fuel materials	Yes	No
14. Any of the following activities conducted an administrative agency related to military or national defense, or any entity apparently on behalf of the agency a. Development or production of chemical materials b. Development, production, use or storage of microorganisms or toxins c. Development, production, use or storage of missile or unmanned aircraft d. Aerospace research	Yes	No
15. Any other military use than the questions at 1 to 6 above.	Yes	No

If there is one or more "Yes" answer(s), please contact YA Export Control Section.

## Attachment to End Use Check List

### GLOSSARY

<u>Words with underlines</u>	Explanation
<u>Nuclear fuel materials</u>	<p>The “nuclear fuel materials” here means those listed below.</p> <ol style="list-style-type: none"> <li>1. Uranium and its compounds in which the ratio of uranium 235 to uranium 238 is the natural mixing rate;</li> <li>2. Uranium and its compounds in which the ratio of uranium 235 to uranium 238 does not attain the natural mixing rate;</li> <li>3. Thorium and its compounds;</li> <li>4. Material containing one or more than one material of the preceding 3 items, which can be used in a nuclear reactor as a fuel;</li> <li>5. Uranium and its compounds in which the ratio of uranium 235 to uranium 238 exceeds the natural mixing rate;</li> <li>6. Plutonium and its compounds;</li> <li>7. Uranium 233 and its compounds;</li> <li>8. Material containing one or more than one material of the preceding 3 items.</li> </ol>
<u>Nuclear raw materials</u>	<p>The “nuclear raw materials” here means such materials that contain uranium, thorium or their compounds, excluding nuclear fuel materials.</p>
<u>their parts</u>	<p>“Their parts” here mean those that are designed or manufactured in order to constitute the main body of a nuclear reactor and fall under any of the following parts:</p> <ol style="list-style-type: none"> <li>(a) Reactor vessel or its major parts (including top lid);</li> <li>(b) Reactor control rod, support and suspension mechanism of the neutron absorption part, control rod guide tube;</li> <li>(c) Reactor core plate, reactor core supporting plate, reactor core supporting column, fuel channel, core barrel, thermal shield, core baffle, distributor, shroud, shroud head, top guide, steam-water separator, steam dryer and other internal parts;</li> <li>(d) Reactor pressure pipe (storing the primary coolant and fuel elements in the nuclear reactor under the operating pressure exceeding 50 barometric pressure);</li> <li>(e) Zirconium pipe (made of zirconium metal or its alloy in which the weight of hafnium is less than 1/500 of the weight of zirconium).</li> </ol>
<u>their attached equipment</u>	<p>“Their attached equipment” here means those that is designed or manufactured in order to be installed outside of the main body of nuclear reactor and falls under any of the following parts:</p> <ol style="list-style-type: none"> <li>(a) Equipment to load fuel to, or take it out from, a nuclear reactor;</li> <li>(b) Pump to circulate primary coolant;</li> <li>(c) Neutron detector or neutron measuring instrument to determine the neutron flux level;</li> <li>(d) Steam generator or heat exchanger (limited to the steam generator designed or manufactured in order to convey the generated heat from the primary system to the secondary system or to the immediate heat exchanger in the fast breeder reactor, but excluding those used for the emergency core cooling system and the decay heat cooling system);</li> <li>(e) Reactor control rod driving mechanism.</li> </ol>

## End-User Check List

Number:

Date (yyyy/mm/dd) :

Business Division Name: \_\_\_\_\_

Person in Charge: \_\_\_\_\_

Tel:

### 1. Checking of concerned end user lists

Is the end user put on Concerned End User Lists such as the End User List by METI of Japan or YA's Concerned Customer List?	Yes	No
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### 2. Checking of nature of end user

On the contract documents related to the transaction of ordered items, or on any documents or recording media obtained in connection with the transaction, is it stated or recorded that the end user conducts or has ever conducted any of the following activities (1 to 6)? Or, has the importer or agent of the end user advised you of any information to that effect? Please circle "Yes" or "No" for each item on the following list. Also, please answer to questions 7 and 8 below.

1. Development, production, use or storage of nuclear weapons	Yes	No
2. Development, production, use or storage of chemical agents for chemical weapons	Yes	No
3. Development, production, use or storage of bacterial agents for biological weapons	Yes	No
4. Development, production, use or storage of equipment for dispersal of chemical agents for chemical weapons or bacterial agents for biological weapons	Yes	No
5. Development, production, use or storage of missiles that have a payload delivery capability of 300km or longer	Yes	No
6. Development, production, use or storage of unmanned aircrafts that have a payload delivery capability of 300km or longer	Yes	No
7. Is the end user an administrative agency related to military or national defense, or any entity apparently on behalf of the agency?	Yes	No
8. Is the end user atomic power plant or atomic research institute?	Yes	No

If there is one or more "Yes" answer(s), please further check the Check Sheet for Judging "Apparent Condition", and contact YA Export Control Section.

## Attachment to End-User Check List

### Check Sheet for judging “apparent condition”

End-use/ Specification of the goods	① Definite explanation on the end-use for the goods has been made by the importer, end-user, or their agent.	Yes None --
	② There is an appropriate reason for requiring the goods based on the business lines and technological level of the end-user.	Yes None --
Status and Conditions of installations/ Location of the goods	③ Location or site of use of the goods is identified.	Yes None --
	④ There is no indication that the location or the place of use of the goods is in an area within military facilities, or a high confidentiality/ restricted access area, nor any suspicious points in their end-use is found.	Yes None -- (not indicated)
	⑤ No excessive security device/ handling is required for transportation, installation of the goods.	Yes None -- (not required)
Status and Conditions of related facilities/ equipment	⑥ Explanations were made as to the facilities where the goods are to be employed at, as well as raw materials consumed simultaneously.	Yes None --
	⑦ Unusually large quantities of spare parts are not required.	Yes None -- (not required)
	⑧ Only generally installed routine equipment is required.	Yes None --
Status of Marking, Shipping, Transportation Route, Packing	⑨ There are no special requests for marking at the time of transportation and shipping.	Yes None -- (not requested)
	⑩ There is no abnormal deviation in transportation route as viewed from the perspective of products and destination.	Yes None -- (no abnormality)
	⑪ There is nothing inconsistent with packing and marking at the time of transportation as viewed from the perspective of transportation method and destination.	Yes None -- (no abnormality)
Price of goods, Guarantees	⑫ No unusually favorable proposals are made in terms of payment conditions (method of payment, price, etc.) by the end-user of the goods.	Yes None -- (no unusually favorable proposals)
	⑬ Normal warranty conditions for the performance of the goods is required.	Yes None --
Declination of Installation and Status of Confidentiality	⑭ Dispatch of specialists generally expected for installation and guidance is required.	Yes None --
	⑮ Excessive confidentiality as to final destination and products is not required.	Yes None -- (not required)
Entities on the “End user list”	⑯ In regard to transaction with entities listed on the “End user list”, there is no identical end-use of concern between types of WMD (Nuclear, biological, chemical weapons and missiles) of listed entities and its transaction.	Yes None -- (not identical)
Others	⑰ There are no unclear points in the transaction, such as inadequate explanation by the end-user to usual questions from the viewpoint of common commercial practice.	Yes None -- (no unclear points)