

**OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10**

State: **Japan**  
 Date of Report: **28 October 2004**  
 Date of Addendum 1: **17 March 2006**  
 Date of Addendum 2: **22 May 2008**

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1 General statement on non-possession of WMD	X	The Atomic Energy Basic Law (Law No. 186 of 1955) The Law concerning Prohibition on Chemical Weapons and Restriction on Specific Materials (Law No. 65 of 1995) The Law on implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction (Law No. 61 of 1982)	
2 General statement on commitment to disarmament and non-proliferation	X	Is committed to disarmament and non-proliferation of WMD and their means of delivery	
3 General statement on non-provision of WMD and related materials to non-State actors	X	Has not intended and will never intend to provide any form of support to non-State actors as stipulated	
4 Biological Weapons Convention (BWC)	X	Ratified 1982	
5 Chemical Weapons Convention (CWC)	X	Ratified 1995	
6 Nuclear Non-Proliferation Treaty (NPT)	X	Acceded 1976	

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 and 1673. They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations

7	Comprehensive Nuclear Test Ban Treaty (CTBT)	X	Ratified in 1998	
8	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Acceded in 1988	
9	Hague Code of Conduct (HCOC)	X	Subscribed	
10	Geneva Protocol of 1925	X	Deposit 21 May 1970	
11	International Atomic Energy Agency (IAEA)	X	Since 16 July 1957	
12	Nuclear Weapons Free Zone/ Protocol(s)			
13	Other Conventions/Treaties	X	<p>1. Party to the 13 UN Counter-Terrorism Conventions, including:</p> <p>a) The International Convention on the Suppression of Acts of Nuclear Terrorism (Deposit 3 August 2007);</p> <p>b) International Convention for the Suppression of the Financing of Terrorism (acceded 11 June 2002); and</p> <p>c) the International Convention for the Suppression of Terrorist Bombings (acceded 16 November 2001)</p> <p>2. Basel Convention</p>	
14	Other Arrangements	X	<p>1. Nuclear Suppliers Group (NSG)</p> <p>2. Zangger Committee (ZC)</p> <p>3. Australia Group (AG)</p> <p>4. Missile Technology Control Regime (MTCR)</p> <p>5. Wassenaar Arrangement (WA)</p> <p>6. Proliferation Security Initiative (PSI)</p> <p>7. Financial Action Task Force (FATF)</p>	
15	Other			

## OP 2 - Biological Weapons (BW)

State:

**Japan**

Date of Report:

28 October 2004

Date of Addendum 1:

17 March 2006

Date of Addendum 2:

22 May 2008

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	The Law on Implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological(Biological) and Toxin Weapons and on their Destruction and the Other Conventions (Law No.61 of 1982)	X	Law No. 61 of 1982, Articles 9-10	
2 acquire	X	Law No. 61 of 1982: receiving	X		
3 possess	X	Law No. 61 of 1982	X		
4 stockpile/store	X	Law No. 61 of 1982	X	Law No. 61 of 1982, Aricles 9-10	
5 develop	X	Law No. 61 of 1982: within the scope of production	X	Law No. 61 of 1982: within the scope of production	
6 transport	X	Law No. 61 of 1982: within the scope of possession, transfer or receiving	X	Law No. 61 of 1982: within the scope of possession, transfer or receiving	
7 transfer	X	Law No. 61 of 1982	X	Law No. 61 of 1982, Articles 9-10	
8 use	X		X		

9	participate as an accomplice in a.m. activities	X	Law No. 45 of 1907 (Penal Code)	X	Law No. 45 of 1907 (Penal Code), Article 65	
10	assist in a.m. activities	X		X		
11	finance a.m. activities	X	1. Act on Punishment of Financing to Offences of Public Intimidation (Law No. 67 of 2002) on terrorist financing 2. Law No. 45 of 1908 (Penal Code)	X	1. Law No. 67 of 2002 on terrorist financing 2. Law No. 45 of 1908 (Penal Code) 3. Has a Financial Intelligence Unit	
12	a.m. activities related to means of delivery	X	1. Law No. 61 of 1982 2. Gunpowder Control Act (Law No. 149 of 1950)	?	Gunpowder Control Act (Law No. 149 of 1950)	
13	involvement of non-State actors in a.m. activities	X	Law No. 61 of 1982	X	Law No. 61 of 1982, Articles 9-10	
14	Other	X	Law No. 61 of 1982: attempts to produce or use	X	Law No. 61 of 1982, Articles 9-10: attempts to produce or use	

## OP 2 - Chemical Weapons (CW)

State:

**Japan**

Date of Report:

28 October 2004

Date of Addendum 1:

17 March 2006

Date of Addendum 2:

22 May 2008

	Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1	manufacture/produce	X	The Law concerning Prohibition on Chemical Weapons and Restriction on Specific Materials (No. 65 of 1995)	X	Law No. 65 of 1995	
2	acquire	X	Law No. 65 of 1995: receive	X	Law No. 65 of 1995: receive	
3	possess	X	Law No. 65 of 1995	X	Law No. 65 of 1995	
4	stockpile/store	X	Law No. 65 of 1995: within the scope of possession	X	Law No. 65 of 1995: within the scope of possession	
5	develop	X	Law No. 65 of 1995: within the scope of production	X	Law No. 65 of 1995: within the scope of production	
6	transport	X	Law No. 65 of 1995: within the scope of possession	X	Law No. 65 of 1995: within the scope of possession	
7	transfer	X	Law No. 65 of 1995	X	Law No. 65 of 1995	
8	use	X		X		
9	participate as an accomplice in a.m. activities	X	Law No. 45 of 1908 (Penal Code)	X	Law No. 45 of 1908 (Penal Code)	
10	assist in a.m. activities	X	Law No. 45 of 1908 (Penal Code)	X	Law No. 45 of 1908 (Penal Code)	
11	finance a.m. activities	X	1. Act on Punishment of Financing to Offences of Public Intimidation (Law No. 67 of 2002) on terrorist financing 2. Law No. 45 of 1908 (Penal Code)	X	1. Law No. 67 of 2002 on terrorist financing 2. Law No. 45 of 1908 (Penal Code) 3. Has a Financial Intelligence Unit	

12	a.m. activities related to means of delivery	?	Gunpowder Control Act (Law No. 149 of 1950)	?	Gunpowder Control Act (Law No. 149 of 1950)	
13	involvement of non-State actors in a.m. activities	X	Law No. 65 of 1995	X	Law No. 65 of 1995	
14	Other	X	Law No. 65 of 1995: covers attempt and equipment for "exclusively composing or facilitating" their use	X	Law No. 65 of 1995: covers attempt and equipment for "exclusively composing or facilitating" their use	

## OP 2 - Nuclear Weapons (NW)

State:

**Japan**

Date of Report:

28 October 2004

Date of Addendum 1:

17 March 2006

Date of Addendum 2:

22 May 2008

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	1. Law No. 32 of 1884 (The Explosives Control Act) 2. Criminal Radiation Emission Act (No. 38 of 2007)	X	1. Law No. 32 of 1884 (The Explosives Control Act) 2. Law No. 38 of 2007	
2 acquire	X	1. Law No. 166 of 1957 ("receive"): no permission if for non-peaceful purposes 2. Law No. 38 of 2007	X	1. Law No. 166 of 1957 penalties for mishandling 2. Law No. 38 of 2007	
3 possess	X	1. Law No. 32 of 1884 (The Explosives Control Act) 2. Law No. 38 of 2007	X	1. Law No. 32 of 1884 (The Explosives Control Act) 2. Law No. 38 of 2007	
4 stockpile/store	X	1. Law No. 32 of 1884: within the scope of possession, import or ordering 2. Law No. 38 of 2007	X	1. Law No. 32 of 1884: within the scope of possession, import or ordering 2. Law No. 38 of 2007	
5 develop	X	1. Law No. 32 of 1884: within the scope of production 2. Law No. 38 of 2007	X	1. Law No. 32 of 1884: within the scope of production 2. Law No. 38 of 2007	
6 transport	X	1. Law No. 32 of 1884: within the scope of production 2. Law No. 38 of 2007	X	1. Law No. 32 of 1884: within the scope of production 2. Law No. 38 of 2007	

7	transfer	X	1. Law No. 32 of 1884: within the scope of production 2. Law No. 38 of 2007	X	1. Law No. 32 of 1884: within the scope of production 2. Law No. 38 of 2007	
8	use	X	1. Law No. 32 of 1884: within the scope of production 2. Law No. 38 of 2007	X	1. Law No. 32 of 1884: within the scope of production 2. Law No. 38 of 2007	
9	participate as an accomplice in a.m. activities	X	Law No. 45 of 1908 (Penal Code)	X	Law No. 45 of 1908 (Penal Code)	
10	assist in a.m. activities	X		X		
11	finance a.m. activities	X	1. Act on Punishment of Financing to Offences of Public Intimidation (Law No. 67 of 2002) on terrorist financing 2. Law No. 45 of 1908 (Penal Code)	X	1. Law No. 67 of 2002 on terrorist financing 2. Law No. 45 of 1908 (Penal Code) 3. Has a Financial Intelligence Unit	
12	a.m. activities related to means of delivery	?	Law No. 32 of 1884 (The Explosives Control Act)	?	Law No. 32 of 1884 (The Explosives Control Act)	
13	involvement of non-State actors in a.m. activities	X	Law No. 166 of 1957	X	Law No. 166 of 1957	
14	Other	X	1. Atomic Energy Basic Law 1955 2. Three Non-Nuclear Principles: not possess, produce or import NW	X	Law No. 166 of 1957: Covers threats and attempts	



**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials**

State: **Japan**  
 Date of Report: **28 October 2004**  
 Date of Addendum 1: **17 March 2006**  
 Date of Addendum 2: **22 May 2008**

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. The Law on Implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological(Biological) and Toxin Weapons and on their Destruction and the Other Conventions (Law No.61 of 1982): reports to competent Ministers 2. Cabinet Order for the Enforcement of the Law on Implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Cabinet Order No. 396 of 1 December 1995)	X	1. Law No. 61 of 1982: failing to make a report in accordance with the law or making a false report is punishable 2. Cabinet Order No. 396 of 1 December 1995 identifies the relevant implementing Ministries	
2	Measures to account for use	X		X		
3	Measures to account for storage	X		X		
4	Measures to account for transport	X		X		
5	Other measures for accounting					
6	Measures to secure production	X	1. Prevention of Infectious Diseases and Medical Care for Infectious Patients Act (Law No. 114 of 1998) 2. Ministry of Health, Labour and Welfare guidelines to control viruses and bacteria	X	1. Prevention of Infectious Diseases and Medical Care for Infectious Patients Act (Law No. 114 of 1998) 2. Action Plan for prevention of Terrorism of 10 December 2004	
7	Measures to secure use	X		X		
8	Measures to secure storage	X		X		
9	Measures to secure transport	X		X		

10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	X	Ministry of Health, Labour and Welfare guidelines Law No. 114 of 1998	X	Law No. 114 of 1998	
12	Licensing/registration of facilities/persons handling biological materials	X	Law No. 114 of 1998	X	Law No. 114 of 1998	
13	Reliability check of personnel	X	Law No. 114 of 1998	X	Law No. 114 of 1998	
14	Measures to account for/secure/ physically protect means of delivery	?	Law No. 149 of 1950: The Gunpowder Control Act	?	Gunpowder Control Act (Law No. 149 of 1950)	
15	Regulations for genetic engineering work	?	Law Concerning the Conservation and Sustainable Use of Biological Diversity through Regulations on the Use of Living Modified Organisms (Law No. 97 of 2003)	?	Law Concerning the Conservation and Sustainable Use of Biological Diversity through Regulations on the Use of Living Modified Organisms (Law No. 97 of 2003), Chapter 5 (penalties)	
16	Other legislation/ regulations related to safety and security of biological materials					
17	Other					

**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials**

State: **Japan**  
 Date of Report: **28 October 2004**  
 Date of Addendum 1: **17 March 2006**  
 Date of Addendum 2: **22 May 2008**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	The Law concerning Prohibition on Chemical Weapons and Restriction on Specific Materials (No. 65 of 1995)	X	Law No. 65 of 1995	
2	Measures to account for use	X		X		
3	Measures to account for storage	X		X		
4	Measures to account for transport	X		X		
5	Other measures for accounting					
6	Measures to secure production	X	Law No. 65 of 1995	X	Law No. 65 of 1995	
7	Measures to secure use	X		X		
8	Measures to secure storage	X		X		
9	Measures to secure transport	X		X		
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	X	1. Law No. 65 of 1995: Schedule I chemicals 2. Japan Defense Agency Order No. 48 of 1995, Article 62	X	Ministry of Economy, Trade, and Industry may inspect	
12	Licensing of chemical installations/entities/use of materials	X	Law No. 65 of 1995	X	Law No. 65 of 1995	
13	Reliability check of personnel	X	Law No. 65 of 1995	X	Law No. 65 of 1995	

14	Measures to account for/secure/ physically protect means of delivery	?	Law No. 149 of 1950: The Gunpowder Control Act	?	Gunpowder Control Act (Law No. 149 of 1950)	
15	National CWC authority	X	National CWC Authority (organized by the Cabinet Office, the Ministry of Foreign Affairs, the Ministry of Economy, Trade and Industry and the Ministry of Defense)			
16	Reporting Schedule I, II and III chemicals to OPCW	X	Minister of Economy, Trade and Industry under the Law No. 65 of 1995	X	False report or neglecting to report are punishable under the Law No. 65 of 1995	
17	Account for, secure or physically protect old chemical weapons	X	Memorandum of Understanding between Japan and China on the Destruction of Abandoned CW in China	X	Reports to the OPCW on weapons abandoned in Japan	
18	Other legislation/ regulations controlling chemical materials					
19	Other					

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials**

State: **Japan**  
 Date of Report: **28 October 2004**  
 Date of Addendum 1: **17 March 2006**  
 Date of Addendum 2: **22 May 2008**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors (No. 166 of 1957)	X	Law No. 166 of 1957, Chapter 8 (penalties)	
2	Measures to account for use	X		X		
3	Measures to account for storage	X		X		
4	Measures to account for transport	X	Law No. 166 of 1957	X	Law No. 166 of 1957, Chapter 8 (penalties)	
5	Other measures for accounting					
6	Measures to secure production	X	Law No. 166 of 1957	X	Law No. 166 of 1957 punishes mishandling, Chapter 8 (penalties)	
7	Measures to secure use	X		X		
8	Measures to secure storage	X		X		
9	Measures to secure transport	X	Law No. 166 of 1957	X	Law No. 166 of 1957 punishes mishandling, Chapter 8 (penalties)	
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	X	Law No. 166 of 1957, amended in December 2005 in accordance with the IAEA INFCIRC/225/Revision 4	X	Law No. 166 of 1957 punishes mishandling, Chapter 8 (penalties)	
12	Licensing of nuclear installations/entities/use of materials	X	Law No. 166 of 1957: permission of competent Minister required	X		

13	Reliability check of personnel	X	Law No. 166 of 1957	X	Law No. 166 of 1957, Chapter 8 (penalties)	
14	Measures to account for/secure/physically protect means of delivery	?	Law No. 149 of 1950: The Gunpowder Control Act	?	Gunpowder Control Act (Law No. 149 of 1950)	
15	National regulatory authority	X	1. Japan National Institute of Nuclear Research and Development Act (Dec. 3, 2004 Act No. 155) 2. Atomic Energy Basic Law (December 19, 1955 Act No. 186)	X	1. Japan National Institute of Nuclear Research and Development Act (Dec. 3, 2004 Act No. 155), Chapter 5 (penalties) 2. Nuclear and Industrial Safety Agency 3. Ministry for Education, Culture, Sport, Science and Technology (MEXT) 4. Ministry of Economy, Trade and Industry 5. Ministry of Land, Infrastructure and Transport	
16	IAEA Safeguards Agreements	X	1. Safeguards Agreement in force 02 December 1977 2. Additional Protocol in force 16 December 1999	X	Law No. 166 of 1957, Chapter 8 (penalties)	
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	1. Guidance on the import and export of radioactive sources has been implemented since 01 January 2006 after the approval of the amendments to the Export Trade Control Order No. 378 of 1949 2. The Law for Prevention of Radiation Hazards due to Radioactive Isotope and other Material (No. 167 of 1957)	X	1. FEFTL (No. 228 of 1998 as amended in 2009) 2. The Law for Prevention of Radiation Hazards due to Radioactive Isotope and other Material (No. 167 of 1957), Chapter 8 (penalties) 3. Expressed support to the Director General 4. Guidance on the import and export of radioactive sources has been implemented since 01 January 2006 after the approval of the amendments to the Export Trade Control Order No. 378 of 1949	

18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources	X	Participates in Database Programme		
19	Other Agreements related to IAEA				
20	Additional national legislation/regulations related to nuclear materials including CPPNM	X	Law No. 166 of 1957	X	1. Nuclear and Industrial Safety Agency and MEXT established Design Basis Threat (DBT) against nuclear facilities 2. Inspectors belonging to the Nuclear Safety Agency and MEXT regularly inspect the implementation of DBT
21	Other				

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -  
Controls of BW including Related Materials**

State: **Japan**  
 Date of Report: **28 October 2004**  
 Date of Addendum 1: **17 March 2006**  
 Date of Addendum 2: **22 May 2008**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Customs Law No. 61 of 1954 2. Coast Guard Law No. 28 of 1948 3. Criminal Procedure Act No. 131 of 1948 4. Self Defense Forces Law No. 165 of 1954 5. Quarantine Act (Act No. 201 of 1951) 6. Act on Domestic Animal Infectious Diseases Control (Act No.166 of May 31st, 1951), includes import and export quarantines 7. Plant Protection Act (Act No. 151 of May 4, 1950)	X	1. Amendment to the Customs Law in 2010 raised the penalties for customs duty evasion and import/export of the prohibited goods, etc., and Introduced procedures to return an AEO status into the programs of Authorized Warehouse Operators and Authorized Customs Brokers (Authorized Economic Operators 2. Customs Law amended in 2008 to Addition of relevant investigative provisions for (i) reference to private organizations and (ii) expert verification 3. Japan Coast Guard 4. Police 5. Self Defense Forces 6. Quarantine Act (Act No. 201 of 1951), Articles 35-39 7. Act on Domestic Animal Infectious Diseases Control (Act No.166 of May 31st, 1951), Chapter VI 8. Plant Protection Act (Act No. 151 of May 4, 1950), Chapter VIII	
2 Technical support of border control measures					



3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Foreign Exchange and Foreign Trade Law (FEFTL, No. 228 of 1998, as amended 2009) 2009 amendments broadened control over brokers, enhancing 1 June 2007 amendment to require licensing of brokering	X	FEFTL (No. 228 of 1998 as amended in 2009)	
4	Enforcement agencies/authorities	X	1. Customs Law No. 61 of 1954 2. Japan Coast Guard Law (No. 28 of 1948) 3. Criminal Procedure Act (No. 131 of 1948) 4. Defense Agency Establishment Act (No. 164 of 1954) 5. Self Defense Forces Law (No. 165 of 1954)	X	1. Customs 2. Japan Coast Guard 3. Police 4. Self Defense Forces	
5	Export control legislation in place	X	1. FEFTL (No. 228 of 1998 as amended in 2009) . Executive Order No. 378 of 1949 (Export Trade Control Order): goods 3. Executive Order No. 260 of 1980 (Foreign Exchange Order): technologies 4. Customs Law No. 61 of 1954	X	1. FEFTL (No. 228 of 1998 as amended in 2009), amendments in 2009 increased punishments 2. Police and Coast Guard investigate cases of violations of the FEFTL (No. 228 of 1998 as amended in 2009)	
6	Licensing provisions	X	1. FEFTL (No. 228 of 1998 as amended in 2009) 2. Executive Order No. 378 of 1949 (Export Trade Control Order): goods 3. Executive Order No. 260 of 1980 (Foreign Exchange Order): technologies 4. Customs Law No. 61 of 1954	X	1. Any FEFTL (No. 228 of 1998 as amended in 2009) violations are punishable 2. Police and Coast Guard investigate cases of violations of the FEFTL (No. 228 of 1998 as amended in 2009)	

7	Individual licensing	X	1. FEFTL (No. 228 of 1998 as amended in 2009) 2. Executive Order No. 378 of 1949 (Export Trade Control Order): goods 3. Executive Order No. 260 of 1980 (Foreign Exchange Order): technologies Export control system, in principle, adopts individual licensing	X	FEFTL (No. 228 of 1998 as amended in 2009)	
8	General licensing	X	FEFTL (No. 228 of 1998 as amended in 2009): General license may be provided	X	FEFTL (No. 228 of 1998 as amended in 2009)	
9	Exceptions from licensing	X	1. FEFTL (No. 228 of 1998 as amended in 2009): Exceptions to general license may apply 2. Executive Order No. 378 of 1949 (Export Trade Control Order), Article 4	X	FEFTL (No. 228 of 1998 as amended in 2009)	
10	Licensing of deemed export/visa	X	FEFTL (No. 228 of 1998 as amended in 2009) provisions	X	FEFTL (No. 228 of 1998 as amended in 2009)	
11	National licensing authority	X	1. Ministry of Economy, Industry and Trade 2. Executive Order No. 378 of 1949 (Export Trade Control Order), Article 11 delegates authority to Customs for some goods			
12	Interagency review for licenses	X	FEFTL (No. 228 of 1998 as amended in 2009) stipulates the involvement of other relevant agencies			
13	Control lists	X	Items listed by the control regimes: 1. Attached List 1 of the Export Trade Control Order: goods 2. Attached List of the Foreign Exchange Order: Technologies	X	FEFTL (No. 228 of 1998 as amended in 2009)	

14	Updating of lists	X	Control lists are updated regularly by the Ministry of Economy, Trade and Industry			
15	Inclusion of technologies	X	Executive Order No. 260 of 1980 (Foreign Exchange Order): technologies	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations	
16	Inclusion of means of delivery	X	List 1 of the Executive Order No. 378 of 1949	x	FEFTL (No. 228 of 1998 as amended in 2009)	
17	End-user controls	X	1. FEFTL (No. 228 of 1998 as amended in 2009): End-users list has been established and updated annually 2. Two Cabinet Orders regarding security export control were revised on 27th of August 2008 in order to improve control on non-listed items for military end-use.	X		
18	Catch all clause	X	1. FEFTL (No. 228 of 1998 as amended in 2009): Catch-all controls introduced April 2002 2. Two Cabinet Orders regarding security export control were revised on 27th of August 2008 in order to improve control on non-listed items for military end-use.	X	1. FEFTL (No. 228 of 1998 as amended in 2009) and regulations 2. Foreign End-User List	
19	Intangible transfers	X	In accordance with the FEFTL (No. 228 of 1998, as amended in 2009)	X	FEFTL (No. 228 of 1998 as amended in 2009)	
20	Transit control					
21	Trans-shipment control	X	Executive Order No. 378 of 1949	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations	
22	Re-export control	X	Consent of the Ministry of Economy, Trade and Industry is required	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations	

23	Control of providing funds	X	1. Law No. 67 of 2002 on Punishment of Financing to Offences of Public Intimidation 2. Law No. 45 of 1908 (Penal Code)	X	1. Law No.67 of 2002 2. Law No. 45 of 1908 (Penal Code)	
24	Control of providing transport services	X	FEFTL (No. 228 of 1998 as amended in 2009)	X	FEFTL (No. 228 of 1998 as amended in 2009)	
25	Control of importation	X	1. Customs Law No. 61 of 1954 2. FETFL (No. 228 of 1998) 3. Customs Tariff Law (No. 54 of 1910) 4. Executive Order No. 378 of 1949, Import Control Order Public Notice of the Ministry of Economy, Trade and Industry (September 26, 2006), Table of Non-Liberalized Goods	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations	
26	Extraterritorial applicability					
27	Other					

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -  
Controls of CW including Related Materials**

State: **Japan**  
 Date of Report: **28 October 2004**  
 Date of Addendum 1: **17 March 2006**  
 Date of Addendum 2: **22 May 2008**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
	YES	if YES, indicate source document	YES	if YES, indicate source document	
1 Border control	X	1. Customs Law No. 61 of 1954 2. Coast Guard Law No. 28 of 1948 3. Criminal Procedure Act No. 131 of 1948 4. Self Defense Forces Law No. 165 of 1954	X	1. Amendment to the Customs Law in 2010 raised the penalties for customs duty evasion and import/export of the prohibited goods, etc., and Introduced procedures to return an AEO status into the programs of Authorized Warehouse Operators and Authorized Customs Brokers (Authorized Economic Operators 2. Customs Law amended in 2008 to Addition of relevant investigative provisions for (i) reference to private organizations and (ii) expert verification 3. Japan Coast Guard 4. Police 5. Self Defense Forces	
2 Technical support of border control measures					
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Foreign Exchange and Foreign Trade Law (FEFTL, No. 228 of 1998, as amended 2009) 2009 amendments broadened control over brokers, enhancing 1 June 2007 amendment to require licensing of brokering	X	FEFTL (No. 228 of 1998 as amended in 2009)	

4	Enforcement agencies/authorities	X	<ul style="list-style-type: none"> <li>1. Customs Law No. 61 of 1954</li> <li>2. Japan Coast Guard Law (No. 28 of 1948)</li> <li>3. Criminal Procedure Act (No. 131 of 1948)</li> <li>4. Defense Agency Establishment Act (No. 164 of 1954)</li> <li>5. Self Defense Forces Law (No. 165 of 1954)</li> </ul>	X	<ul style="list-style-type: none"> <li>1. Customs</li> <li>2. Japan Coast Guard</li> <li>3. Police</li> <li>4. Self Defense Forces</li> </ul>	
5	Export control legislation in place	X	<ul style="list-style-type: none"> <li>1. FEFTL (No. 228 of 1998 as amended in 2009)</li> <li>2. Executive Order No. 378 of 1949 (Export Trade Control Order): goods</li> <li>3. Executive Order No. 260 of 1980 (Foreign Exchange Order): technologies</li> <li>4. Customs Law No. 61 of 1954</li> </ul>	X	<ul style="list-style-type: none"> <li>1. FEFTL (No. 228 of 1998 as amended in 2009), amendments in 2009 increased punishments</li> <li>2. Police and Coast Guard investigate cases of violations of the FEFTL (No. 228 of 1998 as amended in 2009)</li> </ul>	
6	Licensing provisions	X	FEFTL (No. 228 of 1998 as amended in 2009) stipulates the need for an export license	X	<ul style="list-style-type: none"> <li>1. Any FEFTL (No. 228 of 1998 as amended in 2009) violations are punishable</li> <li>2. Customs Law No. 61 of 1954: Customs requires the approved license for an export</li> </ul>	
7	Individual licensing	X	Export control system, in principle, adopts individual licensing	X	FEFTL (No. 228 of 1998 as amended in 2009)	
8	General licensing	X	General license may be provided	X	FEFTL (No. 228 of 1998 as amended in 2009)	
9	Exceptions from licensing	X	<ul style="list-style-type: none"> <li>1. FEFTL (No. 228 of 1998 as amended in 2009): Exceptions to general license may apply</li> <li>2. Executive Order No. 378 of 1949 (Export Trade Control Order), Article 4</li> </ul>	X	FEFTL (No. 228 of 1998 as amended in 2009)	
10	Licensing of deemed export/visa	X	FEFTL (No. 228 of 1998 as amended in 2009) provisions	X	FEFTL (No. 228 of 1998 as amended in 2009)	

11	National licensing authority	X	1. Ministry of Economy, Industry and Trade 2. Executive Order No. 378 of 1949 (Export Trade Control Order), Article 11 delegates authority to Customs for some goods		
12	Interagency review for licenses	X	FEFTL (No. 228 of 1998 as amended in 2009) stipulates the involvement of other relevant agencies		
13	Control lists	X	Items listed by the control regimes: 1. Attached List 1 of the Export Trade Control Order: goods 2. Attached List of the Foreign Exchange Order: Technologies	X	FEFTL (No. 228 of 1998 as amended in 2009)
14	Updating of lists	X	Control lists are updated regularly by the Ministry of Economy, Trade and Industry		
15	Inclusion of technologies	X	Executive Order No. 260 of 1980 (Foreign Exchange Order): technologies	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations
16	Inclusion of means of delivery	X	List 1 of the Executive Order No. 378 of 1949	X	FEFTL (No. 228 of 1998 as amended in 2009)
17	End-user controls	X	1. FEFTL (No. 228 of 1998 as amended in 2009): End-users list has been established and updated annually 2. Two Cabinet Orders regarding security export control were revised on 27th of August 2008 in order to improve control on non-listed items for military end-use.	X	1. FEFTL (No. 228 of 1998 as amended in 2009) and regulations 2. Foreign End-User List

18	Catch all clause	X	1. FEFTL (No. 228 of 1998 as amended in 2009): Catch-all controls introduced April 2002 2. Two Cabinet Orders regarding security export control were revised on 27th of August 2008 in order to improve control on non-listed items for military end-use.	X	FEFTL (No. 228 of 1998 as amended in 2009)	
19	Intangible transfers	X	FEFTL (No. 228 of 1998 as amended in 2009)	X	FEFTL (No. 228 of 1998 as amended in 2009)	
20	Transit control					
21	Trans-shipment control	X	Executive Order No. 378 of 1949	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations	
22	Re-export control	X	Consent of the Ministry of Economy, Trade and Industry is required	X	FEFTL (No. 228 of 1998 as amended in 2009)	
23	Control of providing funds	X	1. Law No. 67 of 2002 on Punishment of Financing to Offences of Public Intimidation 2. Law No. 45 of 1908 (Penal Code)	X	1. Law No. 67 of 2002 2. Law No. 45 of 1908 (Penal Code)	
24	Control of providing transport services	X	FEFTL (No. 228 of 1998 as amended in 2009)	X	FEFTL (No. 228 of 1998 as amended in 2009)	
25	Control of importation	X	1. Customs Law No. 61 of 1954 2. FEFTL (No. 228 of 1998) 3. The Law concerning Prohibition on Chemical Weapons and Restriction on Specific Materials (No. 65 of 1995) 4. Executive Order No. 378 of 1949, Import Control Order Public Notice of the Ministry of Economy, Trade and Industry (September 26, 2006), Table of Non-Liberalized Goods	X	FEFTL (No. 228 of 1998 as amended in 2009)	



26	Extraterritorial applicability				
27	Other				

**OP 3 (c) and (d) and related matters from OP 6, and OP 10 -  
Controls of NW including Related Materials**

State: **Japan**  
 Date of Report: **28 October 2004**  
 Date of Addendum 1: **17 March 2006**  
 Date of Addendum 2: **22 May 2008**

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Customs Law No. 61 of 1954 2. Coast Guard Law No. 28 of 1948 3. Criminal Procedure Act No. 131 of 1948 4. Self Defense Forces Law No. 165 of 1954	X	1. Amendment to the Customs Law in 2010 raised the penalties for customs duty evasion and import/export of the prohibited goods, etc., and Introduced procedures to return an AEO status into the programs of Authorized Warehouse Operators and Authorized Customs Brokers (Authorized Economic Operators 2. Customs Law amended in 2008 to Addition of relevant investigative provisions for (i) reference to private organizations and (ii) expert verification 3. Japan Coast Guard 4. Police 5. Self Defense Forces	
2	Technical support of border control measures					
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Foreign Exchange and Foreign Trade Law (FEFTL, No. 228 of 1998, as amended 2009) 2009 amendments broadened control over brokers, enhancing 1 June 2007 amendment to require licensing of brokering	X	FEFTL (No. 228 of 1998 as amended in 2009)	

4	Enforcement agencies/authorities	X	<p>1. Customs Law No. 61 of 1954</p> <p>2. Japan Coast Guard Law (No. 28 of 1948)</p> <p>3. Criminal Procedure Act (No. 131 of 1948)</p> <p>4. Defense Agency Establishment Act (No. 164 of 1954)</p> <p>5. Self Defense Forces Law (No. 165 of 1954)</p>	X	<p>1. Customs</p> <p>2. Japan Coast Guard</p> <p>3. Police</p> <p>4. Self Defense Forces</p>	
5	Export control legislation in place	X	<p>1. FEFTL (No. 228 of 1998 as amended in 2009)</p> <p>2. Executive Order No. 378 of 1949 (Export Trade Control Order): goods</p> <p>3. Executive Order No. 260 of 1980 (Foreign Exchange Order): technologies</p> <p>4. Customs Law No. 61 of 1954</p>	X	<p>1. FEFTL (No. 228 of 1998 as amended in 2009), amendments in 2009 increased punishments</p> <p>2. Police and Coast Guard investigate cases of violations of the FEFTL (No. 228 of 1998 as amended in 2009)</p>	
6	Licensing provisions	X	<p>FEFTL (No. 228 of 1998 as amended in 2009) (No. 228 of 1998) stipulates the need for an export license</p>	X	<p>1. Any FEFTL (No. 228 of 1998 as amended in 2009) violations are punishable</p> <p>2. Customs Law No. 61 of 1954: Customs requires the approved license for an export</p>	
7	Individual licensing	X	<p>FEFTL (No. 228 of 1998 as amended in 2009)</p>	X	<p>FEFTL (No. 228 of 1998 as amended in 2009)</p>	
8	General licensing	X	<p>FEFTL (No. 228 of 1998 as amended in 2009): General license may be provided</p>	X	<p>FEFTL (No. 228 of 1998 as amended in 2009)</p>	
9	Exceptions from licensing	X	<p>1. FEFTL (No. 228 of 1998 as amended in 2009): Exceptions to general license may apply</p> <p>2. Executive Order No. 378 of 1949 (Export Trade Control Order), Article 4</p>	X	<p>FEFTL (No. 228 of 1998 as amended in 2009)</p>	
10	Licensing of deemed export/visa	X	<p>FEFTL (No. 228 of 1998 as amended in 2009) provisions</p>	X	<p>FEFTL (No. 228 of 1998 as amended in 2009)</p>	

11	National licensing authority	X	1. Ministry of Economy, Industry and Trade 2. Executive Order No. 378 of 1949 (Export Trade Control Order), Article 11 delegates authority to Customs for some goods			
12	Interagency review for licenses	X	FEFTL (No. 228 of 1998 as amended in 2009) stipulates the involvement of other relevant agencies			
13	Control lists	X	Items listed by the control regimes: 1. Attached List 1 of the Export Trade Control Order: goods 2. Attached List of the Foreign Exchange Order: Technologies	X	FEFTL (No. 228 of 1998 as amended in 2009)	
14	Updating of lists	X	Control lists are updated regularly by the Ministry of Economy, Trade and Industry			
15	Inclusion of technologies	X	Executive Order No. 260 of 1980 (Foreign Exchange Order): technologies	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations	
16	Inclusion of means of delivery	X	List 1 of the Executive Order No. 378 of 1949	X	FEFTL (No. 228 of 1998 as amended in 2009)	
17	End-user controls	X	1. FEFTL (No. 228 of 1998 as amended in 2009): End-users list has been established and updated annually 2. Two Cabinet Orders regarding security export control were revised on 27th of August 2008 in order to improve control on non-listed items for military end-use.	X	1. FEFTL (No. 228 of 1998 as amended in 2009) and regulations 2. Foreign End-User List	

18	Catch all clause	X	1. FEFTL (No. 228 of 1998 as amended in 2009): Catch-all controls introduced April 2002 2. Two Cabinet Orders regarding security export control were revised on 27th of August 2008 in order to improve control on non-listed items for military end-use.	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations	
19	Intangible transfers	X	In accordance with the FEFTL (No. 228 of 1998 as amended in 2009) (No. 228 of 1998)	X	FEFTL (No. 228 of 1998 as amended in 2009)	
20	Transit control					
21	Trans-shipment control	X	1. FEFTL (No. 228 of 1998 as amended in 2009) extended in 1 June 2007 to cover transshipments 2. Executive Order No. 378 of 1949	X	FEFTL (No. 228 of 1998 as amended in 2009)	
22	Re-export control	X	FEFTL (No. 228 of 1998 as amended in 2009): Consent of the Ministry of Economy, Trade and Industry is required	X	FEFTL (No. 228 of 1998 as amended in 2009)	
23	Control of providing funds	X	1. Law No. 67 of 2002 on Punishment of Financing to Offences of Public Intimidation 2. Law No. 45 of 1908 (Penal Code)	X	1. Law No. 67 of 2002 2. Law No. 45 of 1908 (Penal Code)	
24	Control of providing transport services	X	FEFTL (No. 228 of 1998 as amended in 2009)	X	FEFTL (No. 228 of 1998 as amended in 2009)	
25	Control of importation	X	1. Customs Law No. 61 of 1954 2. FEFTL (No. 228 of 1998) 3. Customs Tariff Law (No. 54 of 1910) 4. Executive Order No. 378 of 1949, Import Control Order Public Notice of the Ministry of Economy, Trade and Industry (September 26, 2006), Table of Non-Liberalized Goods	X	FEFTL (No. 228 of 1998 as amended in 2009) and regulations	
26	Extraterritorial applicability					

27	Other				
----	-------	--	--	--	--

**OP 6, 7 and 8 (d) - Control lists, Assistance, Information**

**State:**

**Japan**

**Date of Report:**

**28 October 2004**

**Date of Addendum 1:**

**17 March 2006**

**Date of Addendum 2:**

**22 May 2008**

Can information be provided on the following issues ?	YES		Remarks
1 Control lists - items (goods/ equipment/ materials/ technologies)	<b>X</b>	1. Attached List 1 of the Export Trade Control Order: goods 2. Attached List of the Foreign Exchange Order: Technologies	
2 Control lists - other			
3 Assistance offered	<b>X</b>	1. Is willing to provide assistance as appropriate in response to specific requests to states lacking the legal and regulatory infrastructures, implementation experience and/or resources for fulfilling the provisions 2. Have offered assistance in the context of the CWC implementation and universalization	
4 Assistance requested			
		1. Provides funds for IAEA, OPCW (including many assistance projects), BWC, CTBTO, and NPT 2. Regarding the United Nations Security Council Resolution 1540 and other international agreements, the Government of Japan has been conducting various types of outreach activities. The purpose of outreach activities is to build an effective international framework for security export controls. Recent Japan's outreach activities are as follows. - Aug., 2009 Japan-Vietnam Industrial Outreach Seminar (Hanoi) - Sep., 2009 Japan-Chinese Taipei Industrial Outreach Seminar (Kaohsiung) - Oct., 2009 Japan-Singapore Industrial Outreach Seminar (Singapore) - Nov., 2009 Japan-Indonesia Industrial Outreach Seminar (Jakarta) - Mar., 2010 Japan-Thailand Industrial Outreach Seminar (Bangkok)	

5	Assistance in place (bilateral/plurilateral/multilateral)	<p>2. Examples of nonproliferation assistance projects 2004 to 2007 directly related to 1540</p> <ul style="list-style-type: none"> <li>• Provision of three Patrol Vessels to Indonesia for the Prevention of Piracy, Maritime Terrorism and Proliferation of Weapons (Jun.06, Grant Aid for Cooperation on Counter-Terrorism and Security Enhancement; 1,921 million yen)</li> <li>• Asian Non-Proliferation Seminar focusing on Maritime Cooperation</li> <li>• Asian Senior-level Talks on Non-Proliferation: ASTOP</li> <li>• Training Course for Improvements of Implementation on Security Export Controls in Asia</li> <li>• Asian Export Control Seminar (Tokyo)</li> <li>• Export Control Seminars in Asian countries</li> <li>• Japan co-sponsored the seminar/workshop on Prevention and Crisis Management of Chemical/Biological Terrorism with SEARCCT (Southeast Asia Regional Centre for Counter-Terrorism) in Malaysia in 2004, 2005 and 2007. Hosted the seminar in 2006</li> </ul> <p>3. Actively promoting outreach activities towards Asian countries aimed at enhancing efforts against proliferation and taking actions and measures for capacity building for combating terrorism less directly related to 1540</p> <ul style="list-style-type: none"> <li>• Provision of security equipment (X-ray machine, metal detector and others) for the Indonesian ports and airports (Grant Aid; 774 million yen, Jul.04)</li> <li>• Study on Major Airports Security System Enforcement Plan in Indonesia</li> <li>• Provision of Security Facilities and Equipment in Main International Ports of Cambodia (Aug.06, Grant Aid for Cooperation on Counter-Terrorism and Security Enhancement; 927 million yen)</li> <li>• Provision of Facilities and Equipment for Enhancement of Communications System for Maritime Safety and Security of the Philippines (Jul.07, Grant Aid for Cooperation on Counter-Terrorism and Security Enhancement, 609 million yen)</li> <li>• ARF Workshop on Capacity Building for Maritime Security</li> <li>• Dispatch of Experts for enhancing maritime security capacity for Indonesia and Philippines</li> <li>• Seminar and Dispatch of Experts on Port Security</li> <li>• ASEAN-Japan Port Security Experts Meeting (Bangkok, Yokohama)</li> <li>• ASEAN-Japan Regional Action Plan on Port Security</li> </ul>	X
6	Information for industry	<p>1. The Ministry of Economy, Trade and Industry holds seminars for the industry and helps companies to establish their internal compliance programmes</p> <p>2. The Centre for Information in Security Control (CISTEC) was established in 1989 for promoting the understanding of export controls</p> <p>3. Export Association gives advice to the industry regarding their internal compliance programmes</p>	X



	7 Information for the public	<b>X</b>	<ol style="list-style-type: none"> <li>1. Strategic Export Control Division, Trade Control Department, METI web site opened</li> <li>2. Japan started a web site for translations of its laws to English</li> <li>3. Issued Notification No. 293 on full translated text of UNSCR 1540, which was published in the Official Gazette on 7 June 2005</li> </ol>	
--	------------------------------	----------	---	--