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NOTE VERBALE DATED 17 SEPTEMBER 1980 FROM THE PERMANENT REPRESENTATIVE  
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, with reference to the latter's note No. PO 230 SOAF (2-2.3-1) of 2 July 1980, has the honour to inform the Secretary-General of the following measures which the Government of Japan has taken for the strict implementation of Security Council resolution 418 (1977).

As part of its national policy, Japan has long adhered to its general principles on arms embargo, and has accordingly prohibited the provision, by Japanese nationals or corporate bodies, of arms and related equipment not only to South Africa but to the rest of the world.

In August 1958, even prior to any Security Council resolution on this matter, the Government of Japan amended its Export Trade Control Order (Cabinet Order No. 378), thereby unilaterally subjecting South Africa to arms export control.

In 1963, the Security Council adopted resolutions 181 and 182 which call upon all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa, as well as the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition to South Africa. In 1964, the Council, by its resolution 191, reaffirmed the preceding two resolutions. Further, in 1970, it adopted resolution 282 which, in addition to reaffirming the above three resolutions, calls upon all States to strengthen the arms embargo by revoking all licenses and military patents granted to South Africa, and by prohibiting investment in, or technical assistance for, the manufacture of arms and ammunition, aircraft and naval craft or other military vehicles. These resolutions are not of a mandatory character; nevertheless, the Government of Japan, as announced in its replies to the Secretary-General's inquiries contained in documents S/5438 dated 11 October 1963, S/5658/Add.1 dated 21 April 1963, and A/8208/Add.1 of 15 December 1970, has consistently and faithfully imposed the arms embargo against South Africa.

In November 1977, the Security Council further adopted resolution 418, and finally imposed a mandatory arms embargo against South Africa. While, to the best of its knowledge, there exists no licensing arrangement between Japan and South Africa for the manufacture of arms, the Government of Japan has taken the following measures to legally ensure the implementation of the same resolution with regard to the granting of licensing arrangements.

The Cabinet Order concerning Control of Foreign Exchange, which is the legal mechanism to deal with contracts concluded with foreigners on services (including technical assistance), was revised so as to allow for the exclusion of transactions with South Africa from the principle of liberalizing foreign transactions, including contracts on services.

More specifically, the competent Ministers, in accordance with the provisions of the said Cabinet Order, have designated technical assistance concerning the manufacture of arms such as firearms, ammunition, military vehicles and equipment as a category of transactions requiring their approval. It has been decided that the Ministers will not approve such transactions if made with South Africa.

For the purpose of drawing public attention to this matter, the translation of the entire text of Security Council resolution 418 (1977) was carried in the Official Gazette of 30 March 1978, and the above-mentioned measures were announced in the Official Gazette of 30 and 31 March 1978, and put into effect as of 1 April 1978.

The Government of Japan reaffirms its intention to continue its efforts in co-operation with the international community for the abolishment of the apartheid policy of South Africa.

The Permanent Representative of Japan has the honour to request that this note verbale be circulated as a document of the Security Council.