



Security Council

Distr.
GENERAL

S/21535
15 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 15 AUGUST 1990 FROM THE PERMANENT MISSION OF
JAPAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Japan to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to notify him, in response to his note Ref. SCPC/7/90(1) dated 8 August 1990, of the details of the measures that Japan has taken to date. Please note that this is a provisional communication, made in anticipation of the meeting of the Committee of the Security Council to be convened on 17 August 1990; it will be followed by a formal communication shortly.

Annex

Measures taken by the Government of Japan

As indicated in its statement issued on 5 August 1990 (circulated as document A/45/386-S/21449 dated 6 August), the Government of Japan has decided as follows:

1. To embargo oil imports from Iraq and Kuwait;
2. To embargo exports to Iraq and Kuwait;
3. To take appropriate measures to suspend investments, loans and other capital transactions with Iraq and Kuwait;
4. To freeze economic co-operation to Iraq.

The Government of Japan will faithfully implement Security Council resolution 661 (1990).

Supplementary to the above, the Government of Japan has undertaken the following:

I. Measures prohibiting imports from Iraq and Kuwait

On 7 August, Japan issued administrative guidelines requesting entities under its jurisdiction to refrain from engaging in import transactions with Iraq and Kuwait.

The procedures for prohibiting the import of all goods - but particularly oil - produced in or shipped from Iraq or Kuwait were finalized and became effective on 9 August (revising the Ministry of International Trade and Industry (MITI) Import Control Order, relevant imports approved by MITI will not be approved, with the exception of those loaded prior to 8 August.

II. Measures prohibiting exports to and services in Iraq and Kuwait, as well as trade with any third country acting as agent of Iraq or Kuwait

On 7 August, Japan issued administrative guidelines requesting entities under its jurisdiction to refrain from engaging in export and service transactions with Iraq and Kuwait.

A. Includes exports of all goods to Iraq and Kuwait subject to approval by MITI (medical supplies and food for humanitarian purposes will be approved). For this purpose, the Export Control Order (hereinafter "the Order"), based on the Foreign Exchange and Foreign Control Act (hereinafter "the Act"), (Article 25, para. 3), is partially amended.

B. Service transactions with Iraq and Kuwait (with the exception of medical and related services) are subject to approval. In this regard, the Order, based on the Act (Article 3, para. 3) is partially amended.

C. The intermediary trade of cargo produced in, shipped from, or destined for Iraq or Kuwait is prohibited in principle. For this purpose, the Order was partially amended.

(The amendments to the Foreign Exchange and Foreign Control Act and the Export Trade Control Order become effective 22 August.)

III. Measures prohibiting capital transactions

A. Japanese banks and securities companies have been requested, as of 3 August, to confirm that all transactions of the Kuwaiti Government and other entities are duly authorized by responsible personnel.

On 7 August, Japan issued administrative guidelines requesting entities under its jurisdiction to refrain from engaging in capital transactions with Iraq and Kuwait.

(The Order was partially amended, effective 10 August, with respect to the following measures.)

B. Payments to Iraq and Kuwait became subject to approval, based on the Act, and payments to Iraq and Kuwait are frozen.

C. Japanese entities are requested/ordered to suspend new loans to Iraq and Kuwait, in accordance with the Act.

D. Japanese entities are requested to refrain from making direct investments in Iraq and Kuwait.

IV. Transportation

On 7 August administrative guidelines were issued to marine and air shipping companies to prohibit Japanese nationals and vessels under Japanese flag from engaging in cargo transactions originating in or destined for Iraq or Kuwait.

V. Transitional regulations (to be implemented in accordance with the Act and the Order)

A. All previously approved exports will be subject to reapproval, in accordance with administrative guidelines.

B. Service contracts previously authorized but not yet in effect will require re-authorization.

