BALLISTICS MISSILE DEFENSE AND THE MISSILE TECHNOLOGY CONTROL REGIME

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The Missile Technology Control Regime is an export control document adopted by certain countries, including the United States and Japan as their domestic law. The purpose of the MTCR is to prevent the spread of missiles capable of carrying weapons of mass destruction within a certain range. Missiles that can deliver at least a 500-kilogram payload for at least 300 kilometers (category I items) or a 500-kilogram payload for at least 800 kilometers (category II items) are identified as Category I items of the MTCR. Category I items are strongly denied for export and Category II items are examined case by case and denied export if their end-uses are not guaranteed. If the range of the NTW interceptor is more than 300 kilometers, it will be identified as a Category I item and the joint NTW research is, therefore, a violation of the MTCR. The calculation in the last section shows that the range is very close to 300 kilometers. If more information about the NTW interceptor is available, the conclusion will be more accurate. If the range of the NTW interceptor is much less than 300 kilometers, it will be identified as a Category II item and the joint NTW research will be examined case by case. However, the verification of the end-use of some transferred technologies is very difficult. There are some arguments that claim that the joint NTW research does not violate the MTCR. The first argument is that the MTCR allows its “members” to share missile technology with each other. However, this is a widely believed argument, but it is a misinterpretation of the MTCR. The fact is that the MTCR does not distinguish “members” and “non-members” at all in its content. If the MTCR allowed its “members” to share missile technology, any enlargement of the MTCR community would mean encouraging the proliferation of missile technology. The origin of this misunderstanding came from an attempt to use the MTCR for non-military purposes. The US-Japan research on missile defense is not for political purposes. The MTCR also allows the US and Japan to develop their own missile defense technology. For example, the US and Japan have developed their own missile defense technology. The US-Japan joint research on missile defense is not for political purposes. The MTCR also allows the US and Japan to develop their own missile defense technology. For example, the US and Japan have developed their own missile defense technology. The US-Japan joint research on missile defense is not for political purposes. The MTCR also allows the US and Japan to develop their own missile defense technology. For example, the US and Japan have developed their own missile defense technology. The US-Japan joint research on missile defense is not for political purposes. The MTCR also allows the US and Japan to develop their own missile defense technology.

LEGAL ASPECTS OF THE MTCR COMPLIANCE

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