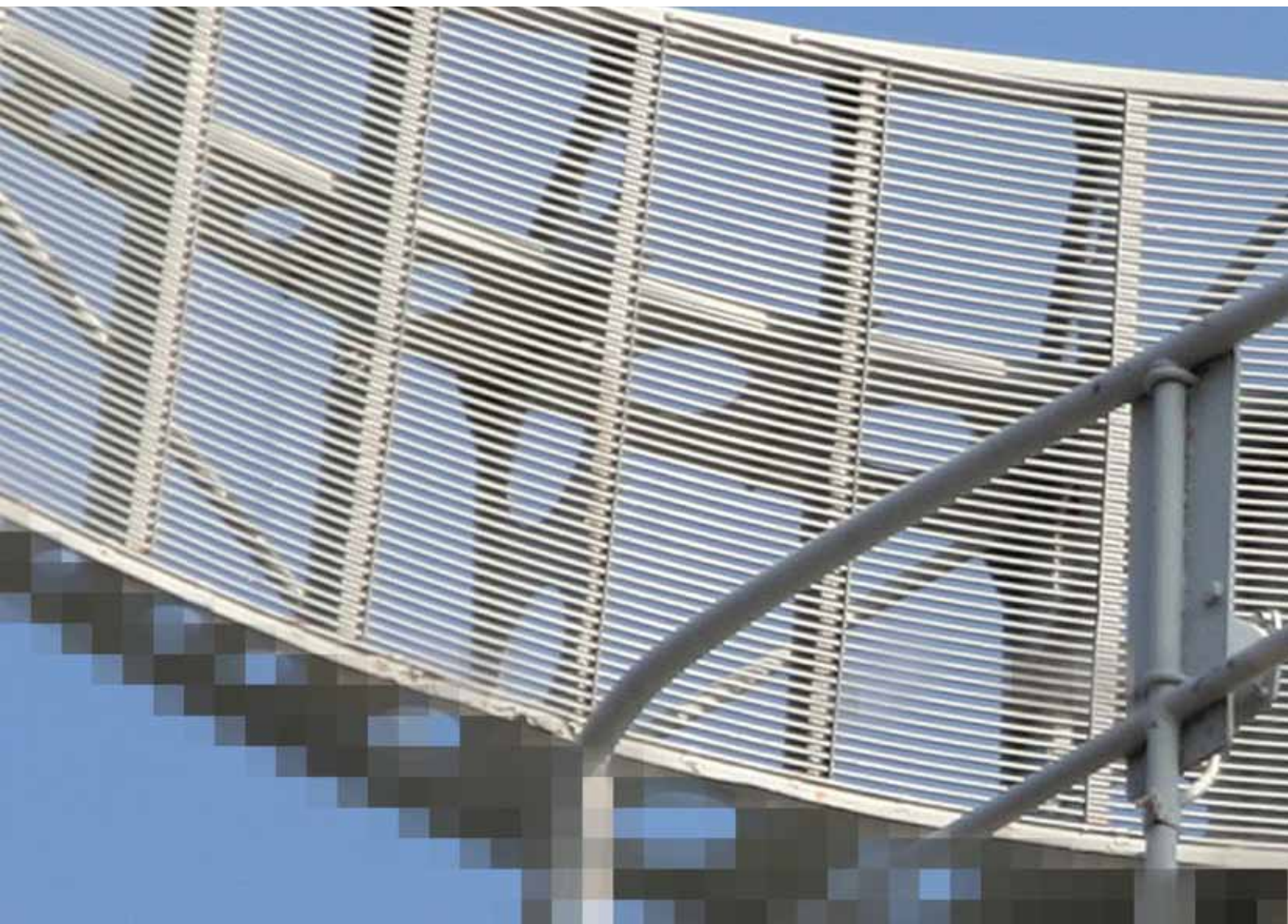




Federal Ministry
of Economics
and Technology



2009

Foreign Trade and Europe

Report by the Government of the Federal Republic of Germany on its Policy on Exports of Conventional Military Equipment in 2009

2009 Military Equipment Report

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of Economics
and Technology

Foreign Trade and Europe

Report by the Government of the Federal Republic of Germany on its Policy on Exports of Conventional Military Equipment in 2009

2009 Military Equipment Report

Contents

Executive Summary	7
I. The German Control System for Military Equipment Exports.	8
1. The German export control system	8
2. Application of the “Political Principles”	9
II. German Policy on the Export of Military Equipment in the International Context	11
1. Disarmament agreement	11
2. Arms embargoes.	11
3. Common Position of the EU of 8 December 2008	11
4. EU Directive on transfers of defense-related products within the Community	12
5. Framework Agreement concerning Measures to Facilitate the Restructuring and Operation of the European Defence Industry	12
6. Wassenaar Arrangement	13
7. UN Register of Conventional Arms	13
8. International discussion on small arms and light weapons	14
9. Initiative for an Arms Trade Treaty	15
10. Outreach activities	16

III. Licences for Military Equipment and the Export of War Weapons18

1. Licences for military equipment (war weapons and other military equipment)	18
a) Individual licences	19
b) Collective export licences	21
c) Export licence denials	21
d) Most important countries of destination	21
e) Individual export licences broken down by export list items	30
f) Export licences from 1996 to 2009	32
g) War weapons share of licensed values in 2009	33
h) Individual licences for the export of small weapons from 1996 to 2009	34
i) Licences for brokering transactions in 2009	42
2. Exports of war weapons	43
a) War weapons exports in reporting year 2009	43
(1) Bundeswehr exports	43
(2) Commercial exports	43
b) War weapons exports from 1997 to 2009	45
3. German military equipment exports by international comparison	46

Annexes:

1 Political Principles	48
2 EU Council Common Position	52
3 Export List	58
4 War Weapons List	60
5 Arms Embargoes in Force in 2009	63
6 German Report to the UN Register of Conventional Arms for 2009	67
7 Export Licences by Country Groups in 2009	68
8 Licences for Trading and Brokering Transactions in 2009	109
9 List of the OECD Development Assistance Committee on Developing Countries and Areas	111

Executive Summary

The German Government is pleased to submit herewith its eleventh Report on Military Equipment Exports covering the year 2009.¹ The “Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment” in the version of 19 January 2000 distinguish between military equipment exports to NATO countries, EU member states and NATO-equivalent countries (Australia, New Zealand, Japan, Switzerland), which are in principle unrestricted, and exports to all other countries (“third countries”). A restrictive approach is taken to the export of war weapons and other military equipment to these countries.²

All applications for export licences are decided on a case-by-case basis following careful consideration in particular of the arguments in terms of foreign policy, security policy and human rights. Important criteria for each decision include conflict prevention and the upholding of human rights in the country of destination.

In 2009, single-transaction export licences for military equipment totalled approximately € 5.043 billion (2008: approximately € 5.788 billion). Of this amount, 51% was accounted for by EU, NATO, and countries with NATO-equivalent status, and 49% was accounted for by third countries. The total value of single-transaction export licences dropped by approx. € 745 million in year-on-year terms.

Developing countries³ accounted for 8.2% of the overall value of all individual export licences (2008: 5.0%)⁴. The value of the collective licences granted for exports in connection with defence co-operation between EU and NATO partners amounted to roughly € 1.996 billion during the reference year (2008: € 2.546 billion), and was also down – like the figure for single-transaction licences – on 2008.

In addition to the figures for the export licences issued, in the case of war weapons statistics are also kept for the actual exports (2009: € 1.339 billion, 2008: € 1.427 billion⁵). Since the licences are not necessarily used for an export in the same year, the figures for licences and exports generally differ. The share of exports going to the EU, NATO, and countries with NATO-equivalent status stood at roughly 76% in the reference year (2008: 65%). The proportion of these exports going to developing countries amounted to nearly 4% (2008: 0.6%).

Details of German military equipment export policy can be found in Chapter II and Chapter III. 3. Total licences issued in 2009 sorted by country are described in Annex 7.

1 The Military Equipment Export Reports submitted thus far have been published as Bundestag Printed Papers and may be found on the Internet at: <http://www.bmwi.bund.de> (click onto “Außenwirtschaft und Europa”, then “Finanzierung und Recht”, and finally “Exportkontrolle/Embargos”). For the English versions: select “English”, and then “Publications”.

2 Cf. Annex 1, “Political Principles”, Section III no. 1 sentence 1.

3 Developing countries and developing territories pursuant to the List of the OECD’s Development Assistance Committee without the countries featuring high and upper medium incomes (including NATO partner Turkey, as well as e.g. Malaysia, Oman and Saudi Arabia, column four of this list). The list is contained in Annex 9 of this Report.

4 For details, see III. 1. a).

5 This represents a decline of around € 90 million.

I. The German Control System for Military Equipment Exports

1. The German export control system

Germany's military equipment exports are governed by the Basic Law, the War Weapons Control Act⁶, and the Foreign Trade and Payments Act⁷ in conjunction with the Foreign Trade and Payments Ordinance.⁸ The "Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment" of 19 January 2000⁹ and the Council Common Position of the EU of 8 December 2008¹⁰ provide the licensing authorities with guidelines.

The Foreign Trade and Payments Act and the Foreign Trade and Payments Ordinance require the licensing of all military equipment exports. The military equipment is listed in full in Part I Section A of the Export List (EL, Annex to Foreign Trade and Payments Ordinance).¹¹ It is broken down into 22 positions (No. 0001 to No. 0022) that have their own subdivisions. As with the EU's Military List, these positions are closely oriented to the corresponding list of the Wassenaar Arrangement (Munitions List), which the German Government has thereby converted into national law to meet its political commitments (more details may be found on the Wassenaar Arrangement under II. 6 of this report, and on the EU under II. 3 and 4).

Some of the military equipment articles falling under the Export List are also **war weapons** as defined by Art. 26 (2) of the Basic Law and the War Weapons Control Act. They are displayed in the 62 positions of the War Weapons List (Annex to the War Weapons Control Act) and provided in full in Part I Section A of the Export List. For the export of these weapons, a licence must be obtained under the War Weapons Control Act ("transport authorisation for the purpose of export"), and then an export licence pursuant to the Foreign Trade and Payments Act and Ordinance. By contrast, the export of such military items in Part I

Section A of the Export List as are not war weapons ("**other military equipment**") requires – merely – a licence pursuant to the Foreign Trade and Payments Act and Ordinance.

The War Weapons Control Act provides that all activities in connection with **war weapons** (production, acquisition and transfer of actual control, every type of transport or brokering transactions) require prior licensing by the German Government (cf. Sections 2–4a of the War Weapons Control Act). The Federal Ministry of Economics and Technology is the licensing agency for commercial transactions; the other ministries (Federal Ministry of Finance, Federal Ministry of the Interior, and Federal Ministry of Defence) whose portfolio includes the treatment of war weapons are themselves responsible for the respective approvals falling within their scope of competence.

Under Section 6 of the War Weapons Control Act, applicants have no legal right to the issuance of a licence for the export of war weapons. And licences must be denied where there is a danger that the war weapons will be used in connection with peace-disturbing acts, that the obligations of the Federal Republic of Germany under international law will be impaired, or where the applicant does not possess the necessary reliability for the action. In all of the other cases, the Federal Government decides on the issuance of export licences in accordance with the discretion it must exercise under EU's Common Position (previously the EU Code of Conduct) and the above-mentioned Political Principles.

The export of so-called other military equipment is governed by the export rules in the Foreign Trade and Payments Act and Ordinance. In accordance with the principle of the freedom of external economic transactions, on which the systematic approach of the

6 Act to implement Article 26 (2) of the Basic Law (War Weapons Control Act) in the version promulgated on 22 November 1990, Federal Law Gazette I, p. 2506 (as last amended by Article 24 of the Ordinance of 31 October 2006, Federal Law Gazette I p. 2407).

7 Revised by notification of 27 May 2009, Federal Law Gazette I, p. 1150.

8 Foreign Trade and Payments Ordinance in the version promulgated on 22 November 1993 (Federal Law Gazette I, p. 2493), last amended by the Eighty-third Ordinance Amending the Foreign Trade and Payments Ordinance of 19 October 2009 (Federal Law Gazette no. 164, p. 3737).

9 See Annex 1.

10 See Annex 2.

11 Further details at www.bafa.de

Foreign Trade and Payments Act is based, the applicant has a fundamental right to the issuance of an export licence (Section 1 in conjunction with Section 3 of the Foreign Trade and Payments Act), unless a licence may be denied because of a violation of interests protected under Section 7 Subsection 1 of the Foreign Trade and Payments Act. Section 7 Subsection 1 (1-3) of the Foreign Trade and Payments Act reads as follows:

“(1) The conducting of legal business and acts in connection with external economic transactions may be confined in order to

1. guarantee the essential security interests of the Federal Republic of Germany
2. prevent a disturbance of the peaceful coexistence of nations or
3. prevent a major disruption of the foreign relations of the Federal Republic of Germany.”

As is also the case for war weapons, the German Government exercises its discretion in the issuance of export licences for other military equipment in keeping with the EU’s Common Position (previously the EU Code of Conduct) and the Political Principles.

The Federal Office of Economics and Export Control (BAFA), which is a subordinate agency operating under the jurisdiction of the Federal Ministry of Economics and Technology, is responsible for granting/denying export licences under the Foreign Trade and Payments Act and Ordinance.¹² The Federal Office of Economics and Export Control submits projects of particular political impact to the Federal Government for its assessment from a political perspective.

The so-called advance inquiry practice has become customary in the course of the past several decades. This practice enables companies to clarify at an early stage whether, upon agreement on a sales contract, the required export licence will be granted at a later point in time – assuming the circumstances of the transaction remain unchanged. Decisions on advance inquiries are taken in accordance with the same criteria as decisions on export licence applications.

Advance inquiries relating to war weapons must be submitted to the Foreign Office; advance inquiries relating to other military equipment must be filed with the Federal Office of Economics and Export Control. The procedure corresponds to that of the actual licence applications. Here, too, important projects are submitted to the Federal Government for decision. The purpose of advance inquiries is to make the outcome of the subsequent licensing procedure visible at the earliest possible stage in the interest of reliable planning. However, an advance inquiry does not substitute the export licence, which is always required.

Germany’s Federal Security Council is normally included in deliberations on export projects that stand out because of the consignee country, the military equipment involved, or the volume of the transaction. The Federal Security Council is a Cabinet committee chaired by the Federal Chancellor. Its members comprise the Federal Ministers of Foreign Affairs, Finance, the Interior, Justice, Defence, Economics and Technology, and Economic Cooperation and Development.

2. Application of the “Political Principles”

The War Weapons Control Act and the Foreign Trade and Payments Act serve as the framework providing the Federal Government with the latitude for assessment and discretion. To guarantee the uniform exercise of the political discretion available to the Federal Government and to make transparent the politically important criteria used for arriving at decisions, “Political Principles” were defined and have been in force since 1982 (updated in January 2000); they serve as a basis for deciding the individual cases.

The updated “Principles”, which were adopted by the German cabinet on 19 January 2000, added the following new elements:

- The observance of human rights is of special importance for every export decision, regardless of the potential consignee country. Military equipment

¹² May be found on the Internet at www.bafa.de

exports are therefore fundamentally not approved where there is “sufficient suspicion” of the involved military equipment’s misuse for internal repression or other ongoing and systematic violations of human rights. The human rights situation in the consignee country plays an important role in connection with this question. And the “Political Principles” are more restrictive here than the EU’s Common Position (more detail on this aspect below, under II. 3.), which rules out export licences only where a “clear risk” exists.

- ▶ Following the General Section, a distinction is made between EU, NATO, and NATO-equivalent countries (Australia, New Zealand, Japan, Switzerland) on the one hand, and other countries (so-called third countries) on the other. For the first group of countries, licences are the rule and denials the exception; for the second group, there is to be a continuation of the restrictive and reserved policy with respect to licence issuance.
- ▶ In this context, the following applies for the group of third countries: The export of war weapons is approved only in exceptional cases where, as justified by the individual situation, special foreign policy or security policy interests of the Federal Republic of Germany would support the granting of a licence. For other military equipment, licences are granted only insofar as such action does not endanger the interests to be protected under foreign trade and payments statutes (Section 7 Subsection 1 of the Foreign Trade and Payments Act as cited under 1.).

Even under this restrictive licensing practice for third countries, the legitimate security interests of such countries may therefore argue for granting an export licence in individual cases. This situation arises in particular when the respective security interests are also internationally significant. The defence against terrorist threats and the combating of international drug trafficking are conceivable examples. In connection with the export of naval equipment to third countries, important aspects may be the interest of the community of nations in secure seaways and an effective exercise of respective national sovereignty in coastal waters. Alongside the pre-eminent importance of the seaways for the functioning of world trade, the

increasing threats from piracy, narcotics trafficking, the smuggling of weapons and humans, pollution, and illegal fishing all play an increasing role here.

- ▶ The Federal Government’s “special interest” in the ongoing capability for co-operation by Germany’s defence industry in NATO and the EU is expressly highlighted, above all against the background of the development of a common European defence policy.
- ▶ The factors that are taken into serious consideration in deciding whether to grant licences for the export of arms to third countries include – apart from the human rights, a factor which merits particular attention – the external and internal situation, as well as the extent to which the recipient country’s sustainable development might be jeopardised by disproportionate outlays on arms.
- ▶ Other factors come into play as well when assessing whether a licence can be issued for the export of military equipment: the recipient country’s conduct toward the international community concerning matters such as the fight against international terrorism and organized crime; the extent to which the recipient country meets its international obligations, particularly with respect to human rights, as well as in the areas of nonproliferation, military weapons, and arms control.
- ▶ The more comprehensive rules place greater emphasis than was previously the case on ensuring the correct final destination and end-use. This is to prevent the exported military equipment from falling into the wrong hands (danger of misuse and redirection).
- ▶ The Common Position of 8 December 2008¹³ contains eight specific criteria for decisions on export applications (cf. Annex 2, Article 2) and is an integral element of the Political Principles.
- ▶ And finally, the Federal Government agreed to submit to the Bundestag a Military Equipment Export Report on the developments of the respectively concluded calendar year, a commitment that is now being honoured by eleventh submission of such a Report.

13 For details, see II. 3.

II. German Policy on the Export of Military Equipment in the International Context

1. Disarmament agreements

In certain areas, export control policy for conventional military equipment is heavily influenced by disarmament agreements that are binding under international law. The German Government has supported corresponding initiatives and emphatically advocates strict compliance with internationally agreed rules. Furthermore, it advocates and supports all steps to facilitate worldwide recognition of these commitments.

The German Government's activities in this area were outlined in detail in the Annual Disarmament Report¹⁴, to which reference is made.

2. Arms embargoes

The international community has adopted a number of arms embargoes that are implemented in Germany's export policy through amendments to the Foreign Trade and Payments Ordinance (Sections 69 ff.) or the non-issuance of licences. The importance of such (arms) embargoes as a means of attaining specific policy objectives has noticeably increased in recent years. In 2009, there were arms embargoes against the following countries: Armenia, Azerbaijan, China, Democratic Republic of Congo, Côte d'Ivoire, Guinea, Iran, Iraq, North Korea, Lebanon, Liberia, Myanmar, Sierra Leone, Somalia, Sudan and Zimbabwe.

Details of the arms embargoes in force in 2009 are listed in Annex 5.

3. Common Position of the EU of 8 December 2008

The Federal Government actively advocates further harmonisation of export controls at EU level, firstly in order to put in place control standards that are as uniform and high as possible, and secondly in order to create a level playing field for German industry.

In 2008, the adoption of a Common Position at EU level defining common rules governing the control of exports of military technology and equipment marked the achievement of the goal pursued by the Federal Government for many years of revising the tried and trusted rules of the EU Code of Conduct for Arms Exports – which had previously only been politically binding – and making them legally binding for all EU member states. The Common Position updates and supplements the politically binding rules of the EU Code of Conduct, which has been in place since 1998. This represents great progress on harmonising the export control policies at EU level. The Common Position contains eight criteria (cf. Annex 2, Article 2) to be used by all member states in decisions on applications for export licences. A number of new elements (e.g. the human rights criterion was expanded to include the aspect of humanitarian international law) have been included in the Common Position, thereby deepening and widening its scope of application. Through its incorporation in the Political Principles of the Federal Government, it is an integral part of Germany's policy on the export of military equipment.

The operative part of the Common Position contains rules aimed at improving co-ordination between the EU licensing bodies. For example, all member states must be informed about rejections of export licence applications. If despite the existence of such a notification of denial by a different member state, a member state nevertheless intends to authorise an "essentially identical" transaction, it must first consult the relevant member state. These provisions serve to increase the transparency of the controls on exports of military equipment amongst the member states throughout the European Union, to further their harmonisation, and to foster the creation of a level playing field.

14 Most recently the 2009 Annual Disarmament Report, Bundestag Printed Paper 17/445 of 13.1.2010, cf. <http://www.auswaertiges-amt.de/diplo/de/Infoservice/Broschueren/ABRBericht2009.pdf>

The EU's User's Guide, which stipulates the details of the denial procedure and fosters a uniform interpretation of criteria, was adapted to the transition from the Code of Conduct to the Common Position.¹⁵

During the year under report, Germany held 12 active consultations and 44 passive consultations with other EU countries concerning export licence denials, with a view to implementing the operative provisions of the Common Position.¹⁶

The dialogue with the European Parliament, EU accession candidates, third countries that have committed themselves to applying the principles of the EU Code of Conduct, and international NGOs was further developed and deepened.

Additional priorities of the Common Foreign and Security Policy in the field of export controls were the firm backing for the initiative for an international Arms Trade Treaty (cf. Section II. 9) by the EU and its member states, and outreach activities for the principles and criteria of the Common Position (cf. Section II. 10).

4. EU Directive on transfers of defence-related products within the Community

The EU Directive of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community was adopted by the European Parliament in its first reading in December 2008 and entered into force on 30 June 2009. The necessary national legal and administrative provisions are to be adopted by 30 June 2011 and applied from 30 June 2012.

The directive will substantially simplify the transfer of defence-related products within the EU. To this end, companies in the EU are increasingly to be provided with global and general licences. Reliable companies in the EU are to be given the opportunity

to have themselves certified in order then to be supplied with defence-related products under simplified conditions on the basis of general licences. Such general licences for deliveries to certified companies are in particular intended to improve the competitive prospects of small and medium-sized firms. When translating the rules into national law, the Federal Government will pay special attention to ensuring that it does not introduce unnecessary bureaucratic procedures.

The internal EU discussion about collective licences for transfers within the EU to the armed forces and certified companies and about the certification procedure is continuing. The aim will be for the member states to implement the rules in a practical, confidence-building and proportionate manner in order to meet the Directive's intention, which is to simplify.

The EU Directive simplifying terms and conditions of transfers of defence-related products within the Community does not refer to exports of military equipment from the EU. The European Commission discussed the certification procedure with the member states in greater depth in 2009.

5. Framework Agreement concerning Measures to Facilitate the Restructuring and Operation of the European Defence Industry

The German Government is also advocating, together with the other countries of manufacture – France, Italy, Spain, Sweden and the United Kingdom ("LoI" countries) – relaxed rules on co-operation within the European military equipment industry in the context of the "Letter of Intent" (LoI) process. In 2000, these countries adopted a Framework Agreement concerning Measures to Facilitate the Restructuring and Operation of the European Defence Industry (Farnborough Agreement).¹⁷ A working party of the LoI countries meets regularly in order to engage in cross-border

15 Internet: <http://consilium.europa.eu/export-controls>

16 In the case of active consultations, Germany consults another EU member state; in the case of passive consultations, Germany is consulted by another EU member state.

17 Federal Law Gazette 2001 Part II, pp. 91 ff.

co-operation in the field of export control. There are regular attempts to achieve further harmonisation here. However, signatory countries have thus far issued relatively few Global Project Licences (GPL); a single licence can cover a number of merchandise transactions between the signatory countries as part of a military equipment project. In the meantime, negotiations have also taken place on the introduction of component licences, which are intended to facilitate deliveries to recipients from the LoI countries for certain final recipients.

6. Wassenaar-Arrangement

The Wassenaar Arrangement¹⁸ was established in 1996 to help improve transparency, the exchange of views and of information and to increase the level of responsibility in the transfer of conventional weapons and of dual-use goods and technologies which can serve their manufacture. The 40 countries that are presently signatories (all the EU member states except Cyprus and countries such as the United States, Canada, Japan, Russia, South Africa and Ukraine) aim to harmonise their controls of the export of such goods with a view to preventing destabilising stockpiling of conventional weapons and dual-use goods and technologies.

The core element of the Wassenaar Arrangement in terms of military equipment export control is the ongoing further development of the “Munitions List”, i.e. the list of military equipment to be subject to controls by the signatory states. The List contains the decisive specifications for Part I Section A of the German Export List and for the EU’s Common List of Military Equipment.

The Wassenaar Arrangement provides, among other things, for the participating countries, with their significant differences in export control philosophies, to mutually inform one another of exports

where major weapon systems covered by the Wassenaar Arrangement control lists are involved and where such systems have been supplied to non-participating countries. This mutual information mechanism was extended in 2003 to include the export of small arms and light weapons.

The reference year 2009 saw further updates to the WA lists of equipment, which are subsequently integrated into the EU and national export control lists. In addition to the opening up of the WA to dialogue with non-Wassenaar Arrangement signatories, there is also a need to further develop and deepen collaboration amongst Wassenaar Arrangement members. In particular, the step-by-step harmonization of the WA signatory countries’ national military equipment export policies, and an increase in transparency, are significant interests, and Germany will remain a firm advocate of this.

7. UN Register of Conventional Arms

UN member states are required to report the export (and import) of weapons that are subject to notification (major weapon systems) to the UN Conventional Arms Register; only unit quantities and not values are registered.¹⁹

For the year 2009, the Federal Republic of Germany reported the export of the following war weapons to the UN Conventional Arms Register:²⁰

¹⁸ Internet: <http://www.wassenaar.org>

¹⁹ The weapons are classified into the following seven categories: battle tanks, other armoured combat vehicles, artillery systems calibre 75 mm and above, combat aircraft, combat helicopters, warships with a standard displacement of 500 metric tonnes and above or armed with missiles or torpedoes with ranges of at least 25 km, and missiles and missile launchers with a range of at least 25 km.

²⁰ See also Annex 6.

Country	Item	Quantity
Austria	Eurofighter fighter aeroplane	6
Brazil	Leopard 1 main battle tank	29
Chile	Leopard 2 main battle tank	60 ²¹
	Marder infantry fighting vehicle	146
Finland	Leopard 2 main battle tank	15
	MLRS training system 122 mm	8
	MLRS AT-2 bombs	167
France	LAR 110 mm artillery system	1
Greece	Leopard 2 main battle tank	3
Singapore	Leopard 2 main battle tank	12
Spain	Taurus guided missile	10
Turkey	Leopard 2 main battle tank	28

8. International discussion on small arms and light weapons

In internal and cross-border conflicts by far the greatest share of human casualties have been caused by the use of small arms and light weapons (“small arms”, e. g. submachine guns, assault rifles, light mortars, etc.) and the associated ammunition.²² This problem is chiefly found in developing countries, where small arms can often be procured inexpensively and illegally through internationally operating arms brokers, and national control mechanisms are mostly under-developed. In many cases, small arms impede economic and social development and frequently contribute to a violent escalation of conflicts. Further, man portable air defence systems (MANPADS), which are counted as light weapons, represent an increasing danger to both civil and military aviation due to their high relevance to terrorism. Experience shows that deficiencies in managing and safeguarding the public-sector stocks of arms and munitions in the relevant countries represent a significant source of illegal transfers. Quite frequently, violent conflicts threaten to destroy the success achieved in many years of

development work. For this reason, the German Government applies strict standards when issuing licences for exports to third countries, and developing countries in particular, in order to ensure coherence amongst foreign, security, external economic and development policies. The German Government is working at the international level towards an efficient prevention of the illegal proliferation of such weapons and their ammunition. With respect to the legal export of small arms, the German Government advocates strict and efficient controls. Its goal is – for example in the framework of the OSCE Small Arms Document²³, which was adopted in November 2000, the OSCE Document on Stockpiles of Conventional Ammunition²⁴, and the UN Small Arms Action Programme²⁵ – the achievement of concrete results with the strongest possible obligations binding the participating countries to take action, and to lend its support – not least in the context of the EU and bilateral development co-operation – to states as they build up efficient national and regional small arms control systems.

21 This quantity was exported in 2009, but was already included in the report to the UN Arms Register for 2007, which was described in the Federal Government’s 2007 Military Equipment Report.

22 Concerning the terms small weapon and light weapon, see III. 1. h).

23 OSCE Document on Small Arms and Light Weapons of 24 November 2000 (located on the internet at <http://www.osce.org/docs/german/fsc/2000/decisions/fscgw231.htm>); cf. also the 2000 Military Equipment Export Report, II. 7.

24 OSCE Document on Stockpiles of Conventional Ammunition of 19 November 2003 FSC.DOC/1/03.

25 A/CONF.192/15 at http://www.disarmament.un.org/cab/smallarms/files/aconf192_15.pdf

The discussion conducted in various international bodies on small arms continued in 2009.²⁶ Not least, this applied to the small arms debate in the UN context. The increased international coherence in the appreciation of the problem, and the support for specific measures to combat illegal trading in small arms, was seen not least at the Biennial Meeting of States in June 2010, which for the first time adopted in consensus a final outcome document with specific recommendations for further work. In 2009, the control of small arms and their ammunition was a focus of the efforts by the German Government in the field of conventional arms controls.

In this context, mention should also be made of the German involvement in the conclusion of an international Arms Trade Treaty (cf. Section II. 9.), the aim of which is to achieve a globally effective control of the transfer of small arms.

Germany conducts a restrictive export control policy for small arms. As war weapons they are subject to the particularly strict rules of the “Political Principles” (Annex 1 of this Report), according to which licences for the export of war weapons to third countries may be issued only by way of exception and only in the case of special foreign or security policy interests of the Federal Republic of Germany. In the export of technology and production equipment, there is the fundamental rule that no licences are issued in connection with the opening of new production lines for small arms and ammunition in third countries. For third countries, the “New for Old” principle is also applied wherever possible. This calls for sales contracts to be worded to ensure that the recipient destroys weapons that are to be replaced by the new consignment, in order to prevent their proliferation. Moreover, insofar as possible, the exporter is to require in new supply contracts the consignee in a third country to destroy the weapons supplied in the case of a later removal from use. In this way, exports and recipients make an active contribution towards not increasing the number of small arms available worldwide, and preventing their proliferation across to grey or black markets. Germany and, in particular the Bundeswehr, destroys surplus small arms.

Finally, licences for the export of war weapons, including small arms, are fundamentally issued only for government end-users, not for private entities. The German Government thereby applies a principle which, though it has yet to become majority opinion in the international community (including the UN framework), if implemented would go a long way toward limiting the illegal spread of small arms.

9. Initiative for an Arms Trade Treaty

An international agreement on trade in conventional military equipment (Arms Trade Treaty – ATT) is intended to establish legally binding rules on the export, import and other transfer of conventional military equipment under the aegis of the United Nations, for the first time at global level. The aim of an ATT is to combat uncontrolled international trade in conventional military equipment by means of a worldwide harmonisation of national export controls and regional control instruments at a high level and by closing gaps in regulation.

26 On the small arms problem, cf. also the 2009 Annual Disarmament Report, Bundestag Printed Paper 17/445 of 13 January 2010, cf. <http://www.auswaertiges-amt.de/diplo/de/Infoservice/Broschueren/ABRBericht2009.pdf>

At the UN small arms conference in 2005, the German Government stated its support for the elaboration of an ATT. On the basis of a resolution by the UN General Assembly, the UN member states were called on in December 2006 to comment on a possible ATT and a group of government experts was set up for further deliberation. After the group of government experts, which included Germany, submitted a report on the feasibility and possible scope of an ATT in 2008, the UN General Assembly decided to continue the UN ATT process on 24 December 2008.²⁷ In 2009, two one-week sessions of the OEWG (Open-Ended Working Group) took place. Within the EU, the German Government has vigorously advocated strong support for the ATT, and pressed all UN member states hard at the meetings of the OEWG in March and July 2009 for a comprehensive and binding ATT. The EU wants an effective ATT which regulates a comprehensive range of equipment and a large number of international transfers and which enforces the highest possible legally binding standards when transfers of defence equipment are authorised, especially in terms of the observation of human rights and humanitarian international law. Furthermore, an ATT should make a significant contribution towards secure end-use control.

In order to facilitate a comprehensive and global consultation process on an ATT, the EU adopted a Council Decision to support the ATT process in January 2009. This EU initiative resulted in a series of seminars at regional and sub-regional level which were organised by UNIDIR, the UN's disarmament research institute. In addition to representatives of governments, participants from civil society and the business community were also invited to discuss the advantages and prospects of an ATT in the light of the respective regional situation and to foster the global debate on an ATT. Representatives of the German Government also advocated a strong and comprehensive ATT and responsible export controls at these seminars. The regional seminars are scheduled to continue until 2012 as part of an ongoing back-up for the UN process. Outside this EU initiative, the German Government also campaigned intensively for the ATT process in bilateral meetings with a large number of UN member states in 2009 and 2010.

In the first OEWG report, which was adopted in July 2009, all the UN member states recognised for the first time that unregulated international arms trading is a problem which needs to be regulated. On 2 December 2009, the UN General Assembly decided to take up formal talks on an ATT and a specific timetable for this in Resolution 64/48. Accordingly, preparatory meetings are to take place in 2010, 2011 and 2012 on the drafting of an ATT, and a conference of states is to give final consideration to the text of the treaty in 2012. The German Government was significantly involved in negotiating this Resolution.

The first preparatory meeting, which took place in New York from 12–23 July 2010, marks the successful transition from the debate on the fundamental feasibility of an ATT to the discussion of the potential scope of the treaty. This was the beginning of a process of specific negotiations.

10. Outreach activities

Export control can only achieve maximum effectiveness if as many countries as possible apply similar rules and processes and work together as closely as possible in order to attain globally effective export controls. The various countries with established export control systems (especially EU, NATO, NATO-equivalent countries, and WA signatories) believe that it is worthwhile to approach other countries (so-called "outreach" efforts) to promote the objectives and means of export controls, and possibly also to offer support in developing export controls. One of the major focuses here is efforts to promote transfer control standards for small arms and light weapons (SALW) in conjunction with the offer of advice and support for the implementation of such measures.

27 Resolution published on 8 January 2009 as UN General Assembly Res. 63/240.

On 17 March 2008, the EU adopted a Joint Action (2008/230/CSFP) in order to strengthen export controls in selected countries in 2008/2009 and in particular to campaign for the principles and criteria of the EU Code of Conduct/Common Position. The outreach seminars held in this context in 2009 by the Czech EU Presidency for Ukraine and countries of the Western Balkans and by the Swedish EU Presidency for Eastern European and Caucasus states were supported by the German Government, e.g. via the active involvement of German export control experts. On 22 December 2009, the EU adopted a Council Decision (2009/1012/CSFP) in order to continue these outreach activities promoting the principles and criteria of the Common Position in 2010/2011, and designated Germany's BAFA as the implementing organisation for these outreach activities.

Furthermore, the EU adopted a Council Decision (2009/42/CSFP) on 19 January 2009 to support the ATT process (cf. 9. above). In the context of this ATT outreach, German export control experts campaigned vigorously for the ATT process, e.g. at seminars in Amman and Kiev.

III. Licences for Military Equipment and the Export of War Weapons

The following is an outline of **licences** granted for military equipment exports in 2009; **actual exports** are also listed for the sub-sector **war weapons**. The outline is complete insofar as disclosure has not been restricted by law. In particular, the names of the respective exporters cannot be released owing to the legal protection afforded business and industrial secrets under Section 30 of the Law on Administrative Procedure.

The Federal Office of Economics and Export Control (BAFA)²⁸ compiles a list of the **export licences** granted for all military equipment (war weapons and other military equipment). The figures for reporting year 2009 are displayed under 1. and outlined in further detail in Annex 7. A detailed overview of the 20 leading countries of destination in the reference year can be found under 1. d).

Statistics on **actual exports** of military equipment are at present recorded only for war weapons. Item 2. below presents annual values as determined by Germany's Federal Statistical Office.

Just as its predecessors, the present Military Equipment Export Report contains information on export licences issued and, in a more general manner, on licences denied; however, it presents no information in connection with decisions on **advance inquiries** made during the reporting year concerning respective export projects' eligibility for licences. Advance inquiries are normally made by companies at a very early stage, usually prior to the start of negotiations with potential foreign clients. Positive decisions on advance inquiries are not suitable for use as indicators in evaluating policy on military equipment exports since, at the time of their submission, there is no certainty whether or not the project is going to be implemented. Moreover, advance inquiries enjoy increased confidentiality as business and industrial secrets under Section 30 of the Law on Administrative Procedure since potential competitors could benefit from the publication of a planned but not contractually agreed project in the Military Equipment Export Report. The non-inclusion of advance inquiries creates no gaps in export statistics since upon later

implementation of the projects the actual export licences required (and additionally the actual exports in the case of war weapons) are reflected by the statistics of the respective Military Equipment Export Report; the Report takes account of all administrative transactions at least once and, in the case of war weapons, twice (when licensed, and when exported).

It is only possible to offer generalised information on **denied requests** in order to avoid the Military Equipment Export Report serving as an information source for prospective business deals by exporters located in countries with different (and especially with less restrictive) export control policies.

1. Licences for military equipment (war weapons and other military equipment)

Annex 7 presents an outline of military equipment licences granted and/or denied in 2009²⁹, broken down by countries of destination. The first part of this Annex shows EU Member States, the second part NATO and NATO-equivalent countries (excluding the EU Member States), and the third part all other countries (so-called third countries). For the sake of greater transparency in connection with exports to third countries, this country category has a column entitled EL Items that provides a more detailed breakdown of the important products. Where applications for a country of destination have been denied, the relevant remarks have been made in the overview with details on the number of denials, the EL Items, and the value of the goods. When denial notifications have been made in accordance with the EU Common Position (cf. II. 3), a corresponding remark is noted together with the reason for denial (number of the respective criterion in the Common Position).

The figures presented in columns 2 to 4 relate to export licences issued. Experience shows that actual export values are significantly lower than these licence values. The reason is that licences sometimes remain either partly or entirely unused. It should also be noted

²⁸ Internet address: <http://www.bafa.de>

²⁹ Goods in Part I Section A of the Export List, Appendix AL to the Foreign Trade and Payments Ordinance.

that some or all of the articles are frequently not exported or not entirely exported in the year in which the licence was issued.

a) Individual licences

In 2009 a total of 16,202 individual licence applications for the final³⁰ export of military equipment were approved in Germany (year earlier: 15,458). The total value of the licences – not that of actual exports – was € 5,043 million. This was roughly a € 745 million decrease against figures for 2008 (€ 5,788 million).

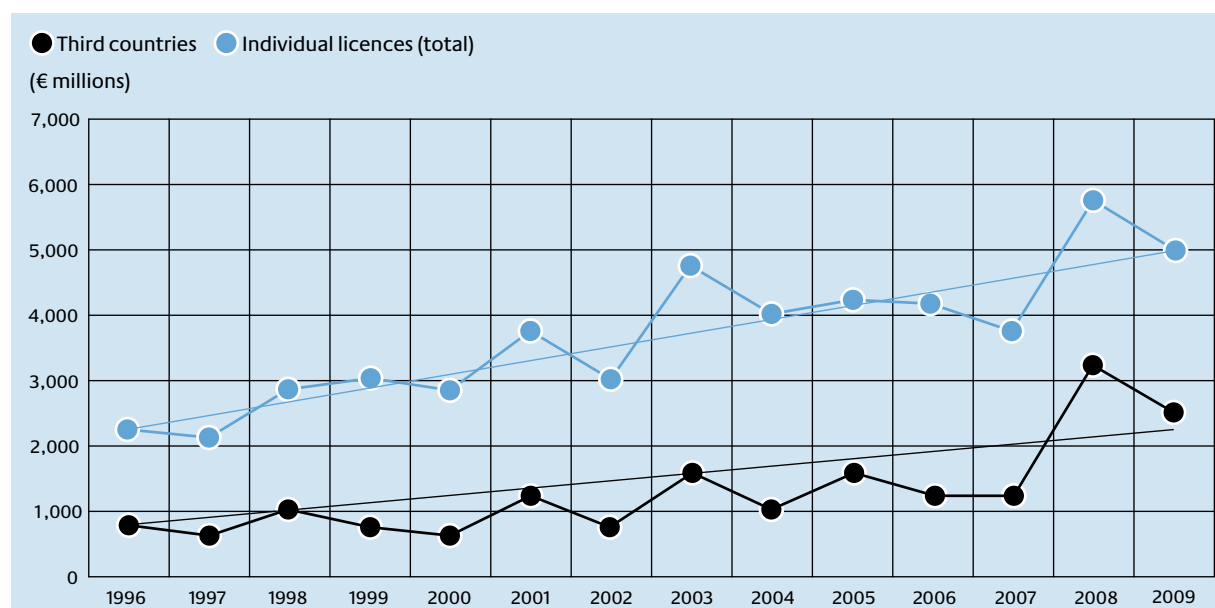
Individual licences for countries designated in No. II of the Political Principles of 19 January 2000 (EU member states, NATO and NATO-equivalent countries) accounted for € 2,551 million of this amount (previous year: € 2,647 million), representing a slight year-on-year decrease. Licences for goods with end-use in EU member states achieved a total value of € 1,445 million (preceding year: € 1,839 million), and licences for goods with end-use in NATO or NATO-equivalent countries (not including EU countries) a total value of € 1,106

million (preceding year: € 809 million) – in each case without collective export licences. The licence value for exports to third countries amounted to € 2,492 million (preceding year: € 3,141 million) and thus fell substantially in year-on-year terms.

The diagram below shows that the licensing figures have fluctuated widely for the group of third countries since 1996. It is necessary to bear in mind here that the values cited in this Report are nominal figures, i.e. they have not been adjusted for inflation.

For exports of military equipment to developing countries³¹, individual licences valued at a total of approx. € 408 million were issued in 2009 (2008: € 263.3 million). This is equivalent to 8.2% of the value of all German individual licences for military equipment (the proportion in 2008 was around 5%). The leading countries of destination in 2009 were Egypt (€ 77.4 million), Colombia (€ 69 million) and Pakistan (€ 61.6 million); a breakdown of the categories of goods licensed is contained in Annex 7.

Figure 1 Trend of value for individual licences 1996–2009



30 Licences of temporary exports, e.g. for fairs, exhibitions, and/or demonstration purposes, are not included.

31 For the term "developing countries," see footnote 3.

The value of licences for the group of the poorest and other developing countries with low incomes³² significantly declined in 2009 relative to the previous year. The total share of this group of countries amounted to € 90.1 million (2008: € 115.4 million) or roughly 1.8 % (2008: 2.0 %) of the value of all individual export licences for military equipment in 2009.

Note: The licence values for the developing countries in general and for the group of the poorest and other low-income developing countries do not include 115 export licences worth a total of € 54.3 million for the UN, other international organisations and Canadian armed forces in Afghanistan. Since the end user of the goods is the armed forces of a NATO country, development policy aspects played no role in the decision – cf. also the 2008 Report.

Figure 2 Licences for developing countries from 2001–2009

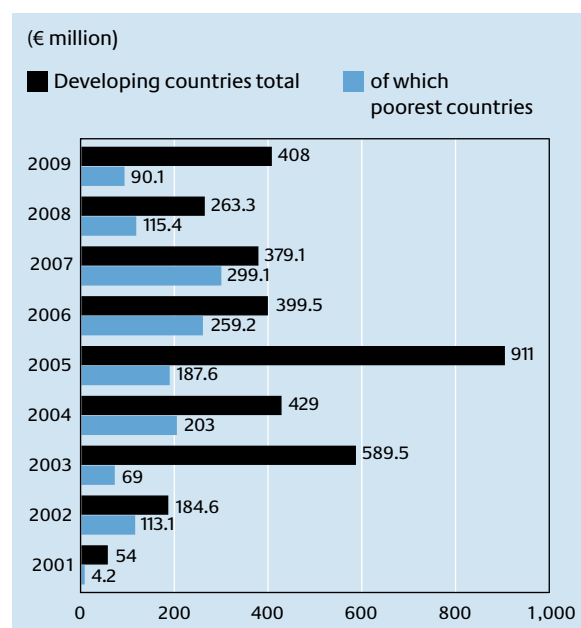


Figure 3 Developing countries' share of total value of licences issued in 2009

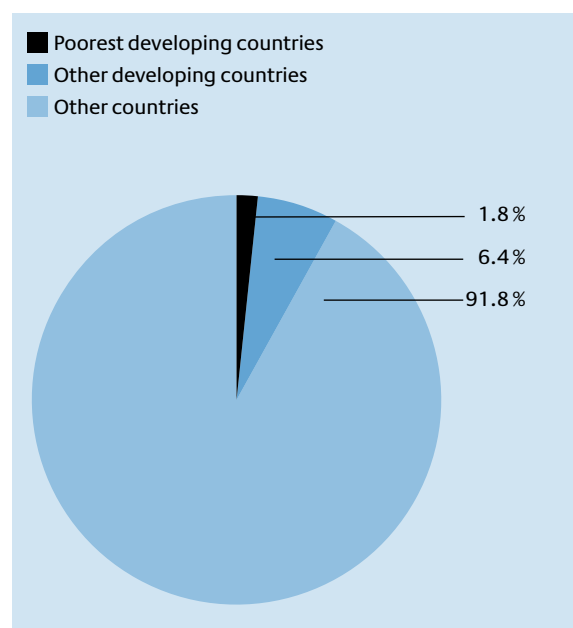
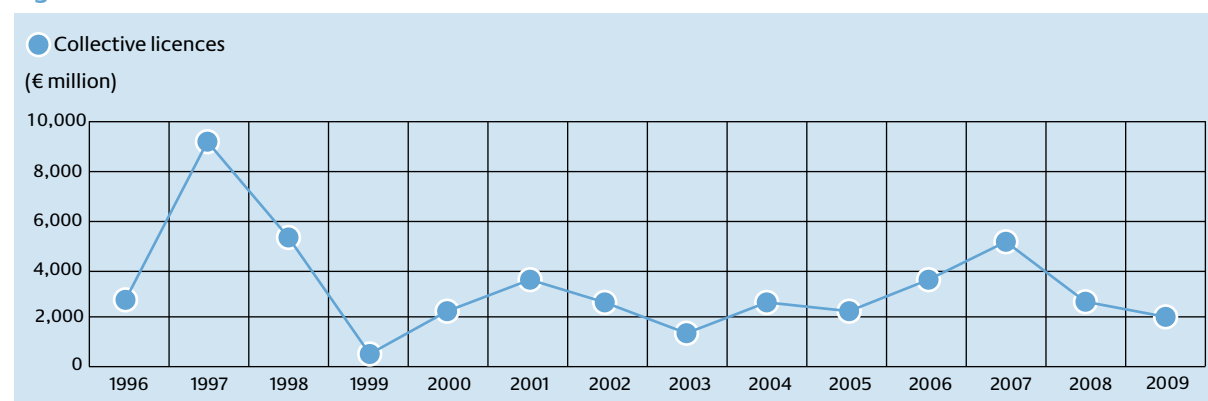


Figure 4 Trend of licence values for collective licences 1996–2009



32 Poorest and other low-income developing countries and areas pursuant to Columns 1 and 2 of the OECD's DAC List of ODA Recipients for 2008–2010. Cf. Annex 9.

b) Collective export licences

In addition to the above, 116 **collective export licences** were issued in the total amount of € 1.996 billion in 2009 (2008: 146 worth some € 2.546 billion), on the basis of which the companies were able to undertake several exports to the same or various consignees abroad (above all as part of collaboration on official government cooperation projects). Collective export licences are normally granted exclusively for exports to NATO and NATO-equivalent countries.

c) Export licence denials

In 2009, 128 applications for military equipment exports (2008: 52) were denied. The total value of the denials came to € 62.6 million (2008: € 84.3 million). The figure does not include applications withdrawn by applicants prior to notification because of poor chances of success or for other reasons.

Since the acquisition of new orders costs money, many applicants seeking to export to sensitive destinations make a formal or informal inquiry with the control authorities about the prospects of their applications prior to the submission of a licence request. Where the response to the inquiry is negative, a formal application is filed only in extremely rare cases, and

the subsequent denial is then included in the attached statistical overview. As a rule, applications appearing to have no prospects of success are not submitted.

The highest-value denials affected India (€ 29.85 million) and the UAE (€ 23.93 million). The value of the other denials was far lower, with Taiwan (€ 2.83 million) and Malaysia (€ 1.49 million) accounting for the next highest figures.

Denials for the final export of arms concerned the following destinations in 2009: Algeria, Andorra, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Brazil, China, Costa Rica, Northern Cyprus, Egypt, Georgia, Ghana, Hong Kong, India, Indonesia, Iran, Iraq, Israel, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Kosovo, Kuwait, Liberia, Libya, Macao, Malaysia, Moldova, Mongolia, Morocco, Namibia, Nepal, Nigeria, Pakistan, Philippines, Russian Federation, Serbia, South Africa, Taiwan, Tanzania, Thailand, Tunisia, Turkey, UAE, Ukraine, Venezuela.

d) Most important countries of destination

The **20 most important countries of destination** for which individual export licences were granted in 2009:

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
1 (2)	USA	668.4	Tanks (demilitarised), cranes and parts for tanks, armoured vehicles, amphibious vehicles, ground vehicles (A0006/25.7%); camouflage paint, mobile electricity generators, containers and parts for diving apparatus, mobile electricity generators, bridges (A0017/18.0%); rifles with and without war weapons list numbers, sub-machine guns, sniper rifles, revolvers, pistols, hunting rifles, sporting rifles, self-loading rifles, smooth-bore weapons, sporting revolvers, sporting pistols, silencers, gun mountings, cartridge clips, weapon sights and parts for rifles with

³³ List position of previous year in brackets.

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
			<p>and without war weapons list numbers, machine guns, sub-machine guns, sniper rifles, revolvers, pistols, hunting rifles, sporting rifles, self-loading rifles, smooth-bore weapons, sporting revolvers, sporting pistols, gun mountings, weapon sights (A0001/15.6 %);</p> <p>ammunition for cannons, pyrotechnic launchers, grenade launchers, rifles, submachine guns, revolvers, pistols, hunting weapons, sporting weapons and ammunition parts for the following: guns, howitzers, cannons, anti-tank weapons, grenade launchers, rifles, machine guns, revolvers, pistols, hunting weapons, sporting weapons (A0003/11.1 %);</p> <p>helicopters, unmanned aircraft, engines, ground equipment, special pilot suits and parts for combat aircraft, combat helicopters, other aircraft, unmanned aircraft, engines, on-board equipment, fuelling equipment, special pressure suits, parachutes (A0010/6.7 %);</p> <p>fire control systems, target range finders, target surveillance systems, testing equipment, calibration equipment and parts for fire control systems, gun laying equipment, on-board weapons-control systems, target acquisition systems, target range finders, detection systems, testing equipment, calibration equipment (A0005/4.8 %)</p>
2 (9)	United Arab Emirates	540.7	<p>Fire control systems, target surveillance systems, positioning radar and parts for fire control equipment, on-board weapons-control systems, positioning radar (A0005/32.4 %);</p> <p>torpedoes, explosive devices, simulators, blasting machines, testing equipment, control equipment and parts for torpedoes, missiles, hand grenades (A0004/27.7 %);</p> <p>trucks, mine-clearing equipment, armoured all-wheel-drive vehicles and parts for tanks, armoured vehicles, amphibious vehicles, recovery vehicles, ground vehicles (A0006/18.2 %);</p> <p>naval guns, automatic cannons and parts for guns, cannons (A0002/11.7 %)</p>

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
3 (3)	United Kingdom	448.4	<p>Ammunition for mortars, pyrotechnic launchers, grenade launchers, rifles, submachine guns, machine guns, fuse setters and ammunition parts for the following: howitzers, cannons, mortars, anti-tank weapons, pyrotechnic launchers, grenade launchers, machine guns (A0003/36.4 %);</p> <p>forged, cast and unfinished components (A0016/26.4 %);</p> <p>on-board equipment, ground equipment, special pilot suits and parts for combat aircraft, combat helicopters, other aircraft, unmanned aircraft, engines, on-board equipment, fuelling equipment, special pressure suits (A0010/15.0 %);</p> <p>rifles with war weapons list numbers, machine guns, sub-machine guns, inoperative weapons and parts for rifles with war weapons list numbers, machine guns, submachine guns, gun mountings (A0001/3.7 %)</p>
4 (-)	Brunei	433.9	Patrol boats and parts for patrol boats (A0009/97.8 %)
5 (1)	Korea, Republic	190.0	<p>Parts for tanks, armoured vehicles and ground vehicles (A0006/42.3 %);</p> <p>underwater detection equipment, ship body conduits and parts for submarines, landing ships, tenders, ships, underwater detection equipment (A0009/16.4 %);</p> <p>electronic equipment, communications equipment, positioning equipment, navigation equipment, guidance equipment, electronic warfare equipment, data processing equipment, testing equipment, frequency converters (A0011/6.6 %);</p> <p>and parts for electronic equipment, communications equipment, positioning equipment, navigation equipment, electronic warfare equipment, electricity supplies (A0011/12.0 %);</p> <p>parts for fire control systems, on-board weapon control systems, target range-finder systems, equipment for counter-action (A0005/9.1 %);</p> <p>blueprints for warheads, technology for missiles, servomotors, periscope system, guidance systems, gear parts, submarine parts, helicopter parts, aircraft parts, electronic parts, simulator parts, mass spectrometers, remote sensors (A0022/4.5 %)</p>

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
6 (8)	Saudi Arabia	167.9	<p>Ground surveillance radar and parts for fire control equipment, ground surveillance radar, equipment for counter-measures (A0005/19.8 %).</p> <p>fuelling system, parachutes and parts for combat aircraft, tanker aircraft, other aircraft, on-board equipment (A0010/15.4 %);</p> <p>parts for rockets, missiles, marine minesweeping systems, grenades (A0004/13.4 %);</p> <p>communications equipment, radio reconnaissance unit and parts for communications equipment, positioning equipment, electronic warfare, travelling wave tubes (A0011/9.2 %);</p> <p>software for detection equipment, weapons systems and border control systems (A0021/8.9 %);</p> <p>aircraft shelters (A0013/8.0 %);</p> <p>target simulators, weapon training equipment, training equipment, training cartridges and parts for training equipment, simulators (A0014/6.6 %)</p>
7 (4)	Singapore	165.8	<p>Tank chassis, amphibious vehicles and parts for tanks, armoured vehicles, amphibious vehicles, ground vehicles (A0006/79.4 %);</p> <p>ammunition for cannons, mortars, revolvers, pistols, smooth-bore hunting weapons, smooth-bore sporting weapons and ammunition parts for the following: howitzers, cannons, anti-tank weapons, smoke dischargers, pyrotechnic launchers, machine guns, rifles (A0003/9.4 %)</p>
8 (12)	France	149.7	<p>Target range-finders, equipment for countermeasures, testing equipment, calibration equipment and parts for fire control equipment, target classification systems, recognition systems, equipment for countermeasures (A0005/17.9 %);</p> <p>ammunition for cannons, mortars, grenade launchers, rifles, submachine guns, machine guns, smooth-bore weapons, fuse setters and ammunition parts for the following: guns, howitzers, cannons, mortars, pyrotechnic launchers, grenade launchers, machine guns, hunting weapons, sporting weapons (A0003/17.7 %);</p>

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
			<p>electronic equipment, communications equipment, positioning equipment, navigation equipment, electronic warfare equipment, data processing equipment, measuring equipment, testing equipment, assemblies, electricity supplies and parts for electronic equipment, communications equipment, positioning equipment, navigation equipment, electronic warfare equipment, data processing equipment, assemblies (A0011/17.6 %);</p> <p>infantry fighting vehicles (demilitarised), trucks, cross-country vehicles, fire fighting vehicles, semi-trailer towing vehicles, trailers and parts for tanks, armoured vehicles, amphibious vehicles, ground vehicles (A0006/13.2 %);</p> <p>unmanned aircraft, ground equipment, pilot helmets and parts for combat aircraft, combat helicopters, other aircraft, unmanned aircraft, engines, on-board equipment, fuelling equipment, special pressure suits, parachutes (A0010/10.1 %);</p> <p>target simulators and parts for flight simulators, training equipment (A0014/4.5 %)</p>
9 (6)	The Netherlands	147.9	<p>Ammunition for cannons, mortars, grenade launchers, rifles, submachine guns, machine guns and ammunition parts for the following: cannons, mortars, grenade launchers, rifles, revolvers, pistols (A0003/28.3 %);</p> <p>trucks, cross-country vehicles, semi-trailer towing vehicles, ambulances, swing loaders, trailers and parts for tanks, armoured vehicles, ground vehicles (A0006/27.5 %);</p> <p>missiles, smoke canisters, hand grenades, irritant grenades, explosive charges, pyrotechnic ammunition, illuminating cartridges, decoys and parts for missiles, rockets, grenades, explosive charges, minesweepers (A0004/11.7 %);</p> <p>weapons sights, gun laying equipment, target tracking systems, testing equipment, calibration equipment and parts for fire control systems, weapon sighting units, gun laying equipment, target surveillance equipment, testing equipment, calibration equipment (A0005/8.0 %);</p> <p>target simulators, training equipment, strike assessment simulators and parts for flight simulators, target simulators, weapons training equipment, training equipment (A0014/5.7 %)</p>

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
10 (5)	Italy	147.1	<p>Trucks and parts for tanks, armoured vehicles, ground vehicles (A0006/25.3 %);</p> <p>parts for combat aircraft, combat helicopters, other aircraft, unmanned aircraft, engines, on-board equipment, fuelling equipment, special pressure suits (A0010/19.9 %);</p> <p>forged, cast and unfinished components (A0016/16.2 %);</p> <p>ammunition for machine guns, pyrotechnic launchers, grenade launchers and parts for ammunition for guns, howitzers, cannons, rifles (A0003/6.2 %);</p> <p>rockets, illuminating cartridges and parts for rockets, missiles, anti-tank systems (A0004/6.2 %);</p> <p>communications equipment, measuring equipment, testing equipment, assemblies and parts for electronic equipment, communications equipment, positioning equipment, navigation equipment, electronic warfare equipment, power supplies (A0011/6.1 %)</p>
11 (-)	Brazil	115.0	<p>Battle tanks, armoured vehicles, trucks and parts for tanks and armoured vehicles (A0006/92.2 %)</p>
12 (15)	Switzerland	110.2	<p>Armoured vehicles, trucks, trailers and parts for tanks, armoured vehicles, ground vehicles (A0006/37.0 %);</p> <p>ammunition for guns, cannons, mortars, pyrotechnic launchers, grenade launchers, rifles, revolvers, pistols, hunting weapons, sporting weapons and ammunition parts for the following: howitzers, cannons, mortars, pyrotechnic launchers, grenade launchers, rifles, revolvers, pistols, hunting weapons, sporting weapons (A0003/12.8 %);</p> <p>irritants and parts for NBC protective ventilation facility, NBC protective clothing (A0007/8.0 %);</p> <p>fire control equipment, weapon sights, gun laying equipment, laser rangefinders, testing equipment, calibration equipment and parts for fire control units, weapon sights, on-board weapons-control systems, targeting systems, target range finders, testing equipment, calibration equipment (A0005/7.8 %);</p>

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
			communications equipment, measuring equipment, testing equipment, power supplies and parts for communications equipment, positioning equipment, navigation equipment, electronic warfare equipment, data processing equipment, power supplies (A0011/7.0 %); rifles with and without war weapons list numbers, sub-machine guns, sniper rifles, revolvers, pistols, hunting rifles, sporting rifles, self-loading rifles, smooth-bore weapons, sporting revolvers, sporting pistols, gun mountings, flash hiders, weapon sights and parts for rifles with and without war weapons list numbers, machine guns, submachine guns, sniper rifles, revolvers, pistols, hunting rifles, sporting rifles, self-loading rifles, smooth-bore weapons, sporting revolvers, sporting pistols, gun mountings, weapon sights (A0001/6.3 %); forged, cast and unfinished components (A0016/4.8 %)
13 (-)	Australia	105.6	Cross-country vehicles and parts for tanks, armoured vehicles, ground vehicles (A0006/77.7 %); parts for flight simulators and target simulators (A0014/8.0 %)
14 (10)	Austria	99.9	Armoured vehicles, cross-country vehicles, aerial bearers, trailers and parts for tanks, armoured vehicles, ground vehicles (A0006/80.9 %)
15 (-)	Romania	85.1	Equipment for image magnifiers, thermal imaging and infrared equipment (A0015/55.0 %); target locators (A0005/31.6 %)

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
16 (13)	Norway	84.1	<p>Cross-country vehicles, cranes and parts for tanks, armoured vehicles, ground vehicles (A0006/35.3 %);</p> <p>rifles with war weapons list numbers, submachine guns, sniper rifles, revolvers, pistols, hunting rifles, sporting rifles, self-loading rifles, smooth-bore weapons, sporting revolvers, sporting pistols, silencers, gun mountings, weapon sights and parts for rifles with war weapons list numbers, machine guns, submachine guns, sniper rifles, revolvers, pistols, hunting rifles, sporting rifles, self-loading rifles, sporting revolvers, sporting pistols, gun mountings, weapons sights (A0001/23.7 %);</p> <p>gun laying equipment, testing equipment, calibration equipment and parts for fire control units, weapon sights, target acquisition systems, target range finders, target surveillance systems, testing equipment, calibration equipment (A0005/20.4 %);</p> <p>ammunition for mortars, grenade launchers, rifles, submachine guns, revolvers, pistols, hunting weapons, sporting weapons and ammunition parts for the following: cannons, anti-tank weapons, pyrotechnic launchers, grenade launchers, rifles, machine guns, revolvers, pistols, hunting weapons, sporting weapons (A0003/7.5 %)</p>
17 (-)	Egypt	77.5	<p>Communications equipment and parts for communications equipment, broadband direction finders (A0011/67.0 %);</p> <p>parts for tanks, armoured vehicles and ground vehicles (A0006/25.6 %);</p>
18 (-)	Canada	72.5	<p>Parts for tanks, armoured vehicles and ground vehicles (A0006/35.1 %);</p> <p>mortars, smoke dischargers and parts for cannons, mortars, automatic grenade launchers (A0002/18.4 %);</p> <p>technology for decoy launchers, illuminating cartridges, armoured vehicles, communications equipment and documentation for vehicle protection systems, aircraft, communications equipment, flight simulator (A0011/15.8 %);</p> <p>aircraft (demilitarised), unmanned aircraft and parts for aircraft, unmanned aircraft, engines (A0010/8.6 %);</p>

No. ³³	Country	Value in 2009 (€ millions)	Description of Articles
			positioning equipment, navigation equipment and parts for communications equipment, positioning equipment, navigation equipment (A0011/7.0 %)
19 (-)	Chile	72.4	Battle tanks, armoured vehicles, trucks and parts for tanks, armoured vehicles, ground vehicles (A0006/91.8 %)
20 (7)	Spain	69.6	Electronic equipment, communications equipment, positioning equipment, navigation equipment, measuring equipment, testing equipment, assemblies, electricity supplies and parts for electronic equipment, communications equipment, positioning equipment, navigation equipment, electronic warfare equipment (A0011/43.8 %) missiles, minesweeping systems, illuminating cartridges and parts for rockets, missiles, minesweepers, pyrotechnic ammunition (A0004/16.9 %); trucks, cross-country vehicles and parts for tanks, armoured vehicles, ground vehicles (A0006/11.1 %); training aircraft (demilitarised), ground equipment, aviators' helmets and parts for combat aircraft, combat helicopters, other aircraft engines, on-board equipment, fuelling equipment, special pressure suits (A0010/10.9 %)

The sharp fluctuations in some country rankings result from the pronounced differences from year to year in the occurrence of approved applications.

e) Individual export licences broken down by Export List Items

The individual export licences issued in 2009 are broken down into the 22 EL Items as follows:

EL Item	Description of item	Number	Value in €
A 0001	Small firearms	4,759	205,270,505
A 0002	Large calibre weapons	359	168,714,800
A 0003	Ammunition	1,198	460,609,123
A 0004	Bombs, torpedoes, missiles	367	332,886,599
A 0005	Fire control systems	603	431,599,745
A 0006	Wheeled and tracked military vehicles	3,623	1,285,675,836
A 0007	Equipment for NBC defence, irritants	171	32,810,265
A 0008	Explosives and fuels	295	22,220,075
A 0009	Naval vessels	517	613,455,655
A 0010	Military aircraft/aircraft technology	933	236,334,174
A 0011	Military electronics	1,095	455,069,725
A 0013	Ballistic protection equipment	90	31,053,711
A 0014	Training and simulator equipment	170	63,260,432
A 0015	Infrared/thermal imaging equipment	186	136,653,041
A 0016	Semi-finished parts for the production of certain items of military equipment	549	244,195,875
A 0017	Miscellaneous equipment	388	156,227,772
A 0018	Manufacturing equipment for the production of military articles	593	36,761,098
A 0019	HF weapon system	2	800,000
A 0021	Military software	273	42,140,562
A 0022	Technology	655	87,657,859
Total³⁴		16,826	5,043,396,852

based on 16,202 licences

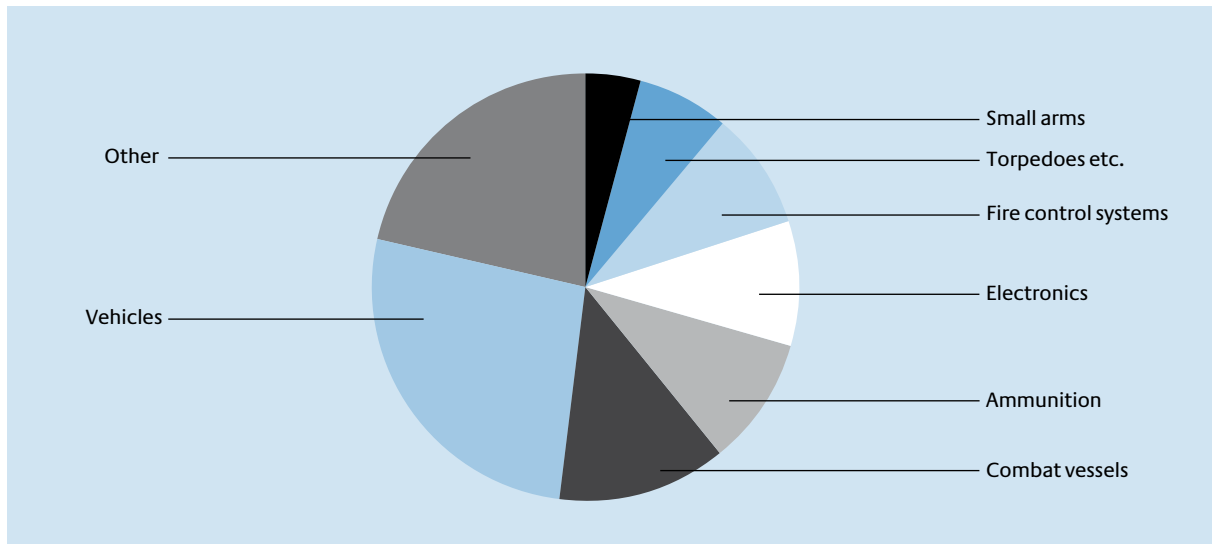
³⁴ The addition of the number of individual licences by positions A 0001 to A 0022 yields a higher value than the total number of individual licences since some of the applications are split among several positions and are therefore counted two or more times in the individual positions in this table.

The table shows that the category which accounted for the **largest share** of exports of military equipment **in terms of value** in 2009 was “wheeled and tracked military vehicles”, totalling € 1.29 billion. The second-largest item was naval vessels (€ 613.5 million), followed in third place by ammunition (€ 460.6 million) and then by military electronics (€ 455 million).

The small firearms item-number on the Export List (A 0001) includes not only small arms but also the so-called civilian weapons such as hunting, sporting, and self-defence weapons, which are much more important in terms of licence values; more detailed information on this point is available below, under h).

The share accounted for by the most important categories is clearly shown in the following illustration:

Figure 5 Individual licences' share (by value) of the most important Export List items in 2009



f) Export licences from 1996 to 2009

The following table compares the values (€ millions) of the **licences issued** in the years 1996 to 2009 for final exports. To provide a better basis for comparison, the values are not broken down by individual coun-

tries of destination but packaged together for the privileged countries of destination (EU, NATO, NATO-equivalent) on the one hand and third countries on the other. A breakdown by individual country can be found in Annex 7.

Year	EU countries (€ millions)	NATO or NATO-equivalent countries (without EU countries, € millions)	Third countries (€ millions)	Individual export licences (total) (€ millions)	Collective licences (total) (€ millions)
1996	615.2	720.2	850	2,185.4	2,271
1997	731.8	732.7	596.1	2,060.6	9,189.7
1998	632.3	1,208	1,033	2,873.7	5,577.8
1999	701.8	1,542.8	781.6	3,026.1	334.7
2000	1,283.8	963.5	599.7	2,846	1,909.1
2001	1,329.7	1,010.6	1,345.8	3,686.1	3,845.3
2002	1,363.5	1,149.5	744.6	3,257.6	2,550.6
2003	1,892.0	1,359.2	1,613.0	4,864.2	1,328.0
2004	1,915.8	810.7	1,080.2	3,806.7	2,437.1
2005	1,440.3	1,120.0	1,655.5	4,215.8	2,032.8
2006	1,863.3	1,174.4	1,151.3	4,189	3,496.2
2007	1,297	1,141	1,230	3,668	5,053
2008	1,839	809	3,141	5,788	2,546
2009	1,445	1,106	2,492	5,043	1,996

Figure 6 Breakdown by value of individual licences by country group

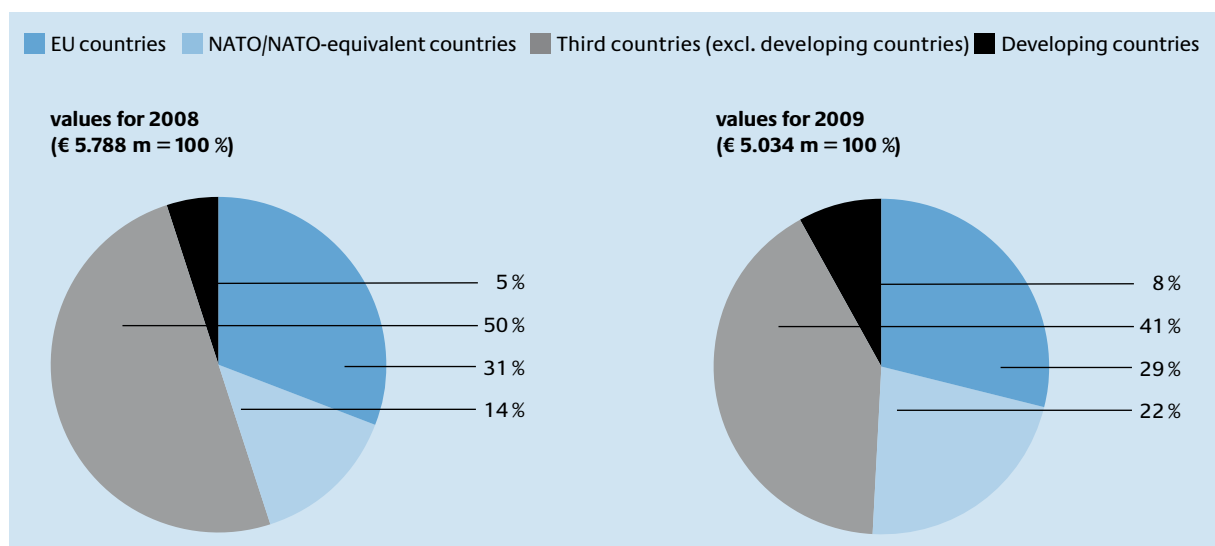


Figure 6 shows the monetary values of export licences issued for all country groups in 2008 and 2009. Pursuant to the “Political Principles”, EU, NATO and NATO-equivalent countries all have essentially the same status with regard to German arms exports.

g) War weapons' share of licensed values in 2009

The licence values shown under f) related to articles from Part I Section A of the Export List, thus to all military equipment including war weapons. By contrast, the following identifies the share of overall values for individual licences accounted for by war weapons in

2009. Individual licences for the export of war weapons add up to a total of € 1.08 billion, thus approximately 21.5 % of the total for overall individual licences (the figures for 2008 were € 2,620 million and 42 %). The following table displays – broken down by country – total licences for the export of war weapons to third countries in 2009 (total value: € 783 million; 2008 figure: € 2.054 million):

Country	Individual decisions or applications for war weapons	Value in €
Afghanistan	1	468,630
Bahrain	3	16,162
Bermuda	1	22,735
Bhutan	1	51,250
Brazil	4	103,506,023
Brunei	4	417,936,120
Chad (end-user: UN mission)	1	36,615
Chile	8	14,136,600
Egypt	4	715,360
Haiti (end-user: UN mission)	1	30,600
Hong Kong	2	97,184
India	5	1,150,747
Indonesia	4	615,759
Israel	19	4,994,677
Jordan	1	5,917,200
Korea, Republic	3	5,430,120
Kosovo	1	87,160
Kuwait	5	11,127,194
Malaysia	7	3,519,513
Mexico	2	24,419
Montenegro	1	1,030,190
Oman	4	4,163,676
Pakistan	1	8,010,400
Peru	1	15,320,000
Philippines	2	228,824

Country	Individual decisions or applications for war weapons	Value in €
Qatar	3	467,984
San Marino	1	19,063
Saudi Arabia	8	10,669,120
Serbia	4	1,002,035
Singapore	8	12,463,433
South Africa	3	3,042,400
Trinidad and Tobago	1	138,000
United Arab Emirates	7	156,083,870
Uruguay	3	287,520
Total	124	782,810,583

The licence values for the war weapons under consideration here by no means reflect the export values for war weapons named in Section III. 2. Since licences are generally valid for one full year, they are often not used by the end of the calendar year of issuance but only in the following calendar year. It also happens that, although a licence has been issued, there is no export; this can occur, for example, if the corresponding procurement project has been postponed in the country of consignment.

h) Individual licences for the export of small arms from 1996 to 2009

In view of the continuing special problems associated with the destabilising effects of accumulations of small arms and light weapons (frequently termed “small arms”) in crisis areas³⁵, the German Government is additionally reporting for 2009 on individual licences issued in the years 1996–2009 for the export of small arms.

Small arms do not represent an independent category within the groups of military equipment and war weapons under German law, but they are contained within these groups of items. They thus

represent a portion of the small firearms covered under EL number 0001 (see section e, above). The values shown in the following tables A to C are therefore already included in the statistics under 1. a) to g) and in the values presented under Annex 7.

At the international level, the term “small arms” has various meanings and is defined differently in different forums. Although there are (to some extent considerable) differences in details, there is large agreement on basic elements. But there is still no uniform understanding of all weapon categories. The **OSCE small arms definition**³⁶ and the **EU’s small arms definition**³⁷ provide something of a model. Both of these definitions are based on the term “small arms and light weapons”, which is widely used internationally, and distinguish between small arms (mainly small military firearms) and light weapons (most notably portable rocket and artillery systems). Both definitions also coincide in that they include only such weapons as are specifically intended for military use, not, however, civilian weapons such as, in particular, hunting and sporting weapons, or civilian (i. e. not specifically designed for military use) weapons of self defence (revolvers and pistols).

³⁵ Cf. II. 8. in this regard.

³⁶ Cf. the OSCE small arms document, footnote 21.

³⁷ See Appendix of the Joint Action of 12 July 2002 on the European Union’s Contribution to Combating the Destabilising Accumulation and Spread of Small Arms and Light Weapons (2002/589/CFSP). For more details: Fifth Annual Report on the implementation of the EU Joint Action of 12 July 2002 (OJ C 171 of 22 July 2006), p. 1.

The OSCE defines small arms as follows:

“[...] small arms and light weapons are man-portable weapons made or modified to military specifications for use as lethal instruments of war.

Small arms are broadly categorized as those weapons intended for use by individual members of armed or security forces. They include revolvers and self-loading pistols; rifles and carbines; submachine guns; assault rifles; and light machine guns. Light weapons are broadly categorized as those weapons intended for use by several members of armed or security forces serving as a crew. They include heavy machine guns; hand-held under-barrel and mounted grenade launchers; portable anti-aircraft guns; portable anti-tank guns; recoilless rifles; portable launchers of anti-tank missile and rocket systems; portable launchers of anti-aircraft missile systems; and mortars of calibres less than 100mm.”

The **Joint Action of the EU** distinguishes the following categories of small arms and light weapons:

“(a) Small arms and accessories specially designed for military use:

- ▶ machine guns (including heavy machine guns)
- ▶ submachine guns, including fully automatic pistols
- ▶ fully automatic rifles
- ▶ semi-automatic rifles, if developed and/or introduced as models for the armed forces
- ▶ moderators (silencers)

(b) Man or crew-portable light weapons:

- ▶ cannon (including automatic cannon), howitzers, and mortars of less than 100mm calibre
- ▶ grenade launchers
- ▶ anti-tank weapons, recoilless guns (shoulder-fired rockets)
- ▶ anti-tank missiles and launchers
- ▶ anti-aircraft missiles/man-portable air defence systems (MANPADS)”

Using the EU’s small arms definition, the following tables show the value of licences for the export of submachine guns, machine guns, automatic and semi-automatic weapons, smooth-bore military weapons, weapons for caseless ammunition and parts for such weapons (Table A)³⁸, and of licences for the export of ammunition for guns, submachine guns, and machine guns and parts for such ammunition (Table C)³⁹ in the years from 1996 to 2009.

³⁸ Excluding hunting and sporting weapons.

³⁹ Excluding ammunition for hunting and sporting weapons.

Table A: Individual licences for the export of small arms – values in € millions

Year	EU countries	NATO/NATO-equivalent countries (without EU countries)	Third countries	Individual licences (total)
1996	0.89	2.60	1.87	5.36
1997	5.60	4.11	6.24	15.95
1998	2.09	14.68	6.57	23.34
1999	10.14	6.38	4.74	21.26
2000	4.97	3.58	0.27	8.82
2001	24.57	6.62	7.43	38.62
2002	45.31	12.09	4.20	61.6
2003	35.56	8.76	8.59	52.9
2004	12.64	15.46	8.17	36.27
2005	17.97	5.44	12.57	35.98
2006	11.45	10.23	15.6	37.28
2007	9.35	9.38	30.2	48.93
2008	22.72	28.94	17.18	68.85
2009	35.97	20.10	14.32	70.40

The following illustrations show the values broken down by three country groups for small arms licences issued in 2008 and 2009; in addition the group “third countries” has been divided into developing countries and other third countries. The developing countries

accounted for approx. 4.5 % of all small arms licences in 2009. The German Government will continue to take a particularly restrictive approach to exports of small arms to developing countries in future.

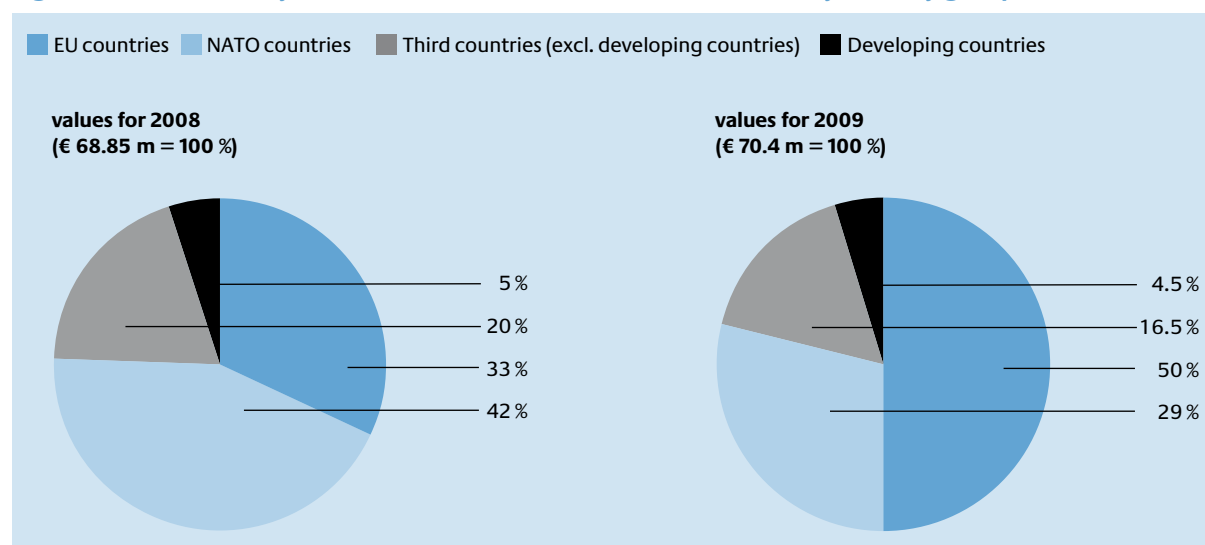
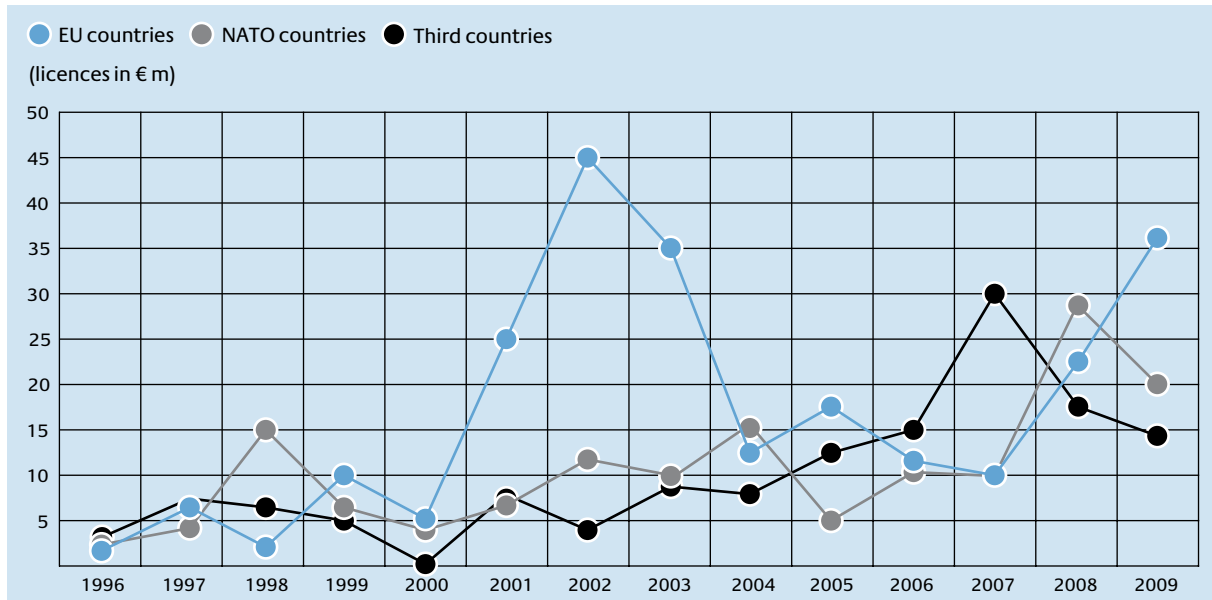
Figure 7 Breakdown by value of individual licences for small arms by country group

Figure 8 Trend of export licences for small arms 1996–2009



The aggregate value of individual export licences for small arms is significantly lower than the aggregate value of total export licences for small firearms as listed above under e) for EL position 0001 (€ 205.2 million). As already explained, this is the result of the fact that the definition of small firearms found there also includes civilian weapons (revolvers, pistols) used for self defence, as well as hunting and sporting weapons, and therefore extends far beyond that of small arms as understood internationally.

For this reason, only just under 7% of the licence values for small arms apply to licences for small arms destined for third countries (€ 14.32 million). The proportion of small arms licensed for third countries is clearly lower than in the preceding year (€ 17.18 million).

Table B: Individual licences for the export of small arms to third countries broken down by countries, licence values and unit numbers for 2009⁴⁰

Country	Licences (total)	EL Item	Value (€)	Designation	Units
Bahrain	5	0001A-02	1,920	Rifles with war weapons list numbers	2
			50	Requisite components	3
		0001A-05	7,742	Submachine guns	7
			1,863	Requisite components	31
Bermuda	1	0001A-05	22,735	Submachine guns	25
			1,476	Requisite components	66
Bhutan	2	0001A-02	19,250	Rifles with war weapons list numbers	11
			6,920	Requisite components	192
		0001A-05	32,000	Submachine guns	20
Chad	3	0001A-02	24,615	Rifles with war weapons list numbers and	15
			7,145	requisite components (UN mission)	205
		0001A-05	12,000	Submachine guns and	10
			350	requisite components (UN mission)	10
Chile	5	0001A-02	6,840	Rifles with war weapons list numbers	6
		0001A-05	346,260	Submachine guns	348
			624	Requisite components	24
Congo, Dem. Rep.	1	0001A-02	4,860	Parts for rifles with war weapons list numbers (UN mission)	112
Côte d'Ivoire	2	0001A-05	3,502	Components for submachine guns (UN mission)	12
Egypt	4	0001A-05	693,120	Submachine guns	884
			172,917	Requisite components	2,736
Haiti	1	0001A-02	30,600	Rifles with war weapons list numbers	18
			4,232	Requisite components (UN mission)	16
Hong Kong	3	0001A-02	71,034	Submachine guns	36
			31,785	Requisite components	439
India	5	0001A-02	316,482	Rifles with war weapons list numbers	425
			55,500	Requisite components	790
		0001A-05	664,366	Submachine guns	307
			32,664	Requisite components	595

40 "Small arms" comprise: rifles with war weapons list numbers, submachine guns, machine guns, smooth-bore weapons for military purposes, weapons for caseless ammunition, and parts for such weapons. (Other small arms are excluded: rifles without war weapons list numbers, revolvers, pistols, sniper rifles, inoperative weapons, hunting rifles, sporting pistols and revolvers, sporting rifles, semi-automatic hunting and sporting rifles and other smooth-bore weapons).

Country	Licences (total)	EL Item	Value (€)	Designation	Units
Indonesia	2	0001A-05	503,070	Submachine guns	318
			336	Requisite components	480
Iraq	1	0001A-02	24,000	Parts for rifles with war weapons list numbers (UN mission)	70
Korea, Republic	1	0001A-05	1,899	Components for submachine guns	122
Kosovo	3	0001A-02	377	Parts for rifles with war weapons list numbers	18
			86,100	Submachine guns	60
			8,665	Requisite components	77
Kuwait	1	0001A-05	321,600	Submachine guns	300
			14,155	Requisite components	2,450
Lebanon	6	0001A-02	118,462	Parts for rifles with war weapons list numbers	2,548
		0001A-05	22,850	Components Submachine guns	576
Malaysia	1	0001A-05	84,600	Submachine guns	60
			10,500	Requisite components	300
Mexico	6	0001A-02	337,182	Parts for rifles with war weapons list numbers	142,243
			24,419	Submachine guns	19
			1,995	Requisite components	48
Montenegro	2	0001A-02	446,165	Rifles with war weapons list numbers	137
			11,394	Requisite components	447
		0001A-05	527,625	Submachine guns	230
			29,325	Requisite components	690
Oman	1	0001A-02	2,840	Rifles with war weapons list numbers	2
Philippines	5	0001A-02	138,034	Rifles with war weapons list numbers	117
			72,092	Requisite components	2,646
		0001A-05	89,950	Submachine guns	60
Qatar	2	0001A-02	2,370	Rifles with war weapons list numbers	2
			200	Requisite components	10
		0001A-05	61,064	Submachine guns	34
			3,014	Requisite components	51
San Marino	1	0001A-05	19,063	Submachine guns	11
			2,018	Requisite components	45
Saudi Arabia	20	0001A-02	4,949,000	Rifles with war weapons list numbers	3,500
			1,243,060	Requisite components	366,394
		0001A-05	585,105	Components for submachine guns	21,309

Country	Licences (total)	EL Item	Value (€)	Designation	Units
Serbia	4	0001A-02	403,880	Rifles with war weapons list numbers	300
		0001A-05	195,600	Requisite components	5,196
			493,115	Submachine guns	335
			2,610	Requisite components	60
Singapore	2	0001A-05	37,200	Submachine guns	30
			4,000	Requisite components	110
South Africa	1	0001A-05	130,650	Submachine guns	195
			3,705	Requisite components	195
Thailand	5	0001A-02	184,137	Parts for rifles with war weapons list numbers	10,686
Trinidad and Tobago	1	0001A-05	138,000	Submachine guns	200
			18,150	Requisite components	900
United Arab Emirates	1	0001A-05	103,500	Submachine guns	100
			2,700	Requisite components	100
Uruguay	3	0001A-02	35,995	Rifles with war weapons list numbers	45
			2,520	Requisite components	152
		0001A-05	2,525	Submachine guns	2
			276	Requisite components	48
		0001A-06	247,500	Machine guns	150
Total	101		14,321,444		

Table C: Individual licences for ammunition for small arms, including ammunition parts – values in € million for 1996–2008

Year	EU countries	NATO/NATO-equivalent countries (without EU countries)	Third countries	Individual licences (total)
1996	0.30	0.50	0.09	0.89
1997	4.60	5.00	0.74	10.34
1998	4.64	10.09	0.63	15.36
1999	2.83	14.95	0.15	17.93
2000	2.81	2.84	0.04	5.69
2001	2.20	12.46	1.80	16.46
2002	7.08	6.10	1.88	15.06
2003	1.83	8.53	1.61	11.96
2004	3.69	11.06	0.57	15.31
2005	6.13	11.50	0.24	17.87
2006	13.31	7.76	0.15	21.22
2007	16.77	13.59	1.4	31.76
2008	10.10	10.18	18.65	38.94
2009	41.18	17.53	2.63	61.35

The figure below shows the breakdown of licences in 2008 and 2009 for the export of small arms ammunition to the three categories of countries mentioned in table C (in the chart, the percentages for developing countries and other third countries are shown separately). The licences for small arms ammunition, both for third countries and developing countries,

decreased substantially in 2009. This category accounted for a share of only 4%; the share of third countries excluding developing countries amounted to only 3.2%, and that of developing countries to 0.8%. In comparison with 2008, by contrast, the proportion of export licences for ammunition accounted for by EU countries more than doubled.

Figure 9 Export licences for small arms ammunition

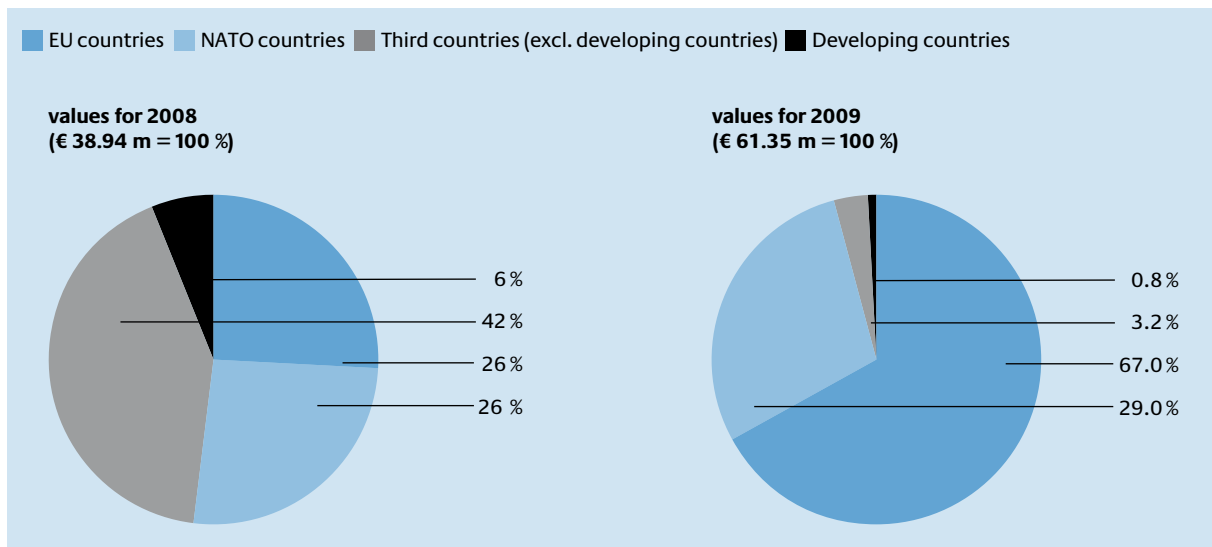


Table D: Individual licences for the export of small arms ammunition to third countries, by country, for 2009⁴¹

Country	Licenses (total)	EL Item	Value (€)	Designation	Units
Bahrain	2	0003A-05	6,500	Ammunition for submachine guns	13,000
Bhutan	1	0003A-01	7,500	Ammunition for rifles	5,000
Botswana	1	0003A-01	95,000	Ammunition for rifles	100,000
India	1	0003A-01	476,000	Ammunition for rifles	170,000
Israel	1	0003A-01	22,406	Ammunition for rifles	99,990
Korea, Republic	2	0003A-05	95,120	Ammunition for submachine guns	160,000
Kuwait	1	0003A-01	1,050,000	Components for rifle ammunition	1,000
Oman	2	0003A-01	19,426	Ammunition for rifles	51,880
Qatar	2	0003A-01	420,462	Ammunition for rifles	1,621,080
Saudi Arabia	2	0003A-01	9,687	Ammunition for rifles	7,750
Singapore	3	0003A-01	325	Ammunition for rifles	200
			369,150	Requisite components	16,000,000
		0003A-06	490	Machine gun ammunition parts	2,000
United Arab Emirates	1	0003A-05	66,150	Ammunition for submachine guns	90,050
Uruguay	1	0003A-05	1,500	Ammunition for submachine guns	3,000
Total	20		2,639,716		

Total values for 2009 were: 20 licences at a value of € 2.64 million.

Overall, small arms and small arms munitions accounted for only a minute fraction of the total value of all individual licences: in 2009, its share amounted to a mere 2.6 %.

23 June 2003, but it also goes beyond the Common Position. It substantially broadens the existing controls on arms brokering under Section 4a of the War Weapons Control Act, which remains in force unchanged. In 2009, a total of 25 brokering licences were issued. There were 2 denials. Annex 8 contains an overview of these licences.

i) Licences for brokering transactions in 2009

The new licensing rules of Sections 40 to 42 of the Foreign Trade and Payments Ordinance regarding brokering transactions involving military equipment entered into force on 29 July 2006. To some extent, this addition to the Foreign Trade and Payments Ordinance served to implement Council Common Position 2003/468/CFSP on the control of arms brokering of

⁴¹ "Small arms ammunition" comprises ammunition for guns (war weapons), machine guns, submachine guns and parts for such weapons. Ammunition for revolvers, pistols, hunting and sporting weapons and shotguns is not included.

2. Exports of war weapons

a) War weapon exports in reporting year 2009

In 2009, Germany's Federal Statistical Office (DESTA-TIS) determined that goods worth a total value of € 1,338.8 million (0.17 % of all German exports) were exported from Germany (2008: € 1,427.2 million or 0.14 %). The total value thus declined compared with the year before. In value terms, 76 % of the war weapons exports went to EU, NATO, and NATO-equivalent countries; according to the "Political Principles", the export of military equipment to such countries is not to be restricted. The exports of war weapons are largely commercial transactions; to some extent, however, they are also transfers of Bundeswehr stocks.

In 2009, war weapons worth a total of € 52.2 million, or approx. 4 % of all exports of war weapons, were exported to developing countries (2008: € 9.08 million or approximately 0.6 %). Of these, exports valued at € 45.5 million went to Pakistan and € 4.5 million to Peru.

(1) Bundeswehr exports

Within the exports, a merchandise value of € 131.8 million (some 10 % of total exports of war weapons) was accounted for by the transfer of material by the German Ministry of Defence. This roughly corresponds to the volume of exports of 2008 (€ 135.1 million). The figure mainly consists of substantial exports worth € 105.8 million to South Korea (Republic of Korea) – and particularly an anti-aircraft missile system and guided missiles, which amounted to € 124 million back in 2008.

(2) Commercial exports

The value of German companies' commercial exports amounted to € 1,206.7 million in 2009 (2008: € 1,292.1 million). 85 % of these exports (€ 1,027.2 million) went to NATO, EU or NATO-equivalent countries.

Weapons exports to third countries amounted to € 179.7 million, less than half of the € 388.8 million exported in 2008.

Figure 10 Commercial war weapons exports to third countries 1999–2009



The following outline contains all exports of war weapons in 2009 (commercial and by German Ministry of Defence), broken down by consignee country and value.

Country	Value in € 1,000
Australia	47
Austria	500,396
Belgium	68,711
Bhutan	179
Brazil	17,362
Bulgaria	77
Canada	212
Chad (end-user: UN mission)	37
Chile	44,918
Croatia	181
Czech Republic	2,991
Denmark	4,026
Egypt	702
Estonia	81
Finland	10,855

Country	Value in € 1,000
Luxembourg	28
Malaysia	3,495
Mexico	2,532
Montenegro	975
Netherlands	103,192
New Zealand	43
Norway	28,537
Oman	2,091
Pakistan	45,538
Peru	4,560
Philippines	154
Poland	882
Portugal	104
Romania	6,786
Saudi Arabia	8,697

Country	Value in € 1,000
France	10,650
Greece	42,821
Haiti (end-user: UN mission)	31
Hong Kong	97
India	694
Indonesia	503
Ireland	133
Israel	5,145
Italy	38,461
Japan	205
Korea, Republic	116,078
Kuwait	2,210
Latvia	2,632
Lebanon	153
Lithuania	10,101

Country	Value in € 1,000
Serbia	960
Singapore	20,584
Slovakia	577
Slovenia	30
Spain	50,900
South Africa	3,572
Sweden	33,177
Switzerland	24,767
Thailand	2
Turkey	15,929
United Arab Emirates	43,252
United Kingdom	35,009
USA	21,704
Uruguay	75
Total	€ 1,338.8 m

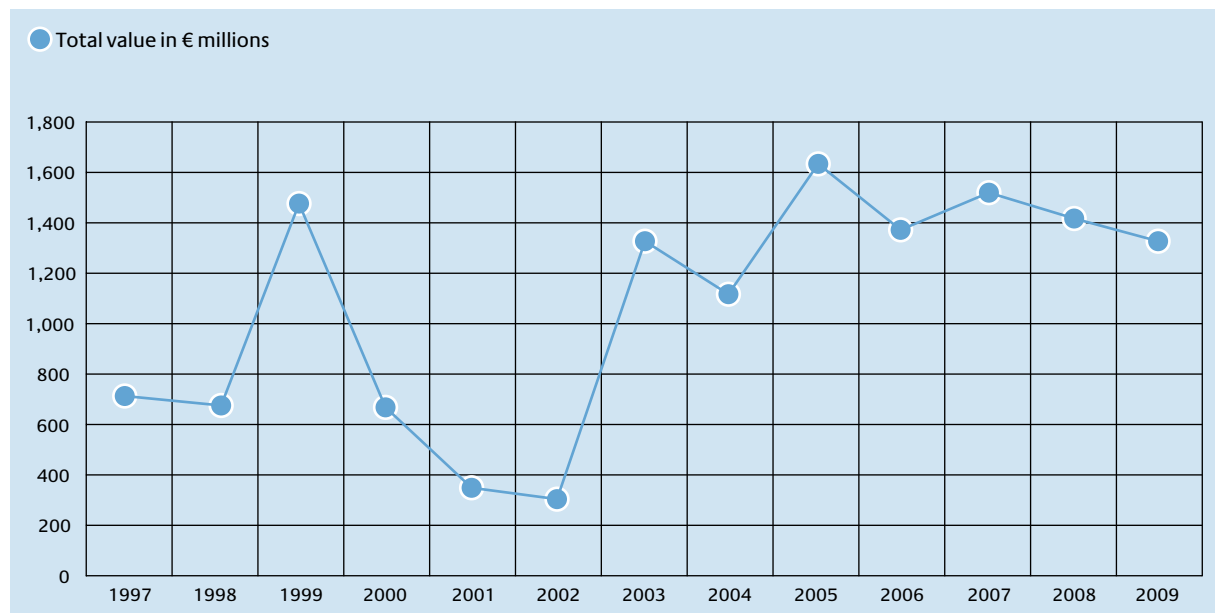
b) War weapons exports from 1997 to 2009

The table below shows the **total value of German arms exports** (including weapons exported by the Bundeswehr), along with **each year's share of total exports** for the last several years.

Year	Total Value (in € millions)	% share of total German exports
1997	707.4	0.16
1998	683.9	0.14
1999	1,454.2	0.29
2000	680.2	0.11
2001	367.3	0.06
2002	318.4	0.06
2003	1,332.8	0.20
2004	1,129.1	0.15
2005	1,629.7	0.26
2006	1,374.2	0.15
2007 ⁴²	1,510.1	0.16
2008	1,427.2	0.14
2009	1,338.8	0.17

Plotted on a chart, the trend is as follows:

Figure 11 Trend of aggregate war weapon exports in total values



⁴² Cf. footnote 42 of the 2008 Report.

3. German military equipment exports by international comparison

Attempts are repeatedly made to produce tables ranking the world's leading exporters of military equipment.

The U.S. Congressional Research Service (CRS) presented its figures for 2009 in a study in September 2010.⁴³ It states that the USA concluded **arms export contracts** worth US\$ 22.6 billion worldwide. It thus accounted for 39.3 % of the world's arms export contracts (US\$ 57.5 billion). Next came Russia, at US\$ 10.4 billion (18.1 %), and then France at US\$ 7.4 billion (12.9 %). According to this list of arms export contracts concluded worldwide, Germany ranks fourth with contracts worth US\$ 3.7 billion (6.4 %).

The CRS states that, in terms of **actual arms exports**, Germany ranked third in 2009, with exports of a total value of US\$ 2.8 billion (behind the USA at US\$ 14.4 billion and Russia at US\$ 3.7 billion; total volume worldwide: US\$ 35.1 billion).

According to the study, approx. 48.5 % of the world's weapons exports in 2009 went to **third countries**.⁴⁴ In terms of these exports to third countries, the USA ranked first, at US\$ 7.4 billion, ahead of Russia at US\$ 3.5 billion. Next came China, at US\$ 1.8 billion, and then Germany at US\$ 1.0 billion.

Germany is not ranked in the top ten in terms of arms contracts concluded with third countries in 2009. The CRS says the leading countries here were the USA, Russia, France, Italy, Israel and China. According to this analysis, the trend for the years 2002–2009 shows that the United States was far in the lead, followed at quite a distance by Russia, the UK, France and China. Germany ranks eighth here, behind Israel and Italy.

The International Institute for Strategic Studies (IISS) has yet to present a study with 2009 figures. In its most recent publication of February 2010⁴⁵, the IISS simply used the figures from the September 2009 CRS report.

The Stockholm-based SIPRI Institute ranked Germany third in 2009⁴⁶ (as also in 2008) amongst the world's leading exporters of military equipment (behind the USA and Russia, but ahead of France and the UK). According to SIPRI, the USA had a 30 % world market share of military exports in 2009, followed by Russia (approx. 20 %), Germany (approx. 11 %), France (approx. 8 %) and the UK (approx. 5 %). German exports are said to have expanded particularly within Europe in the 2005–2009 period. However, the special analytical methods used by SIPRI, which are explained in detail in the document cited here, make it virtually impossible to compare the results with those of other institutes.⁴⁷

43 CRS Report for Congress: Conventional Arms Transfers to Developing Nations, 2001–2009 of 10 September 2010, authored by Richard F. Grimmett.

44 The group of "developing nations" in the CRS Report corresponds to the Military Equipment Export Report's "third countries", excluding Russia and European countries.

45 IISS, *The Military Balance 2010*, p. 469.

46 SIPRI Yearbook 2010 – Armaments, Disarmament and International Security, 7. International arms transfers.

47 SIPRI bases its calculations on a so-called "trend indicator value". The attempt is made to estimate the actual value of a weapon system, independent of the purchasing price actually agreed on for the specific transaction. To determine this price (which is fictitious but reflective of the significance of the transaction), SIPRI works with various estimates, rules of thumb and comparative measures.

All of these comparisons suffer from the lack of globally valid standards for recording and publishing such exports. The sole exception is the UN Register of Conventional Arms (cf. Section II. 7.), which is based on a uniform world-wide system. However, it only provides the figures for certain entire weapons systems and large-scale equipment (like tanks, submarines and combat helicopters), and thus does not permit the compilation of a meaningful ranking. A further serious weakness of previous rankings is the fact that they do not include any information about the destinations of the exports, and thus provide no useful data for an evaluation of the licensing policies of the exporting countries. The EU's annual reports on weapons exports also point to this difficulty. The lack of globally comparable data means that the publications by non-governmental organisations and specialised institutions are therefore of limited value.

The 12th annual report on the Common Position of the EU (reference year 2009), which – unlike the figures cited above – offers a very good comparative basis in terms of the EU member states due to the use of the same yardsticks and survey methods, was not available at when this Report was completed.

Annex 1

Political Principles adopted by the Government of the Federal Republic of Germany for the export of war weapons and other military equipment

The Government of the Federal Republic of Germany, desiring

- ▶ to pursue a restrictive policy on arms exports,
- ▶ with regard to the international and statutory obligations of the Federal Republic of Germany, to gear arms exports to Germany's security needs and foreign policy interests,
- ▶ through the restriction and control of such exports to contribute to safeguarding peace, preventing the threat or use of force, securing respect for human rights and promoting sustainable development in all parts of the world,
- ▶ hence to take account also of decisions adopted by international institutions with a view to disarmament and designed to restrict the international arms trade,
- ▶ to press for such decisions to be made legally binding at the international as well as the European level,

has modified its principles for the export of war weapons and other military equipment as follows:

I. General Principles

1. The Federal Government's decisions regarding the export of war weapons⁴⁸ and other military equipment⁴⁹ are made in accordance with the provisions of the War Weapons Control Act and the Foreign Trade and Payments Act as well as the EU Code of Conduct on Arms Exports adopted by

the European Council on 8 June 1998⁵⁰ and such arrangements as may be agreed subsequently as well as the Principles Governing Conventional Arms Transfers adopted by the Organisation for Security and Co-operation in Europe (OSCE) on 25 November 1993. The criteria laid down in the EU Code of Conduct are an integral part of these Political Principles. The standards stipulated in the Code of Conduct will be superseded by any more stringent standards that may be derived from the following principles:

2. The issue of respect for human rights in the countries of destination and end-use is a key factor in deciding whether or not to grant licences for the export of war weapons and other military equipment.
3. On principle export licences for war weapons and other military equipment shall not be granted where there are reasonable grounds to suspect that they will be used for internal repression as defined in the EU Code of Conduct on Arms Exports or the sustained and systematic abuse of human rights. In this context the assessment of the human rights situation in the recipient country is an important factor to be considered.
4. Such assessments will take into account the views of the European Union, the Council of Europe, the United Nations (UN), the OSCE and other international bodies. Reports issued by international human rights organisations will also be taken into consideration.
5. The end-use of war weapons and other military equipment must be definitively determined.

⁴⁸ Weapons (complete weapons as well as components classed separately as weapons) listed in the War Weapons List (Annex to the War Weapons Control Act).

⁴⁹ Goods specified in Part I, Section A of the Export List (Annex to the Foreign Trade and Payment Ordinance) with the exception of war weapons.

⁵⁰ Attached as annex.

II. NATO countries⁵¹, EU member states, NATO-equivalent status⁵²

1. The export of war weapons and other military equipment to these countries will be geared to the security interests of the Federal Republic of Germany with regard to the Alliance and the European Union.

In principle such exports will not be restricted unless in specific cases this is warranted on particular political grounds.

2. Co-operative ventures in this area should be in the interest of the Alliance and/or European policy.

In the case of coproduction projects covered by intergovernmental agreements with countries referred to in this Section, these arms export principles will be given practical effect as far as possible. While mindful of its special interest in its co-operation standing, the Federal Government will not forgo any opportunities it may have to influence export projects envisaged by its co-operation partners (Section II. [3.]).

3. Before concluding any co-operation agreement, a timely joint assessment of its export policy implications is to be made.

To give effect to its arms exports policy principles, the Federal Government reserves the right by way of consultations to object to particular export projects envisaged by its co-operation partners. All new co-operation agreements should therefore aim in principle to incorporate a consultation procedure enabling the Federal Government to raise effectively any objections it might have to exports envisaged by its partner country. In so doing the Federal Government will seek, in the light of the human rights criterion, to strike a balance between its interest in co-operation and its fundamentally restrictive arms exports policy.

4. Before any exports of war weapons or other military equipment involving German components take place, the Federal Foreign Office, the Federal Ministry of Economics and the Federal Ministry of Defence, in conjunction with the Federal Chancellery, will evaluate whether in any specific case the relevant conditions for initiating such consultations exist.

The Federal Government will raise objections – generally following consideration of the matter by the Federal Security Council – against such exports involving the use of German components in the following cases:

- ▶ exports to countries involved in armed conflict, unless such conflict is covered by Article 51 of the UN Charter,
- ▶ exports to countries where an outbreak of armed conflict is imminent or where exports may stir up, perpetuate or exacerbate latent tensions and conflicts,
- ▶ exports where there are reasonable grounds to suspect they may be used for internal repression as defined by the EU Code of Conduct on Arms Exports or the sustained and systematic abuse of human rights,
- ▶ exports that would impair vital security interests of the Federal Republic of Germany,
- ▶ exports that would impose such a strain on relations with third countries that even Germany's own interest in the co-operative venture and in maintaining good relations with its co-operation partner must rank second.

Objections will not be raised if in the light of the considerations outlined in Section III (4) to (7) below licences for the export of direct deliveries of war weapons and other military equipment are likely to be granted.

⁵¹ Area of application of NATO Treaty, Article 6.

⁵² Australia, Japan, New Zealand, Switzerland.

5. In the case of co-operative ventures between German companies and companies in countries referred to in Section II above not covered by intergovernmental agreements, supplies of components will, as with direct deliveries of war weapons and other military equipment to those countries, in principle not be restricted. The Federal Government will, however, as in the case of co-operative ventures covered by intergovernmental agreements, bring its influence to bear in the matter of exports resulting from co-operative ventures between commercial companies.

To that end it will require German co-operative venture partners to enter a contractual obligation that, should they supply components of a quantity or type that could be relevant to the manufacture of war weapons, they will inform the Federal Government in good time as to their partners' export intentions and seek legally binding arrangements on end-use.

6. In the case of German supplies of components (separate components or sub-systems) that constitute war weapons or other military equipment, the partner country is in terms of exports law both purchaser and user. Where such components are built into a weapons system as fixed features, that process in terms of exports law makes the partner country the country of origin of the goods in question.

III. Other countries

1. A restrictive policy will be pursued regarding exports of war weapons and other military equipment to countries other than those covered by Section II. Notably the development of additional, specifically export-oriented capacities must be avoided. The Federal Government will not take the initiative to privilege any specific country or region
2. Export licences for war weapons (subject to licensing under the War Weapons Control Act and the Foreign Trade and Payments Act) will not be granted unless in a specific case this is exception-

ally warranted on particular foreign and security policy grounds, having due regard to Alliance interests. Labour policy considerations must not be a decisive factor.

3. Export licences for other military equipment (subject to licensing under the Foreign Trade and Payments Act) will be granted only where such exports will not prejudice interests that German law on foreign trade and payments serves to protect, namely, security, peace among the nations and Germany's foreign relations.

The protection of these interests takes priority over economic interests as defined in Section 3 (1) of the Foreign Trade and Payments Act.

4. Export licences pursuant to the War Weapons Control Act and/or the Foreign Trade and Payments Act will not be granted where the internal situation in the country concerned precludes such action, e.g. in the case of armed conflict or where there are reasonable grounds for suspecting such exports may be used for internal repression or the sustained and systematic abuse of human rights. In this context the human rights situation in the recipient country is a major factor to be considered.
5. No licences will be granted for the export of war weapons and other military equipment related to war weapons⁵³ to countries

- ▶ involved in armed conflict or where armed conflict is imminent,
- ▶ where the outbreak of armed conflict is imminent or where such exports would stir up, perpetuate or exacerbate latent tensions and conflicts.

Exports to countries involved in external armed conflicts or where there is a danger such conflicts may erupt are therefore ruled out on principle except in cases covered by Article 51 of the UN Charter.

⁵³ Plant and documentation for the manufacturer of war weapons.

6. Decisions on whether to grant export licences for war weapons and other military equipment will take into account whether sustainable development in the recipient country is being seriously impeded by excessive arms spending.
7. Also to be taken into account is the recipient country's conduct in terms of whether it
 - ▶ supports and promotes terrorism and international organised crime,
 - ▶ complies with international obligations, especially renunciation of the threat or use of force, including obligations under humanitarian law on international or non-international conflicts,
 - ▶ has assumed obligations in the area of non-proliferation and other aspects of arms control and disarmament, notably by signing, ratifying and implementing the arms control and disarmament arrangements specified in the EU Code of Conduct on arms exports,
 - ▶ supports the UN Arms Register.

IV. Definitive determination of end-use

Export licences for war weapons and other military equipment will be granted only on the basis of prior knowledge of definitive end-use in the country of final destination. This will generally require a written assurance by the end-user as well as other appropriate documentation.

Export licences for war weapons or other military equipment of a quantity and type relevant to war weapons may be granted only on presentation of governmental end-use certificates that preclude re-exports without prior authorisation. This applies *mutatis mutandis* to any other military equipment related to war weapons exported in connection with a manufacturing licence. For the export of such equipment used for the manufacture of war weapons definitive end-use certificates must be furnished.

Stringent standards are to be applied in assessing whether the recipient country is capable of carrying out effective export controls.

War weapons and other military equipment relevant to war weapons may only be re-exported to third countries or transferred inside the EU Internal Market with the written approval of the Federal Government.

A recipient country that, in breach of an end-use certificate, authorises or does not seek to prevent or sanction the unauthorised re-export of war weapons or other military equipment relevant to war weapons will on principle, as long as such conditions persist, be excluded from receiving any further deliveries of war weapons or other military equipment related to war weapons.

V. Arms exports report

The Federal Government will submit to the German Bundestag an annual report on the principle and practice of its arms exports policy listing, in the context of the relevant legislation, the export licences for war weapons and other military equipment it has granted over the past year.

Annex 2

EU Council Common Position (2008/944/GASP) of 8 December 2008

defining common rules governing control of exports of military technology and equipment

The Council of the European Union,

Having regard to the Treaty of the European Union, and in particular Article 15 thereof, whereas:

- (1) Member States intend to build on the Common Criteria agreed at the Luxembourg and Lisbon European Councils in 1991 and 1992, and on the European Union Code of Conduct on Arms Exports adopted by the Council in 1998.
- (2) Member States recognise the special responsibility of military technology and equipment exporting States.
- (3) Member States are determined to set high common standards which shall be regarded as the minimum for the management of, and restraint in, transfers of military technology and equipment by all Member States, and to strengthen the exchange of relevant information with a view to achieving greater transparency.
- (4) Member States are determined to prevent the export of military technology and equipment which might be used for internal repression or international aggression or contribute to regional instability.
- (5) Member States intend to reinforce cooperation and to promote convergence in the field of exports of military technology and equipment within the framework of the Common Foreign and Security Policy (CFSP).
- (6) Complementary measures have been taken against illicit transfers, in the form of the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms.
- (7) The Council adopted on 12 July 2002 Joint Action 2002/589/CFSP⁵⁴ on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons.
- (8) The Council adopted on 23 June 2003 Common Position 2003/468/CFSP⁵⁵ on the control of arms brokering.
- (9) The European Council adopted in December 2003 a strategy against the proliferation of weapons of mass destruction, and in December 2005 a strategy to combat illicit accumulation and trafficking of SALW and their ammunition, which imply an increased common interest of Member States of the European Union in a coordinated approach to the control of exports of military technology and equipment.
- (10) The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was adopted in 2001.
- (11) The United Nations Register of Conventional Arms was established in 1992.
- (12) States have a right to transfer the means of self-defence, consistent with the right of self-defence recognised by the UN Charter.
- (13) The wish of Member States to maintain a defence industry as part of their industrial base as well as their defence effort is acknowledged.

⁵⁴ OJ L 191 of 19.7.2002, p. 1

⁵⁵ OJ L 156 of 25.6.2003, p. 79.

- (14) The strengthening of a European defence technological and industrial base, which contributes to the implementation of the Common Foreign and Security Policy, in particular the Common European Security and Defence Policy, should be accompanied by cooperation and convergence in the field of military technology and equipment.
- (15) Member States intend to strengthen the European Union's export control policy for military technology and equipment through the adoption of this Common Position, which updates and replaces the European Union Code of Conduct on Arms Exports adopted by the Council on 8 June 1998.
- (16) On 13 June 2000, the Council adopted the Common Military List of the European Union, which is regularly reviewed, taking into account, where appropriate, similar national and international lists.⁵⁶
- (17) The Union must ensure the consistency of its external activities as a whole in the context of its external relations, in accordance with Article 3, second paragraph of the Treaty; in this respect the Council takes note of the Commission proposal to amend Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual use items and technology.⁵⁷

has adopted this common position:

Article 1

- (1) Each Member State shall assess the export licence applications made to it for items on the EU Common Military List mentioned in Article 12 on a case-by-case basis against the criteria of Article 2.

- (2) The export licence applications as mentioned in paragraph 1 shall include:
 - ▶ applications for licences for physical exports, including those for the purpose of licensed production of military equipment in third countries,
 - ▶ applications for brokering licences,
 - ▶ applications for "transit" or "transshipment" licences,
 - ▶ applications for licences for any intangible transfers of software and technology by means such as electronic media, fax or telephone.

Member States' legislation shall indicate in which case an export licence is required with respect to these applications.

Article 2

Criteria

- (1) **Criterion 1:** Respect for the international obligations and commitments of Member States, in particular the sanctions adopted by the UN Security Council or the European Union, agreements on non-proliferation and other subjects, as well as other international obligations.

An export licence shall be denied if approval would be inconsistent with, inter alia:

- a) the international obligations of Member States and their commitments to enforce United Nations, European Union and Organisation for Security and Cooperation in Europe arms embargoes;
- b) the international obligations of Member States under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention;
- c) the commitment of Member States not to export any form of anti-personnel landmine;

⁵⁶ Last amended on 10 March 2008, OJ C 98 of 18 April 2008, p. 1.

⁵⁷ OJ L 159 of 30 June 2000, p. 1.

- d) the commitments of Member States in the framework of the Australia Group, the Missile Technology Control Regime, the Zangger Committee, the Nuclear Suppliers Group, the Wassenaar Arrangement and The Hague Code of Conduct against Ballistic Missile Proliferation.

(2) **Criterion 2:** Respect for human rights in the country of final destination as well as respect by that country of international humanitarian law

- ▶ Having assessed the recipient country's attitude towards relevant principles established by international human rights instruments, Member States shall:

- a) deny an export licence if there is a clear risk that the military technology or equipment to be exported might be used for internal repression;
- b) exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the military technology or equipment, to countries where serious violations of human rights have been established by the competent bodies of the United Nations, by the European Union or by the Council of Europe;

For these purposes, technology or equipment which might be used for internal repression will include, inter alia, technology or equipment where there is evidence of the use of this or similar technology or equipment for internal repression by the proposed end-user, or where there is reason to believe that the technology or equipment will be diverted from its stated end-use or end-user and used for internal repression. In line with Article 1 of this Common Position, the nature of the technology or equipment will be considered carefully, particularly if it is intended for internal security purposes. Internal repression includes, inter alia, torture and other cruel, inhuman and degrading treatment or punishment, summary or arbitrary executions, disappearances, arbitrary deten-

tions and other major violations of human rights and fundamental freedoms as set out in relevant international human rights instruments, including the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights.

Having assessed the recipient country's attitude towards relevant principles established by instruments of international humanitarian law, Member States shall:

- c) deny an export licence if there is a clear risk that the military technology or equipment to be exported might be used in the commission of serious violations of international humanitarian law.

(3) **Criterion 3:** Internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.

Member States shall deny an export licence for military technology or equipment which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

(4) **Criterion 4:** Preservation of regional peace, security and stability.

Member States shall deny an export licence if there is a clear risk that the intended recipient would use the military technology or equipment to be exported aggressively against another country or to assert by force a territorial claim. When considering these risks, Member States shall take into account inter alia:

- a) the existence or likelihood of armed conflict between the recipient and another country;
- b) a claim against the territory of a neighbouring country which the recipient has in the past tried or threatened to pursue by means of force;
- c) the likelihood of the military technology or equipment being used other than for the legitimate national security and defence of the recipient;

- d) the need not to affect adversely regional stability in any significant way.

- (5) **Criterion 5:** National security of the Member States and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries.

Member States shall take into account:

- a) the potential effect of the military technology or equipment to be exported on their defence and security interests as well as those of Member State and those of friendly and allied countries, while recognising that this factor cannot affect consideration of the criteria on respect for human rights and on regional peace, security and stability;
- b) the risk of use of the military technology or equipment concerned against their forces or those of Member States and those of friendly and allied countries.

- (6) **Criterion 6:** Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law.

Member States shall take into account, inter alia, the record of the buyer country with regard to:

- a) its support for or encouragement of terrorism and international organised crime;
- b) its compliance with its international commitments, in particular on the non-use of force, and with international humanitarian law;
- c) its commitment to non-proliferation and other areas of arms control and disarmament, in particular the signature, ratification and implementation of relevant arms control and disarmament conventions referred to in point (b) of Criterion One.

- (5) **Criterion 7:** Existence of a risk that the military technology or equipment will be diverted

within the buyer country or re-exported under undesirable conditions.

In assessing the impact of the military technology or equipment to be exported on the recipient country and the risk that such technology or equipment might be diverted to an undesirable end-user or for an undesirable end use, the following shall be considered:

- a) the legitimate defence and domestic security interests of the recipient country, including any participation in United Nations or other peace-keeping activity;
- b) the technical capability of the recipient country to use such technology or equipment;
- c) the capability of the recipient country to apply effective export controls;
- d) the risk of such technology or equipment being re-exported to undesirable destinations, and the record of the recipient country in respecting any re-export provision or consent prior to re-export which the exporting Member State considers appropriate to impose;
- e) the risk of such technology or equipment being diverted to terrorist organisations or to individual terrorists;
- f) the risk of reverse engineering or unintended technology transfer.

- (8) **Criterion 8:** Compatibility of the exports of the military technology or equipment with the technical and economic capacity of the recipient country, taking into account the desirability that states should meet their legitimate security and defence needs with the least diversion of human and economic resources for armaments.

Member States shall take into account, in the light of information from relevant sources such as United Nations Development Programme, World Bank, International Monetary Fund and Organi-

sation for Economic Cooperation and Development reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They shall consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid.

Article 3

This Common Position shall not affect the right of Member States to operate more restrictive national policies.

Article 4

- (1) Member States shall circulate details of applications for export licences which have been denied in accordance with the criteria of this Common Position together with an explanation of why the licence has been denied. Before any Member State grants a licence which has been denied by another Member State or States for an essentially identical transaction within the last three years, it shall first consult the Member State or States which issued the denial(s). If following consultations, the Member State nevertheless decides to grant a licence, it shall notify the Member State or States issuing the denial(s), giving a detailed explanation of its reasoning.
- (2) The decision to transfer or deny the transfer of any military technology or equipment shall remain at the national discretion of each Member State. A denial of a licence is understood to take place when the Member State has refused to authorise the actual sale or export of the military technology or equipment concerned, where a sale would otherwise have come about, or the conclusion of the relevant contract. For these purposes, a notifiable denial may, in accordance with national procedures, include denial of permission to start negotiations or a negative response to a formal initial enquiry about a specific order.
- (3) Member States shall keep such denials and consultations confidential and not use them for commercial advantage.

Article 5

Export licences shall be granted only on the basis of reliable prior knowledge of end use in the country of final destination. This will generally require a thoroughly checked end-user certificate or appropriate documentation and/or some form of official authorisation issued by the country of final destination. When assessing applications for licences to export military technology or equipment for the purposes of production in third countries, Member States shall in particular take account of the potential use of the finished product in the country of production and of the risk that the finished product might be diverted or exported to an undesirable end user.

Artikel 6

Without prejudice to Regulation (EC) No 1334/2000, the criteria in Article 2 of this Common Position and the consultation procedure provided for in Article 4 are also to apply to Member States in respect of dual-use goods and technology as specified in Annex I to Regulation (EC) No 1334/2000 where there are serious grounds for believing that the end-user of such goods and technology will be the armed forces or internal security forces or similar entities in the recipient country. References in this Common Position to military technology or equipment shall be understood to include such goods and technology.

Article 7

In order to maximise the effectiveness of this Common Position, Member States shall work within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of exports of military technology and equipment.

Article 8

- (1) Each Member State shall circulate to other Member States in confidence an annual report on its exports of military technology and equipment and on its implementation of this Common Position.

- (2) An EU Annual Report, based on contributions from all Member States, shall be submitted to the Council and published in the “C” series of the Official Journal of the European Union.
- (3) In addition, each Member State which exports technology or equipment on the EU Common Military List shall publish a national report on its exports of military technology and equipment, the contents of which will be in accordance with national legislation, as applicable, and will provide information for the EU Annual Report on the implementation of this Common Position as stipulated in the User’s Guide.

Article 9

Member States shall, as appropriate, assess jointly through the CFSP framework the situation of potential or actual recipients of exports of military technology and equipment from Member States, in the light of the principles and criteria of this Common Position.

Article 10

While Member States, where appropriate, may also take into account the effect of proposed exports on their economic, social, commercial and industrial interests, these factors shall not affect the application of the above criteria.

Article 11

Member States shall use their best endeavours to encourage other States which export military technology or equipment to apply the criteria of this Common Position. They shall regularly exchange experiences with those third states applying the criteria on their military technology and equipment export control policies and on the application of the criteria.

Article 12

Member States shall ensure that their national legislation enables them to control the export of the technology and equipment on the EU Common Military List. The EU Common Military List shall act as a reference point for Member States’ national military technology and equipment lists, but shall not directly replace them.

Article 13

The User’s Guide to the European Code of Conduct on Exports of Military Equipment, which is regularly reviewed, shall serve as guidance for the implementation of this Common Position.

Article 14

This Common Position shall take effect on the date of its adoption.

Article 15

This Common Position shall be reviewed three years after its adoption.

Article 16

This Common Position shall be published in the Official Journal of the European Union.

Done at Brussels, 8 December 2008.

For the Council
The President B. KOUCHNER

Annex 3

Export List

Currently there is no English translation of the Annex to the Foreign Trade and Payments Regulation, Part I Section A (German Munitions List) available.

However, the Common Military List of the European Union, Official Journal C 69, 18 March 2010 is almost identical with the German Munitions List and can therefore be used as a point of reference.

Number ML1 of the Common Military List is the equivalent to Nr. 0001 of the German Munitions List, ML2 = Nr. 0002, and so on.

Annex 4

War Weapons List

(most recently amended by the Ninth Ordinance Amending the War Weapons List of 26 February 1998 (Federal Law Gazette I, p. 385))

Part A

War Weapons that the Federal Republic of Germany undertakes not to manufacture (nuclear weapons, biological and chemical weapons)
(Part A of the War Weapons List is not given here)

Part B

Other War Weapons

I. Projectiles

7. Guided projectiles
8. Unguided projectiles (missiles)
9. Other projectiles
10. Firing devices (launchers and launching equipment) for the weapons specified in items 7 through 9 including portable firing devices for guided projectiles to combat tanks and aircraft
11. Firing devices for weapons specified in item 8, including portable firing devices as well as rocket launchers
12. Aero-engines for the propulsion of the weapons enumerated in items 7 through 9

II. Combat Aircraft and Helicopters

13. Combat aircraft having at least one of the following features:
 1. integrated weapon system equipped particularly with target acquisition, firing control and relevant interfaces for avionics,
 2. integrated electronic armaments,
 3. integrated electronic combat system
14. Combat helicopters having at least one of the following features:
 1. integrated weapon system equipped particularly with target acquisition, firing control and relevant interfaces for avionics,
 2. integrated electronic armaments,
 3. integrated electronic combat system
15. Cells for the weapons enumerated in items 13 and 14
16. Jet, turboprop and rocket engines for the weapons referred to in item 13

III. Vessels of War and Special Naval Equipment

17. Vessels of war, including those for military training
18. Submarines
19. Small vessels with a speed of more than 30 knots, equipped with offensive weapons
20. Mine sweeping boats, mine hunting boats, mine layers, mine breakers as well as other mine combat boats
21. Landing crafts, landing vessels

- 22. Tenders, ammunition transporters
- 23. Hulls for the weapons specified in items 17 to 22

IV. Combat Vehicles

- 24. Combat tanks
- 25. Other armoured combat vehicles, including combat-supporting armoured vehicles
- 26. Any type of special vehicles exclusively designed for the use of weapons specified in items 1 through 6
- 27. Carriages for the weapons enumerated in items 24 and 25
- 28. Turrets for combat tanks

V. Barrel Weapons

- 29. a) Machine guns, except those with water cooling⁵⁸
- b) submachine guns, except those introduced as a model in a military armed force before September 1, 1939;
- c) fully automatic rifles, except those introduced as a model in a military armed force before September 2, 1945;
- d) semiautomatic rifles, except those introduced as a model in a military armed force before September 2, 1945, and rifles for hunting and sporting purposes
- 30. Machine guns, rifles, pistols for combat grenades
- 31. Cannons, howitzers, any kind of mortars

- 32. Automatic cannons
- 33. Armoured self-propelled guns for the weapons enumerated in items 31 and 32
- 34. Barrels for the weapons referred to in items 29, 31 and 32
- 35. Breech blocks for weapons referred to in items 29, 31 and 32
- 36. Revolving breeches for automatic cannons

VI. Light Anti-tank Weapons, Military Flame Throwers, Mine-laying and Mine-throwing Systems

- 37. Recoilless, unguided, portable anti-tank weapons
- 38. Flame throwers
- 39. Mine-laying and mine-throwing systems for land mines

VII. Torpedoes, Mines, Bombs, Autonomous Ammunition

- 40. Torpedoes
- 41. Torpedoes without warheads (explosive)
- 42. Torpedo bodies (torpedoes without warhead – explosive – and without target detection device)
- 43. Mines of all types
- 44. Bombs of all types including water bombs
- 45. Hand flame cartridges
- 46. Hand grenades

⁵⁸ Water-cooled machine guns (letter a), submachine guns, introduced as a model in a military armed force before September 1, 1939 (letter b), fully automatic rifles introduced as a model in a military armed force before September 2, 1945 (letters c and d) shall not be removed from the War Weapons List before the day on which the Third Act Amending the Weapons Act enters into force pursuant to its Article 5 sentence 1.

47. Infantry explosive devices, adhesive and hollow charges as well as mine-sweeping devices

48. Explosive charges for the weapons referred to in item 43

VIII. Other Ammunition

49. Ammunition for the weapons listed in items 31 and 32

50. Ammunition for the weapons listed in item 29 a, c and d except cartridge ammunition having a soft core projectile with full casing, if the projectile does not contain any accessoires, particularly a flare, incendiary or explosive charge, and if cartridge ammunition of the same calibre is used for hunting and sporting purposes

51. Ammunition for weapons referred to in item 30

52. Ammunition for the weapons listed in items 37 and 39

53. Rifle grenades

54. Projectiles for the weapons enumerated in items 49 and 52

55. Propelling charges for the weapons specified in items 49 and 52

IX. Other Essential Components

56. War heads for the weapons listed in items 7 through 9 and 40

57. Ignition charges for the weapons listed in items 7 through 9, 40, 43, 44, 46, 47, 49, 51 through 53 and 59, except propellant charge igniters

58. Target detection heads for the weapons enumerated in items 7, 9, 40, 44, 49, 59, 60

59. Submunition for the weapons listed in items 7 through 9, 44, 49 and 61

60. Submunition without ignition for the weapons referred to in items 7 through 9, 44, 49 and 61

X. Dispensers

61. Dispensers for the systematic distribution of submunition

XI. Laser Weapons

62. Laser weapons specially designed for causing permanent blindness

Annex 5

Arms Embargoes in Force in 2009

Country	Date	Legal basis
Armenia and Azerbaijan	28 February 1992	OSCE arms embargo
	29 July 1993	UN SC Resolution no. 853
China	27 June 1989	Declaration of the European Council
Democratic Republic of Congo (Zaire)	7 April 1993	Declaration of the European Council
	21 October 2002	EU Council Common Position (2002/829/CFSP)
	28 July 2003	UN SC Resolution no. 1493
	15 February 2008	UN SC Resolution no. 1799
	31 March 2008	UN SC Resolution no. 1807
	22 December 2008	UN SC Resolution no. 1857
	30 November 2009	UN SC Resolution no. 1896
	29 September 2003	EU Council Common Position (2003/680/CFSP)
	13 June 2005	EU Council Common Position (2005/440/CFSP)
	15 September 2006	EU Council Common Position (2006/624/CFSP)
	9 October 2007	EU Council Common Position (2007/654/CFSP)
	29 February 2008	EU Council Common Position (2008/179/CFSP)
	14 May 2008	EU Council Common Position (2008/369/CFSP)
Côte d'Ivoire	15 November 2004	UN SC Resolution no. 1572
	29 October 2008	UN SC Resolution no. 1842
	13 December 2004	EU Council Common Position (2004/852/CFSP)
	23 January 2006	EU Council Common Position (2006/30/CFSP)
	12 February 2007	EU Council Common Position (2007/92/CFSP)
	22 November 2007	EU Council Common Position (2007/761/CFSP) extended until 31 October 2008
	18 November 2008	EU Council Common Position (2008/873/CFSP) extended with effect from 1 November 2008
Eritrea	23 December 2009	UN SC Resolution no. 1907
Guinea	27 October 2009	Revision of the Common Position (2009/788/CFSP)
	22 December 2009	Council Decision (2009/1003/GASP)

Country	Date	Legal basis
Iran	24 March 2007 23 April 2007	UN SC Resolution no. 1747 EU Council Common Position (2007/246/CFSP)
Iraq	6 August 1990 22 May 2003 8 June 2004 22 December 2008 21 December 2009 7 July 2003 19 July 2004 3 March 2008 5 March 2009	UN SC Resolution no. 661 UN SC Resolution no. 1483 UN SC Resolution no. 1546 UN SC Resolution no. 1859 UN SC Resolution no. 1905 EU Council Common Position (2003/495/CFSP) EU Council Common Position (2004/553/CFSP) EU Council Common Position (2008/186/CFSP) EU Council Common Position (2009/175/CFSP)
North Korea	14 October 2006 20 November 2006	UN SC Resolution no. 1718 EU Council Common Position (2006/795/CFSP)
Lebanon	11 August 2006 15 September 2006	UN SC Resolution no. 1701 EU Council Common Position (2006/625/CFSP)
Liberia	19 November 1992 7 March 2001 6 May 2003 22 December 2003 13 June 2006 17 December 2009 7 May 2001 19 May 2003 10 February 2004 22 December 2004 23 January 2006 12 February 2007 11 June 2007 12 February 2008	UN SC Resolution no. 788 UN SC Resolution no. 1343 UN SC Resolution no. 1478 UN SC Resolution no. 1521 UN SC Resolution no. 1683 UN SC Resolution no. 1903 EU Council Common Position (2001/357/CFSP) EU Council Common Position (2003/365/CFSP) EU Council Common Position (2004/137/CFSP) EU Council Common Position (2004/902/CFSP) EU Council Common Position (2006/31/CFSP) EU Council Common Position (2007/93/GASP) EU Council Common Position (2007/400/GASP) EU Council Common Position (2007/93/CFSP)

Country	Date	Legal basis
Myanmar (Burma)	28 October 1996	EU Council Common Position (1996/635/CFSP)
	28 April 2003	EU Council Common Position (2003/297/CFSP)
	26 April 2004	EU Council Common Position (2004/423/CFSP)
	25 April 2005	EU Council Common Position (2005/340/CFSP)
	27 April 2006	EU Council Common Position (2006/318/CFSP)
	19 November 2007	EU Council Common Position (2007/750/CFSP)
	29 April 2008	EU Council Common Position (2008/349/CFSP) extended until 30 April 2009
	27 April 2009	EU Council Common Position (2009/351/CFSP)
Rwanda	17 May 1994	UN SC Resolution no. 918
	16 August 1995	UN SC Resolution no. 1011
	10 July 2008	UN SC Resolution no. 1823/2008: revocation of arms embargo
Sierra Leone	8 October 1997	UN SC Resolution no. 1132
	5 June 1998	UN SC Resolution no. 1171
	29 June 1998	EU Council Common Position (1998/409/CFSP)
	28 January 2008	EU Council Common Position (2008/81/CFSP)
Somalia	23 January 1992	UN SC Resolution no. 733
	19 June 2001	UN SC Resolution no. 1356
	15 May 2008	UN SC Resolution no. 1814
	20 November 2008	UN SC Resolution no. 1844
	23 December 2009	UN SC Resolution no. 1907
	10 December 2002	EU Council Common Position (2002/960/CFSP)
	12 February 2007	EU Council Common Position (2007/94/CFSP)
	7 June 2007	EU Council Common Position (2007/391/CFSP)
	16 February 2009	EU Council Common Position (2009/138/CFSP)
Sudan	29 March 2005	UN SC Resolution no. 1591
	15 March 1994	EU Council Common Position (1994/165/CFSP)

Country	Date	Legal basis
	9 January 2004	EU Council Common Position (2004/31/GASP)
	30 May 2005	EU Council Common Position (2005/411/CFSP)
Uzbekistan	14 November 2005	EU Council Common Position (2005/792/CFSP)
	13 November 2006	EU Council Common Position (2006/787/CFSP)
	14 May 2007	EU Council Common Position (2007/338/CFSP)
	13 November 2007	EU Council Common Position (2007/734/CFSP)
	10 November 2008	EU Council Common Position (2008/843/CFSP) extended until 13 November 2009
Zimbabwe	18 February 2002	EU Council Common Position (2002/145/CFSP)
	18 February 2003	EU Council Common Position (2003/115/CFSP)
	19 February 2004	EU Council Common Position (2004/161/CFSP)
	21 February 2005	EU Council Common Position (2005/146/CFSP)
	30 January 2006	EU Council Common Position (2006/51/CFSP)
	19 February 2007	EU Council Common Position (2007/120/CFSP)
	18 February 2008	EU Council Common Position (2008/135/CFSP)
	26 January 2009	EU Council Common Position (2009/68/CFSP)

Annex 6

Exports

Report of international conventional arms transfers

(according to United Nations

General Assembly Resolutions 46/36 L and 58/54)

Reporting country: Germany

Calendar year: 2009

A	B	C	D	E	REMARKS	
Category (I–VII)	Final importer state(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
I Battle tanks	Brazil	29			Leopard 1	60 exported in 2009, included in total no. of 2007 exports
	Chile	see remarks			Leopard 2	
	Finland	15			Leopard 2	
	Greece	3			Leopard 2	
	Singapore	12			Leopard 2	
	Turkey	28			Leopard 2	
II Armoured combat vehicles	Chile	146			Marder	included in total no. of Chile's 2008 imports
III Large-calibre artillery systems	France	1			LAR 110 mm	
	Finland	8			MLRS 122 mm Training System	
IV Combat aircraft	Austria	6			Eurofighter	
V Attack helicopters		nil				
VI Warships		nil				
VII Missiles and missile launchers	Finland	167			MLRS AT-2 Missiles	
	Spain	10			LFK Taurus air-to-ground	

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Bulgaria	13	A0001	14,567,870					
		A0003						
		A0006						
		A0011						
		A0015						
		A0016						
		A0018						
		A0022						
Cyprus ⁵⁹	4	A0001	55,887					
		A0004						
		A0017						
Czech Republic	94	A0001	16,959,101					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0010						
		A0011						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						

⁵⁹ Except for the area which is not under the effective control of the Republic of Cyprus.

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Denmark	233	A0001	53,683,477					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0009						
		A0010						
		A0011						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0019						
A0021								
A0022								
Estonia	16	A0001	3,434,988					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0009						
		A0011						
		A0016						
		A0017						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Finland	160	A0001	54,116,316					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0009						
		A0010						
		A0011						
		A0015						
		A0016						
		A0017						
		A0018						
France	683	A0021	149,791,426					
		A0022						
		A0001						
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0009						
		A0010						
		A0011						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item								
Greece	149	A0002	15,872,406													
		A0003														
		A0004														
		A0005														
		A0006														
		A0009														
		A0010														
		A0011														
		A0014														
		A0015														
		A0016														
		A0017														
		A0018														
		A0021														
A0022																
Hungary	45	A0001	4,797,454													
		A0005														
		A0006														
		A0007														
		A0010														
		A0011														
		A0015														
		A0016														
		A0017														
		A0018														
		A0021														
		A0022														
		Ireland							32	A0001	1,566,005					
										A0002						
A0003																
A0004																
A0006																
A0007																
A0011																
A0017																
A0018																
A0021																
A0022																

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item								
Italy	577	A0001	147,110,312													
		A0002														
		A0003														
		A0004														
		A0005														
		A0006														
		A0007														
		A0009														
		A0010														
		A0011														
		A0013														
		A0014														
		A0015														
		A0016														
		A0017														
		A0018														
		A0021														
		A0022														
		Latvia							9	A0001	6,464,374					
										A0002						
										A0003						
										A0004						
A0005																
A0006																
A0011																
A0021																
A0022																
Lithuania	25		A0001	10,831,938												
		A0002														
		A0003														
		A0004														
		A0006														
		A0014														
		A0016														
		A0018														

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Luxembourg	87	A0001	7,710.087					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0010						
		A0011						
		A0015						
		A0017						
		A0018						
		A0022						
		Netherlands						
A0002								
A0003								
A0004								
A0005								
A0006								
A0007								
A0009								
A0010								
A0011								
A0013								
A0014								
A0015								
A0016								
A0017								
A0018								
A0021								
A0022								

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Poland	160	A0001	33,227,094					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0009						
		A0010						
		A0011						
		A0014						
		A0015						
		A0017						
		A0018						
		A0021						
		A0022						
		Portugal						
A0002								
A0003								
A0006								
A0007								
A0009								
A0010								
A0011								
A0017								
A0018								
A0021								
A0022								
Romania	26	A0001	85,160,968					
		A0003						
		A0004						
		A0005						
		A0006						
		A0011						
		A0015						
		A0017						
A0022								

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Slovakia	39	A0001	1,732,386					
		A0002						
		A0003						
		A0004						
		A0006						
		A0011						
		A0014						
		A0015						
		A0017						
		A0018						
		A0021						
		A0022						
Slovenia	28	A0001	2,163,679					
		A0002						
		A0003						
		A0004						
		A0006						
		A0010						
		A0011						
		A0014						
		A0015						
		A0017						
		A0018						
		A0021						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
United Kingdom	907	A0001	448,437,303					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0009						
		A0010						
		A0011						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Total	5,934		1,445,436,166					

NATO and NATO-equivalent countries

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Albania	2	A0007	593,045					
		A0010						
		A0011						
		A0018						
Australia	394	A0001	105,603,937					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Canada	713	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0017 A0018 A0021 A0022	72,552,767					
Croatia	76	A0001 A0002 A0003 A0006 A0007 A0008 A0013 A0015 A0017 A0018	6,777,237					1/ Criterion 7/ A0001
Iceland	19	A0001 A0003	57,503					

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Japan	162	A0001	11,050,356					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0022						
		Liechtenstein						
A0003								
A0018								
New Zealand	106	A0001	859,673					
		A0002						
		A0003						
		A0005						
		A0006						
		A0009						
		A0011						
		A0014						
		A0016						
		A0018						
		A0022						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Norway	676	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0014 A0016 A0017 A0018 A0021 A0022	84,101,909					
Switzerland	2,485	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0014 A0015 A0016 A0017 A0018 A0021 A0022	110,290,635					

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item								
Turkey	237	A0001	45,557,844		2	A0001	3,170	2/ Criterion 7/ A0001								
		A0002														
		A0003														
		A0004														
		A0005														
		A0006														
		A0007														
		A0008														
		A0009														
		A0010														
		A0011														
		A0013														
		A0014														
		A0015														
		A0016														
		A0017														
		A0018														
		A0021														
		A0022														
		USA							1,645	A0001	668,441,436					
										A0002						
										A0003						
A0004																
A0005																
A0006																
A0007																
A0008																
A0009																
A0010																
A0011																
A0014																
A0015																
A0016																
A0017																
A0018																
A0021																
A0022																

83

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Collective export licences: NATO or NATO-equivalent countries	116	A0004	1,995,625,451					
		A0005						
		A0006						
		A0009						
		A0010						
		A0011						
Total	6,661		3,101,624,077		2		3,170	

Third countries

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Afghanistan	115	A0002 A0004 A0005 A0006 A0017 A0021	54,354,931	Cranes, mine-clearing equipment, armoured cross-country vehicles (UN, Goethe Institute, international organisations, foreign ministry) and parts for tanks (Canadian army), armoured vehicles (Canadian army), ground vehicles (A0006/74.0 %); containers (Australian, Dutch, Canadian army) (A0017/11.1 %)				
		A0001 A0006 A0007 A0008 A0010 A0011 A0018		Semi-trailer towing vehicles and parts for ground vehicles (A0006/65.4 %); communications equipment and electricity supplies (A001/31.8 %)		A0018	175,515	1/ Criterion 2.7/ A0018
Algeria	17		8,995,218		2			
Andorra	45	A0001 A0003 A0018	235,221	Rifles without war weapons list numbers, hunting rifles, sporting rifles and parts for hunting rifles and sporting rifles (A0001/58.9 %); ammunition for revolvers, pistols, hunting weapons, sporting weapons, smooth-bore hunting weapons, smooth-bore sporting weapons and ammunition parts for revolvers, pistols, hunting weapons, sporting weapons (A0003/40.7 %)	2	A0001	3,766	1/ Criterion 7/ A0001
Angola	9	A0001 A0003 A0006	11,510,825	Trucks, mine-clearing equipment, armoured all-wheel-drive vehicles, single-axle trailers and parts for self-propelling drilling equipment, mine-clearing equipment, ground vehicles (A0006/99.9 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Argentina	33	A0001	641,157	Parts for communication and navigation equipment (A0011/37.8 %);				
		A0005		parts for oxygen supply (A0010/24.0 %);				
		A0006		technical documents for fire control systems, gun laying equipment, oxygen controls (A0022/10.9 %);				
		A0007		diving equipment and parts for diving equipment (A0017/9.4 %)				
		A0008						
		A0009						
		A0010						
		A0011						
		A0017						
		A0018						
Azerbaijan	1	A0022	386,800	Armoured all-wheel-drive vehicles (A0006/100 %)	1	A0005	97,860	4/ Criterion 1, 4/ A0002, A0005, A0006
		A0006						
Bahrain	17	A0001	2,034,770	Engines for helicopters (A0010/49.1 %);				
		A0003		ammunition for revolvers, pistols, hunting weapons, sporting weapons, submachine guns and parts for cannon ammunition (A0003/24.8 %);				
		A0004		submachine guns, rifles with war weapons list numbers, pistols, hunting rifles, sporting rifles, silencers, weapon sights and parts for sub-machine guns, rifles with war weapons list numbers, pistols (A0001/21.5 %)				
		A0009						
		A0010						
		A0011						
		A0022						
Bangladesh	7	A0003	10,491,298	Communications equipment and parts for communications equipment (A0011/99.8 %)	3	A0001	6,195	5/ Criterion 2, 7/ A0001
		A0006						
		A0011						
Belarus	49	A0001	269,427	Ammunition for hunting and sporting weapons (A0003/49.7 %);				
		A0003		hunting rifles, sporting rifles, smooth-bore weapons and parts for hunting rifles (A0001/48.5 %)				
		A0006						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Bermuda	1	A0001	24,211	Submachine guns and parts for submachine guns (A0001/100 %)				
Bhutan	2	A0001 A0003	65,670	Submachine guns, rifles with war weapons list numbers and parts for rifles with war weapons list numbers (A0001/88.6 %)				
Bosnia and Herzegovina	4	A0001 A0006	112,700	Parts for ground vehicles (A0006/88.7 %)	2	A0022	0	3/ Criterion 3, 7/ A0001, A0018, A0022
Botswana	23	A0001 A0003 A0006 A0010 A0018	16,829,580	Trucks, aerial masts and parts for ground vehicles (A0006/94.2 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Brazil	126	A0001	115,086,260	Battle tanks, armoured vehicles, trucks and parts for tanks and armoured vehicles (A0006/92.2 %)	1	A0005	295,904	2/ Criterion 1c, 7/ A0005, A0022
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0015						
A0016								
A0017								
A0018								
A0021								
A0022								
Brunei	14	A0001	433,919,897	Patrol boats and parts for patrol boats (A0009/97.8 %)				
		A0003						
		A0006						
		A0009						
		A0014						
		A0018						
A0022								
Burkina Faso	1	A0003	16,000	Ammunition for hunting and sporting weapons (A0003/100 %)				
Cameroon	1	A0010	1,044,523	Ground equipment for aircraft (A0010/100 %)				
Chad	4	A0001	235,870	Armoured cross-country vehicles (WFP Support Office) (A0006/53.7 %); testing equipment for anti-tank weapon (A0004/27.6 %)				
		A0004						
		A0006						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Chile	52	A0001 A0003 A0004 A0005 A0006 A0008 A0009 A0010 A0011 A0013 A0014 A0017 A0018 A0022	72,430,075	Battle tanks, armoured vehicles, trucks and parts for tanks, armoured vehicles, ground vehicles (A0006/91.8 %)				
China, People's Republic	16	A0007 A0008	1,113,563	Pyrotechnics, fuels, oxidising agents, additives and intermediate products (A0008/99.4 %)	4	A0007 A0011 A0018 A0021	355,900	7/ Criterion 1/ A0007, A0011, A0017, A0018, A0021, A0022
Colombia	20	A0004 A0006 A0008 A0009 A0010 A0011 A0013 A0022	68,938,020	Parts for submarines and underwater detection equipment (A0009/90.6 %)				
Congo, Dem. Rep.	2	A0001 A0013	13,968	Ballistic body armour vests (A0013/65.2 %); parts for rifles with war weapons list numbers (UN mission) (A0001/34.8 %)				
Congo, Republic								1/ Criterion 7/ A0014

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Costa Rica Côte d'Ivoire	1	A0001	2,940	Hunting rifles (A0001/100 %)	1	A0001	18,300	
	2	A0001 A0003	31,599	Ammunition for revolvers and pistols (for UN mission) (A0003/53.8 %); parts for submachine guns, pistols, smooth-bore weapons (UN mission) (A0001/46.2 %)				
Dominican Republic	2	A0011	1,024,237	Communications equipment and parts for communications equipment (A0011/100 %)				
Ecuador	7	A0005 A0009 A0011 A0017	3,609,250	Electronic equipment, communications equipment and parts for communications equipment (A0011/70.1 %); laser range finders and parts for laser range finders (A0005/18.7 %)				1/ Criterion 4/ A0001
Egypt	44	A0001 A0003 A0006 A0007 A0008 A0009 A0011 A0014 A0015 A0017 A0018 A0021	77,535,778	Communications equipment and parts for communications equipment, broadband direction finders (A0011/67.0 %); parts for tanks, armoured vehicles and ground vehicles (A0006/25.6 %)	4	A0001 A0016 A0022	16,121	4/ Criterion 2, 3, 4, 7/ A0001, A0022
Ethiopia	1	A0013	82,218	Bulletproof vests (A0013/100 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Georgia	1	A0007 A0021	27,515	Radiation detection equipment and parts for radiation detection equipment (A0007/91.7%)	7	A0001 A0003 A0013	89,645	12/ Criterion 3, 4, 7/ A0001, A0002, A0003, A0005, A0014
Ghana					1	A0006	17,000	1/ Criterion 7/ A0006/
Haiti	1	A0001	34,832	Rifles with war weapons list numbers and parts for rifles with war weapons list numbers (UN mission) (A0001/100 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
India	291	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0018 A0021 A0022	67,920,756	Parts for tanks and ground vehicles (A0006/21.0 %); laser range finders, sniper detection systems, testing equipment and calibration equipment and parts for fire control equipment, weapon sights, gun-laying equipment, on-board weapons-control systems, target range finders, target tracking systems (A0005/18.3 %); blue prints for parts for small arms, blue prints for warheads, cables, chain parts, vehicle parts, communications system parts, spectrometer parts, technology documents for underwater vehicles, torpedo parts, control system parts, sonar equipment, aircraft parts, simulator parts (A0022/13.4 %); image magnifier equipment and parts for thermal imaging devices (A0015/9.9 %); ship body conduits and parts for submarines, landing ships, minesweepers, ships, diesel engines, underwater detection equipment (A0009/8.1 %); electronic equipment, communications equipment, data-processing equipment, cathode-ray tubes, assemblies, electricity supplies and parts for communications equipment, positioning equipment, navigation equipment, guidance equipment, electronic warfare equipment, data processing equipment (A0011/6.9 %); missile defence systems and parts for missiles, anti-tank systems, missile defence systems, smoke canisters (A0004/6.5 %)	4	A0001 A0003 A0005 A0007	29,850,479	9/ Criterion 1, 2, 3, 4, 7/ A0001, A0003, A0005, A0006, A0007, A0011, A0015, A0018

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Indonesia	21	A0001 A0003 A0004 A0005 A0006 A0010 A0011 A0013 A0017 A0018 A0021 A0022	1,499,168	Submachine guns, sporting pistols, sporting revolvers and parts for submachine guns, sporting pistols, sporting revolvers (A0001/35.6 %); tank steel sheets (A0013/26.7 %); parts for self-propelling drilling equipment and armoured vehicles (A0006/10.2 %); diving equipment and parts for diving equipment (A0017/8.0 %)	2	A0001	4,902	2/ Criterion 2, 7/ A0001
Iran					1	A0006	71,000	1/ Criterion 1a/ A0006
Iraq	14	A0001 A0006 A0010 A0011 A0013 A0021	25,586,616	Electronic equipment, testing equipment and parts for electronic warfare (A0011/75.4 %); cranes, mine-clearing equipment, armoured cross-country vehicles (UN, Swedish Embassy) and parts for cranes, mine-clearing equipment, armoured cross-country vehicles (Swedish Embassy); ground vehicles (A0006/23.9 %)	1	A0006	112,480	

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/Reasons/EL Item
Israel	228	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0017 A0018 A0021 A0022	32,632,918	Parts for tanks, armoured vehicles and ground vehicles (A0006/32.6 %); ship body conduits and parts for submarines, ship bodies, underwater detection equipment (A0009/12.9 %); smoke device launchers and parts for anti-tank weapons, recoilless weapons, pyrotechnic launchers (A0002/11.7 %); armour plates, pellets, helmets, ballistic body armour vests and parts for body armour vests (A0013/9.1 %); parts for infrared and thermal imaging equipment (A0015/8.1 %); communications equipment, cathode ray tubes and parts for electronic equipment, positioning equipment, navigation equipment, data processing equipment, measurement equipment (A0011/7.3 %)	4	A0003 A0006 A0016 A0022	245,002	6/ Criterion 1a, 2, 3, 4, 7/ A0003, A0006, A0015, A0018, A0022
Jordan	17	A0001 A0002 A0003 A0006 A0010 A0011 A0018	9,485,373	Automatic grenade launchers and parts for automatic grenade launchers (A0002/88.2 %)	1	A0001	2,501	1/ Criterion 7/ A0001
Kazakhstan	135	A0001 A0003 A0006 A0008 A0010 A0022	3,480,935	Pyrotechnics and fuels (A0008/49.9 %); pistols, hunting rifles, sporting rifles, smooth-bore weapons, moderators (silencers), weapon sighting units and parts for pistols, hunting rifles, sporting rifles, smooth-bore weapons (A0001/32.1 %)	2	A0001 A0003	7,950	3/ Criterion 7/ A0001, A0003, A0005

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Kenya	1	A0001 A0003	3,750	Hunting rifles (A0001/80.0 %); ammunition for hunting and sporting weapons (A0003/20.0 %)	1	A0013	1,172	1/ Criterion 3, 7/ A0013
Korea, Republic	264	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0017 A0018 A0021 A0022	190,028,617	Parts for tanks, armoured vehicles and ground vehicles (A0006/42.3 %); underwater detection equipment, ship body conduits and parts for submarines, landing ships, tenders, ships, underwater detection equipment (A0009/16.4 %); electronic equipment, communication equipment, positioning equipment, navigation equipment, guidance equipment, electronic warfare equipment, data processing equipment, testing equipment, frequency converters and parts for electronic equipment, communications equipment, positioning equipment, navigation equipment, guidance equipment, electronic warfare equipment, electricity supplies (A0011/12.0 %); parts for fire control systems, on-board weapon control systems, target range-finder systems, equipment for counteraction (A0005/9.1 %); blueprints for warheads, technology for missiles, servomotors, periscope system, guidance systems, gear parts, submarine parts, helicopter parts, aircraft parts, electronic parts, simulator parts, mass spectrometers, remote sensors (A0022/4.5 %)				
Kosovo	8	A0001 A0003 A0006 A0007 A0013	3,447,528	Trucks, cars and trailers (A0006/76.1 %); helmets, body armour, body armour vests and parts for body armour vests (A0013/17.0 %)	1	A0001	587	2/ Criterion 7/ A0001, A0013

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Kuwait	66	A0001	68,120,809	Automatic cannons, anti-tank weapons and parts for automatic cannons, recoilless naval guns (A0002/45.0 %); ammunition for cannons, revolvers, pistols, hunting weapons, sporting weapons, smooth-bore hunting weapons, smooth-bore sporting weapons and parts for cannon ammunition, gun ammunition (A0003/37.4 %)	1	A0001	6,017	1/ Criterion 7/ A0001
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0009						
		A0010						
		A0011						
		A0014						
		A0015						
		A0017						
		A0018						
		A0021						
		A0022						
Kyrgistan	3	A0001	8,770	Sporting rifles (A0001/69.2 %); ammunition for hunting and sporting weapons (A0003/30.8 %)	2	A0001	24,500	1/ Criterion 7/ A0001
		A0003						
Laos	3	A0001	43,549	Radiation detection equipment and parts for radiation detection equipment (A0007/83.9 %)				
		A0007						
		A0018						
		A0021						
Lebanon	12	A0001	1,213,890	Armoured cross-country vehicles (UK, Australian, Canadian Embassy (A0006/52.8 %); helmets, body armour, body armour vests, splinter protection suits and parts for body armour vests (A0013/18.1 %); image intensifier equipment (A0015/14.5 %) Pistols (A0001/100 %)				
		A0003						
		A0006						
		A0013						
		A0015						
Lesotho	1	A0001	15,500		1	A0006	166,400	
Liberia								

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Libya	7	A0004	53,154,423	Communications equipment, jamming transmitters and parts for communications equipment (A001)/81.4 %	1	A0010	68,750	4/ Criterion 2, 4, 7/ A0001 A0010 A0015
		A0006						
		A0011						
		A0013						
		A0018						
		A0022						
Macedonia	9	A0001	220,359	Equipment for NBC protecting clothing and parts for NBC protective clothing (A0007/60.7 %); parts for armoured vehicles (A0006/21.6 %)				1/ Criterion 7/ A0001
		A0006						
		A0007						
		A0008						
Malaysia	104	A0015	32,977,560	Fire control systems and parts for fire control systems, target acquisition systems (A0005/37.7 %); communication equipment, navigation equipment, electricity supplies and parts for magnetic self-protection facilities, communications equipment, navigation systems, positioning equipment (A001/20.6 %); parts for tanks, armoured vehicles and ground vehicles (A0006/16.2 %); detonators and parts for rockets, missiles, hand grenades (A0004/13.6 %)	2	A0001 A0005	1,492,635	2/ Criterion 1, 7/ A0001 A0005
		A0001						
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0009						
		A0010						
		A0011						
		A0013						
Mali		A0017	142,793	Trucks and crane (A0006/100 %)				
		A0018						
Mauritius	9	A0021	36,977	Hunting rifles and parts for hunting rifles (A0001/100 %)				
		A0022						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Mexico	38	A0001	5,381,325	Armour plate and parts for body armour vests (A0013/44.7 %); parachutes and parts for transport aircraft, other aircraft, on-board equipment (A0010/31.4 %); submachine guns and parts for submachine guns, rifles with war weapons list numbers, revolvers, pistols (A0001/6.8 %)				
		A0005						
		A0006						
		A0008						
		A0010						
		A0011						
		A0013						
		A0016						
Moldova, Republic	10	A0001	760,548	Infrared equipment (A0015/95.7 %)	2	A0001	11,032	2/ Criterion 7/ A0001
		A0003						
Mongolia	2	A0001	6,782	Hunting rifles (A0001/96.4 %)	2	A0001	3,095	2/ Criterion 7/ A0001
		A0003						
Montenegro	2	A0001	1,089,929	Submachine guns, rifles with war weapons list numbers and parts for submachine guns, rifles with war weapons list numbers, sniper rifles (A0001/93.5 %)				
		A0002						
Morocco	18	A0006	37,242,201	Communications equipment, cathode ray tubes and parts for communication equipment, guidance equipment (A0011/37.7 %); thermal imaging equipment (A0015/31.1 %); trucks and parts for tanks, armoured vehicles, ground vehicles (A0006/26.2 %)	3	A0001 A0004	219,014	2/ Criterion 2, 3, 4/ A0001 A0004
		A0010						
		A0011						
		A0013						
		A0015						
		A0016						
Myanmar								1/ Criterion 1a/ A0010

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Namibia	44	A0001	1,078,844	Equipment for maintenance staff training (A0010/33.6 %); trucks (A0006/29.6 %); parts for manufacturing equipment (A0018/19.4 %)	1	A0001	539	1/ Criterion 7/ A0001
		A0002						
		A0003						
		A0006						
		A0010						
Nepal		A0018						
Nigeria	5	A0001			1	A0001 A0003	1,581	3/ Criterion 3, 7/ A0001, A0003, A0004 A0016
		A0006	1,833,457	Armoured cross-country vehicles (A0006/58.0 %); communication equipment and parts for communication equipment, navigation systems (A0011/42.0 %)	1	A0003	140,952	1/ Criterion 2, 3/ A0003
		A0011						

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Oman	124	A0001	12,652,524	Ammunition for cannons, smoke dischargers, pyrotechnic launchers, rifles, revolvers, pistols, hunting weapons, sporting weapons and ammunition parts for the following: cannons, mortars, grenade launchers (A0003/48.2 %); decontamination equipment, radiation detection equipment, decontaminants and parts for decontamination equipment, radiation detection equipment (A0007/13.3 %); ballistic body protection vests and parts for body armour vests (A0013/10.0 %); helicopter engines and parts for combat aircraft (A0010/8.0 %); armoured cross-country vehicles and parts for armoured vehicles, ground vehicles (A0006/6.6 %)				1/ Criterion 7/ A0001
		A0002 A0003 A0004 A0005 A0006 A0007 A0010 A0011 A0013 A0014 A0015 A0021 A0022						
Pakistan	59	A0002	61,654,572	Communications equipment, measurement equipment and parts for communications equipment, positioning equipment, navigation equipment, measurement equipment, frequency converters (A0011/68.5 %); missiles and parts for torpedoes, missiles (A0004/15.2 %)	6	A0001 A0003 A0011	146,586	9/ Criterion 1b, 3, 4, 7/ A0001, A0003, A0006, A0007, A0010, A0011, A0018
		A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0011 A0013 A0016 A0017 A0018 A0021 A0022						
Paraguay	1	A0001	174	Parts for sporting revolvers and sporting pistols (A0001/100 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
San Marino	11	A0001 A0003	51,990	Submachine guns, revolvers, pistols, rifles without war weapons list numbers, hunting rifles, sporting rifles and parts for submachine guns, revolvers, pistols (A0001/96.5 %)				
Saudi Arabia	199	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0017 A0018 A0021 A0022	167,953,616	Ground surveillance radar and parts for fire control equipment; ground surveillance radar, equipment for countermeasures (A0005/19.8 %); fuelling system, parachutes and parts for combat aircraft, tanker aircraft, other aircraft, on-board equipment (A0010/15.4 %); parts for rockets, missiles, marine mine-sweeping systems, grenades (A0004/13.4 %); communications equipment, radio reconnaissance unit and parts for communications equipment, positioning equipment, electronic warfare, travelling wave tubes (A0011/9.2 %); software for detection equipment, weapons systems and border control systems (A0021/8.9 %); aircraft shelters (A0013/8.0 %); target simulators, weapon training equipment, training equipment, training cartridges and parts for training equipment, simulators (A0014/6.6 %)				
Senegal	1	A0007 A0015	25,069	Image intensifier equipment (A0015/76.3 %); NBC combined respiration filter (A0007/23.7 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Serbia	33	A0001 A0002 A0003 A0006 A0008 A0011 A0013	1,455,159	Submachine guns, rifles with war weapons list numbers, pistols, hunting rifles, sporting rifles and parts for submachine guns, rifles with war weapons list numbers, hunting rifles, sporting rifles, sporting revolvers and sporting pistols (A0001/89.8 %)	1	A0001	1,000	2/ Criterion 1, 7/ A0001, A0007
Singapore	190	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0017 A0018 A0021 A0022	165,877,370	Tank chassis, amphibious vehicles and parts for tanks, armoured vehicles, amphibious vehicles, ground vehicles (A0006/79.4 %); ammunition for cannons, mortars, revolvers, pistols, smooth-bore hunting weapons, smooth-bore sporting weapons and ammunition parts for the following: howitzers, cannons, anti-tank weapons, smoke dischargers, pyrotechnic launchers, machine guns, rifles (A0003/9.4 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
South Africa	216	A0001	26,405,780	Air decoys and parts for rockets, missiles, anti-tank systems, smoke canisters (A0004/35.4 %); image intensifier equipment, thermal imaging devices and parts for image intensifier equipment, infrared equipment, thermal imaging equipment (A0015/30.4 %); fire control systems and parts for fire control systems, gun laying equipment, target surveillance systems, target location systems, testing and calibration equipment (A0005/9.0 %); submachine guns, pistols, hunting rifles and parts for submachine guns, pistols, hunting rifles, sporting rifles, sporting pistols, weapon sighting units (A0001/5.9 %)	1	A0022	100	1/ Criterion 7/ A0022
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Sri Lanka	1	A0015	273,000	Thermal imaging cameras (A0015/100 %)				3/ Criterion 2, 3/ A0003, A0005, A0015
Sudan	8	A0006	995,000	Parts for ground vehicles (UN mission) (A0006/100 %)				
Syria	1	A0006	55,200	Parts for armoured vehicles (UN mission) (A0006/100 %)				
Tanzania	4	A0001	15,576	Hunting rifles and parts for hunting rifles (A0001/100 %)	1	A0001	450	

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Thailand	67	A0001 A0002 A0004 A0005 A0006 A0007 A0009 A0010 A0011 A0013 A0018 A0021 A0022	27,471,705	Communication equipment, navigation equipment, travelling wave tubes and parts for communications equipment, positioning equipment, navigation equipment, frequency converters (A001/48.4 %); parts for underwater detection equipment (A0009/31.6 %); armoured plate, armoured suits, protective equipment and parts for protective suits (A0013/8.0 %)	11	A0001 A0003 A0007	781,508	16/ Criterion 2, 3, 7/ A0001, A0003, A0005, A0006, A0007, A0015
Togo	1	A0006	200,000	Armoured cross-country vehicles (President of Togo) (A0006/100 %)				
Trinidad and Tobago	2	A0001 A0011	329,052	Communications equipment and parts for communications equipment (A001/52.5 %); submachine guns and parts for submachine guns (A0001/47.5 %)				
Tunisia	5	A0006 A0011	3,123,481	Trucks and parts for ground vehicles (A0006/94.5 %)	1	A0003	70	2/ Criterion 7/ A0001, A0003
Turkmenistan	2	A0001 A0003 A0006	15,780	Hunting rifles and sporting rifles (A0001/72.6 %); parts for tanks (A0006/25.6 %)				1/ Criterion 2, 3/ A0014
Uganda								1/ Criterion 3/ A0011

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Ukraine	138	A0001 A0003 A0006 A0007 A0008 A0015 A0016 A0022	15,678,563	Surveillance systems and parts for surveillance systems (A0015/85.2 %)	13	A0001 A0003 A0010 A0018	534,274	12/ Criterion 2, 7/ A0001, A0003, A0005, A0006, A0010, A0018
United Arab Emirates	181	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0009 A0010 A0011 A0013 A0014 A0015 A0017 A0018 A0021 A0022	540,770,113	Fire control systems, target surveillance systems, positioning radar and parts for fire control equipment, on-board weapons-control systems, positioning radar (A0005/32.4 %); torpedoes, explosive devices, simulators, blasting machines, testing equipment, control equipment and parts for torpedoes, missiles, hand grenades (A0004/27.7 %); trucks, mine-clearing equipment, armoured all-wheel-drive vehicles and parts for tanks, armoured vehicles, amphibious vehicles, recovery vehicles, ground vehicles (A0006/18.2 %); naval guns, automatic cannons and parts for guns, cannons (A0002/11.7 %)	11	A0001 A0003 A0004 A0006 A0018 A0022	23,937,011	8/ Criterion 1, 3, 7/ A0001, A0003, A0006, A0018, A0022
Uruguay	9	A0001 A0003 A0006 A0010 A0014	1,050,006	Trucks and cranes (A0006/49.6 %); machine guns, submachine guns, rifles with war weapons list numbers, pistols, gun mountings and parts for submachine guns, rifles with war weapons list numbers, pistols, weapon sighting units (A0001/27.8 %); training cartridges (A0014/15.5 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/ Reasons/ EL Item
Venezuela					2	A0002	443,340	5/ Criterion 2, 3, 4, 5/ A0001, A0002, A0004, A0010, A0022
Vietnam	8	A0003 A0006 A0007 A0011 A0021 A0022	2,968,783	Detection equipment, radiation detection equipment and parts for detection equipment (A0007/77.0 %); directional radio equipment (A0011/16.8 %)				1/ Criterion 2, 7/ A0018
Yemen	1	A0006	230,000	Armoured all-wheel-drive vehicles (A0006/100 %)				1/ Criterion 3/ A0006
Zambia	5	A0001 A0003 A0007	37,770	Parts for hunting weapons and sporting weapons ammunition (A0003/68.5 %); smooth-bore weapons (A0001/31.2 %)				
Greenland	2	A0001 A0003	21,819	Ammunition for hunting weapons, sporting weapons, smooth-bore hunting weapons and smooth-bore sporting weapons (A0003/95.0 %)				
Hong Kong	10	A0001 A0002	161,033	Submachine guns, pistols, weapon sighting units and parts for submachine guns, pistols, weapon sighting units (A0001/98.4 %)	1	A0013	2,000	2/ Criterion 1a, 7/ A0011, A0013
Macao	1	A0007	160	NBC protection mask (A0007/100 %)	2	A0007 A0015	14,140	1/ Criterion 7/ A0015
New Caledonia	13	A0001 A0003	58,230	Pistols, hunting rifles, sporting rifles, sporting revolvers, sporting pistols, smooth-bore weapons, weapon sighting units and parts for hunting rifles (A0001/97.7 %)				

Country	No. of Licences	EL Item	Total Value (€)	EL Merchandise as Percentage of Total Value	Denials of Final Exports	EL Item	Total Value (€)	No. of Denials/Reasons/EL Item
Taiwan	40	A0001 A0002 A0004 A0005 A0006 A0007 A0008 A0009 A0011 A0014 A0021	6,984,488	Parts for submarines, minesweepers, underwater detection equipment, ship body conduits (A0009/31.2 %); parts for communication and navigation equipment (A0011/29.3 %); NBC protective clothing, mass spectrometers and parts for mass spectrometers (A0007/22.6 %)	4	A0005 A0009 A0016	2,836,118	8/ Criterion 4/ A0005, A0006, A0009, A0013, A0016
Northern Cyprus ⁶⁰					1	A0007	260	
Various countries								1/ Criterion 7/ A0001, A0003, A0005, A0013, A0015
Total	3,723		2,491,962,006		128		62,622,543	

The above cited denials contain, apart from denied licence applications, also denied advance inquiries about licensing intentions for a concrete export project and rejected applications under the War Weapons Control Act. They may be recognized from discrepancies between the “No. of Denials/Reasons/EL Item” column and the “Denial/Final Exports” column.

60 Area of the Republic of Cyprus which is not under the effective control of the Republic of Cyprus.

Annex 8

Brokering

Licences for trading and brokering transactions (Part IA – military articles, final exports) in 2009

Country	Number	Total value €	Description of articles	Value €	EL Item	Consignee
Brazil	1	745	2 kg 2-chlorobenzalmononitrile (CS gas): CAS-No. 2698-41-1	745	A0007d	Condor S.A.
India	1	0	16 training and simulation units for anti-ship and anti-ra- diation missiles	0	A0014	Defence Ministry
Iraq	1		Combat helicopter		A0010	Defence Ministry
Korea, Republic	7	4,063,796	Components for mine flail	2,700,400	A0004b	Defense Acquisition Program Administration
			600 kg military explosives	69,600	A0008a	Defense Acquisition Program Administration
			1,400 kg octogen (HMX)	211,400	A0008a	Defense Acquisition Program Administration
			Components for mine flail	412,796	A0004b	Defense Acquisition Program Administration
			4,400 kg octogen (HMX)	607,200	A0008a	Defense Acquisition Program Administration
			400 Gramm (+/-) 1,2,4-Butantriol, CAS-No. 3068-00-6	62,400	A0008g	Hanwha Corporation
Kuwait	1	157,000	Missile and firing devices, combat helicopters and airframes for these, gunnery systems		A0004, A0010, A0001, A0002	State procurement bodies
			11 encryption devices	157,000	A0011	State of Kuwait, Ministry of Defence
			1 sensor for navigation system	0	A0011a	Malaysian Maritime Enforcement Agency
			96 units of additional equipment for NBC first aid equipment: atropine auto-injector	3,588	A0007f	Pertahanan Malaysia Ministeri Defence
Nigeria	1	58,000	1 unit software for encrypted communications equipment	1,500	A0021a	Ministry of Defence Malaysia
			1 armoured all-wheel-drive vehicle	58,000	A0006b	Auto Computer Nigeria Ltd.
Pakistan	2	124,816	1 Key Management Center	123,316	A0011a	Ministry of Defence
			1 unit software for encrypted communications equipment	1,500	A0021a	Ministry of Defence
South Africa	1		Non-guided missiles (rockets), ammunition for gunnery systems		A0004, A0003	Advanced Technologies & Engineering Co. (PTY) Ltd. as test weapons for German export project to Iraqi armed forces
Thailand	2	355,614	Parts for fire control sensors Military electrical equipment Key Management Center KMC7350	333,450 22,164	A0005 A0011a	Royal Thai Navy Royal Thai Air Force

Country	Number	Total value €	Description of articles	Value €	EL Item	Consignee
Turkey	1	0	114 units GPS receivers for positioning Rockwell Collins Explosion Resistant GPS Receiver 114 units laser target designators/range finders Laser designators/range finders	0	A0011a	US – TR Ministry of Defence
UAE	4	9,885,516	Additional equipment for NBC first aid equipment: atropine/jobidoxime auto-injector (ATOX ComboPen) Spare parts for performance enhancer	3,555,516 6,330,000	A0007f A0011a	UAE Armed Forces United Arab Emirates G.H.Q. Armed Forces
Total	25	14,650,575				

In addition to this, licences were issued pursuant to Section 4a of the War Weapons Control Act for brokering transactions with end-users in all EU, NATO and NATO-equivalent countries (Australia, Japan, New Zealand, Switzerland).

Brokering

Rejected licences for trading and brokering transactions (Part 1A – military articles, final exports) in 2009

Country	Number	Total value €	Description of articles	Value €	EL Item	Consignee
Brazil	1	10,000,000	Manufacturing and technology documents for the manufacture of ammunition for self-propelled guns	10,000,000	A0022a	Centro Tecnológico do Exercito CTEx
Russian Federation	1	42,500	Components for ballistic protective vests	42,500	A0013d	CLASS Co. Ltd.

Annex 9

DAC List of ODA Recipients

Effective for reporting on 2009 and 2010 flows

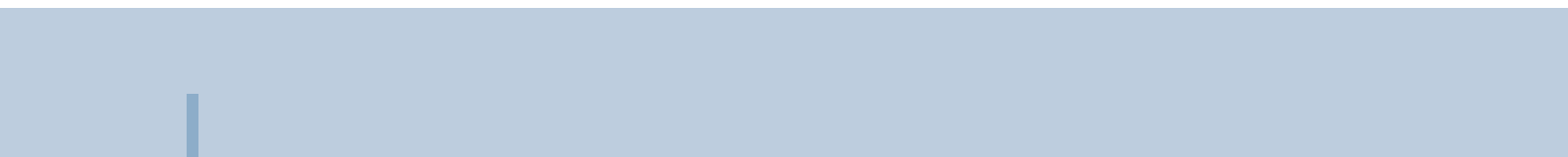
Least Developed Countries	Other Low Income Countries (per capita GNI < \$935 in 2007)	Lower Middle Income Countries and Territories (per capita GNI \$936 – \$3,705 in 2007)	Upper Middle Income Countries and Territories (per capita GNI \$3,706 – \$11,455 in 2007)
Afghanistan	Côte d'Ivoire	Albania	*Anguilla
Angola	Ghana	Algeria	Antigua and Barbuda ⁶¹
Bangladesh	Kenya	Armenia	Argentina
Benin	Korea, Dem. Rep.	Azerbaijan	Barbados ⁶²
Bhutan	Kyrgyz Rep.	Bolivia	Belarus
Burkina Faso	Nigeria	Bosnia and Herzegovina	Belize
Burundi	Pakistan	Cameroon	Botswana
Cambodia	Papua New Guinea	Cape Verde	Brazil
Central African Rep.	Tajikistan	China	Chile
Chad	Uzbekistan	Colombia	Cook Islands
Comoros	Vietnam	Congo, Rep.	Costa Rica
Congo, Dem. Rep.	Zimbabwe	Dominican Republic	Croatia
Djibouti		Ecuador	Cuba
Equatorial Guinea		Egypt	Dominica
Eritrea		El Salvador	Fiji
Ethiopia		Former Yugoslav Republic of	Gabon
Gambia		Macedonia	Grenada
Guinea		Georgia	Jamaica
Guinea-Bissau		Guatemala	Kazakhstan
Haiti		Guyana	Lebanon
Kiribati		Honduras	Libya
Laos		India	Malaysia
Lesotho		Indonesia	Mauritius
Liberia		Iran	*Mayotte
Madagascar		Iraq	Mexico
Malawi		Jordan	Montenegro
Maldives		Kosovo ⁶³	*Montserrat
Mali		Marshall Islands	Nauru
Mauritania		Micronesia, Federal States	Oman ⁶¹
Mozambique		Moldova	Palau
Myanmar		Mongolia	Panama
Nepal		Morocco	Serbia
Niger		Namibia	Seychelles
Rwanda		Nicaragua	South Africa
Samoa		Niue	*St. Helena
São Tomé and Príncipe		Palestinian Administered Areas	St. Kitts-Nevis
Senegal		Paraguay	St. Lucia
Sierra Leone		Peru	St. Vincent and Grenadines
Solomon Islands		Philippines	Suriname
Somalia		Sri Lanka	Trinidad and Tobago ⁶²
Sudan		Swaziland	Turkey
Tanzania		Syria	Uruguay
Timor-Leste		Thailand	Venezuela
Togo		*Tokelau	
Tuvalu		Tonga	
Uganda		Tunisia	
Vanuatu		Turkmenistan	
Yemen		Ukraine	
Zambia		*Wallis and Futuna	

* Territory

⁶¹ Antigua and Barbuda and Oman exceeded the high income country threshold in 2007. In accordance with the DAC rules for revision of this list, both will graduate from the list in 2011 if they remain high income countries until 2010.

⁶² Barbados and Trinidad and Tobago exceeded the high income country threshold in 2006 and 2007. In accordance with the DAC rules for revision of this list, both will graduate from the list in 2011 if they remain high income countries until 2010.

⁶³ This does not imply any legal position of the OECD regarding Kosovo's status.



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