



FACT SHEET



VERIFICATION AND COMPLIANCE MISSILE NONPROLIFERATION COMMITMENTS

The proliferation of ballistic missiles and cruise missiles capable of delivering weapons of mass destruction (WMD) poses a threat. It is no coincidence that countries with WMD programs, such as Iran and North Korea, are seeking technologies and materials from other countries to facilitate their development of such missiles. Among the international voluntary mechanisms to address this challenge are the Missile Technology Control Regime (MTCR) and the Hague Code of Conduct (HCOG). Verification of compliance with these voluntary political commitments is done by individual countries, using their own National Means and Methods of verification.

Missile Technology Control Regime

The MTCR is a voluntary arrangement subscribed to by 34 countries to prevent the proliferation of missiles capable of delivering WMD by controlling exports of such missiles and related technology. Partners implement common export controls on items listed in the MTCR Annex and make export determinations based on the MTCR Guidelines.

The MTCR Annex has two categories—Category I items, including complete missiles (e.g. ballistic missiles and cruise missiles) capable of delivering at least a 500 kg payload to a range of at least 300 km and major subsystems for those missiles, and Category II items which include dual-use missile-related components useable on Category I missiles.

Through the MTCR Guidelines, MTCR Partners agree to follow the following key rules regarding exports:

- Prohibit the export of production facilities for Category I ballistic missiles;
- Restrict transfers of Category I items, regardless of their intended use (whether peaceful or not), to “rare occasions” only;
- Review transfers of Category II items to ensure the items are not used in programs of missile proliferation concern; and,
- Restrict transfers of non-listed items if there is information that the items may be intended for use in WMD delivery – “catch-all” laws.

The Hague Code of Conduct

The HCOG is a voluntary political commitment open to all states. Member states resolve to exercise “maximum possible restraint” in the development, testing, and deployment of WMD-capable ballistic missiles, and resolve to implement measures to curb and prevent ballistic missile proliferation.

China’s Missile Commitments

China is not a member of the MTCR, nor is it a Party to the HCOG. However, in November 2000, China, in a bilateral commitment to the United States, committed not to assist any country, in any way, in the development of MTCR Category I ballistic missiles, and to enact “at an early date” missile-related export controls, which were promulgated on August 25, 2002.

Compliance

The United States believes that the failure of States to meet their missile nonproliferation commitments – and to hold those States accountable for such failures – undercuts our collective ability to prevent the proliferation of dangerous technologies and missile systems. The United States conducts assessments of the compliance of other states with these commitments in order to identify potential risks and enable the United States to address them in a timely fashion. These assessments involve rigorously reviewing all information available regarding the proliferation of missile technology and a country's missile nonproliferation commitments and activities, and then determining whether any transfers were contrary to those commitments.

In recent years, the U.S. has found:

- Russian commercial and governmental entities have engaged in transfers to missile programs in India, Iran and China that, although not directly precluded by Russia's commitments under the MTCR Guidelines, raise serious questions Russia's ability to implement its national export control laws on missile-related technologies. To date, Russia's efforts to prevent further transfers have been inadequate.
- Items transferred by Chinese entities contributed to Category I missile programs in countries such as Pakistan, Iran, North Korea, and Libya that are contrary to the Chinese Government's November 2000 missile nonproliferation commitments. Every state party to the NPT is obligated to prevent the spread of nuclear weapons.

For further information please visit:

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