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Recent Developments in the NIS

Russia Approves New List of Controlled Dual-Use Military Items

On May 5, 2004, Russian President Vladimir Putin signed Edict No. 580 *On Approving a List of Dual-Use Commodities and Technologies That Can Be Used to Produce Weapons and Military Equipment and Are Subject to Export Control.* Along with approving the new list of controlled items drafted by the Russian Government (Cabinet of Ministers), the edict establishes that the State Customs Committee of the Russian Federation (now Federal Customs Service) may update codes of controlled commodities and technologies as necessary in coordination with the Ministry of Economic Development and Trade.

The new edict supersedes Presidential Edict No. 1268 of August 26, 1996 On Control of Exports of Dual-Use Commodities and Technologies from the Russian Federation, in accordance with which the earlier List of Dual-Use Commodities and Technologies Subject to Export Control had been put into effect, as well as five subsequent presidential edicts: No. 6 of January 4, 1999, No. 447 of February 29, 2000, No. 1477 of August 9, 2000, No. 412 of April 11, 2001, and No. 1156 of September 28, 2001, which introduced amendments to that list. Presidential Edict No. 580 will take effect three months after its date of publication.

Source: Presidential Edict No. 580, "*Ob utverzhdenii spiska tovarov i tekhnologiy dvoynogo naznacheniya, kotoryye mogut byt ispolzovany pri sozdanii vooruzheniy i voyennoy tekhniki i v otnoshenii kotorykh osushchestvlyayetsya eksportnyy kontrol*" [On approving a list of dual-use commodities and technologies that can be used to produce weapons and military equipment and are subject to export control], May 5, 2004, President of Russia website, http://www.kremlin.ru.

Belarus Amends Transit Rules for Military Goods

On May 4, 2004, the government of Belarus amended Decree No. 522 of April 24, 2002, *On Approval of the Regulations on Transit of Military Goods through the Territory of the Republic of Belarus*.[1] The amendments were necessitated by the creation of the State Defense Industry Committee (SDIC) in December 2003.[2] In accordance with the new decree, the SDIC has been added to the list of agencies from which approval is required to issue permits for the transit of military goods through Belarus.[1]

In addition, on a quarterly basis the State Customs Committee of Belarus will provide the SDIC with information regarding permits issued and the movement of military goods through Belarus, while the State Aviation Committee of Belarus will provide information about aircraft carrying such goods that cross Belarusian airspace without landing. Earlier these agencies reported such information to the Ministry of Foreign Affairs. The decree establishes that the SDIC will be responsible for the implementation of government policy in the sphere of military and technical cooperation with foreign states with regard to transit of military goods. The agency has also been tasked with ensuring that transit of military cargoes is carried out in compliance with the international commitments of Belarus, as well as enforcing domestic export control regulations.[1]

Sources: [1] Belapan, May 4, 2004; in "Belarusian Cabinet Amends Transit of Military-Purpose Goods," FBIS Document CEP20040504000196. [2] "Belarus Establishes New Government Export Control Body," *NIS Export Control Observer*, February 2004, No. 13, pp. 3-4, http://cns.miis.edu/nis-excon.

Belarus and Russia Expand Cooperation in Fighting Trans-Border Crime

On April 2, 2004, the ministers of internal affairs of Belarus and Russia, Major General Uladzimir Navumau and Colonel General Rashid Nurgaliyev, agreed during their negotiations in Moscow to conduct a large-scale joint police operation, dubbed "Border-2004," against international criminal groups acting in the border areas of the two countries. The operation is aimed at detecting and curbing activities of transborder organized criminal groups involved in the smuggling of items of cultural significance, precious stones and metals, vehicles, and arms, as well as in illegal migration and human trafficking. The ministers also reviewed measures to enhance bilateral cooperation in combating drug trafficking and cybercrimes, to facilitate the extradition of criminals, and to ensure the safety of cargoes and passengers.[1,2] In 2003, the ministries of internal affairs of Belarus and Russia conducted 11 joint anti-crime operations.[3]

Navumau and Nurgaliyev had planned to sign a document outlining bilateral measures in the fight against organized crime at the May 21, 2004, joint board meeting of the ministries of internal affairs of the Union

State of Russia and Belarus held in Mogileu, Belarus. However, the ministers found the draft document inadequate and agreed to sign it as soon as it is modified. It was announced at the board meeting that after the launch of the Border-2004 operation in April 2004, the police solved 570 crimes, detained 24 individuals on wanted lists, and neutralized three organized criminal groups.[4]

Sources: [1] "Ministerstva vnutrennikh del Belarusi i Rossii provedut sovmestnuyu spetsoperatsiyu v prigranichnykh rayonakh dvukh stran" [Ministries of internal affairs of Belarus and Russia will conduct a joint special operation in border areas of the two countries], Belapan news agency, April 2, 2004; in Integrum Techno, http://www.integrum.com>. [2] "Glavy MVD Rossii i Belorussii nametili provesti sovmestnuyu spetsoperatsiyu v prigranichnykh rayonakh dvukh stran" [Ministers of internal affairs of Russia and Belarus agreed to conduct a joint special operation in border areas of the two countries], ITAR-TASS, April 2, 2004; in Integrum Techno, http://www.integrum.com>. [3] "Glava MVD dolozhil presidentu RF ob obshchem sostoyanii del s pravonarusheniyami v Rossii" [Minister of internal affairs reported to the president of the Russian Federation the general crime situation in Russia], ITAR-TASS, April 8, 2004; in Integrum Techno, http://www.integrum.com>. [4] Sergey Kulyagin, "V Mogileve podpisany dokumenty po vzaimodeystviyu ministerstv vnutrennikh del Belarusi i Rossii" [Documents on interaction between ministries of internal affairs of Belarus and Russia were signed in Mogileu], Belapan news agency, May 22, 2004; in Integrum Techno, <a href="http://www.integrum.com>.

Ukraine and Poland Introduce Joint Border and Customs Control

On May 10, 2004, joint Ukrainian-Polish border and customs control for vehicles and individuals was introduced at the vehicular border crossing Krakovets-Korchova.[1,2] This innovation followed the April 2004 agreement signed by the Ukrainian and Polish customs agencies on the eve of Poland's entry to the European Union (EU) on May 1, 2004. If the experiment proves successful, similar joint controls will be introduced throughout the EU's border with Ukraine.[1,3] Of 10 new EU members (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia), three—Hungary, Poland, and Slovakia—border Ukraine. It is expected that joint border and customs controls will speed up and simplify border crossing. Representatives from the German customs service will observe this effort.[1]

"Brussels plans to impose fines for car lines at the EU border," said Marek Kohan, director of the customs chamber of the Polish city of Peremyshel. In order to avoid lines, Ukraine and Poland will introduce additional traffic lanes and increase staff at each border crossing point.[1] In addition, Ukraine and Poland plan to start the reconstruction of two border crossings this year—Yagodin and Rava-Russkaya—at a cost of 6-7 million euro each, and to build additional small border crossings.[3] In the longer term, the parties plan to increase the quantity of vehicles to be inspected and cross the Ukrainian-Polish border in each direction to at least 5,000 a day.[1]

Sources: [1] Galina Nekrasova, "Kiev i Varshava uproshchayut protsess peresecheniya granitsy mezhdu dvumya stranami" [Kiev and Warsaw simplify procedures for crossing border between the two countries], ITAR-TASS, May 10, 2004; in Integrum-Techno, <http://www.integrum.com>. [2] "Ukraintsev dosmotryat po-yevropeyski" [Ukrainians will be examined in the European way], *Komsomolskaya pravda – Ukraina*, May 13, 2004; in Integrum-Techno, <http://www.integrum.com>. [3] Irina Yegorova, "Bezoblachnyy eksperiment. Tamozhenniki obeshchayut uprostit vyezd i vyyezd iz Polshi" [Cloudless experiment. Customs officers promise to simplify the entry to/from Poland], *Den* (Ukraine), May 18, 2004, No. 84; in Integrum-Techno, <http://www.integrum.com>.

Changes in NIS Export Control Personnel

Personnel Changes in Russian Arms Trade and Customs Agencies

On April 9, 2004, Russian President Vladimir Putin signed two edicts appointing heads of the Federal Service for Military Technical Cooperation (FSMTC) and Federal Service for Defense Procurement (FSDP), both of which are under the Ministry of Defense.[1,2] These two agencies were created in accordance with Presidential Edict No. 314 of March 9, 2004 *On the System and Structure of the Federal Branches of the Executive Authority* to succeed the Committee for Military Technical Cooperation with Foreign States (CMTC) and State Committee for Defense Procurement (SCDP), respectively.[3] Mikhail Dmitriyev, who served as deputy minister of defense and CMTC chairman, was appointed FSMTC director, in effect retaining the latter position. Andrey Belyaninov, former director general of Russia's state-owned arms export and import company *Rosoboronexport*, was appointed FSDP director. He replaced former SCDP head Vladimir Matyukhin, who retained his position of first deputy minister of defense.[1,2]

On April 29, 2004, the Russian government issued Directive No. 570-r, appointing Yuriy Zhdanov, former deputy minister of economic development and trade, first deputy chairman of the State Customs Committee (SCC) to replace Vladimir Makarov, who retired.[4,5] In addition, on June 3, 2004, in accordance with government Directive No. 765-r, Lieutenant General Nikolay Volobuyev, former deputy head of the

counterintelligence department and head of the directorate of counterintelligence operations at the Federal Security Service, was appointed SCC deputy chairman.[6] The State Customs Committee was transformed into the Federal Customs Service under the Ministry of Economic Development and Trade in accordance with Presidential Edict No. 314 but it will keep the status of committee until relevant changes are introduced in Russian legislation.[5] According to *Kommersant*, Volobuyev was brought into the SCC in order that he eventually be elevated to the post of Federal Customs Service head.[6]

Sources: [1] Viktoriya Sokolova, "Putin naznachil Mikhaila Dmitriyeva direktorom Federalnov sluzhby po vovenno-tekhnicheskomu sotrudnichestvu" [Putin appointed Mikhail Dmitriev a director of the Federal Service for Military Technical Cooperation], ITAR-TASS, April 9, 2004; in Integrum Techno Database, http://www.integrum.com>. [2] Viktoriya Sokolova, "Vladimir Putin naznachil Andreya Belyaninova direktorom Federalnoy sluzhby po oboronnomu zakazu" [Vladimir Putin appointed Andrey Belyaninov Director of the Federal Service on Defense Procurement], ITAR-TASS, April 9, 2004; in Integrum Techno, http://www.integrum.com. [3] Presidential Edict No. 314, O sisteme i strukture federalnykh organov ispolnitelnov vlasti [On the kremlin.ru/>. [4] "Yuriy Zhdanov naznachen pervym zamestitelem predsedatelya GTK RF," [Yuriy Zhdanov appointed first deputy chairman of the State Customs Committee of the Russian Federation], RIA Novosti, April 30, 2004; in Integrum Techno Database, http://www.integrum.com. [5] "Pravitelstvo RF osvobodilo V. Makarova ot dolzhnosti pervogo zampreda GTK" [Government of the Russian Federation relieved V. Makarov of the position of first deputy chairman of the State Customs Committee], Prime-TASS, April 30, 2004; in Greenway freight-forwarding company website, http://www.greenway-ma.com/about/news.php3?nID=1129>. [6] Konstantin Smirnov, "FSB vsemu golova. Tamozhennyy komitet popal pod kontrol kontrazvedki" [FSB supervises everything. The customs committee fell under counterintelligence control], Kommersant, June 5, 2004, No. 101; in Integrum Techno Database, > [7] "Sobytiya" [Events], Vedomosti, June 7, 2004, No. 96 (1136); in Integrum Techno Database, <http://www.integrum.com>.

Turkmenistan President Appoints New Chief of Border Service

On May 17, 2004, Turkmenistan President Saparmurat Niyazov appointed Orazberdy Soltanov head of the country's State Border Service and commander of Border Troops. According to the text of the presidential edict, Soltanov will serve a six-month probationary period in his new position and will be dismissed if he performs poorly. Soltanov replaced Colonel Annanur Atdjanov, who was appointed in November 2003 only to step down in May 2004 due to poor health.[1,2,3] Atdjanov now serves as deputy commander of Border Troops and provost of a military institute.[4]

Soltanov, 46, graduated from the Tashkent Institute of Rail Transport Engineers. From 1974 to 1993, he occupied various posts at the Kelyata station of the Central Asian railroad. Since 1993, he has served in the State Border Service.[4,5]

Sources: [1] "Ukaz Prezidenta Turkmenistana 'O Soltanove O." [Edict of the President of Turkmenistan "About O. Soltanov"], *Neytralnyy Turkmenistan*, May 18, 2004. [2] "Turkmen border service chief promoted to major-general," Turkmen government website, June 4, 2004; BBC Monitoring Central Asia Unit; in Lexis-Nexis Academic Universe, http://www.lexis-nexis.com. [3] "Novym ministrom natsionalnoy bezopasnosti Turkmenistan naznachen Annageldy Gummanov" [Annageldy Gummanov appointed new minister of national security of Turkmenistan], Turkmenistan.ru website, November 29, 2003, http://www.turkmenistan.ru/index.cfm?d=3395&op=viw. [4] "Rukovodit okhranoy turkmenskikh rubezhey doverili Orazberdy Soltanov" [Orazberdy Soltanov turkmenistan ru website, May 19, 2004]

Soltanovu" [Orazberdy Soltanov trusted to head the protection of Turkmen borders], Turkmenistan.ru website, May 19, 2004, ">http://

International Supplier Regimes

China Joins the Nuclear Suppliers Group

The Nuclear Suppliers Group (NSG), a multilateral export control regime that controls the transfers of sensitive nuclear items and technologies, approved China's membership on May 28, 2004, during its Fourteenth Plenary Meeting in Göteborg, Sweden. Estonia, Lithuania, and Malta were also approved as the new Participating Governments to the Group. Their participant status took effect by an exchange of notes on June 10, 2004.[1]

China submitted an application for NSG membership in January 2004. The Chinese government hailed the NSG decision as an important milestone in the Group's history, and China's membership is expected to further strengthen the international nuclear nonproliferation efforts.[2] Beijing is also seeking membership in the Missile Technology Control Regime.[3]

China's NSG membership was not without controversy, including within the U.S. government. While supporters saw China's NSG membership as a positive step toward promoting nuclear nonproliferation, opponents raised serious questions about Beijing's proliferation record and were concerned with China's willingness and ability to enforce nonproliferation measures.[4]

Opponents' concerns were not without reason. Over the years, suspected Chinese nuclear proliferation activities have been a highly contentious issue in U.S.-China relations. During the 1980s and 1990s, China allegedly engaged in a number of questionable nuclear transactions, providing nuclear reactors and technologies to Algeria, Pakistan, and Iran without proper safeguards arrangements with the International Atomic Energy Agency. The U.S. government has imposed sanctions on Chinese companies and entities and consistently pressured the Chinese government to change its policy.[5]

Since the mid-1990s, Beijing has made significant progress in its nuclear nonproliferation policy. After joining the Nuclear Nonproliferation Treaty (NPT) in 1992 and supporting its indefinite extension in 1995, Beijing has made formal pledges not to transfer nuclear items and technologies to unsafeguarded facilities and issued a series of domestic regulations governing nuclear and nuclear dual-use exports. China joined the Zangger Committee in October 1997 and began to adopt the NSG dual-use list in its export control regulations. In December 2003, Beijing published its first *White Paper on Nonproliferation*. And in January 2004, China formally applied for NSG membership.[6]

China has also begun to comprehensively develop and strengthen its domestic export control system. In fall 2002, Beijing issued a series of new regulations governing nuclear, chemical and biological, missile, and military trade. More detailed ministerial division of responsibilities and inter-agency consultation were put into place. China's nuclear and nuclear dual-use control lists, for instance, closely follow the NSG "trigger list."[7]

Sources: [1] "NSG Plenary Meeting, Göteborg, Sweden, May 27-28, 2004," NSG website,

<http://www.nuclearsuppliersgroup.org/PRESS/2004-05-goteborg.pdf>. [2] Chen Gang, "China Joins Nuclear Suppliers Group," *China View*, May 28, 2004, <http://news.xinhuanet.com/english/2004-05/28/content_1496479.htm>. [3] Hu Xiao, "Nation Seeks Non-Proliferation Group Status," *China Daily*, June 4, 2004; in FBIS Document CPP20040604000005. [4] Statement of John S. Wolf, Assistant Secretary, Bureau of Nonproliferation, U.S. Department of State, before the House International Relations Committee, May 18, 2004, U.S. Department of State's Bureau of International Information Programs website, <http://usinfo.state.gov>; Carol Giacomo, "U.S. Backs China Joining Nuclear Group," Reuters, 18 May 2004; Wade Boese, "Congress Questions U.S. Support for China Joining Nuclear Group," *Arms Control Today*, Vol. 34, No. 5 (June 2004); "Helping China Proliferate," *Washington Times*, June 1, 2004. [5] Center for Nonproliferation Studies, *China Profiles* database, Nuclear Threat Initiative website, <http://www.nti.org/db/china/sec3.htm>; "China" in Joseph Cirincione with Jon B. Wolfsthal and Miriam Rajkumar, *Deadly Arsenals: Tracking Weapons of Mass Destruction* (Washington, D.C.: Carnegie Endowment for International Peace, 2002). [6] Jingdong Yuan, "China's Pragmatic Approach to Nonproliferation Policy in the Post-Cold War Era," in Suisheng Zhao, ed., *Chinese Foreign Policy: Pragmatism and Strategic Behavior* (Armonk, NY: M.E. Sharpe, Inc., 2003), pp. 151-176. [7] Jing-dong Yuan, Phillip C. Saunders, and Stephanie Lieggi, "New Developments in China's Export Controls: New Regulations and New Challenges," *The Nonproliferation Review*, Vol. 9, No. 3, Fall-Winter 2002, pp. 153-167.

International Export Control and WMD Security Assistance Programs

United States Donates Equipment to Uzbek Border Troops and Customs

In two separate donations, the United States recently transferred over \$6.5 million in border control-related equipment to the Uzbek government.

In late April 2004, the United States donated \$516,638 in equipment to the Uzbek Ministry of Defense, Border Troops of the National Security Service, and State Customs Committee as part of a U.S. government program to help halt the proliferation of WMD and their delivery systems. The equipment global positioning system receivers, diesel generators and engines, aircrew helmets, automobile batteries, and inspection kits—will "significantly enhance the ability of all three agencies to perform their mission of protecting the borders of Uzbekistan," according to a press release on the website of the U.S. Embassy in Tashkent. U.S. Ambassador to Uzbekistan Jon R. Purnell presented the equipment to Uzbek officials at an April 30 ceremony in Tashkent under the U.S. State Department-funded Export Control and Related Border Security Assistance (EXBS) program and Aviation-Interdiction Project (AIP). Both EXBS and AIP are administered by the U.S. Customs and Border Protection Agency. On June 10, 2004, Purnell presented a total of \$6.09 million worth of equipment to the Uzbek Ministry of Defense, Border Troops of the National Security Service, State Customs Committee, Ministry of Internal Affairs, and the National Security Service. The equipment included drug laboratory equipment, computer equipment, and radios that will be used to detect and interdict the trafficking of drugs, illicit materials, and WMD along the country's borders. The equipment was donated under three different U.S. assistance programs: the State Department-funded International Narcotics and Law Enforcement Program, EXBS, and the Department of Defense-funded Counter Narcotics program.[3]

Since April 2000, EXBS has provided over \$7,000,000 in equipment and training to the government of Uzbekistan. Major equipment donations scheduled for delivery in 2005 include two helicopter simulators valued at \$6.5 million and two patrol boats valued at \$5.8 million.[1,2]

Sources: [1] "United States Presents Equipment to the Ministry of Defense, Border Troops and State Customs Committee," Embassy of the United States in Uzbekistan press release, April 30, 2004, Embassy of the United States in Uzbekistan website, http://www.usembassy.uz/home/index.aspx?&mid=283&overview=837>. [2] For more on past EXBS donations to Uzbekistan, see "United States Gives Equipment to Uzbek Border Guards," *NIS Export Control Observer*, March 2004, No. 14, p. 7 and "Uzbekistan Receives Equipment under EXBS Program," *NIS Export Control Observer*, September 2003, No. 9, p. 6, ">http://www.usembassy.uz/home/index.aspx?&mid=283&overview=873>">http:///

United States Conducts Training Courses in Estonia, Ukraine

By Richard Talley, U.S. Department of Energy

Two U.S. Department of Energy technical export control specialists, from Argonne National Laboratory and Oak Ridge National Laboratory, participated as instructors in a course on Nuclear Dual-Use and Specialized Equipment offered to 35 export control enforcement personnel from the Estonian Security Police, Central Criminal Police, Border Guard, and Customs. The course, held on May 17-21, 2004 in Tallinn, Estonia, was part of the Defense Threat Reduction Agency's International Counterproliferation Program.

Two Commodity Identification Training (CIT) courses were conducted in Ukraine by a team of U.S. and Ukrainian technical export control specialists on May 17-29, 2004. The first course was conducted for faculty and cadets at the Academy of the State Customs Service of Ukraine (SCSU) in Dnipropetrovsk, on May 18-20, 2004. The training covered commodities controlled by the major biological, chemical, missile and nuclear multilateral regimes. Following the course, meetings were held with the SCSU Academy faculty to discuss next steps in implementing commodity identification training as a full course at the Academy for fifth-year students. The target date for implementing the WMD CIT course is September 1, 2004. A second CIT course was held on May 24-27, 2004 in Kharkiv, for 31 SCSU inspectors from eastern Ukraine.

Illicit Trafficking in the NIS

Ukrainian Security Service Arrests Cesium Dealers

The Security Service of Ukraine (SBU) and an Alfa special forces unit seized two containers filled with cesium-137 and arrested members of an organized crime group involved in the trafficking of radioactive and rare-earth metals. According to a May 6, 2004, SBU press release, the group was headed by three residents of Sevastopol and included accomplices in other regions of Ukraine. Although the press release does not indicate the date of the cesium-137 seizure, a May 28, 2004 report from Ukrainian news agency Unian indicates it took place in early April.

The Alfa special forces unit was called in when SBU officials received a reliable tip about an impending sale of two containers of cesium-137 for \$60,000 each by the Sevastopol residents to buyers from Kiev.

The transaction involved a hand-off plan that led to an exchange of containers and money in the city of Armyansk, northern Crimea, where authorities seized the material, and arrested the buyers and sellers.

An SBU investigation of the group, begun in November 2003, has thus far revealed how the radioactive substances were purchased and established the role of each member. Officials have not, however, released details about the organized crime group nor about the quantity of cesium-137 seized. The continuing investigation will focus on the intended use of the cesium-137.[1,2] The *NIS Export Control Observer* will report on additional details of this case as they become available.

Editor's Note: Cesium-137 is a potent radioactive material used in industry and medicine, but which might also be used in a "dirty bomb" to cause extensive radioactive contamination.

Sources: [1] "Prodavtsy tseziya zaderzhany s polichnym" [Cesium sellers caught red-handed], May 6, 2004, Security Service of Ukraine website, http://www.sbu.gov.ua/eng/reports/ann06-05-2004-1.shtml>. [2] "Ukrainian Security Service Condemns Sky News Report on 'Dirty Bomb," Unian news agency, May 28, 2004; in FBIS Document CEP20040528000325.

Titanium Stolen from Retired Russian Submarines

The Murmansk Oblast prosecutor's office has opened a criminal investigation concerning thefts of titanium from submarine sections in floating storage in Sayda Bay, Murmansk Oblast. According to Nikolay Zaytsev, a special cases investigator in the prosecutor's office, in late 2003 inspectors discovered that 14.72 metric tons of external bulkheads had been stolen, and inspections in late April 2004 revealed that internal bulkheads had also been cut out—resulting in an additional loss of about 17 metric tons of metal. Zaytsev was quoted as saying that the timing of the thefts could not be determined, as the vessels have been transported to the docks at Sayda Bay over the past five years.[1] The stolen metal has residual radiation, but Nerpa Shipyard Assistant Security Director Vladimir Panev said that radiation does not exceed acceptable radiation norms.[2] According to *Vecherniy Murmansk*, the investigation has already revealed that the titanium was stolen by thieves who made multiple trips to the storage area between September and October 2003.[3] Zaytsev said that the bulkheads were worth 1.117 million rubles (over \$38,500 as of June 2004), and that the investigation would take at least four months.[1] The price of titanium scrap in bulk weldable form currently averages about \$4.40/pound on Western markets.[4] Thus, 30 metric tons are worth about \$291,000.

Editor's Note: In 1990, Sayda Bay was designated a military site, to store hulls and reactor compartments from dismantled nuclear submarines. The bay is approximately 10 kilometers long and two to three kilometers wide, with a 100-meter-wide mouth.[5] There are currently 50 reactor compartments stored afloat in the bay, including 11 from submarines dismantled under the U.S.-Russian Cooperative Threat Reduction program. Most of the reactors have been defueled. However, five reactors are from Alfa submarines, which have liquid-metal cooled reactors—there is as yet no technology available for defueling these reactors. The coolant itself is a frozen alloy, protecting the reactor from heat and water. As part of its assistance to Russia under the G8 Global Partnership, Germany has promised to fund the construction of a land-based reactor storage facility at Sayda, to house some 120 reactors by 2009.[6] The German effort will reportedly include security upgrades.[2] Sayda Bay has had security problems in the past: in February 2001 a facility guard told a reporter that guards had no weapons and the facility did not have a fence around it. He noted that people seeking to steal non-ferrous metal had easy access, and had been detained inside reactor compartments.[7]

In the current case, the thieves apparently used a portable welder to remove titanium from submarine hull girders—the parts of the bulkheads, or interior partitions between submarine compartments, that stiffen the hull. The pieces of metal are reportedly as much as 100 mm thick.[8] In all, approximately 30 tons of metal was stolen. The affected submarines were all located in the so-called "safe zone," where reactors that have been defueled were stored. Reactors with nuclear fuel on board are stored in a "dangerous zone" that is better guarded. Panev noted that "we were surprised that the thieves got into the 'safe zone" because the barriers seemed to be good enough. He noted that the safe zone would now be provided with a guard post.[1] In order to gain access to the Sayda Bay storage area, the suspects had to pass through the Gadzhiyevo closed city checkpoint, while the trucks loaded with metal would have had to go through a border checkpoint as well as a customs checkpoint on the road to Murmansk. This implies that the suspects

either had documents allowing them to pass with the metal, or paid off guards at each point.[8] Russian authorities have spoken to Global Partnership members of the need to equip the site, and the checkpoint in particular, with engineered features as well as equipment to provide continuous radiation control and monitoring at Sayda Bay. However, the titanium thefts show that the real security problem resulted from the human element.

According to the prosecutor's office, it is investigating several residents of Snezhnogorsk (home of Nerpa Shipyard, which supervises the reactor compartments stored in Sayda Bay) and Gadzhiyevo (location of a nuclear submarine base), both located only a few kilometers from the storage facility in Sayda Bay. Most of the suspects are former military personnel.[3] However, Gadzhiyevo police are among the suspects.[9] This is why a case has been opened by the oblast prosecutor. According to one media source, the prosecutor's office said that the activity appeared to involve about 40 individuals, who were not members of an organized group but were instead acting independently.[10] Aleksandr Golubev, head of the Murmansk Oblast Prosecutor's Office Special Cases Division, was quoted as saying that no less than four groups were involved in the thefts, with group members assuming specific roles: welding, loading, transporting, and selling the metal. He said the titanium had been sold for 50-55 rubles per kilogram.[9] As of May 11, only one individual had been arrested: the purchaser of the stolen titanium.[2]

Since most of the titanium was taken from the upper sections of the submarine bulkheads, Panev averred that submarine buoyancy had not been affected.[2] However, Norway's Bellona environmental organization quotes former Murmansk Shipping Company special equipment technician Yuriy Chernogorov as saying that the bulkheads give the hull its strength and support the weight of the hull's interior, including the reactor compartment, which weighs 800-1,100 metric tons.[2] Thus, buoyancy could become an issue.

Sources: [1] Interfax, as cited in "So spisannykh podlodok v Murmanske ukrali 30 tonn titana" [30 tons of titanium stolen from decommissioned submarines in Murmansk], NEWSru.com, May 11, 2004, http://www.newsru.com/russia/11may2004/titan.html> [2] Rashid Alimov and Charles Digges, "Thieves make off with 14 tonnes of titanium from Sayda Bay submarines," Bellona website, May 12, 2004, <http://www.bellona.no/en/international/russia/navy/northern_fleet/decommissioning/33607.html>. [3] Yelena Nagayeva, "Otstavniki 'utiliziruyut'" [Retired vessels are being 'scrapped'], Vecherniy Murmansk, May 14, 2004; in Integrum Techno, <http://www.integrum.com>. [4] On June 28, 2004, Metalprices.com listed the buying price for 6-4 Bulk Weldable titanium scrap at USA dealers as averaging \$4.40/pound. [5] Joshua Handler, "The Russian Naval Nuclear Complex," in The Nuclear Legacy of the Former Soviet Union: Implications for Security and Ecology, Gerd Busmann, Oliver Meier, and Otfried Nassauer, eds., BITS Research Report 97.1, November 1997, p. 24. [6] "Greifswalder Atomexperten rüsten U-Boote ab" [Greifswalder nuclear experts dismantle nuclear submarines], Ostsee-Zeitung online edition, January 30, 2003, http://www.ostsee-zeitung.de. [7] Valeriy Anuchin, "Sobytiya" [Events], TV-Tsentr, February 22, 2001; in "Radiatsionnaya opasnost v Barentsevom more" [Radiation danger in the Barents Sea], Monitoring teleradioefira, February 22, 2001; in Integrum Techno, http://www.integrum.com. [8] Vladimir Gundarov, "Klondayk v titanovykh otsekakh" [Titanium compartment Klondike], Krasnaya zvezda online edition, May 20, 2004, <a>http://www.redstar.ru>. [9] Andrey Kirashev, "Razvorovan otstoynik atomnykh reaktorov" [Laid-up nuclear reactor robbed], Komsomolskava pravda (Murmansk), April 15, 2004; in Integrum Techno, http://www.integrum.com. [10] "Sotrudniki militsii prokhodyat po delu khishcheniya shpangoutov kak souchastniki" [Police officers in bulkhead theft case as accomplices], MurmanNews.Ru, May 13, 2004; in Integrum Techno, http://www.integrum.com>.

International Developments

Pakistan Prepares New Export Control Regulations

In the aftermath of revelations concerning the nuclear black market smuggling network of A.Q. Khan, the Pakistani Ministry of Foreign Affairs prepared new export control regulations to address concerns raised by the International Atomic Energy Agency (IAEA) and the United States.[1] On June 7, 2004, the Pakistani government tabled a bill in the National Assembly, known as the *Export Control on Goods, Technologies, Material and Equipment Related to Nuclear and Biological Weapons and their Delivery Systems Act, 2004.* This bill stipulated that any violation of the act would result in up to 14 years imprisonment, forfeiture of all property and assets to the government, and a fine of 5 million rupees (about \$86,500). Any individuals attempting to commit or abetting the commission of such offenses, would be charged as if they had themselves committed the violation.[2]

The act also called for the creation of an oversight board to administer export control regulations, enforcement of the act, as well as the licensing for export and re-export of nuclear and biological-related goods and technology. Furthermore, exporters will also be required to maintain records of all transactions

and report them to the designated government agencies. All government agencies involved in the licensing process will be required to maintain records of all recommendations and decisions involving licensing. The control lists of items subject to licensing requirements will be reviewed periodically, and updated as required by the government.[3]

After the revelations regarding Khan, the Pakistani government asked for U.S. and Japanese assistance in drafting new export control legislation. Japan provided English translations of relevant Japanese export control regulations, and also invited Pakistani experts to attend export control seminars.[4] In mid-May, U.S. Under-Secretary of Commerce Kenneth Juster held talks with Pakistani officials on export controls. Juster expressed the appreciation of the United States for Pakistan's efforts to streamline and strengthen export controls, with both sides agreeing to continued dialogue and cooperation on export controls. Pakistan was also invited to attend the Department of Commerce's Annual Update conference on dual-use export control regulations and implementation, to be held in October 2004.[5] Additionally, in February, France proposed a dialogue between Pakistan and the international community, and presented a proposal to hold a nonproliferation summit with Pakistan in the coming months. The dialogue would focus on the strengthening of export controls, greater cooperation with the IAEA, and Pakistani participation in international nonproliferation regimes.[6]

Editor's Note: Pakistan released export control regulations in July 1998, February 1999, August 1999, and the Export Policy and Procedures Order of November 2000. These Statutory Regulatory Orders (SRO) banned the export of fissile material, and required a "no objection certificate" to be issued by the Pakistani Atomic Energy Commission (PAEC) for the export of nuclear substances, radioactive material, and nuclear energy-related equipment. However, the A.Q. Khan incident demonstrated weaknesses in Pakistan's existing export control legislation.

Previous regulations contained some contradictions, such as the July 1998 SRO, which banned all exports of nuclear material, and subsequent regulations that laid out procedures for acquiring a certificate and license for the export of nuclear energy-related items, including nuclear substances, such as heavy water and enriched uranium.[7] Another major loophole was the provision in the 2000 export control regulations that grants automatic exemptions to agencies under the Ministry of Defense. In addition, Pakistani law also allowed the "vice chairman" of the Export Promotion Bureau to waive regulations on behalf of any enterprise. Little information exists detailing which enterprises have been exempted in the past, and there does not appear to be any oversight authority to audit the use of this provision.[8]

Sources: [1] "Pakistan: Upcoming Nuclear Bill May Empower Govt to Punish Proliferators," The News (Islamabad), June 5, 2004; in FBIS Document SAP20040605000019. For background on the A.Q. Khan's network, see "A.Q. Khan's Clandestine Nuclear Market" in the April 2004 issue of the Asian Export Control Observer, http://cns.miis.edu/pubs/observer/asian/pdfs/aeco_0404.pdf [2] Shahid Hussain, "Islamabad Tightens Nuclear Controls," Gulf News, May 6, 2004; in Lexis-Nexis Academic Universe, <http://www.lexis-nexis.com>. [3] "Nuclear Exports Control Bill Tabled in NA," The Pakistan Newswire, June 7, 2004; in Lexis-Nexis Academic Universe; http://www.lexis-nexis.com>. [4] "Japan, Pakistan Discuss Export Controls," The Daily Yomiuri, May 17, 2004, in Lexis-Nexis Academic Universe; http://www.lexis-nexis.com. [5] "Talks Held with US on N-export Controls," Dawn: online edition, May 17, 2004, <http://dawn.com>: "US Lauds Islamabad's Nuclear Export Control Law," Islamic Republic News Agency (Iran), May 16, 2004, http://www.irna.ir; "US Appreciates Pak Efforts to Streamline Its Export Control," Global News Wire, May 16, 2004; in Lexis-Nexis Academic Universe, http://www.lexis-nexis.com>. [6] Shahid-ur-Rehman, "France Urges Pakistan to Begin Global Nonproliferation Dialogue," Nucleonics Week, March 4, 2004; in Proquest, http://www.proquest.com; "Kyodo: France Proposes International Dialogue on Nuclear Proliferation," Kyodo World Service, February 28, 2004; in FBIS Document JPP20040228000067. [7] Alex Wagner and Seth Brugger, "Pakistan Clarifies Nuclear Export Control Guidelines," Arms Control Today, September 2000, http://www.armscontrol.org/act>. [8] Anupam Srivastava and Seema Gahlaut, "Curbing Proliferation from Emerging Suppliers: Export Controls in India and Pakistan," Arms Control Today, September 2003, http://www.armscontrol.org/act; Government of Pakistan, Ministry of Commerce, "Export Policy and Procedures Order 2000," November 7, 2000, <http://www.epb.gov.pk/jspsmartupload/upload/epbdocs/sro880.pdf>.

Panama, United States Sign Ship Boarding Agreement

In a continued expansion of the Proliferation Security Initiative (PSI), Panama and the United States signed a ship boarding agreement that provides reciprocal authority to board vessels suspected of carrying illicit shipments of WMD, their delivery systems, or related materials. The Panama-United States PSI Ship Boarding Agreement was signed on May 12, 2004, in Washington, DC for Panama by His Excellency Arnulfo Escalona, the minister of Government and Justice of Panama, and for the United States by John Bolton, undersecretary of state for arms control and international security.[1,2] The agreement is an amendment to the so-called Salas-Becker pact, an existing maritime arrangement between Panama and the United States that allows U.S. Coast Guard officials to board Panamanian-registered ships in search of narcotics. That pact was signed in February 2002.[3] Under the new agreement, Panama and the United States may request to board ships registered in the other country outside the boarding country's territorial waters and seize the cargo if it is related to unconventional weapons. Each country has two hours to respond to the other's requests. If there is no response, the boarding may proceed.[4]

Panama is the world's largest ship registry, with nearly 5,700 cargo ships sailing under the country's flag.[3] Panama is the second state to sign a PSI ship boarding agreement. The United States and Liberia signed a similar agreement on February 11, 2004. Together, Panama and Liberia account for roughly 30% of the world's commercial shipping tonnage.[5] Almost 50% of global commercial shipping—ships registered in Panama, Liberia, and PSI core partner countries—are now subject to PSI procedures for boarding, search, and seizure.[2] According to State Department Spokesman Richard Boucher, the United States hopes to sign similar deals with other shipping registry countries.[1]

At the May 12, 2004 signing ceremony, Escalona noted that ". . . this agreement sends a clear message to anyone who would traffic in these sort of illegal materials that neither Panama nor the United States will stand for the use of their vessels in this type of activity."[2]

Sources: [1] Richard Boucher, "State Department Regular Briefing," May 12, 2004, Federal News Service; in Lexis-Nexis Academic Universe, http://www.lexis-nexis.com. [2] "Signing of the U.S.-Panama Ship Boarding Agreement to Support the Proliferation Security Initiative (PSI), U.S. Department of State fact sheet, May 12, 2004, U.S. Department of State website, http://www.lexis-nexis.com. [2] "Signing of the U.S.-Panama Ship Boarding Agreement to Support the Proliferation Security Initiative (PSI), U.S. Department of State fact sheet, May 12, 2004, U.S. Department of State website, http://www.state.gov/t/us/rm/32413.htm. [3] Kathia Martinez, "Official: U.S. Can Board Panamanian Ships," Associated Press, May 11, 2004; in Lexis-Nexis Academic Universe, http://www.lexis-nexis.com. [4] Judith Miller, "Panama Joins Accord to Stem Ships' Transport of Illicit Arms," *New York Times*, May 11, 2004, p. A11; in Lexis-Nexis Academic Universe, http://www.lexis-nexis.com. [5] "Statement by President: Panama's Signing of Ship Boarding Agreement," White House press release, May 12, 2004, U.S. Department of State website, http://www.state.gov/t/np/rls/prsrl/32420.htm.

G-8 Leaders Approve New Nonproliferation Action Plan at Sea Island Summit

Leaders of the world's major industrial democracies agreed on a new eight-point nonproliferation action plan that provides strong support for WMD nonproliferation measures, such as UN Security Council Resolution 1540, the Hague Code of Conduct against Ballistic Missile Proliferation, the Biological Weapons Convention, the Chemical Weapons Convention, the Proliferation Security Initiative, and new measures that limit the supply of sensitive nuclear items. Leaders of the G-8 countries—Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, and the United States—approved the Nonproliferation Action Plan, just one of 20 documents created at their annual summit held June 8-10, 2004 in Sea Island, Georgia, United States.

Highlights of the action plan are listed below.

- The plan calls on all states to implement UN Security Council Resolution 1540, which calls on states to establish effective export control systems, to adopt and enforce laws criminalizing proliferation, to take cooperative action to prevent non-state actors from acquiring WMD, and to end illicit trafficking in WMD and associated delivery systems. In addition, the plan calls on all states to subscribe to the Hague Code of Conduct.
- The G-8 took steps to strengthen the Treaty on the Nonproliferation of Nuclear Weapons (NPT) and to reduce the risk of nuclear weapons proliferation. First, the plan endorses a measure suspending the transfer for one year of nuclear material enrichment and reprocessing equipment and technologies to states that do not already possess such technologies. Second, it promotes universal adherence to IAEA comprehensive safeguards and the Additional Protocol. Third, the G-8 pledged to work to strengthen the Nuclear Suppliers Group Guidelines to make the Additional Protocol a condition of supply. Fourth, the plan supports the suspension of nuclear fuel cycle cooperation with states that violate their nonproliferation obligations. Fifth, the plan calls for the establishment of a Special Committee of the IAEA Board of Governors that would be responsible for creating a comprehensive plan for strengthened safeguards and verification. Finally, the plan asks countries under investigation for violating their safeguards obligations to recuse themselves

from decision-making on their own cases at the IAEA Board of Governors or the Special Committee levels.

- The plan reiterates strong commitment to the Proliferation Security Initiative (PSI) and pledges to strengthen PSI's ability to prevent WMD trafficking by cooperatively stopping illicit financial flows, and shutting down illicit plants, laboratories, and brokers. The G-8 agrees to provide assistance to states to improve national capabilities to prevent trafficking in WMD and related materials.
- The plan calls for a renewed commitment to raise up to \$20 billion for the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, adopted at the 2002 summit. The G-8 will continue to discuss the possibility of future cooperation with other former Soviet states and to coordinate activities in new areas, such as retraining Iraqi and Libyan WMD scientists and eliminating the use of highly enriched uranium fuel in research reactors worldwide. The plan announces the addition of seven new donor countries—Australia, Belgium, the Czech Republic, Denmark, Ireland, New Zealand, and South Korea.
- The plan expresses concern over Pyongyang's withdrawal from the NPT and its continued pursuit of nuclear weapons. It supports the Six-Party Process and calls for a complete, verifiable, and irreversible dismantlement of North Korea's nuclear weapons-related programs. The plan urges Iran to promptly and fully comply with its nonproliferation commitments and all IAEA Board requirements, including ratification and full implementation of the Additional Protocol. Finally, it praises Libya for its WMD disarmament commitments.
- The plan supports efforts to defend against bioterrorism, prevent proliferation of chemical weapons, implement the Evian Initiative on Radioactive Source Security, and complete the confinement of the Chornobyl reactor by 2008.

For the full text of the Nonproliferation Action Plan, see the Sea Island 2004 Summit website at http://www.g8usa.gov/d_060904d.htm>.

UNMOVIC Reports on Removal of Missile Engines from Iraq to Rotterdam

On May 28, 2004, the UN Secretary-General released the latest UN Monitoring, Verification and Inspection Commission (UNMOVIC) quarterly report to the Security Council, a portion of which addresses some of the mystery surrounding press reports on the smuggling of large quantities of scrap materials, including some previously unspecified missile engines, from Iraq to European scrap yards.[1] In mid-April 2003, the *Washington Post* reported that Mohammed ElBaradei, the director general of the International Atomic Energy Agency (IAEA), had warned the Security Council, in a letter dated April 11, 2004, about "the extensive removal of equipment and, in some instances, removal of entire buildings" from sites formerly subject to UN monitoring. ElBaradei also reported "large quantities of scrap, some of it contaminated, have been transferred out of Iraq, from sites monitored by the IAEA."[2] Although the ElBaradei letter to the Security Council apparently did not specify the source of the contamination, the *Washington Post* article noted that a small quantity of "yellowcake" (uranium oxide) was discovered in January 2004 at a scrap metal yard in Rotterdam, Netherlands. The radioactive material was detected upon its arrival in Rotterdam yard, and the yard's owner reported it to the Dutch government. According to the Jordanian scrap dealer who delivered the material to Rotterdam, the yellowcake originated in Iraq.[2]

While the nuclear issue is the responsibility of the IAEA, UNMOVIC decided to conduct a parallel investigation of items from Iraq that are part of their mandate, most notably missile parts. When the IAEA team visited Rotterdam to follow-up on the Dutch government's report of contaminated material, they found several Volga/SA-2 missile engines among the material. An UNMOVIC team then visited the scrap yard to examine one engine in detail and to determine how many engines might have passed through the Rotterdam yard. According to the UNMOVIC report, the examined engine was determined to originate from an SA-2 surface-to-air missile. What's more, its serial production number corresponded to an unfired missile engine from Iraq that had been previously tagged by UN inspectors. Based on discussions with scrap yard representatives, between five and 12 similar engines were seen in the yard during January and February of this year. Other items made of stainless steel and other corrosion-resistant metal alloys, with the inscription "Iraq" or "Baghdad," had also passed through the yard since November 2003.

UNMOVIC's fixation on missile engine arithmetic derives from its concern about the effect of such disclosures on the accounting of proscribed engines understood to have been in Iraq's possession prior to the U.S.-led invasion. According to a February 28, 2003, interview with an UNMOVIC spokesman, Iraq was believed to possess as many as 380 SA-2 engines.[3] In violation of UN sanctions, Iraq procured these engines from Polish scrap yards, with the assistance of a Polish front company, between January 2001 and August 2002.[4] UNMOVIC's chairman, Hans Blix, ordered the destruction of 76 Al-Samoud 2 missiles, all of which used the SA-2 liquid engine, along with 118 warheads, and 9 launchers. By the time UNMOVIC inspectors left Iraq, they had overseen the destruction of 72 missiles, 47 warheads, and three launchers.[5] However, there is no indication that any of the remaining SA-2 engines were destroyed prior to the war.

A desire to extend the range of the Al-Samoud missile seems to explain Iraq's interest in procuring such a large number of SA-2 missile engines. Iraq is known to have increased the diameter of the Al-Samoud from 500 to 760 millimeters, which suggests they may have been contemplating adding additional SA-2 engines—in a side-by-side configuration—to extend the missile's range significantly. While the war succeeded in stopping a very nascent attempt at such range extension, the question of where Iraq's SA-2 engines are today remains open. But given the fact that stainless steel can be sold to European scrap yards for \$1,500 a ton,[2] it would not be surprising to see more SA-2 engines show up at these sites.

Sources: [1] "Seventeenth quarterly report on the activities of the United Nations Monitoring, Verification, and Inspection Commission submitted in accordance with paragraph 12 of Security Council resolution 1284 (1999)," May 28, 2004, United Nations website, http://www.unmovic.org. [2] Colum Lynch, "Iraqi Nuclear Gear Found in Europe," *Washington Post*, April 15, 2004, p. A22. [3] "Interview with Hiro Ueki, UNMOVIC/IAEA spokesman," February 28, 2003, Iraq Watch website, http://www.iraqwatch.org/un/IAEA/iaea-interview-022803.htm>. [4] Jeffrey Fleishman and Bob Drogin, "Iraq Sought Poland's Scrap for Edge," *Los Angeles Times*, December 31, 2003. [5] "Inspectors' Accomplishments," April 2003, Arms Control Association website, http://www.armscontrol.org/factsheets/unmovic.asp>.

Workshops and Conferences

Central Asia Workshop Introduces OSCE Handbook on SALW

On May 17-18, 2004, the Organization for Security and Cooperation in Europe (OSCE) Center in Ashgabad, Turkmenistan and the OSCE Secretariat's Conflict Prevention Center in cooperation with the Turkmen Ministry of Foreign Affairs organized a regional workshop in Ashgabad on the OSCE's Handbook of Best Practices on Small Arms and Light Weapons (SALW). [Editor's Note: The Handbook, developed by 12 OSCE participating states (Canada, Germany, Finland, France, Netherlands, Norway, the Russian Federation, Spain, Sweden, Switzerland, the United Kingdom, and the United States) is based on the OSCE Document on SALW, which was adopted at the 308th Plenary Meeting of the OSCE Forum for Security Cooperation on November 24, 2000. The Document introduced strict standards and measures to restrain transfers, secure stockpiles, and remove weapons from circulation.]

Officials from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan attended the workshop, which aimed to familiarize these states with the Handbook's recommendations and to facilitate the implementation of the OSCE Document on SALW. International experts representing OSCE countries involved in developing the Handbook made presentations on such areas as manufacturing, marking and record keeping, stockpile management, and identification of surplus arms, as well as destruction and decommissioning processes. Participants from the Central Asian states shared their experiences in the prevention of illicit trafficking in SALW.

According to Paraschiva Badescu, head of the OSCE Center in Ashgabad, the Handbook is a "unique manual—a first among international and regional institutions—which amounts to a comprehensive set of 'best practice guides' on reducing the threat of small arms." She noted that while mass media mostly cover threats from weapons of mass destruction, in reality SALW cause greater numbers of deaths and injuries. Besides, "trafficking in small arms is an especially significant threat today because it underpins both terrorism and organized crime," Badescu stressed.

Source: "Central Asia Workshop Introduces OSCE Handbook On Small Arms And Light Weapons," OSCE press release, May 18, 2004, OSCE website, http://www.osce.org/news/generate.php3?news_id=4085.

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Center for Nonproliferation Studies

email: nis-excon@miis.edu 11 Dupont Circle, NW, Washington, DC 20036 tel: (202) 478-3446 fax: (202) 238-9603

15 Ploshchad Respubliki, Suite 325, Almaty, Kazakhstan 480013 tel: 7-3272-507-455 or 7-3272-507-386 fax: 7-3272-672-392