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# The Hague Code of Conduct against Ballistic Missile Proliferation – its implementation and role

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**HCoC**

*the Hague Code of Conduct*

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# 1. Significance of the HCoC

The HCOC is:

- the only multilateral transparency and confidence building instrument against the proliferation of ballistic missiles
- highly regarded by the international community as a practical step to address the issue of the proliferation of ballistic missiles
- A forum consisting of 138 Subscribing States.

## 2. Outline of the HCoC : Chronology (1)

- In 1990s, missile proliferation and development was highlighted  
~ i.e., Missile launches by North Korea or Iran ~
- Increased necessity to set up a new international framework to address the issue of proliferation of ballistic missiles, in particular through confidence and transparency measures

## 2. Outline of the HCoC : Chronology (2)

- 1999 – MTCR members propose International Code of Conduct
- complementarity to MTCR – limit „demand side“ of missiles
- 25 & 26 November 2002 – The Hague: 93 countries subscribe to the “Hague Code of Conduct against Ballistic Missile Proliferation (HCoC)” ; Austria becomes Immediate Central Contact

## 2. Outline of the HCOC : Subscribing States

- The number of Subscribing States has increased from 93 to 138 (As of August, 2016):
  - ***Asia: 9***
  - ***Pacific: 13***
  - ***Europe: 52***
  - ***Africa: 37***
  - ***Middle East: 4***
  - ***North America: 2***
  - ***Central and South America: 21***

## 2. Outline of the HCoC: Characteristics of the HCoC

- Not a legally-binding international agreement
- Voluntary political commitment
- The **only global framework** to address the issue of proliferation of ballistic missiles.
- ❖ **Immediate Central Contact (ICC) and the Chairmanship**
  - The Austrian Foreign Ministry serves as the **Immediate Central Contact (ICC)/** role of **Executive Secretariat**
  - **HCoC Chair** is elected at an annual Regular Meeting.

# 3. Major Provisions of the HCoC

- **General Measures (para 3)**

Five General measures are stipulated in the Code

- **Transparency Measures (para 4)**

AD (Annual Declaration) and PLN (Pre-launch Notification) as well as invitation to international observers to land (test-) launch sites on voluntary basis are stipulated

- **Financial Implications**

No requirement of any assessed contributions by Subscribing States. As the ICC, Austria hosts the Regular Meetings.



# 3. Major Provisions of the HCoC : General Measures

- a) To abide by
  - 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,
  - 1972 Convention on International Liability for Damage Caused by Space Objects,
  - 1975 Convention on Registration of Objects Launched into Outer Space.
- b) To curb and prevent the proliferation of BM capable of delivering WMD
- c) To exercise maximum possible restraint in the development, testing and deployment of BM capable of delivering WMD.

# 3. Major Provisions of the HCoC :

## General Measures

- d) To exercise the necessary vigilance in the consideration of assistance to SLV programmes in any other country so as to prevent contributing to delivery systems of WMD, considering that such programmes may be used to conceal BM programmes.
- e) Not to contribute to, support or assist any BM programmes in countries which might be developing or acquiring WMD in contravention of norms established by, and of those countries' obligations under, international disarmament and non-proliferation treaties.

# 3. Major Provisions of the HCoC : Transparency Measures (PLN)

<Pre-launch notifications (para4 a) iii)>

1. The Subscribing States are requested to provide pre-launch notifications (PLN) on their Ballistic Missile (BM) and Space Launch Vehicle (SLV) launches and test flights.
2. PLN should include the following information:
  - (1) The generic class of the BM (such as SLBM, ICBM) or SLV
  - (2) The planned launch notification window (The planned time frame for the BM/SLV launch)
  - (3) The launch area
  - (4) The planned direction

# 3. Major Provisions of the HCoC : Transparency Measures (AD)

<Annual Declaration (para 4 a & b)>

1. Subscribing States are requested to submit an annual declaration (AD) of **their country's policies on BM and SLV**
2. The declaration should include the following information:
  - a) An outline of **BM policies**
  - b) The number and generic class of **BM launched during the preceding year**, as declared in conformity with the PLN mechanism
  - c) An outline of **SLV policies**
  - d) The number and generic class of **SLV launched during the preceding year**, as declared in conformity with the PLN mechanism

## 4. How to subscribe to the HCoC

- Subscription to the HCOC is voluntary and open to all states.
- Once a Note Verbal for the subscription to the HCOC is submitted to the ICC (Austria), the ICC will forward it to the Subscribing States in order to announce the subscription of the new State.

# 5. Toward the universalisation of the HCoC

- Six UN General Assembly Resolutions on the HCoC
- 162 states voted in favor for the latest resolution
- A/57/724 – letter from Dutch foreign minister with International Code of Conduct (30/01/2003)
- A/RES/59/91
- A/RES/60/62
- A/RES/63/64
- A/RES/65/73
- A/RES/69/44

# 6. Conclusions

- HCOC is the only **universal non-proliferation initiative** in the field of ballistic missiles
- EU statement at The Hague, 2002:
  - HCOC establishes fundamental principles where previously there were none; &
  - HCOC establishes a multilateral framework for cooperation where previously there was none.

# 6. Conclusions

- The HCOC is **not** a **legally-binding** international agreement, but a **political commitment** by Subscribing States.
- **AD** (Annual Declaration) and **PLN** (Pre-launch Notification) as well as invitation to **international observers** to land (test-) launch sites on voluntary basis are stipulated.
- Subscription to the HCOC is **voluntary and open to all states**.
- **No assessed contribution** by Subscribing States is required.



# Thank you!

WHAT IS  
HCoC ?

SUBSCRIBING  
STATES

BACKGROUND  
DOCUMENTS

RESTRICTED  
WEBSITE

## WHAT IS HCoC ?

Description of HCoC

FAQ

Text of the HCoC

HCoC chronology

Relevant links

Press releases

How to join HCoC

## HOW TO JOIN HCoC

*Last update: Mar 2015*

The Hague Code of Conduct is a not legally binding instrument. Participation to this code is voluntary and open to all states.

Recognizing the rights of all states to use the benefit of outer space for peaceful purposes, subscribing states are required to implement some general measures, transparency measures (among them annual declarations about their national Ballistic Missiles programmes) and confidence building measures (exchange of pre-launch notifications on their Ballistic Missiles, Space Launch Vehicles launches and test flights).

Austria has been named Immediate Central Contact (ICC) for collecting and disseminating Confidence Building Measures submissions, as well as for receiving and announcing subscription of additional states.

For more information please contact the ICC :

Immediate Central Contact (Executive Secretariat):  
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see also Austrian Foreign Ministry, [Hague Code of Conduct Web Page](#).