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SECRETARY OF  
STATE FOR  
TRADE

SPANISH EXPORT STATISTICS  
REGARDING DEFENCE  
MATERIAL, OTHER MATERIAL  
AND DUAL-USE ITEMS AND  
TECHNOLOGIES, 2007



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## INTRODUCTION

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This report contains the first annual statistics compiled since the entry into force of Law 53/2007 of 28 December on the Control of External Trade in Defence and Dual-use Material. The figures appearing herein refer to authorised exports of defence material, other material and dual-use items and technologies undertaken in 2007. This report was drawn up pursuant to a series of agreement taken at the Plenary of the Congress of Deputies.

In this regard, the 18 March 1997 Agreement on transparency in the arms trade (Annex I) urged the Government, inter alia, to:

- Disclose, on an annual basis, the essential export data as from 1991 including statistics by countries of destination in accordance with Spanish law and international commitments undertaken by Spain.
- Send, half-yearly, the essential export data in respect of defence and dual-use material to the Defence and Foreign Affairs Commissions of the Congress of Deputies.

On 11 December 2001 the congressional approval of the Agreement regarding transparency and more stringent control of the small arms trade (Annex I) was added to the said agreement. Point one of the 11 December 2001 Agreement urged the Government to:

- Forge ahead in its transparency of information policy in respect of the export of defence, security and law enforcement material

with a view to achieving greater specificity in terms of products and countries.

And lastly, the Congress of Deputies in plenary session approved the Agreement of 13 December 2005 supporting an Arms Trade Act (Annex I). This Agreement urged the Government to submit, within a period of twelve months, a preliminary draft law on arms trading which should include, inter alia:

- Detailed instructions regarding the minimum information which must be contained in the official Spanish statistics report on the transfer of defence and dual-use material and must coincide with the best practices of other European Union countries in terms of transparency practices.
- The half-yearly submission of information to the Congress of Deputies on the transfers authorised during the most recent reference period and the annual appearance of the Secretary of State for Trade before the Defence Commission of the Congress of Deputies to report on annual statistics.

This report is drawn up in compliance with the aforementioned agreements and is an expression of the Spanish Government's will to furnish transparent and detailed information concerning export operations of these types of products as well as actions undertaken at international control and non-proliferation fora during the course of 2007.

Before delving into the analysis of specific export data, an explanation must first be given regarding the methodology followed in compiling the statistics contained herein.

The Secretariat General for Foreign Trade attached to the Ministry of Industry, Tourism and Trade, duly informed by the Inter-Ministerial Regulatory Board on Foreign Trade in Defence and Dual-Use Material (Spanish acronym JIMDDU), is the body responsible for authorising each external trade transaction concerning defence material, other material and dual-use items and technologies. It should be recalled that the Secretariat General possesses the data concerning all of the authorised export licenses while the data corresponding to exports actually made is available at the Department of Customs and Excise Duties of the National Tax Administration Agency attached to the Ministry of Economy and Finance.

This report presents the data concerning operations undertaken, the information having been obtained by reviewing, one by one, export licenses issued and checking them against each one of the shipments made. Moreover, the Secretariat General for Foreign Trade collects information regarding export shipments directly from companies enabling it to correct any data discrepancy. This authority is envisaged under Article 11 of Royal Decree 1782/2004 of 30 July approving the Regulation governing the control of external trade in defence material, other material and dual-use items and technologies and companies are called on to submit monthly reports regarding shipments made.

It should be pointed out that these statistics do not reflect temporary exports

(shipments made for the purpose of repair, homologation, testing, fairs, defective goods returned to the manufacturer) which are void of any commercial value.

The 2007 statistics report is divided into two main blocks. The first covers information on Spanish law, Community regulations, data on Spain's export of defence material, other material and dual-use items and technologies and the main progress made at international control fora. The second section is comprised of ten annexes with information on the texts regarding agreements taken by Congress in plenary session alluded to at the beginning of the report, export figures for these items in 2007, the criteria and operational provisions set out in the European Union Code of Conduct on Arms Exports, the principal international control and non-proliferation fora, a list of defence material embargos and the bibliography published in this connection by the Secretariat of State for Trade. These Annexes also include Spain's contribution to the United Nations Conventional Arms Register and the OSCE Document on small arms and light weapons.

The main novelties of this report are found in Annexes II, III, IV and V. Annex II, in addition to the figures on exports of defence material and other material broken down by product category and destination country, features similar tables but referring to operations authorised in 2007. Annex III includes a similar table for authorised exports of dual-use items and technologies in addition to a detailed table showing cases where the so-called catch-all clause was applied pursuant to Article 4 of Council Regulation (EC) No 1334/2000 of 22 June setting up a

Community regime for the control of exports of dual-use items and technologies. Annex IV features information on the time it takes to process licenses, the different categories of authorisation, comparison between the number of operations authorised and those actually undertaken and exemptions granted by the JIMDDU for certain operations concerning the preliminary report and/or the control document. And lastly, Annex V includes tables on Spain's contribution to the United Nations Register of Conventional Arms.

The 2008 report will, for the first time, contain the list of operations authorised

and undertaken involving sporting and hunting arms which were not subject to control until the entry into force of Law 53/2007, specifically smooth-bore barrel hunting and sporting arms and their munitions which, due to their technical specifications, were not fit for military use and were not completely automatic.

These statistics are published in the Economic Bulletin of the Spanish Trade Information Publication put out by the Ministry of Industry, Tourism and Trade. The unabridged version of the articles can be found on the web page of the Secretariat of State for Trade.

[\(http://www.comercio.es/\)](http://www.comercio.es/)



## **PART I. EXPORT OF DEFENCE MATERIAL AND OTHER MATERIAL**

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### **1. Applicable legislation. Law regarding the Control of External Trade in Defence Material and Dual-use**

Organic Law 3/1992 of 30 April introduced administrative crimes and infractions in connection with the smuggling of defence and dual-use material for the first time into domestic law. Law 3/1992 described the crime of smuggling in the same terms as today's Anti-smuggling Act, Organic Law 12/1995 of 12 December, as the unauthorised export of defence or dual-use material or export with authorisation obtained by means of a false or incomplete declaration.

To implement the aforementioned law, it was then necessary to enact a new law at the Royal Decree level as provided for in Organic Law 3/1992. This was accomplished by means of the publication of Royal Decree 824/1993 of 28 May approving the Regulation on external trade in defence and dual-use material. The disperse regulations existing up to that time were grouped together under this Regulation: registration, external export/import trade, the Inter-ministerial Board, lists of defence and dual-use material subject to control, types of licenses and control documents.

Royal Decree 824/1993 was replaced by Royal Decree 491/1998 of 27 March. It should be pointed out that this legislation, in turn, was subsequently replaced by Royal Decree 1782/2004 of 30 July approving the Regulation on the control of external trade in defence material, other material and dual-use items and technologies.

Mention should likewise be made of Law 49/1999 of 20 December on control measures applicable to chemical substances liable to be diverted for the manufacture of chemical weapons. Royal Decree 1782/2004 included the implementation of the aforementioned Law within the scope of control of the import/introduction of substances figuring on lists 1, 2 and 3 of the Chemical Weapons Convention included previously in Royal Decree 1315/2001 of 30 November.

Transfer requests are analysed in accordance with the foregoing legislation on a case-by-case basis and the JIMDDU's mandatory and binding report is collected. The overarching purpose of that analysis is to prevent the proliferation of weapons of mass destruction and especially to prevent arms and dual-use items from falling into the hands of and being used by terrorists, all without prejudice to the legitimate sale of arms in accordance with Article 51 of the United Nations Charter which recognises the legitimate right to individual or collective defence of all member nations.

The Spanish control authorities also apply the Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses; United Nations Resolution 55/255 of 31 May 2001 regarding the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition; United Nations Resolution 1540 of 28 April 2004 on the non-proliferation of weapons of mass destruction; the 13 January 1993 Convention prohibiting the development, production, stockpiling and use of chemical weapons and on their destruction; and the

10 April 1972 Convention prohibiting the development, production and stockpiling of biological and toxin weapons and on their destruction.

And lastly, the Spanish control system assumes the obligations undertaken within the framework of the most important international control and non-proliferation fora, i.e. the Wassenaar Arrangement, the Zangger Committee, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Australia Group.

As was pointed out in the Introduction, the 13 December 2005 Agreement urged the Government to submit a preliminary draft law on Arms Trade.

In 2006, that preliminary draft was subjected to reports by the five ministries involved in the control of these items and by the Council of State. At its meeting of 29 December 2006, the Cabinet passed the draft law on the Control of External Trade in Defence and Dual-use Material. Parliament debated the bill from January to December 2007 and Law 53/2007 was finally approved on 28 December 2007.

The Law takes account of those aspects which could lead to improvements in operation authorisation procedures as well as the accuracy of the statistical information provided.

The most noteworthy aspects can be summarised as follows:

1. Spanish legislation in this connection has the status of Law, meaning that it will be accompanied by an instrument facilitating more effective use of controls.

2. The Law updates the regulation of external trade transfers of defence material, other material and dual-use items and technologies in accordance with the new commitments undertaken by Spain through international control and non-proliferation fora.

3. This is the first time that a regulation includes the Government's commitment to submit complete and detailed information to Parliament regarding the export of the said items with the half-yearly remittal of statistics and an annual appearance by the Secretary of State for Trade before the Defence Commission of the Congress of Deputies.

The data furnished by the Government will include information concerning the value of exports broken down by country of destination and descriptive product category, technical assistance, the end use of the material, the public or private nature of the end use and export denials.

4. Controls are extended to all types of firearms including all hunting and sporting arms, their components and ammunition in compliance with United Nations General Assembly Resolution 55/255 approving the Protocol against the illicit manufacturing of and trafficking in firearms.
5. Controls on brokering transactions are bolstered by means of information mechanisms regarding transport methods, transit countries and financing.

It should be recalled that transactions of this nature have been regulated under Spanish legislation since the publication of Royal Decree 1782/2004 of 30 July approving the control Regulation governing external trade in defence material, other material and dual-use items and technologies. For the first time in Spain this Law introduced the control of arms brokering operations in direct response to the approval of Council Common Position 2003/468/CFSP of 23 June 2003 on the control of brokering and to the United Nations Action Programme of July 2001 to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects.

6. The Law provides for the extension of the aforementioned information mechanisms (transport and transit but not methods of finance) to all other external trade transactions.
7. The Law also envisages control of licensed production agreements, i.e. those processes whereby a company in one country authorises a company in another country to manufacture its products, including the transfer of components, technology and production techniques.
8. One of the points laid down in the 13 December Agreement made mention of the need to strictly and scrupulously apply the eight criteria of the Code of Conduct on Arms Exports. The Law lists these criteria as well as those envisaged by the OSCE for transactions

involving small arms and light weapons.

9. Another important aspect of the Law is that the Defence commission of the Congress of Deputies can issue an opinion on the statistical information received with a recommendation for the following year. The annual appearance before that Commission will address actions taken in response to that opinion.
10. And lastly, the Law includes two final provisions expressing the Spanish Government's firm commitment to support the signing of an International Arms Trade Treaty and any other initiatives leading to the establishment of restrictions or the prohibition of the manufacture, use and trade in cluster bombs.

The law contains a preamble which refers to the commitments made by Spain through international institutions and fora related to the control of this trade and non-proliferation; 17 articles broken down into three chapters, a transitional provision, a repeal provision and seven final provisions.

The text states that the Government, by Royal Decree, will dictate the implementing regulations. That is why already in the last quarter of 2006, the first draft of the Royal Decree approving the Regulation controlling the external trade in these items was drawn up. Said Royal Decree will replace Royal Decree 1782/2004.

The principal changes envisaged in the said draft may be summarised as follows:

1. The makeup of the JIMDDU will be updated unifying representation of the Police and *Guardia Civil* Directorates-General.
  2. A series of requirements are laid down for inscription, nullification and suspension in the Special Register of External Trade Operations.
  3. Control is extended to all hunting and sporting arms, their parts and ammunition pursuant to the commitments undertaken by virtue of United Nations General Assembly Resolution 55/255 approving the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. Hunting and sporting arms may be transferred by means of individual or global licenses (parent company-subsidiary, manufacturer-exclusive distributor, regular commercial export broker-user) or via written declarations (temporary operations for hunting outings or sport shooting).
  4. Controls on brokering transactions are bolstered by means of information mechanisms regarding transport methods, transit countries and financing. Information mechanisms having to do with transport and transit countries also apply to all other export operations.
  5. The Law also envisages control of licensed production agreements, i.e. those processes whereby a company in one country authorises a company in another country to manufacture its products, including the transfer of components, technology and production techniques.
  6. For the first time in Spanish law an extensive list of exemptions from prior information from the JIMDDU and from the control document requirement apply to all transactions relating to non-sensitive products exported to European Union countries or member countries of international non-proliferation fora.
  7. Fruit of the work undertaken at LOI Subcommittee No 2, a Components License was created for defence material such as components, subsystems and spare parts, apart from military cooperation programmes.
  8. The Annexes of the control lists of items, license forms and control documents are updated in accordance to the changes implemented in the different international regimes. Specifically, the items subject to control under Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain items which could be used for capital punishment, torture or other cruel, inhumane or degrading treatment or punishment, have been eliminated from the List of Other Material figuring in Annex II.
  9. The possible permanent export of equipment accompanying the Armed Forces and state police and security Forces on humanitarian and peace missions abroad is envisaged.
- We should likewise note that a legislative change of this importance requires an

amendment to the Anti-smuggling Act, Law 12/1995.

This amendment must be implemented in compliance with the obligations arising from the Chemical Weapons Convention; the Biological and Toxin Weapons Convention; the most recent changes to Regulation (EC) 1334/2000 on dual-use items; the Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses; Council Common Position 2003/468/CFSP of 23 June 2003 on the control of arms brokering; and Council Regulation (EC) No 1236/2005 on the marketing of certain products that could be used in the enforcement of the death penalty or to inflict torture.

The changes can be summarised as follows:

- Change of the existing definition of the terms “export” and “dual-use items” with a view to bringing them into line with Regulation (EC) No 1334/2000. Introduction of new definitions of the terms “import”, “consignment”, “introduction” and “other material” and update of the existing definitions of “precursors” and “biological agents or toxins”.
- Inclusion of the control of items which could be used in the enforcement of the death penalty or to inflict torture or other cruel, inhumane or degrading treatment or punishment.
- Broadening of the classification of crimes given that in the aforementioned Organic Law 12/1995 provisions are not made for imports, technical assistance, brokering, the intra-community transfer of defence material, other material and dual-use items and technologies or for the

import/export of items used to enforce the death penalty or to inflict torture.

- Control of transit throughout the territory and sea and air space of the so-called “other material” and of items which could be used to enforce the death penalty or inflict torture, similar to that provided for in the aforementioned Law 12/1995 for defence and dual-use material.

It should likewise be recalled that the defence material subject to control under Spanish law is based on the Wassenaar Arrangement Military List, the Common List of Military Equipment of the European Union Code of Conduct on Arms Exports and also includes categories I and II of the Missile Technology Control Regime.

Among the products which are not classified as defence material, special mention should be made of certain specific cases. Transport aircraft which are not specifically designed or modified for military use and which are registered with the Directorate-General of Civil Aviation as civil aircraft are expressly excluded from the international lists. Cargo or transport vessels and ships, provided they do not have military specifications or equipment, are also exempt from control. Lastly, smooth-bore barrel hunting and sporting arms and their ammunition which, due to their technical specifications, are not apt for military use and are not completely automatic, were not subject to control until the entry into force of Law 53/2007 (29 January 2008).

Lists of products and equipment subject to control under Spanish legislation must be updated each year in accordance with the amendments approved in the

international lists. In 2007 the said update was undertaken by means of the 15 March Order ITC/713/2007 of the Ministry of Industry, Tourism and Trade. The control of the external trade in defence and dual-use material was boosted by the approval of the 20 July 2006 Order issued by the Secretariat of State for Trade. This order established the procedure by which external trade authorisations are processed in application of Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain items that could be used in the enforcement of the death penalty or to inflict torture.

The Community Regulation contains nineteen Articles and five Annexes.

Annex II includes a list of items related to the enforcement of the death penalty the export and import of which is prohibited, as is any related technical assistance: gallows and guillotines, electric chairs, gas chambers, lethal chemical injection systems and electric-shock belts. This prohibition does not apply to shipments of this equipment to museums. Technical and healthcare items are excluded as well.

Annex III lists torture-related equipment: restraint chairs and shackle boards, handcuffs, gang chains, shackles, individual handcuffs and wrist shackles, thumb-cuffs, portable anti-riot devices for administering an electric shock, incapacitating chemical substance dispensing devices and two chemical substances used in the manufacture of tear gas. These items may be exported and imported but they need prior authorisation and a control document listing the recipient, use and end user.

Transit and brokering transactions are not included in this Regulation. A denial

and consultation procedure similar to the one used for the European Union Code of Conduct on Arms Exports has been set up (Articles 11 and 13). And lastly, in the case of Spain, the sanctions regime envisaged under Article 17 will entail amendment of the Anti-Smuggling Act, Law 12/1995.

## 2. Control bodies

### *A) The Inter-Ministerial Regulatory Board on External Trade in Defence and Dual-use Material (Spanish acronym JIMDDU)*

This Board was first constituted in 1988 as an inter-ministerial administrative body and is vouchsafed to the Ministry of Industry, Tourism and Trade. The JIMDDU meets on a monthly basis with the exception of the month of August and has a Working Group responsible for preparing operations and reports.

Its makeup is determined by Article 13 of Law 53/2007 and Article 13 of Royal Decree 1782/2004 which state that those units of the administration which are directly involved in the control of external trade in defence material, other material and dual-use items and technologies shall be represented (Ministries of Industry, Tourism and Trade; Foreign Affairs and Cooperation; Economy and Finance; Defence; and the Interior).

The JIMDDU's most important function is the compulsory and binding review of administrative authorisations and preliminary agreements relating to the said materials and the compulsory and consultative review of amendments made to regulations governing this trade.

*B) The Secretariat General for External Trade*

Authorisation for import/export transactions concerning defence material, other material and dual-use items and technologies, duly informed by the JIMDDU, is the responsibility of the General Secretariat for External Trade. The processing procedure for the issuing of licenses and control documents is undertaken by the Deputy Directorate-General of External Trade in Defence and Dual-use Material which, in turn, also serves as the Secretariat of the JIMDDU.

## 3. Statistical analysis

*A) Data regarding exports*

The tables showing the export figures corresponding to defence material and other material are included in Annex II of this report.

Before delving into concrete data analysis, it should be highlighted that Spain is a modest exporter in the international arms trade and its sales fluctuate significantly from one year to the next depending on the contracts awarded to companies working in the sector. Notwithstanding the above, the import/export flow has stabilised over the last several years as a result of the participation of several Spanish companies in joint military cooperation programmes (Eurofighter programmes, the A400M transport aircraft, the Tiger helicopter, the Leopard tank, Meteor and Iris-T Missiles and the MIDS electronic communications programme).

In 2007 there was a 10.4% rise in defence material exports with respect to 2006, continuing the growth trend in exports dating back to 2000. The value of exports totalled €932.9 million.

| Year | Amount (€ millions) |
|------|---------------------|
| 2001 | 231.18              |
| 2002 | 274.71              |
| 2003 | 383.10              |
| 2004 | 405.90              |
| 2005 | 419.45              |
| 2006 | 845.07              |
| 2007 | 932.94              |

The following table, based on the statistical data from Annex II, shows Spain's principal export markets. It lists countries and groups of countries (NATO and European Union), amount and percentage of exports and the main categories exported in each case.

| Countries DM                   | Amount (€ millions) | %            | Categories  |
|--------------------------------|---------------------|--------------|-------------|
| <b>EU NATO countries</b>       | <b>294.10</b>       | <b>31.52</b> |             |
| United Kingdom                 | 93.16               | 9.98         | 4,8,10,15   |
| Germany                        | 82.70               | 8.86         | 4,6,10,15   |
| Italy                          | 47.08               | 5.05         | 9,10,11,15  |
| Poland                         | 32.52               | 3.49         | 1,3,10      |
| Others                         | 38.64               | 4.14         | 2,3,4,8,11  |
| <b>EU non-NATO countries</b>   | <b>43.59</b>        | <b>4.67</b>  |             |
| Finland                        | 36.36               | 3.90         | 1,2,4,10    |
| Others                         | 7.23                | 0.77         | 2,4,10      |
| <b>NATO (non-EU) countries</b> | <b>305.84</b>       | <b>32.78</b> |             |
| Norway                         | 266.37              | 28.55        | 3,4,8,9     |
| United States                  | 38.34               | 4.11         | 1,2,3,4,5,8 |
| Others                         | 1.13                | 0.12         | 1,4         |
| <b>NATO + EU</b>               | <b>643.53</b>       | <b>68.97</b> |             |
| <b>Other countries</b>         | <b>232.85</b>       | <b>24.96</b> |             |
| Malaysia                       | 152.94              | 16.39        | 3,4,9       |
| Brazil                         | 79.91               | 8.57         | 2,4,8,10    |
| <b>Remaining countries</b>     | <b>56.56</b>        | <b>6.07</b>  |             |
| <b>TOTAL</b>                   | <b>932.94</b>       | <b>100</b>   |             |

The table shows that exports to European Union countries were lower in relative terms than in years past accounting in 2007 for 36.2% of the total compared with 59.8% in 2005 and 79.6% in 2004.

However in absolute terms, sales to EU countries totalled €337.7 million which is higher than the 2006 and 2005 figures which were €241.9 million and €251.0 million respectively. Exports were basically distributed between the United Kingdom, Germany, Italy and Poland. Most of the exports were parts for the

EF-2000 fighter jet to the United Kingdom, Germany and Italy and A400M military transport aircraft to the United Kingdom and Germany. Fuel was another important export category to the United Kingdom (aviation kerosene and NATO specification naval gas-oil). In terms of shipments to Germany, special mention should be made of parts for the Leopard tank and the Iris-T missile while the most important export to Poland was a troop transport plane.

Of the non-NATO EU countries, Finland imported €36.3 million worth of material accounting for 4.1% of the total mainly corresponding to two troop transport aircraft.

NATO countries accounted for 64.3% of total exports with very special mention of the export of a second frigate to the Norwegian navy (alone accounting for €266.4 and 28.6% of the total) and exports to the United States (€38.3 and 4.1% of the total in the forms of military fuel, aircraft, tank and missile parts and small arms).

Once having accounted for shipments/exports to EU and NATO countries, the remaining sales (€289.4 million accounting for 31.0% of the total) were distributed among 36 countries with special mention of Malaysia with €152.9 million for the stern of 1 submarine (programme envisaging two submarines in collaboration with France) and Brazil with €79.9 million in the form of five troop transport aircraft. We would likewise stress exports to Morocco of 20 non-armoured off-road vehicles, ambulances and tanker lorries, fire engines and a crane (€1.8 million), to Australia of technical documentation for the manufacture of 3 strategic frigates and 2 ships (€1.1 million), to Venezuela of 8 armoured off-road vehicles (€1.0) and to

Romania of 4 off-road vehicles (€0.7 million).

Exports to Guinea Bissau, Kazakhstan, Mongolia, Namibia, Senegal and Tanzania consisted of hunting arms.

| Main exports of defence material<br>(€ millions)<br>2007 |                     |        |       |
|--|---------------------|--------|-------|
| Country  | Description         | Amount | %     |
| Norway   | 1 frigate           | 258.34 | 27.69 |
| Malaysia   | 1 submarine (stern) | 150.00 | 16.08 |
| Brazil   | 5 aircraft          | 79.12  | 8.47  |
| Finland  | 2 aircraft          | 36.08  | 3.87  |
| Poland   | 1 aircraft          | 30.76  | 3.30  |
| Total  |                     | 554.30 | 59.41 |

Focusing on product categories, we would draw attention to the export of "Warships" for €408.5 million accounting for 43.8% of the total and "Aircraft" for €201.4 accounting for 21.6%.

As for "Other Material", exports totalled €216,664, the only countries of destination being Morocco (€87,216 accounting for 40.3%), Bolivia (€65,330 accounting for 30.1%), Portugal (€61,190 accounting for 28.2%) and Andorra (€2,928 accounting for 1.4%).

*B) Data regarding operations undertaken exempt from the preliminary report and/or control document*

This information can be found in Annex IV.

In 2007 a total of 858 license applications for the export of defence material were processed breaking down as follows: 663 individual licenses, 5 global licenses (for multiple shipments to different countries and beneficiaries), 7 global project licenses (similar to global licenses but deriving from cooperation programmes in the defence field) and 183 temporary licenses. In addition to the foregoing, 2 inward processing traffic licenses were processed and rectifications were made

to 238 licenses granted previously (rectification refers to an extension of the expiration date or a change in the customs release post).

Of the 663 individual licenses, 495 were approved, 6 denied, 105 were abandoned by the exporter, 11 expired due to failure to submit the end-use control document associated to the license by the deadline date and 46 were left pending for authorisation in 2007. The 5 global licenses were approved. Of the 7 global project licenses, 5 were approved while 2 expired. All of the 183 temporary licenses were approved except for 1 which expired and 2 which were discontinued. All of the license rectifications were approved with the exception of 1 which expired and 1 which was abandoned by the exporter. The two traffic licenses were approved. Mention should also be made of the 23 preliminary export agreements which were approved in 2007. This is an administrative approval signalling initial conformity regarding future shipments.

Under the heading "Other Material" 10 individual licenses and 5 rectifications were processed. Of the 10 licenses, 7 were approved and 3 expired. All of the rectifications were approved.

No authorisations were issued in 2007 for operations under Common Position 2003/468/CFSP of 23 June on the control of arms brokering.

Annex IV offers information concerning the time it takes to process licences and the number of licences exempt from the preliminary report and/or control document. The exemptions determined by the JIMDDU were limited to dispatches of non-sensitive material to allied countries or members of international control and non-proliferation

fora. Specifically, these exemptions were related to defence cooperation programmes (the Eurofighter, the A400M military transport aircraft, the Tiger combat helicopter, the Leopard tank, Iris and Meteor missiles, the MIDS electronic communications programme), military specification fuel exports to EU and NATO countries, returns to origin and the export of low-cost, non-sensitive material (under €12,000) to member countries of international non-proliferation fora.

The JIMDDU also exempted temporary exports consisting of repairs, revisions, tests, homologations, fairs and exhibitions from the preliminary report and the control document. It should be recalled that these dispatches are not reflected in the statistics since they are not permanent exports.

#### *C) Entries in the Special Register for External Trade Operations in Defence and Dual-use Material*

In 2007, 28 entries were made concerning companies trading in defence material and 3 for brokering.

#### *D) Data regarding licenses denied*

In 2007, 6 applications were denied due to enforcement of the code of conduct. Of these denials, 3 concerned sporting arms, criterion No 1 (embargo) being applied in 1 case and criterion No 7 (risk of diversion) in 2 cases. Two of the denials concerned small arms with criteria 4 (regional situation) and 7 being applied. The remaining denial had to do with sights for small arms based on criterion 1.

The licenses denied were duly communicated to the rest of the EU Member States.

The Spanish Ministry of Foreign Affairs denied approval of 19 transit requests of the total 378 subject to processing in 2007.

Support was also provided for three inspections conducted by the authorities of other countries concerning a shipment of confiscated pistols, brokering transactions of defence material and the possible unauthorised export of items subject to control.

Prior to informing the operations, the JIMDDU conducted a case-by-case analysis of all 2007 transactions applying the following parameters:

- a) Full and absolute respect for United Nation, European Union and OSCE embargoes currently in force (Annex VI).
- b) Observance of commitments undertaken at international control and non-proliferation fora in which Spain participates.
- c) Application of the eight criteria of the European Union Code of Conduct on Arms Exports to exports of defence material.
- d) Adoption of restrictive principles in approving exports to certain countries immersed in domestic or regional situations of conflict thus preventing the shipment of arms or equipment that, in light of their characteristics, could be used to take life or injure or could be used for the purpose of domestic repression or as anti-riot material.
- e) As concerns transactions involving small arms and light weapons, in 2001 the JIMDDU took the decision to make

export authorisation of these arms contingent upon the end recipient/user being a public body (armed Forces and law enforcement officials) in the case of particularly sensitive countries or in those where there is a risk of diversion in terms of the end use made of this material.

The requirement of submitting a control document continued throughout all of 2007 specifying this point as a prerequisite for license authorisation.

- f) Since December 2001, the Spanish export of certain devices for the restriction of bodily movement such as leg shackles and waist chains has been prohibited.

This prohibition was incorporated as Additional Provision Twelve to the Fiscal, Administrative and Social Order Act, Law 24/2001 of 27 December.

#### 4. Principal actions undertaken and exchanges of information in the field of conventional weapons in 2007

##### *A) COARM – Working Group of the Council on conventional arms exports*

The duty of the COARM Group is to study those initiatives whose purpose is to strengthen conventional arms trade controls. In addition to that responsibility, its central point of debate focuses on aspects related with the European Union Code of Conduct on Arms Exports. The Code of Conduct is comprised of eight criteria as well as a series of operational provisions which are set out in Annex VII.

Of the most important advances made in 2007, special mention should be made of the following:

1. *Transformation of the Code of Conduct into a Common Position.* The Council Common Position draft defining the common regulations governing the control of the export of military technology and equipment was completed in June 2005. Consensus has yet to be reached for its approval.
2. Review of the Code of Conduct Common List of Military Equipment. On 19.03.07, the Council adopted an updated version of the Common List based on the changes made to the Wassenaar Arrangement Military Equipment List. This version was published on 29.03.07.
3. *Improvement of the Code of Conduct "User's Guide" and the denial database.* Both were compiled in 2003 and became fully operational as of 1 January 2004. The Guide features clarifications on procedures to be applied to the communication of denials and consultations stemming from the latter in addition to guidelines concerning the interpretation of certain criteria and requirements for the provision of data for the Annual Report. The database managed by the General Secretariat of the EU Council contains all of the denials issued by Member States organised according to the denying country, destination country and criterion on which the denial was based.

Following the September 2005 adoption of best practices for the interpretation of Code of Conduct criterion 8 (compatibility of the arms exports with the technical

and economic capacity of the recipient country), in June 2006 the Member States approved the best practices for the interpretation of criterion 2 (respect for human rights) and criterion 7 (risk of diversion). The decision was taken in June 2006 to commence work on the ideal practices for criteria 3 (internal situation) and 4 (regional situation) and in June 2007 to work on criteria 1, 5 and 6.

It was also agreed to include a new section in the User's Guide concerning verification after a shipment has been made.

4. *Participation and information dissemination activities.* In accordance with the mechanism agreed in 2004, several measures were taken to enhance the coordination of external activities undertaken by Member States in promoting the principles and criteria of the Code among candidate countries and third countries. This mechanism mainly consists of a database containing information on national activities undertaken in the said countries. A seminar organised jointly by the German presidency and the Regional Arms Control Verification Implementation Assistance Centre (RACVIAC) was held in Zagreb on 2-4 May 2007 targeting the western Balkans.

Meetings with other countries and international organisations interested in joining the Code were held and information was exchanged on countries' respective denials of military equipment based on the application of the Code. An

example of the foregoing was the case of Norway when it began to participate in the information exchange mechanism in 2004. Since the adoption of the Code on 8 June 1998 six further countries – Bosnia and Herzegovina, Canada, Croatia, Iceland, Norway and the former Yugoslav Republic of Macedonia – have joined.

5. *International Arms Trade Treaty.* On 3 October 2005, the Council supported the principle of an arms trade treaty, urging the commencement of a formal United Nations process, the only forum capable of enacting a universal instrument. In March 2005, the COARM Group created a contact group to act as a subgroup in which Member State representatives participate. The Council adopted the conclusions of 11 December 2006 and 18 June 2007 in favour of a legally binding International Arms Treaty.

Spain was one of the 117 co-sponsors of Resolution 61/89 passed on 06.12.06 at the 61<sup>st</sup> United Nations General Assembly. A Group of Governmental Experts was created to study its feasibility, scope and parameters and Spain is among the 28 countries involved.

6. *Standardisation of national contributions for the Annual Report.* While differences continue to exist in the way information is presented, significant progress has been made over the last several years in improving the standardisation of procedures used in obtaining statistical data. Particular attention was paid to the

difficulties encountered in gathering information on exports made.

7. *Arms brokering.* In 2003, the Council adopted Common Position 2003/468/CFSP of 23 June on the control of arms brokering. The said Common Position contains the criteria, instruments (licenses, written authorisations, activities register, consultations) and definitions which the Member States agreed to include in their domestic legal systems. In 2007 it was agreed to exchange information regarding denials to register brokers.
8. *Intra-Community Transfers* In 2007 an in-depth analysis was conducted on the Commission's draft directive whose aim was to simplify the intra-community transfer process relating to defence items. The COARM Group informed the Commission that the said items cannot be treated in the same way as most commercial goods and also stressed the problems relating to possible re-export to third countries.

Priority guidelines of the COARM Group for 2008 may be summarised as follows:

- Culmination of the process by which the Code of Conduct is transformed into a common position. In its assessment of the VIII Annual Report, the European Parliament reiterated its call for the Code to be made legally binding and for a study to be done on how to adapt it to domestic legislation.

- Continuation of the harmonisation process of national statistics reports, stressing data regarding the value of exports actually made.
- Follow-up on the adaptation of the Common Position on control of arms brokering to national legislations and broadening of the information exchange mechanism.
- Development of best practices for the interpretation of Code of Conduct criteria.
- Continuation of assistance to member countries and third countries with a view to guaranteeing policy standardisation in respect of control of arms exports and enforcement of Code of Conduct criteria and provisions.
- Improvement of the "User's Guide" and the centralised denial database.
- Promotion of the International Arms Trade Treaty initiative providing active support to work undertaken by the Group of Governmental Experts.
- Intensification of dialogue with the European Parliament and cooperation with international NGOs and the defence industry.

*B) Directive of the European Parliament and of the Council on simplifying the terms and conditions of transfers of defence-related products within the Community*

This draft Directive was drafted by the Commission.

Its purpose is to simplify control of the intra-community transfer of military material. The Directive advocates the use of general licenses, global licenses and individual licenses. The first would apply to shipments to the Armed Forces of the Member States, to certified companies and to military cooperation programmes. Global licenses would be for one or several shipments to one or several addressees within the Community. Individual licenses would be limited to one single transfer in the event of the need to protect the essential security interests of a Member State or as the result of compliance with international commitments. The list of products proposed in this Directive is a mirror image of the Code of Conduct Common List.

The work performed by the European Defence Agency, the Framework Agreement of the Letter of Intent for the restructuring and integration of the European defence industry (LOI) and the Organisation for Joint Armament Cooperation (OCCAR) play an essential role in this process. Spain is an active participant in all of these lending its support to all proposals in favour of more flexible control mechanisms for our companies.

*C) European Union Joint Action on Small Arms and Light Weapons*

The European Union continues to be an actor and main contributor in the worldwide effort to combat unlawful trade in and proliferation and stockpiling of small arms and light weapons and their munitions.

Joint Action 1999/34/CFSP adopted by the European Union on 18 December 1998 and updated by Joint Action

2002/589/CFSP of 12 July bolsters other already existing European Union initiatives, especially the so-called Programme for Preventing and Combating Illicit Trafficking in Conventional Arms of 26 June 1997 and likewise the Code of Conduct on Arms Exports of 8 June 1998.

The said Joint Action focuses on conflict regions and its objectives are to prevent the destabilising stockpiling and proliferation of light weapons and also to contribute to the reduction in stocks of these types of arms. The projects developed under the aegis of this Joint Action are mainly financed through the CFSP budget (specific article on “non-proliferation and disarmament”).

In enforcing the Joint Action, special emphasis is being put not only on the granting of financial and technical assistance for the elimination of stocks but also on efforts to promote effective multilateral action through the implementation of universal, regional and national mechanisms designed to combat the destabilising supply and proliferation of small arms and light weapons and their munitions.

Specifically, the EU regularly organises a series of seminars and meetings to promote the enforcement and universalisation of the United Nations Action Programme on small arms and light weapons. More recently it has implemented a joint action to promote the International Instrument on Marking and Tracing of small arms and light weapons adopted by the United Nations General Assembly on 8 December 2005. A total of €300,000 was allocated for this action.

Additionally, in December 2005 the EU Strategy on small arms and light weapons was put into operation as part of its 2003 Security Strategy. Other EU

programmes and strategies focusing on anti-personnel mines and the participation of children soldiers in conflicts will round-out the construction of the Security Strategy.

In 2007 the European Union continued to provide technical and financial assistance with funds from different budgets for programmes and projects undertaken by various international and non-governmental organisations in the fight against the proliferation of small arms and light weapons and assistance for victims of armed conflicts. A €1 million contribution was made to NATO'S “Partnership for Peace” Trust Fund for a project to destroy arms and munitions and a further €80,000 was earmarked for assistance to combat the consequences of the munitions depot explosion, both in the Ukraine; another €1,320,000 was allocated to this same NATO Fund for the destruction of firearms in Albania; the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC) in Lima was awarded €700,000 for specialisation projects targeting professional personnel; funding was provided for two projects in Colombia, one receiving €1.5 million for a programme to disarm and demobilise paramilitary groups and another €5 million for assistance to victims and as a contribution to this country's peace-building and reconciliation programme.

The total amount of EU financial resources earmarked for the fight against the stockpiling and trafficking in small arms and light weapons and their munitions was approximately €15 million from CFSP funds for the period 1999-2007 and €366 million from European Community funds and the European Development Fund for the period 1992-2007.

The following is a summary of the actions carried out by Spain in 2007.

The Spanish authorities continued organising, as they had in past years, seminars for the training of persons directly involved in the Joint Action.

The Central Arms and Explosives Control Unit of the Directorate-General for the Police and *Guardia Civil* (Ministry of the Interior) carried out the following activities in 2007: 26,291 inspections of manufacturing plants and warehouses of these arms and explosives, collecting a total of 269,171 firearms of different types and characteristics, 51,974 of which were put up for auction and 30,328 were used as scrap metal. 1,902 arms were declared lost, 430 of which were eventually recovered. A total of 243 punitive proceedings were initiated for arms infractions and 450 for explosives against factories, armouries, individuals and carrier companies. A total of 82 arms from Schengen countries and 1,102 from non-Schengen nations (Belgium, the Czech Republic, United States, Israel and Italy) were confiscated at border controls.

Regarding import and export, 2,631 import authorisations, 464 export authorisations and 1,545 Prior Consents and 377 Transfer Permits to the European Union were granted.

Since 1999, the Central Arms and Explosives Control Unit has been periodically attending meetings with other EU Member States regarding the European Firearms Directive focusing on, inter alia, the harmonisation of Member States' arms and explosives laws in the interests of enhanced control of these sensitive materials.

In December 2005, Spain signed a Memorandum of Understanding with the Executive Secretariat of the Economic Community of West African States (ECOWAS) committing to contribute a minimum of €1 million to that organisation's activities and programmes in 2006-2008; €750,000 of that amount was earmarked for the Small Arms Control Programme in West Africa. This programme draws to a close in 2008 with the contribution of the last €250,000.

In 2006-2007, within the framework of the Organisation for Security and Cooperation in Europe (OSCE), Spain contributed the following amounts for the management of OSCE projects related with small arms and light weapons, conventional munitions surpluses and the destruction of rocket fuel: €350,000 in the Ukraine, €150,000 in Kazakhstan, €250,000 in Tajikistan, €75,000 in Montenegro and €95,000 in Georgia.

*D) United Nations Conference on the illicit trafficking in small arms and light weapons*

**Action Programme**

Spain places a high priority on international cooperation in combating and eradicating unlawful trafficking in these types of arms. The Spanish Government has lent its support to all of the work conducted in this field within the scope of the United Nations as well as in other areas (OSCE, Wassenaar Arrangement) as evidenced by the different sections of this report.

The first Conference was held in New York from 9 to 20 July 2001 for the purpose of combating all aspects of illicit trade in small arms and light weapons including the role played by brokers.

Fruit of the work undertaken at the Conference was the political commitment called the Programme of Action envisaging States' adoption of measures at national, regional and international level to combat the illicit trade in small arms and light weapons. The said Programme of Action includes (among others) the following elements:

- The introduction of export criteria, albeit less ambitious than those laid down in the EU's Code of Conduct.
- The marking of these arms making each one unique so that they can be identified and traced internationally implementing the current International Instrument on the marking and tracing of small arms.
- Development of an international agreement whereby transactions undertaken by brokers may be effectively controlled.
- Cooperation in the collection, control and destruction of these arms and likewise the integration and re-socialisation of combatants.
- Increase in police cooperation.

Part II of the Programme of Action envisages a series of legislative and regulatory measures to be adopted at national level (inter alia, regulation of the production, export, import, re-export and transit of small arms and light weapons and criminalisation of the production, possession, stockpiling and illegal trade in these arms). Most of these measures are much less stringent than the rules currently in force in Spain.

For example, as concern the control of the export of defence and dual-use material. The Action Programme calls for

the compulsory implementation of an authorisation system in respect of these arms which takes stock of "the risk that the equipment could be diverted to illicit trafficking". Spain however, in authorising or denying its exports of defence material, applies the Code of Conduct on Arms Exports approved by the Council of the European Union in June 1998 which introduces much more stringent and precise criteria than those envisaged under the Programme of Action. Similarly, in other aspects such as the marking, registration and monitoring of these arms, Spanish and European rules are more thorough and ambitious than the Programme of Action provisions or the International Instrument to identify and trace small arms and light weapons (adopted in 2005 within the framework of the UN General Assembly). In fact, marking has been compulsory in Spain since 1929.

Moreover, the Spanish legal system already has legislation (the Criminal Code and the Anti-smuggling Act, Law 12/1995) regarding the criminal classification of the production, possession, stockpiling and illicit trade in these arms meaning that the enforcement of this Programme of Action has not required any change.

Classification of other illegal arms-related acts is regulated by Organic Law 10/1995 of the Criminal Code. Title XXII regarding "Crimes against public order", Chapter V, Section 1 describes the "possession, trafficking in and warehousing of arms, munitions and explosives" (Articles 563 to 570)

The Programme of Action also envisages the adoption by States of administrative measures to facilitate the coordination and transmission of information in the sphere of the small arms and light

weapons trade. In this connection, States are urged to designate a “contact point” or are requested to voluntarily remit information regarding arms confiscated or destroyed to international organisations. In December 2003 the Ministry of Foreign Affairs and Cooperation communicated the Spanish contact point.

Lastly, the Action Programme contains a series of provisions of a political nature calling on States to cooperate in the elimination of illicit trafficking in small arms and light weapons and to provide technical and financial assistance in this connection for States in need and to promote transparency and customs cooperation measures at regional level. At European Union level, the Joint Action on small arms and light weapons and the Programme for Preventing and Combating Illicit Trafficking in Conventional Arms already address these issues in a broader way than the Programme of Action analysed.

Spain actively participated in three sessions of the Open-ended Working Group in charge of negotiating an international instrument on the marking and tracking of small arms and light weapons (SALW) held in New York in January and February 2005 and in June 2005.

At those meetings the Spanish delegation advocated on several occasions the development of the broadest possible legally binding instrument (including all types of SALW and their munitions to be enforced in as many situations as possible, including terrorism). Spain and the rest of the EU countries share the view that the commitment reached is the lowest common denominator, far below the EU’s initial aspirations, in light of its political

nature (voluntary enforcement) and its content (full of optional formulas). Notwithstanding the foregoing, the EU admits that, despite everything, the agreement reached is a positive step since the instrument keeps the SALW regulation process alive. Negotiation of the instrument opens the door to further reflection on ways to enhance international cooperation to prevent, combat and eliminate illegal SALW brokering activities. This marks the initiation of a reflection process within the framework of the United Nations which should lead, judging from the track record of the identification and trace instrument, to the conclusion in 2008 or 2009 of another legally binding international instrument to combat illegal brokering.

Spain also took part in the II Biannual Meeting of States which examined the enforcement of the United Nations Programme of Action to prevent, combat and eradicate the illicit trade in SALW in all its aspects (New York, 11 to 15 July 2005). In the course of this theme-based debate, Spain expressed its support for the initiative tabled by several organisations through the “Arms under control” campaign consisting of a proposal to initiate negotiations within the framework of the United Nations for the adoption of a legally binding universal instrument to regulate trade in all conventional arms.

In 2006 Spain took part in the meetings leading up to and the first Review Conference itself on the Programme of Action held in New York from 26 June to 7 July 2006. In the interests of greater representativeness and transparency and in response to requests received from different media, parliamentary and civil society representatives were

included among the Spanish delegation attending that Conference.

The Kingdom of Spain has made significant progress in implementing the Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects and in the enforcement of the International Instrument on the marking and tracing of small arms and light weapons.

In 2007 Spain carried out a significant number of legislative and executive activities along with multilateral, cooperation and international technical and financial assistance initiatives targeting third countries. Operations were undertaken to control trafficking in and the marking, tracking, registration and destruction of small arms and light weapons and to train and exchange information at institutional and international level. Activities were also undertaken to promote the culture of peace.

Further norms were established to enhance control and ongoing collaboration ties were maintained with the United Nations Office for Disarmament Affairs, INTERPOL, regional bodies (OSCE, NATO, EU) and non-governmental organisations (both national and foreign).

Summing up, we would stress the following actions:

- Accession to the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition supplementing the United Nations Convention against Transnational Organised Crime.

- Transposition of the International Instrument on the Marking and Tracing of small arms and light weapons into domestic law.
- Approval of LAW 53/2007 of 28 December on control of external trade in defence and dual-use material.
- Incorporation of a Spanish expert in the Group of Governmental Experts (GGE) entrusted with examining the feasibility, scope and future parameters of the International Arms Trade Treaty.
- Signing of the Geneva Declaration on Armed Violence and Development.
- Continuation of cooperation and technical assistance targeting third countries initiated in past years such as the organisation of seminars, regional meetings, funding of arms and munitions destruction programmes, increased depot security and others.

In close collaboration with the Programme of Action, in 2004 Spain initiated a series of meetings in the form of seminars on the control of the small arms and light weapons trade in Latin America using the training centres which the Spanish Agency for International Development Cooperation (Spanish acronym AECI) has established throughout the region. Five seminars have been organised to date focusing on different facets of the problem surrounding the unlawful trade in and proliferation of small arms and light weapons, the most recent of which was held in February 2008 in Cartagena de Indias (Colombia). Nearly 200 Latin American experts participated in these activities.

Spain also contributed to the organisation of the Regional Conference to examine progress made by Latin America and the Caribbean in the implementation of the United Nations Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects which was held at the Spanish Agency for International Development Cooperation's (Spanish acronym AECI) training centre in La Antigua (Guatemala) on 2-4 May 2006.

The aim of this conference involving the 33 countries comprising the Group of Latin American and Caribbean Countries (Spanish acronym GRULAC) was to seek a common point of view to provide a regional perspective in the deliberations of the United Nations Review Conference on the small arms and light weapons Programme of Action. The result of the negotiations of this Conference was the so-called "La Antigua-Guatemala Declaration" which was presented at the said Review Conference of the Programme of Action that year.

Spain's support of this Conference and the organisation of the five seminars referred to above constitute Spain's contribution to international cooperation activities linked to the enforcement of the Programme of Action. From the point of view of awareness-raising in the countries and among the NGOs of the region, this is an example of Spain's commitment to institutional strengthening and technical assistance activities in the field of humanitarian disarmament and to the enhancement of public services in the area of security in general and the Programme of Action in particular.

Coinciding with the OSCE chairmanship, on 5-7 June 2007 the Spanish

Verification Unit organised the 5th Symposium on conventional small arms and light weapons and munitions in Madrid targeting experts of the verification units involved in international assistance programmes to improve warehousing conditions and the reduction of stocks of conventional small arms and light weapons and munitions. The programme focused on three aspects: the international instruments currently in force and under development on which assistance programmes are based, analysis of the different collaboration programmes under way and a demonstration of the Spanish management, control and security system followed by a visit to an explosives plant.

*Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition*

At the same time as the adoption of the Programme of Action, in 2001 the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their parts, components and ammunition, added to the United Nations Convention against Transnational Organised Crime (hereafter the *Firearms Protocol*), was adopted and opened for signing and Spain also played an active role in those negotiations.

The Protocol was approved by virtue of Resolution 55/255 of 31 May 2001 at the 101<sup>st</sup> General Assembly plenary session and entered into force on 3 July 2005. On 9 February 2007 Spain deposited its instrument of accession to the Protocol which entered into force in Spain on 11 March 2007.

The Firearms Protocol and the United Nations Programme of Action are the main reference documents taken into

consideration in the reports submitted, inter alia, to the Multidisciplinary Group on Organised Crime (MDG) to introduce changes and amendments to Council Directive 91/477/EEC or EUROPOL's Group of Experts on arms trafficking and Tracing.

*Parliamentary Forum on Small Arms and Light Weapons*

Since its constitution in Madrid in October 2002, Spain has been taking part in the Parliamentary Forum on Small Arms and Light Weapons with the participation of MPs from Spain, Sweden, Finland, Colombia, Central America and the European Parliament (joined recently by MPs from some African nations), in addition to government officials and representatives from inter-governmental bodies and institutions and the civil society.

The Parliamentary Forum is the only worldwide network of members of parliament devoted exclusively to the control of small arms and light weapons and to combating the proliferation of these arms.

The Forum mainly focuses on improving legislation and control mechanisms in respect of these arms; harmonisation and standardisation of attendant laws; the fostering and exchange of information between Members of Parliament and firearms commissions; and the bolstering of the role played by national Parliaments in all subjects having to do with the stabilisation and consolidation of democracy and peace and development processes in Latin America and the Caribbean (now broadened to include Africa).

It was constituted in the Spanish Congress of Deputies in October 2002, fruit of an initiative between Spain, Sweden and the countries of Central America. An annual meeting of representatives is held. To date, its ordinary meetings have been held in Panama (2003), Stockholm and Helsinki (2004), Mexico City (2005) and Montevideo (2006) and Panama (2007). Spain, which chaired the Forum from the time of its constitution until September 2004, regularly takes part in its activities.

The most recent meetings of the representatives of the Parliamentary Forum were held in Panama City from 29 October to 1 November 2007 where an extraordinary assembly was held (29 October), a regional assembly (30 October) and the first Inter-parliamentary Conference on public security and small arms and light weapons between regions and dialogue among parliamentary members (31 October and 1 November).

The decision was taken to broaden the organisation's scope of action from strictly technical aspects linked to small arms and light weapons and legislative support for control issues to more general aspects having to do with public security.

Spain contributed economically to the Forum: €30,000 allocated in 2007 and for 2008 a contribution of €80,000 is envisaged justified by the increase in the Forum's activities owing to its geographical expansion now covering countries of Latin America, Africa and Europe and expanding to the Balkans and other areas.

*Signing of the Geneva Declaration on Armed Violence and Development.*

In March 2007, Spain endorsed the Geneva Declaration on Armed Violence and Development forming part of the United Nations Programme of Action and now forms part of the “hard core” group of countries working together to develop concrete actions in fulfilment of the commitments adopted within the framework of the said Declaration: inter alia, to establish a road map and indicators to measure armed violence, to identify best practices to reduce armed violence and to prevent conflict in national development plans.

#### *E) International Arms Trade Treaty*

Spain reiterated its support for a draft International Arms Trade Treaty, an initiative tabled by several organisations through the “Arms under control” campaign consisting of a proposal to initiate negotiations within the framework of the United Nations for the adoption of a legally binding universal instrument to regulate trade in all conventional arms.

In this connection, Spain was one of the 117 countries which co-sponsored the Resolution at the 61<sup>st</sup> United Nations General Assembly launching this process. Spain forms part of the Group of Governmental Experts (GGE) responsible for examining the feasibility, scope and parameters of the future Treaty. The Spanish Government has appointed Mr. Ángel Lossada Torres-Quevedo to this post. Mr. Lossada is the former Director-General for International Terrorism, Non-proliferation and Disarmament at the Ministry of Foreign Affairs and Cooperation and is the current Secretary of State for Foreign Affairs. He participated in the first of the meetings held by the Experts Group on 11-15 February 2008. A second session was scheduled for May and a third in July and August of this year.

The Spanish Government also submitted a national proposal to the Secretary-General of the United Nations establishing joint and binding criteria regarding international arms transactions. Intense work was also carried out in Latin America inviting countries of that region to do the same.

In 2007 Spain also co-sponsored the following resolutions having regard to small arms and light weapons and their munitions: A/RES/62/22 on “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them”, A/RES/62/44 on “Conventional arms control at the regional and sub-regional levels” and A/RES/62/47 on “The illicit trade in SALW in all its aspects”.

#### *F) United Nations Register of Conventional Arms*

Annex V outlines Spain’s contribution to the United Nations Conventional Arms Register with a table showing exports of the seven categories of conventional arms and another table showing the exports of small arms and light weapons. This contribution is voluntary in nature.

The following are included in the seven categories of conventional arms: tanks, armoured combat vehicles, large calibre artillery systems, fighter jets, attack helicopters, warships and missiles and missile launchers.

The following categories are included under the “small arms” classification: automatic revolvers and pistols, rifles and carbines, light machine guns and others. Under light weapons we have: heavy machine guns, portable anti-aircraft weapons, portable anti-tank weapons, recoilless rifles, portable missile and

rocket launching systems and under 75 mm calibre mortars.

Information exchange regarding arms recipients, the complete product excluding components and munitions is limited to the armed Forces and law enforcement officials and regarding countries of destination to United Nations member countries.

*G) OSCE document on small arms and light weapons*

The OSCE Document was adopted in Plenary session on 24 November 2000 and addresses the fundamental objective of putting an end to the excessive stockpiling of SALW and their use in certain regional conflicts. By means of this document, the participating States commit to the development of regulations, measures and principles needed to achieve the said objective. In concrete terms, unlawful trafficking in these types of arms is pursued, measures are agreed to prevent their stockpiling and a recommendation is made to authorise shipments strictly for reasons of domestic security, legitimate defence or participation in peacekeeping Forces under the auspices of the United Nations or the OSCE.

One of this initiative's most important instruments is the exchange of information and increased transparency pursuant to which all countries must file annual reports on the export and import of small arms and light weapons to and from other participating States. The most recent information furnished by Spain to the OSCE refers to exports authorised and undertaken in 2007 which are listed in Annex VI attached to this report.

The following material figures under the heading "small arms": automatic

revolvers and pistols, rifles and carbines, submachine guns, assault rifles and light machine guns. Under light weapons we have: grenade launchers, heavy machine guns, portable anti-aircraft weapons, portable anti-tank weapons, portable missile and rocket launching systems, portable anti-aircraft missile launching systems and mortars under 100 mm calibre.

It should be pointed out that the exchange of information in the OSCE concerning arms recipients, the complete product excluding components and munitions is limited to the armed Forces and law enforcement officials while information regarding countries of destination is limited to OSCE countries meaning that Spanish exports included in this annex are a part of the total exports of SALW. Furthermore, the figures appearing in the tables regarding authorised licenses issued do not necessarily coincide with the figures appearing in the tables on operations undertaken because not all of the licenses give rise to shipments. Moreover, shipments made in one fiscal year could be carried out under a license issued the previous year.

*H) Letter of intent (LOI) regarding the restructuring and integration of the European defence industry*

The signing of the Framework Agreement implementing this Letter of Intent took place on 27 July 2000 coinciding with the Farnborough aerospace trade fair (United Kingdom). This Agreement was drawn up based on the conclusions reached by six sub-committees whose creation stemmed from the 8 July 1998 signing of the Letter of Intent (LOI) on the restructuring and integration of the European defence industry by six countries: France, United

Kingdom, Germany, Italy, Sweden and Spain.

The aim of the Letter of Intent is to encourage the creation of a competitive and flexible European industrial structure in the best possible position to tackle future defence sector challenges. The Framework Agreement sets the stage for the creation of a sector-wide political and legal framework with three major aims: the industrial restructuring of the European defence sector, fostering the creation of transnational European companies in this field and encouraging the creation of a stronger and more competitive technological base.

In 2007 Spain continued to participate in the activities of the aforementioned subcommittees. As concerns Subcommittee No 2 on Export Procedures, work focused primarily on amendment of Article 2 of the Framework Agreement and the development of a Components License (CL) applicable to consignments, outside of the sphere of cooperation programmes, of components, parts and subsystems between companies of the six countries and those countries on the list of permitted recipients. In 2005, representatives of the European defence industry suggested the study of the implementation of a more flexible control system of shipments, over and above cooperation programmes.

Work undertaken prior to the aforementioned Subcommittee revolved around the two essential instruments contained in part 3 of the Framework Agreement: the "Global Project License" (GPL) applicable to industrial cooperation programmes in the military field (Article 12) and the lists of allowed destinations associated with those licenses (Article 13).

In the first case it was decided to create an industrial project application, standardised to the degree possible, enabling the transfer of project-related information between the parties and the maintaining of different national formats as concerns the GPL.

As concerns the lists of allowed destinations, it was agreed that each main non-subcontracting company participating in a specific programme propose a list of potential export markets to the authorities of its country for the product arising from the programme. The governments will exchange the national lists but without informing their companies of the destinations mentioned by the other companies. The inclusion or elimination of a destination must be by consensus.

The GPL and the use of destination lists are regulated by Royal Decree 1782/2004 of 30 July.

In 2002 Subcommittee No 2 completed the Implementing Convention as concerns GPL and in 2008 is scheduled to finish the work on the CL. In the case of the former, procedures are specified for the listing and management of the allowed export destinations and the basic pieces of information that national GPLs must contain. As for the latter, a series of procedures similar to those contained in the aforementioned Convention is regulated, in addition to the list of products applicable to the CL. Items classified as more sensitive on the national lists are excluded from this latter list. The operators of the CL can be the governments of the countries in question, the companies registered as beneficiaries of this type of license by the States party to the Framework Agreement and the governments and companies of the remaining countries

which are on the list of allowed destinations.

Also in 2007, the six LOI countries fostered the use of Global Project Licenses between companies involved in cooperation programmes.

Another important aspect debated in Subcommittee No 2 was a Commission initiative having to do with the liberalisation of intra-community movements of defence equipment.

*1) International initiatives on the prohibition of cluster bombs*

The precursors of these initiatives are found in the Ottawa Convention on anti-personnel mines. This convention was signed on 3 December 1997 following the preparatory Oslo Conference of 18 September 1997. Spain ratified the Convention on 7 March 1999.

Under the agreed text, each State committed to refrain from using, developing, producing, acquiring, stockpiling, conserving or exporting anti-personnel mines. The signatory countries also committed to destroying their stocks of mines within a period of 4 years except in the case of already existing mine fields (10 years). Another exception allows holding on to or the transfer of a number of mines for the development of detection or destruction techniques.

The strength of this legal instrument lies in the verification mechanisms which were approved with a view to checking their effective enforcement and, more specifically, the creation of a United Nations database containing each country's information on existing mines and their eradication programmes.

Spain has had a moratorium on the export of anti-personnel mines since 1 July 1994. The European Union adopted a similar moratorium in March 1996. Lastly, Law 33/1998 on the total prohibition of anti-personnel mines and similar arms was passed on 5 October.

Both the Convention and Law 33/1998 exclude cluster and fragmentation bombs from the scope of the aforementioned prohibition on manufacture and trade. Moreover, the requirements laid down in Protocol V of the 10 October 1980 Geneva Convention on the prohibition or restricted use of certain conventional arms considered excessively damaging or indiscriminate (CCW) do not apply either.

However, as from 2006 there are two parallel processes under way which could pave the way for a prohibition of cluster bombs. The first is within the framework of the CCW.

The second is known as the Oslo Process. Spain was one of the 46 signatory countries of a declaration at the Oslo Conference held on 22-23 February 2007 whereby these countries undertook to conclude a process during 2008 to prohibit the manufacture, trade and use of cluster bombs. At successive conferences held since then (Lima, Vienna, Wellington) the debate has continued between the manufacturing countries and/or users of these bombs which defend a gradual elimination or the exemption of those which can be automatically deactivated or are equipped with a self-destruction mechanism and the group of countries which, with the support of a number of NGOs, advocate their full prohibition. The Dublin Conference scheduled for May 2008 will be decisive in the adoption of an international instrument in this field.

The manufacture of weapons of war, in this case cluster and fragmentation bombs, is regulated by specific provisions ordered by the Cabinet at the proposal of the Ministry of Defence (Article 11 and subsequent of Royal Decree 137/1993 of 29 January establishing the Arms Regulation).

In addition to the aforementioned actions, Spain participated in the V Symposium on small arms and light weapons organised by the Ministry of Defence (5-7 June).



## PART II. EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES

### 1. Regulations in force

Regulation (EC) 1334/2000 of 22 June, amended by Regulations 2432/2001 of 20 November and 1183/2007 of 18 September apply to external trade in dual-use items and technologies. The Community Regulation lays down a regime by which the export of dual-use items and technologies included in Annex I must be controlled (control list of 10 categories of dual-use items and technologies) along with others not included on this list pursuant to article 4 (catch-all clause). Annex IV of the Regulation includes the subset of dual-use items and technologies whose shipments within the European Union are subject to control given their especially sensitive nature.

This Regulation was accompanied by Joint Action 2000/401/CFSP of 22 June on the control of technical assistance concerning certain military uses. Here, special attention is paid to the control of technical assistance (including that transmitted verbally) which could foster or serve as the basis for the development of weapons of mass destruction. Joint Action introduces control of technical assistance lent to non-community countries, allowing Member States to choose between an authorisation or prohibition system. Member States are also urged to consider the possible application of control when technical assistance has a conventional military end-use and focuses on countries subject to international embargoes.

### 2. Statistical analysis

#### A) Data regarding exports

The tables corresponding to these exports are found in Annex III.

Export of dual use material in 2007 rose by 44.6% vis-à-vis 2006 totalling €114.26 million.

| Year | Amount (€ millions) |
|------|---------------------|
| 2001 | 75.28               |
| 2002 | 81.40               |
| 2003 | 22.66               |
| 2004 | 28.05               |
| 2005 | 58.64               |
| 2006 | 79.04               |
| 2007 | 114.26              |

The following were the top ten countries of destination:

| DU countries                   | Amount (€ millions) | %            | Categories |
|--------------------------------|---------------------|--------------|------------|
| <b>Most relevant countries</b> | <b>108.44</b>       | <b>94.91</b> |            |
| United States                  | 58.65               | 51.33        | 0,1,3      |
| Iran                           | 24.90               | 21.79        | 2,9        |
| China                          | 7.94                | 6.95         | 1,2,3,5    |
| Brazil                         | 6.84                | 5.99         | 1,2,3      |
| Venezuela                      | 3.03                | 2.65         | 1,2        |
| Cuba                           | 2.47                | 2.16         | 0,1        |
| South Africa                   | 1.36                | 1.19         | 1,2        |
| India                          | 1.15                | 1.01         | 1,2,3      |
| Argentina                      | 1.10                | 0.96         | 1,2,3      |
| Colombia                       | 1.00                | 0.88         | 0,1,6,7    |
| <b>Remaining countries</b>     | <b>5.82</b>         | <b>5.09</b>  |            |
| <b>TOTAL</b>                   | <b>114.26</b>       | <b>100</b>   |            |

Of these destination countries, special mention should be made of export to the United States of steam and fuel generators for nuclear power plants, pre-impregnated carbon fibre devices for civil aviation and communication systems.

Also worthy of mention are the shipments to Iran of tools and spare

parts for the automotive industry, steel tubes for the manufacture of steam boilers and air conditioners, steel tubes for the oil and gas industry and parts for civilian aircraft. That country figures as a significant destination for Spanish exports because a number of items and equipment are subject to prior authorisation (catch-all clause) resulting from restrictive measures enforced by the United Nations and the European Union.

China was the third most important destination of exports receiving shipments of cryptography equipment for mobile telephones, power capacitors for electricity plants, machine tools for the civil aviation, automobile and textile industries and components for a weather satellite. This latter destination is growing in importance as a receiver of Spanish dual-use exports.

Apart from the ten main destinations listed in the preceding table, the small remaining percentage (5.1%) was distributed among 46 countries from different areas.

Sales in 2007 were concentrated in three main categories: "Nuclear material, facilities and equipment" (€59.0 million), "Processing of materials" (€32.3 million) and "Materials, chemicals, microorganisms and toxins" (€15.1 million) accounting for 93.1% of total exports.

*B) Data regarding operations undertaken exempt from the preliminary report and/or control document*

This information can be found in Annex IV.

In 2007, 409 license applications for the export of dual-use items and technologies were processed corresponding to 407 individual licenses and 2 global licenses. 24 rectifications of licenses already awarded and 1 preliminary agreement were approved as well. No inward processing traffics were handled. Two general authorisations were granted pursuant to Article 6 of the Community Regulation on dual-use. Of the 407 individual licenses, 360 were approved, 24 denied, 1 expired, 7 were left pending and 15 were abandoned by the exporter himself. The 2 global licenses were approved. Of the aforementioned 24 rectifications, all were approved except one which was abandoned and the one preliminary agreement was approved.

Annex IV offers information concerning the time it takes to process licences and the number of licences exempt from the preliminary report and/or control document. The exemptions made by the JIMDDU were limited to shipments of non-sensitive material to member countries of international non-proliferation fora (exempted from the preliminary report) and to the 7 countries listed in Annex II of Regulation (EC) 1183/2007.

*C) Entries in the Special Register for External Trade Operations in Defence and Dual-use Material*

In 2007, 24 companies dealing in dual-use goods and technologies and one broker were registered.

#### *D) Data regarding licenses denied*

Twenty-four licenses were denied in the area of dual-use: 3 for machine tools, 2 for aircraft parts, 1 for steel tubing, 1 for valves and 17 for chemical substances. The reason for the said denials was risk that the equipment would be diverted to the manufacture of weapons of mass destruction. Also in 2007, Spain informed the Australia Group of its decision to renew 28 denials and 8 within the framework of the Nuclear Suppliers Group and the Missile Technology Control Regime. The decision was taken to not renew 2 denials within the Australia Group.

The JIMDDU applied the catch-all clause on 18 occasions pursuant to Article 4 of the European Regulation concerning dual-use, i.e. 13 export shipments to Iran of special steel tubes, machine tools and centrifuge pumps and 5 export shipments to Syria of machine tools.

In 2007 Spain collaborated in 4 investigations conducted by the authorities of other countries regarding possible exports being made by Spanish companies of material related to nuclear and missile proliferation programmes. Furthermore, a request was filed with the Customs and Excise Department to raise a red, physical-inspection flag on shipments dispatched by 7 Spanish companies.

Lastly, on 19 January 2007, Section Six of the Chamber for Contentious Administrative Proceedings handed down a decision dismissing the appeal relating to the compensation of damages based on patrimonial liability of the Government for its 2002 refusal

to grant an export license to a nitric acid manufacturing plant.

#### 3. Principal actions undertaken at international control and non-proliferation fora in 2007

The specific characteristics of these fora are explained in Annex VIII.

##### *A) Ad-hoc Council Group on the export of dual-use items and technologies and the Commission Coordination Group*

The principal responsibility of these groups is the review of the Community dual-use Regulation and the update of its annexes. To this end, stock is taken of the changes decided at the principal international control and non-proliferation fora.

Following is a summary of the main subjects addressed by these groups in 2007.

1. *The EU Action Plan and Strategy against the proliferation of weapons of mass destruction adopted by the European Council in June and December 2003 respectively.* These include a commitment to enhance the effectiveness of export controls for dual-use items and technologies in the enlarged European Union.

The first step forward in 2007 took the form of an electronic database for export denials of dual-use items and technologies based on the European Regulation and the different international export control fora. This database will significantly improve EU countries'

information access and exchange capabilities regarding denials. In this regard, the Coordination Group has been working since 2007 on laying down the file and data transmission security requirements.

The second field of ongoing work in 2007 had to do with the sending of information from the Member States to the Commission regarding domestic legislation and contact points.

Thirdly, the group of volunteer technical experts created in 2005 to assist the officials of the new Member States in recognising dual-use items subject to control exchanged information and increased cooperation.

Fourthly, coordination of the implementation of controls as per Article 4 of Council Regulation (EC) 1334/2000 (catch-all clause) was improved.

And lastly, dissemination of export controls to industry, including the creation of risk profiles, was increased with a view to enhancing customs control and preventing possible non-compliance with export checks.

2. *Amendment and update of Regulation (EC) 1334/2000 of 22 June.* In December 2006 the European Commission submitted a draft amendment to Council Regulation (EC) 1334/2000 setting

up a Community regime for the control of exports of dual-use items and technology which included the new commitments undertaken by member countries arising from agreements with international bodies. The Commission also raised a series of solutions for difficulties found in the enforcement of the said Regulation.

This proposal addressed the following novel issues:

- Adaptation of Regulation (EC) 1334/2000 to UN Resolution 1540 (2004) of 28 April especially as concerns aspects relating to the transit, transshipment and brokering of dual-use items and technologies when their export poses a risk of the proliferation of weapons of mass destruction.
- Drafting of a new text clarifying and updating controls applicable to the intangible transfer of technology.
- Simplification of the registration system which exporters of intangible technology must maintain.
- Broadening and improvement of the consultation mechanism between member countries in the case of essentially identical denials.

- Standardisation and simplification of controls in favour of European industrial competitiveness and greater transparency and clarity of Regulation (EC) 1334/2000 especially in terms of harmonising conditions for the use of General National Authorisations.
- Replacement of the intra-community transfer license for certain products by an operationswarning mechanism with a view to simplifying the transfer of products within the European Union.
- Introduction of criteria facilitating the granting of global licenses in the case of exporters who have established Internal Compliance Programmes (ICP).

3. *Update of Annexes I and IV of Council Regulation (EC) 1334/2000 of 22 June.* Said update was to reflect in the annexes the changes agreed in 2006 to the Wassenaar Arrangement, the Missile Technology Control Regime, the Nuclear Suppliers Group, the Australia Group and the Chemical Weapons Convention.

4. *Strengthening of the restrictions on external trade with Iran and North Korea.* Once realising that Regulation (EC) 1334/2000 was insufficient to comply with United Nations resolutions 1737 (2006) of 23 December, 1747 (2007) 24

March and 1803 (2008) 3 March concerning Iran, the European Union adopted Regulation (EC) 423/2007 of 19 April, 441/2007 of 20 April and 618/2007 of 5 June. Moreover, on 23 April 2007, the European Council adopted Common Position 2007/246/CFSP of 28 February concerning restrictive measures against Iran imposing a full arms embargo. The second of the embargoes affected the Popular Democratic Republic of Korea by virtue of the United Nations Security Council's decision to enforce Resolution 1718 (2006) of 14 October. This took the form of an embargo on the export of conventional weapons and articles, equipment, material, items and technology related with nuclear and missile programmes. At the same time the European Union adopted Common Position 2006/795/CFSP of 20 November and Regulation (EC) 329/2007 of 27 March affecting shipments to that same destination.

5. *Proposal of new General Community Authorisations* In 2007 the Council's ad hoc working group began looking into the possible introduction of new General Community Authorisations with a view to facilitating the export of certain amounts of certain products to specific destinations considered to be of lower risk. The Commission drafted a proposal consisting of adding 7 new General Community Authorisations to the already existing one. These authorisations would be used for low value shipments, temporary shipments for repair, fairs or exhibits, shipments of computers

and similar, telecommunications and information security equipment and chemical substances.

6. *Support for requests for accession of candidate countries to international non-proliferation fora.* Member States highlighted the desirability of admitting the new European Union countries into the fora of which they are not yet members.

Lastly, the European Union maintains an important cooperation and technical assistance programme with third countries (outreach) regarding the control of dual-use items and technologies.

Spain played an active role in 2007 in several of these issues by expressing its point of view and making suggestions on how to achieve the objectives set.

#### *B) Wassenaar Arrangement (WA)*

The Arrangement, having replaced the Coordination Committee on Multilateral Export Controls (COCOM) on 19 December 1995, is the principal international control and non-proliferation forum. It is comprised of 40 countries.

The third review exercise of the Wassenaar Arrangement's operation was held in 2007.

The following were the principal aspects debated:

1. *Terrorism.* The 2002 Plenary created the Security and Intelligence Subgroup of Experts which plans to extend its work in 2008. Spain takes part in this Subgroup alongside 14 other

nations. Spain's participation in this Security and Intelligence Subgroup of Experts came about as the result of the active role Spain has played in Wassenaar in this regard leading to the 2001 Plenary decision, with the decisive support of Spain, to include an additional objective in the initial elements (guidelines) dealing with the prevention of the possible acquisition of conventional arms and dual-use items and technologies by individuals, groups or terrorist organisations.

The work of this subgroup commenced in 2003 with the study and preparation of a list of items and technologies which could be of use to terrorists (which do not necessarily have to be included on the Arrangement's control lists). In 2007 special emphasis was placed on bolstering the study on jamming and navigation equipment, unmanned aerial vehicles (UAV) and civilian electronic aerial countermeasures likely to be used by terrorists. Information exchange was set up regarding counter-terrorism affairs and improvements have been introduced in terms of coordination with the Licensing and Enforcement Officers Meeting (LEOM).

2. *Exchange of general and specific information.* In 2007 there was a notable increase in the number of reports focusing on regions of concern in respect of trade in conventional arms.

Spain tabled two documents relating to the proliferation of small arms and light weapons in Latin America.

It also presented a document on controlling the transport of arms including the need to include a specific reference on the export license to the means of transport used and specific details allowing for investigation of possible route changes. We should also note that a sub-category on “munitions” will be included on individual notifications of denial arising from the 7 conventional arms categories as will a new document for the export control of the so-called “man-portable air defence systems” (MANPADS).

It was also agreed to adopt a recommendation for the publication of national annual reports on the export of conventional arms and military equipment. In this connection, Spain circulated a copy of the statistics report on the export of defence material, other material and dual-use items and technologies corresponding to 2006.

3. *Group of experts* As part of the operational review of the Arrangement in 2007, the Group of Experts created a task force to review and update the list of products subject to control. The result of this work was the approval of new editorial guidelines and the control list text was fully updated to meet these guidelines.

As part of its routine work, the Group of Experts analysed and approved amendments to the control lists with a view to adapting these to technological changes and developments in the military equipment market and products which could have military applications. Hence, it was decided to broaden control of vision equipment to include new light amplification technologies based on the charge multiplication effect. Controls on Aircraft Missile Protection Systems were clarified, eliminating the systems installed on civilian aircraft which meet certain requirements from the control. Certain military equipment related with the handling of “improvised explosive devices” was included on the lists. Lastly, a best practices document introducing control measures for the air transport of arms between third countries was approved.

4. *Internal compliance programmes.* It was decided that in 2008 the General Working Group would present a proposal to the Plenary for the development of a best practices document regarding programmes providing for internal control and more reliable monitoring of all the export operations undertaken by operators.
5. *Brokering.* On this point, Spain reported on its law concerning the control of arms brokering.

6. *Control documents.* It was agreed to submit a *Statement of Understanding (SoU)* in 2008 on the practical application of the controls laid down in the dual-use end-user statements.

7. *Participation.* As for the possible entry of new countries in the Arrangement, discussions were held concerning the inclusion of Cyprus which filed its application in 2004 but was blocked by a member country.

8. *Outreach.* Spain drew up a summary and highlighted the conclusions of the seminar on small arms and light weapons held on 5-9 February 2007 in Cartagena de Indias (Colombia). A proposal was tabled to enhance dissemination activity to international bodies and non-member countries which are major producers of conventional arms and dual-use items and technologies.

The following other topics were discussed in 2007 and will continue to be addressed in 2008:

- Reinforcement of the Licensing and Enforcement Officers Meeting (LEOM), giving this group its own chairman and an indicative list of possible subjects of interest for its 2008 agenda.
- Creation of a link United Nations sanctions and embargos through the Arrangement's Web page.
- Review of the Wassenaar Arrangement Information System (WAIS).
- Evaluation of the validity of denials.

The fourth assessment review of the Arrangement will take place in 2011 following the reviews conducted in 1999 and 2003 and 2007.

### *C) Nuclear Suppliers Group (NSG)*

The aim of the Nuclear Suppliers Group (NSG) is to prevent the proliferation of nuclear weapons by means of controlling the export of nuclear products and related dual-use items, equipment, software and technology, without hampering international cooperation in the pacific use of nuclear energy. There are currently 45 member countries and the European Commission is a permanent observer.

The Group held its meeting on 19-20 April 2007 in Cape Town (South Africa). At that meeting the Member States analysed the current challenges of nuclear proliferation and called on all members to exercise extreme precaution when it comes to exports to ensure that no transfer contributes to nuclear arms programmes including in this control the export of products not listed which could be either directly or indirectly used in such programmes.

Within this context, the States exchanged information on aspects of proliferation focusing mainly on Iran's nuclear programmes and the methods it using to acquire the sensitive items it has. An analysis was likewise

conducted of the difficulties encountered in enforcing the brokering control mandated by United Nations Security Council Resolution 1540 (2004) on non-proliferation, especially the difficulty in identifying financial transfers used for proliferation programmes.

Group members decided to continue discussions regarding the conditions for sensitive technology transfers related to enrichment and reprocessing and the possible inclusion of the Additional Protocol as a supply prerequisite.

Concerning the lists of products subject to control, the works of the group studying Stable Isotope Separation Technologies were adopted and it was decided to keep the group working in this regard until the close of the study on the modifications which should be undertaken to control isotope separation processes and technologies for civilian purposes but with possible applications for nuclear proliferation.

Having regard to the controversy surrounding the nuclear cooperation agreement between the United States and India, the issue of a possible relationship between the NSG and India on civilian nuclear cooperation remained open but as an exception to the application of the restrictions contained in the Group's guidelines as regards that country. Today India cannot receive nuclear exports given that it has not accepted the IAEA's global safeguards regarding all of its facilities.

The Group stressed the importance of export controls as one of the significant measures in the application of United Nations Security Council Resolutions

1718 (2006), 1737 (2006), 1747 (2007) and 1803 (2008) on North Korea and Iran and the NSG reiterated its decision to support the work of the Security Council in this connection.

The NSG's next plenary session will be held from 19-23 May 2008 in Berlin (Germany).

#### *D) Missile Technology Control Regime (MTCR)*

The MTCR was set up in 1987 in order to control the export of missiles capable of transporting weapons of mass destruction and related equipment and technology. The commitments made by the 34 Member States constitute a noteworthy international standard in terms of the control of exports in the field of non-proliferation thus contributing to global peace and security.

The Regime held its annual plenary meeting on 7-9 November 2007 in Athens where the Member States analysed the challenges of missile proliferation during the last several years and reaffirmed their intention of making a more concerted effort to prevent such proliferation.

The delegations shared information on new trends in missile development programmes implying an increasing risk of the proliferation of weapons of mass destruction placing a special accent on the proliferation of missiles in Northeast Asia, Southeast Asia and the Middle East.

The possibility of including additional lists of sensitive items and organisations causing concern in some of the countries in these areas was

studied with a view to being especially vigilant of export operations there as measures over and above the full enforcement of the aforementioned Resolutions to Korea and Iran.

The importance of continuing with Regime information and promotion activities in non-member countries normally undertaken by the Chairmanship was stressed given the importance of this activity in promoting the objectives of the Regime and acquiring new voluntary followers of its Guidelines.

As concerns the new technical challenges of missile proliferation and export control, a new Annex of products subject to control was adopted, including a number of changes agreed by the Technical Working Group to fully adapt to the swift changes in missile technology.

An especially relevant point in this connection was the analysis of the new version of the proposal submitted last year by the United States based on modification of the inclusion criteria currently defined by the range/payload ratio of 300 km / 500 kg, cruise missiles and unmanned aerial vehicles (UAV) in Category I. This proposal would entail a change in the Regime's Guidelines. Some countries opposed that change, preferring a modification carried out within the framework of a global review of the Regime.

In a broader context, the delegations reiterated their decision to apply Resolution 1540 (2004) as an essential instrument in the fight against the proliferation of weapons of mass destruction and their means of delivery exercising the necessary controls over

export operations. Similarly, the Member States reaffirmed their good will in terms of their willingness to assist non-member states to promote effective export controls as envisaged in the Resolution and to keep communication channels between the Regime's chairman and the Resolution Committee open.

Also, the Regime adopted a number of improvements in its internal procedures and operational practices with a view to clarifying different points concerning consultations between member states.

Lastly, the next plenary meeting of the MTCR will be in the second half of 2008 in Australia which will take over the Chairmanship of the Regime until its mandate draws to a close at the following plenary.

*E) Other initiatives against the proliferation of weapons of mass destruction within the sphere of nuclear arms and missiles*

In 2007 Spain participated in the following international initiatives within the realm of the fight against the proliferation of weapons of mass destruction and the missiles able to deliver those weapons:

*Proliferation Security Initiative (PSI)*

This initiative dates back to the 9/11/2001 terrorist attacks. The PSI is not an institution with legal personality nor is it a treaty but is rather a collaboration forum for the exchange of information, discussion and debate regarding the different member countries' legal provisions and coordinates simulation exercises of maritime, land and air interception of

sensitive products and technologies. These exercises are carried out in accordance with international (maritime and air) and national law when information is received regarding ships/aircraft transporting products related with the proliferation of weapons of mass destruction whose legality is questionable.

The initiative was announced in Krakow by the President of the United States on 31 May 2003, Spain being one of the founding States and the host of the first multilateral (founding) meeting held in Madrid on 12 June 2003.

The Ministry of Foreign Affairs and Cooperation is the body responsible for the exchange of information and coordination of actions with other PSI nations and likewise coordinates with the rest of the Spanish organisations with competencies in this connection.

PSI meetings follow two different formats: 1) High-level political meetings and 2) meetings of the Operational Experts Group (OEG) focusing on more operational and practical state agencies and bodies.

The PSI's OEG met three times in 2007: from 31 January to 1 February in Washington on the financing of proliferation, from 26-28 March in Auckland (New Zealand) on general issues and from 2-4 October in Rodas (Greece) focusing primarily on maritime interception.

The Initiative also carried out three interception exercises, *Smart Raven 07* on 26-27 April in Lithuania on aerial interception, *Joint Exercise* on 18-22 June in Newport (USA) on maritime

interception and *Eastern Shield* on 29-31 October in Odessa (Ukraine) on cooperation between customs and border special services.

#### *International Code of Conduct Against Ballistic Missile Proliferation (ICoC) or the Hague Code (HCoC)*

The Code is basically a political commitment for the purpose of preventing the development of missiles able to deliver weapons of mass destruction. It is based on transparency and trust-building measures (prior notification of test launchings) and compensations to states in exchange for refraining from developing these types of missiles.

The HCoC held its annual meeting in Vienna on 21 May and 1 June which was preceded by a seminar to promote the Code organised by the European Union for the purpose of attracting countries with ballistic missile programmes.

The annual meeting focused on the critical situation facing the Code owing to very deficient compliance with pre-notification and annual statement requirements and no agreement was reached regarding measures to improve operability. The next meeting will be held in Vienna on 29-30 May 2008.

#### *Container Security Initiative*

As the PSI, this Initiative dates back to the 9/11/2001 terrorist attacks and seeks coordination among participating

countries to increase and improve container inspections and confiscate shipments at the world's major megaports.

Spain took part in the Container Security Initiative of the US Customs Service through Customs at the ports of Algeciras, Valencia and Barcelona.

The European Union intends to give a unified response within the framework of this initiative. To that end, and within the parameters of the EU-US Agreement on Cooperation and Mutual Assistance in Customs Matters (which was broadened to cover this initiative), meetings are held with the US Customs Department (CSI) to establish working methods, hazard rules and procedures. The following meetings were held in 2007: The Third and Fourth Meetings of the Management Group of the EU-US Joint Customs Cooperation Committee held in February and November in Brussels and Lisbon; The EU-US Working Group on Mutual Recognition held in April in Brussels and the CSI Integrated Strategies for securing the global supply chain held in August in Washington.

#### *Global Initiative to Combat Nuclear Terrorism*

This is the most recent international initiative developed in the nuclear field which Spain formally joined in 2007. Its purpose is to establish a framework of cooperation between states with a view to detecting, preventing, containing and investigating acts of terrorism involving the use of nuclear material or radioactive substances.

Spain participated in the following activities: the Global Initiative Law Enforcement Conference on 11-15 June in Florida; Combating WMD Information Portal, on 26-29 August in Garmisch Partenkirchen; Workshop on Collaborative Measures to Combat Nuclear Smuggling on 5-6 September in London; Global Initiative Radiological Search Procedures and Training Workshop on 11-12 December in Peking and the Workshop on Implementation of the Code of Conduct and the EU Directive on the Safety and Security of Highly Active Radioactive Sources from 11-13 December in Munich.

#### *F) Australia Group (AG)*

The Plenary Assembly of the Australia Group was held in Paris on 4-7 June 2007 where it welcomed Croatia as a new member of the Group bringing the total number of countries to 40 in addition to the European Commission. The Member States reaffirmed their commitment to intensify efforts at national level to prevent the proliferation of chemical and biological weapons. Information was likewise shared concerning Chile's interest in forming part of the Australia Group and ongoing talks with Russia to the same end.

The plenary meeting basically focused on the exchange of information concerning proliferation attempts reported last year and the strategies employed to address these cases. Suggestions of including several new biological agents on the control lists were studied and it was agreed to amend the animal pathogens list to clarify the control coverage of

*Mycoplasma mycoides* while also paying particular attention to synthetic biological agents. The factors which should be borne in mind when adding chemical substances to the control lists were likewise stressed.

Special attention was paid to the measures adopted by some Member States to enhance controls via the catch all clause and to control brokers' activities as important factors in the concession of export licenses. The adoption of stronger measures to address the transfer of intangible technology was also stressed.

It was confirmed that the Australia Group control lists continue to be an international reference in line with "best practices" and are increasingly being used as a standard for international action as proven by the application of United Nations Security Council Resolutions 1540 (2004) and 1718 (2006). The conclusion was also reached that controls on external trade do not hinder legitimate trade and technical cooperation in the chemical and biological sectors.

#### *G) Chemical Weapons Convention (CWC)*

The CWC entered into force in 1997. At 31 December 2007, the CWC had 182 Contracting States, the most recent ratifications by Montenegro and Barbados. There are a further 6 countries (signatory states) which have signed but not yet ratified the CWC. Only 7 States have not taken any measure with respect to the Convention: Angola, the Democratic Republic of Korea, Egypt, Iraq, Lebanon, Somalia and Syria. Within this latter group, we would note a

change of attitude on the part of Lebanon and Iraq and their positive inclination towards the CWC.

This Convention gives the international community an instrument with which to permanently eliminate the possibility of the development, production, use, stockpiling or transfer of chemical weapons, 3,000 inspections having been conducted in the territories of 80 Contracting States since its entry into force.

Since the Convention's entry into force, 100% of the declared chemical weapons production facilities have been deactivated. The destruction of 38% of the 8.6 million chemical munitions and containers under the CWC has also been verified as has the destruction of 22% of the world's declared arsenals accounting for approximately 71,000 tons of chemical agents.

The Organisation for the Prohibition of Chemical Weapons (OPCW) provides support for all non-party States in joining the Convention and effectively implementing a world-wide prohibition on chemical weapons.

While the main objective of the OPCW is the prohibition of chemical weapons, it also pursues international cooperation between Contracting States in the use of chemicals for pacific purposes by sponsoring scientific research, providing legal assistance, improving the capacity of laboratories and providing specialised training regarding Convention enforcement and the safe handling of chemical substances.

The body entrusted with the enforcement of the CWC in Spain is the National Authority for the Prohibition of Chemical Weapons (Spanish acronym ANPAQ).

Meetings No 48, 49, 50 and 51 of the OPCW's Executive Council were held during 2007. Failure to meet the deadlines set for the destruction of chemical weapons arsenals on the part of Albania was discussed at those meetings and finally, on 11 July 2007, their complete destruction was certified. Having regard to the Russian Federation, it was agreed to accept the destruction of its weapons by means of hydrolysis meaning that it has completed the second phase. As for the old chemical weapons found in Austria, the 48<sup>th</sup> Executive Council authorised their transfer to Germany for destruction since Austria lacks the means to eliminate them.

The 12th conference of the Contracting States was held at The Hague on 5-9 November as the precursor to the forthcoming Convention Review Conference to be held in April 2008 and which is expected to be the definitive action on the part of the international community in favour of international security, disarmament and the non-proliferation of chemical weapons.

In 2007, 33 plants from List 2 were declared to the OPCW, 4 of which have closed down and another 5 have ceased to produce these substances. Five List-3 facilities were declared, one of which is already closed and the rest have been inspected.

During the course of the year the OPCW conducted 4 inspections of

companies in Spain. The ANPAQ made a consulting visit to one company.

A training seminar targeting inspection officials was held in Buenos Aires (Argentina) from 31 March to 4 April and was attended by an ANPAQ representative who also lent bilateral technical support to the national authorities of Bolivia and Guatemala. A parliamentary meeting was also held in Columbia to boost the legislative process in Latin America. An advanced course targeting the national authorities of the Latin American and Caribbean group of countries was held on 2-6 July in Madrid. A workshop for customs authorities on the transfer regime was held in The Hague on 4-5 October. And an industrial inspection course run by the OPCW was held in Paris on 23 to 31 October.

#### *H) Biological and Toxin Weapons Convention (BTWC)*

The BTWC entered into force in 1975. On 31 December 2007, there were 161 BTWC Contracting States including all of the members of the United Nations Security Council. A further 14 States have signed but not yet ratified the Convention and 20 are not Member States. This makes the BTWC nearly universal although the Convention's verification protocol ratification process remains pending.

The effective operation of the BTWC is necessary not only in prohibiting the use of biological weapons by States at war but also to prevent their possible use by non-state agents such as terrorist groups, in line with the provisions of United Nations Security Council Resolution 1540 (2004) on the

non-proliferation of weapons of mass destruction.

The fourth annual meeting of the Contracting States of the Convention was held on 10-14 December 2007, the first of the new cycle between sessions 2007-2010, for the purpose discussing and promoting mutual approximation and effective action. A number of issues related to strengthening of the Convention were addressed there. In addition to the 95 Contracting States, that meeting was also attended by the Implementation Support Unit (ISU) created at the 6<sup>th</sup> Review Conference held in November 2006. The Conference focused on two main themes: "Convention application measures at national level" and "Regional cooperation". Special mention should be made of the progress made in the universal application of the Convention and headway in the presentation of reports on confidence measures.

At national level, the Biological Weapons Working Group (Spanish acronym GRUPABI) met quarterly at the headquarters of the Ministry of Foreign Affairs and Cooperation. Meriting special mention were the efforts made to create a national authority and to institutionalise this group styled after the ANPAQ but in the field of chemical weapons. The decision as to which Department to assign the Secretariat remained pending.

Lastly, in 2007 Spain participated in 8 dissemination activities in this field:

- Conference on the dissemination of the Community's Dual-use Regulation, European Union (Brussels, 26 January).
- International conference on the control of US-EU exports (Bucharest, 6-8 March).
- Presentation of the NRBQ (nuclear, radioactive, biological and chemical defence unit), Ministry of the Interior (Madrid, 22 March).
- Conference on commercial and political risks in Iran FLUIDEX-CESCE (Bilbao, 31 May).
- VII specialisation course on NRBQ incidents, Ministry of the Interior (Madrid, 14 June).
- Seminar on controlling intangible transfers of technology, Nuclear Society (Madrid, 5 July).
- Seminar on the enforcement of United Nations Resolution 1737 and 1747 against Iran, Nuclear Suppliers Group (Vienna, 26 September).
- Seminar on the programme to disseminate the dual-use regulation to non EU-member countries – BAFA (Frankfurt, 11-12 December).



## **ANNEX I. PLENARY SESSION AGREEMENTS TAKEN AT THE SPANISH CONGRESS OF DEPUTIES ON ARMS TRADE CONTROL AND TRANSPARENCY**

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Text of the Plenary session agreement taken at the Congress of Deputies on 18 March 1997

Spanish law and international commitments undertaken by Spain.

The Congress of Deputies urges the Government to:

1. Incorporate and implement the eight criteria in respect of transparency and control of the export of defence and dual-use material approved by the European Union in 1991 and 1992 into Spanish legislation.
2. Include all military security and police transfers of material as well as personnel, training and technology in the legislation and arms trade information.
3. Disclose, on an annual basis, the essential export data as from 1991 including statistics by countries of destination in accordance with
4. Send, half-yearly, the essential export data in respect of defence and dual-use material to the Defence and Foreign Affairs Commissions of the Congress of Deputies.
5. Provide the Defence and Foreign Affairs Commissions of the Congress of Deputies with the list of countries which, given their human rights status, degree of conflict or militarisation, are subject to embargo by the United Nations, the European Union or by any other international organisation of which Spain is a member and which should therefore be subject to restrictions with respect of the export of defence and dual-use material.

Text of the Plenary session agreement taken at the Congress of Deputies on 11 December 2001

The Congress of Deputies urges the Government to:

1. Continue advancing in its policy of information transparency as concerns exports of defence, security and law enforcement material with a view to achieving more specific information in respect of products and countries in accordance with that which was passed by the Congress of Deputies on 18 March 1997.
2. Enforce the European Union Code of Conduct approved in 1998 on an individualised, transaction by transaction basis, remaining firm in refusing to authorise exports when these do not comply with the criteria laid down in the Code.
3. Promote, during the upcoming Presidency of the European Union and within the framework of the COARM, the study of all initiatives which increase the level of transparency and control of conventional arms exports and specifically the following: improvement and reform of the Code of Conduct on the transfer of defence, security and law enforcement material; widening of the scope of products to be included in the said Code in line with the definition established by the United Nations in 1997, including material used for the purpose of torture and enforcement of the death penalty; improvement of control mechanisms curtailing the activities of brokers, promoting the usefulness of creating a register in that regard and studying and controlling transactions; establishment of controls on licensed production and effective control mechanisms in respect of the end-use of transfers and the enforcement of the European Union Code of Conduct in all OSCE countries.
4. Continue participating in the different international fora which address the problem of the proliferation and control of small arms.
5. Promote initiatives envisaging the buy-back, collection and destruction of arms in specific countries or areas through the European Union and the working group established to that end.
6. Appear before the Defence Commission of the Congress of Deputies to provide a detailed account of external trade transactions involving defence and dual-use material and the initiatives carried out by the Government to contribute to better control of small arms.
7. Propose a debate, within the context of the European Union, on the control of air, sea and land transit of arms through Member States' territory.
8. Apply the results of the United Nations Conference held in July in New York on unlawful trafficking in small arms and light weapons.

Text of the Plenary session agreement taken at the Congress of Deputies on 13 December 2005

The Congress of Deputies urges the Government to submit, within a period of one year, a Draft Law on Arms Trade assuring control of Spanish transfers of military, law enforcement and security material as well as dual-use items and technologies to other countries and to guarantee transparency in the official information furnished regarding the said transfers. The Draft Law should include:

1. A transparent procedure by which to authorise these transfers, incorporating a periodic control mechanism implemented by the Congress of Deputies.
2. Guarantees that this procedure is based on the strict enforcement and scrupulous interpretation of the criteria laid down in the European Union Code of Conduct on Arms Exports.
3. Detailed instructions regarding the minimum information which must be contained in the official Spanish

statistics report on the transfer of defence and dual-use material and which must coincide with the best practices of other European Union countries in terms of transparency practices.

4. The half-yearly submission of information to the Congress of Deputies on the transfers authorised during the most recent reference period and the annual appearance of the Secretary of State for Tourism and Trade before the Defence Commission of the Congress of Deputies to report on annual statistics.

The Congress of Deputies likewise urges the Government to participate in and encourage regional and international processes designed to exert greater control over the arms trade throughout the world such as, for example, the process for the possible adoption of an international arms trade treaty, those developed within the framework of the European Union or United Nations initiatives.



## ANNEX II. EXPORT STATISTICS ON DEFENCE AND OTHER MATERIAL IN 2007

### AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY 2007

| Country           | Lic. No | € Value     |
|-------------------|---------|-------------|
| Andorra           | 10      | 21,153      |
| Argentina         | 7       | 458,121     |
| Australia         | 6       | 306,000,000 |
| Austria           | 21      | 41,934,149  |
| Bahrain           | 2       | 2,323,489   |
| Belgium           | 10      | 467,725     |
| Brazil            | 8       | 1,006,500   |
| Canada            | 8       | 1,529,012   |
| Chile             | 6       | 1,020,760   |
| China (Hong Kong) | 1       | 0           |
| Colombia          | 3       | 7,539,438   |
| Costa Rica        | 1       | 1,971,504   |
| Czech Rep.        | 8       | 9,280       |
| Denmark           | 4       | 5,392,000   |
| Ecuador           | 2       | 279,044     |
| Egypt             | 13      | 1,438,108   |
| El Salvador       | 2       | 295,682     |
| Finland           | 5       | 10,796      |
| France            | 81      | 13,907,407  |
| Germany           | 61      | 22,753,004  |
| Greece            | 2       | 5,272,983   |
| Guinea Bissau     | 1       | 1,862       |
| Hungary           | 1       | 1,600       |
| India             | 6       | 10,674,556  |
| Indonesia         | 7       | 1,572,178   |
| Ireland           | 1       | 2,612,500   |
| Israel            | 22      | 4,365,309   |
| Italy             | 55      | 23,568,596  |
| Jordan            | 1       | 0           |
| Kazakhstan        | 3       | 18,931,900  |
| Kuwait            | 2       | 1,130,043   |
| Libya             | 3       | 3,823,500   |
| Luxembourg        | 14      | 0           |
| Malaysia          | 4       | 552,654,941 |
| Mexico            | 6       | 28,949      |
| Mongolia          | 1       | 1,595       |
| Morocco           | 2       | 176,878,243 |
| Namibia           | 1       | 0           |
| Netherlands       | 7       | 4,689,276   |
| New Zealand       | 1       | 2,789       |
| Nicaragua         | 2       | 0           |
| Norway            | 22      | 264,663,371 |
| Oman              | 5       | 839,268     |
| Pakistan          | 5       | 334,854     |
| Panama            | 2       | 1,690       |
| Paraguay          | 3       | 0           |
| Peru              | 2       | 700,000     |
| Philippines       | 1       | 49,820      |
| Poland            | 5       | 1,783,972   |

| AUTHORISED EXPORTS OF DEFENCE<br>MATERIAL BY COUNTRY<br>2007 (Continued) |            |                      |
|--|------------|----------------------|
| Country  | Lic. No    | € Value              |
| Portugal   | 104        | 1,137,303            |
| Qatar  | 6          | 1,177,299            |
| Romania  | 8          | 729,845              |
| Russia   | 1          | 0                    |
| Saudi Arabia   | 4          | 1,876,735            |
| Senegal  | 1          | 390                  |
| Singapore  | 2          | 317,770              |
| Slovenia   | 1          | 0                    |
| South Africa   | 3          | 227,975,600          |
| South Korea  | 2          | 331,454              |
| Sweden   | 4          | 205,257              |
| Switzerland  | 23         | 20,455,693           |
| Tanzania   | 1          | 13,000               |
| Thailand   | 1          | 0                    |
| Turkey   | 4          | 3,983,447            |
| U. Arab Emirates   | 2          | 0                    |
| United Kingdom   | 39         | 59,173,209           |
| United States  | 61         | 159,585,721          |
| Venezuela  | 2          | 1,186,610            |
| <b>TOTAL</b>   | <b>715</b> | <b>1,961,090,300</b> |

**Note.-** The number of defence material licenses is higher than the number of licenses actually processed given that the global and global project licenses affecting more than one country are computed as many times as there are countries included.

| AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE<br>2007 |                  |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
|---|------------------|------------------|--------------------|-------------------|------------------|--------------------|---|-------------------|--------------------|--------------------|-------------------|
| Country   | Categories       |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
|   | 1                | 2                | 3                  | 4                 | 5                | 6                  | 7 | 8                 | 9                  | 10                 | 11                |
| Andorra   | 15,266           | 700              | 5,187              |                   |                  |                    |   |                   |                    |                    |                   |
| Argentina   |                  | 10,800           |                    | 447,321           |                  |                    |   |                   |                    |                    |                   |
| Australia   |                  | 0                |                    |                   |                  |                    |   |                   |                    | 76,000,000         |                   |
| Austria   |                  | 3,933,739        | 1,100,000          |                   |                  |                    |   |                   |                    | 36,900,410         |                   |
| Bahrain   |                  |                  |                    | 2,323,489         |                  |                    |   |                   |                    |                    |                   |
| Belgium   | 0                |                  |                    | 467,725           |                  |                    |   |                   |                    | 0                  |                   |
| Brazil  |                  | 700              | 0                  | 221,428           |                  |                    |   | 784,372           |                    |                    |                   |
| Canada  | 1,900            |                  |                    | 1,527,112         |                  |                    |   |                   |                    | 0                  |                   |
| Chile   |                  | 1,500            |                    | 1,019,260         |                  |                    |   |                   |                    |                    |                   |
| China (Hong Kong)   |                  |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Colombia  |                  |                  |                    | 6,386,198         |                  |                    |   |                   |                    | 88,450             | 1,064,790         |
| Costa Rica  |                  |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Czech Rep.  | 9,280            |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Denmark   |                  |                  |                    | 5,392,000         |                  |                    |   |                   |                    |                    |                   |
| Ecuador   |                  |                  |                    | 279,044           |                  |                    |   |                   |                    |                    |                   |
| Egypt   | 41,030           | 90,000           | 1,179,777          | 31,000            |                  |                    |   | 96,301            |                    | 0                  |                   |
| El Salvador   |                  | 142,506          |                    | 153,176           |                  |                    |   |                   |                    |                    |                   |
| Finland   | 4,296            | 6,500            |                    |                   |                  |                    |   |                   |                    |                    |                   |
| France  | 0                | 4,235            |                    | 3,737,085         |                  | 0                  |   | 9,227,746         |                    | 545,160            | 233,181           |
| Germany   | 1,417            | 0                | 968,745            | 6,031,949         | 0                | 1,501,368          |   |                   |                    | 11,402,450         | 2,687,075         |
| Greece  |                  |                  |                    |                   |                  |                    |   | 5,272,983         |                    |                    |                   |
| Guinea Bissau   | 1,862            |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Hungary   | 1,600            |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
| India   |                  | 945,951          | 300,990            |                   |                  |                    |   |                   |                    |                    | 9,427,615         |
| Indonesia   | 25,000           |                  | 127,730            | 1,315,439         |                  |                    |   | 104,009           |                    |                    |                   |
| Ireland   |                  |                  |                    | 2,612,500         |                  |                    |   |                   |                    |                    |                   |
| Israel  | 104,880          |                  | 36,400             | 0                 |                  |                    |   | 0                 |                    | 0                  | 0                 |
| Italy   | 0                | 0                |                    | 40,000            |                  | 0                  |   |                   | 210,756            | 17,081,340         | 0                 |
| Jordan  |                  |                  |                    |                   |                  |                    |   |                   |                    | 0                  |                   |
| Kazakhstan  |                  | 1,900            |                    |                   |                  |                    |   |                   |                    |                    | 18,930,000        |
| Kuwait  |                  | 921,875          |                    | 208,168           |                  |                    |   |                   |                    |                    |                   |
| Libya   |                  | 0                |                    | 3,823,500         |                  |                    |   |                   |                    |                    |                   |
| Luxembourg  |                  |                  |                    | 0                 |                  | 0                  |   |                   |                    |                    |                   |
| Malaysia  |                  |                  | 0                  | 2,824,941         |                  |                    |   |                   | 189,200,000        | 360,630,000        |                   |
| Mexico  |                  | 28,949           |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Mongolia  |                  | 1,595            |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Morocco   |                  |                  |                    | 2,965,200         |                  | 173,913,043        |   |                   |                    |                    |                   |
| Namibia   |                  | 0                |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Netherlands   |                  |                  |                    | 4,599,276         |                  | 0                  |   | 0                 |                    | 90,000             |                   |
| New Zealand   | 2,789            |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Nicaragua   |                  | 0                |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Norway  |                  |                  | 2,187,130          | 4,020,435         |                  | 0                  |   | 112,926           | 258,342,880        |                    |                   |
| Oman  |                  | 697,268          |                    |                   | 142,000          |                    |   |                   |                    |                    |                   |
| Pakistan  |                  | 2,500            | 0                  | 332,354           |                  |                    |   |                   |                    |                    |                   |
| Panama  |                  | 1,690            |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Paraguay  |                  |                  | 0                  |                   |                  |                    |   |                   |                    |                    | 0                 |
| Peru  |                  |                  |                    |                   |                  | 700,000            |   |                   |                    |                    |                   |
| Philippines   | 49,820           |                  |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Poland  | 30,472           |                  | 1,753,500          |                   |                  |                    |   |                   |                    |                    |                   |
| Portugal  | 650,663          | 5,469            | 182,460            |                   |                  |                    |   | 298,711           |                    |                    |                   |
| Qatar   |                  |                  |                    | 1,149,550         |                  | 27,749             |   |                   |                    |                    |                   |
| Romania   |                  | 4,800            |                    |                   |                  | 725,045            |   |                   |                    |                    |                   |
| Russia  |                  |                  |                    |                   |                  |                    |   |                   |                    |                    | 0                 |
| Saudi Arabia  | 8,125            |                  | 80                 |                   |                  | 1,868,530          |   |                   |                    |                    |                   |
| Senegal   |                  | 390              |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Singapore   | 0                |                  | 317,770            |                   |                  |                    |   |                   |                    |                    |                   |
| Slovenia  |                  |                  |                    | 0                 |                  |                    |   |                   |                    |                    |                   |
| South Africa  |                  | 600              |                    |                   |                  |                    |   |                   |                    | 227,975,000        |                   |
| South Korea   |                  |                  |                    |                   |                  |                    |   |                   |                    | 331,454            |                   |
| Sweden  | 1,957            | 3,300            |                    | 40,000            |                  |                    |   |                   |                    |                    |                   |
| Switzerland   | 0                | 158,425          | 83,490             | 4,302             |                  | 0                  |   |                   |                    | 363,000            | 22,140            |
| Tanzania  |                  | 13,000           |                    |                   |                  |                    |   |                   |                    |                    |                   |
| Thailand  |                  |                  | 0                  |                   |                  |                    |   |                   |                    |                    |                   |
| Turkey  | 629              |                  |                    |                   |                  |                    |   |                   |                    |                    | 3,982,818         |
| U. Arab Emirates  |                  |                  |                    | 0                 |                  |                    |   |                   |                    |                    |                   |
| United Kingdom  | 2,800            | 5,050            |                    | 1,785,000         |                  | 0                  |   | 40,998,376        |                    | 16,221,983         | 0                 |
| United States   | 525,293          | 133,150          | 104,587,640        | 1,885,959         | 1,720,000        | 188,496            |   | 22,047,065        |                    | 24,923,183         | 3,574,935         |
| Venezuela   | 13,140           |                  |                    |                   |                  | 1,173,470          |   |                   |                    |                    |                   |
| <b>TOTAL</b>  | <b>1,492,219</b> | <b>7,116,592</b> | <b>112,830,899</b> | <b>55,623,411</b> | <b>1,862,000</b> | <b>180,097,701</b> |   | <b>78,942,489</b> | <b>447,753,636</b> | <b>772,552,430</b> | <b>39,922,554</b> |

AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE  
2007 (Continued)

| Country           | Categories |                  |    |                   |          |    |    |    |    |                   |                    | € Value              |
|-------------------|------------|------------------|----|-------------------|----------|----|----|----|----|-------------------|--------------------|----------------------|
|                   | 12         | 13               | 14 | 15                | 16       | 17 | 18 | 19 | 20 | 21                | 22                 |                      |
| Andorra           |            |                  |    |                   |          |    |    |    |    |                   |                    | 21,153               |
| Argentina         |            |                  |    | 0                 |          |    |    |    |    |                   |                    | 458,121              |
| Australia         |            |                  |    |                   |          |    |    |    |    |                   | 230,000,000        | 306,000,000          |
| Austria           |            |                  |    |                   |          |    |    |    |    |                   |                    | 41,934,149           |
| Bahrain           |            |                  |    |                   |          |    |    |    |    |                   |                    | 2,323,489            |
| Belgium           |            |                  |    |                   |          |    |    |    |    |                   |                    | 467,725              |
| Brazil            |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,006,500            |
| Canada            |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,529,012            |
| Chile             |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,020,760            |
| China (Hong Kong) |            |                  |    | 0                 |          |    |    |    |    |                   |                    | 0                    |
| Colombia          |            |                  |    |                   |          |    |    |    |    |                   |                    | 7,539,438            |
| Costa Rica        |            | 1,971,504        |    |                   |          |    |    |    |    |                   |                    | 1,971,504            |
| Czech Rep.        |            |                  |    |                   |          |    |    |    |    |                   |                    | 9,280                |
| Denmark           |            |                  |    |                   |          |    |    |    |    |                   |                    | 5,392,000            |
| Ecuador           |            |                  |    |                   |          |    |    |    |    |                   |                    | 279,044              |
| Egypt             |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,438,108            |
| El Salvador       |            |                  |    |                   |          |    |    |    |    |                   |                    | 295,682              |
| Finland           |            |                  |    |                   |          |    |    |    |    |                   |                    | 10,796               |
| France            |            |                  |    | 0                 |          |    |    |    |    | 160,000           |                    | 13,907,407           |
| Germany           |            |                  |    |                   | 0        |    |    |    |    | 160,000           |                    | 22,753,004           |
| Greece            |            |                  |    |                   |          |    |    |    |    |                   |                    | 5,272,983            |
| Guinea Bissau     |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,862                |
| Hungary           |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,600                |
| India             |            |                  |    |                   |          |    |    |    |    |                   |                    | 10,674,556           |
| Indonesia         |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,572,178            |
| Ireland           |            |                  |    |                   |          |    |    |    |    |                   |                    | 2,612,500            |
| Israel            |            |                  |    | 4,224,029         |          |    |    |    |    |                   |                    | 4,365,309            |
| Italy             |            |                  |    | 6,076,500         |          |    |    |    |    | 160,000           |                    | 23,568,596           |
| Jordan            |            |                  |    |                   |          |    |    |    |    |                   |                    | 0                    |
| Kazakhstan        |            |                  |    |                   |          |    |    |    |    |                   |                    | 18,931,900           |
| Kuwait            |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,130,043            |
| Libya             |            |                  |    |                   |          |    |    |    |    |                   |                    | 3,823,500            |
| Luxembourg        |            |                  |    |                   |          |    |    |    |    |                   |                    | 0                    |
| Malaysia          |            |                  |    |                   |          |    |    |    |    |                   |                    | 552,654,941          |
| Mexico            |            |                  |    |                   |          |    |    |    |    |                   |                    | 28,949               |
| Mongolia          |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,595                |
| Morocco           |            |                  |    |                   |          |    |    |    |    |                   |                    | 176,878,243          |
| Namibia           |            |                  |    |                   |          |    |    |    |    |                   |                    | 0                    |
| Netherlands       |            |                  |    |                   |          |    |    |    |    |                   |                    | 4,689,276            |
| New Zealand       |            |                  |    |                   |          |    |    |    |    |                   |                    | 2,789                |
| Nicaragua         |            |                  |    |                   |          |    |    |    |    |                   |                    | 0                    |
| Norway            |            |                  |    |                   |          |    |    |    |    |                   |                    | 264,663,371          |
| Oman              |            |                  |    |                   |          |    |    |    |    |                   |                    | 839,268              |
| Pakistan          |            |                  |    |                   |          |    |    |    |    |                   |                    | 334,854              |
| Panama            |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,690                |
| Paraguay          |            | 0                |    |                   |          |    |    |    |    |                   |                    | 0                    |
| Peru              |            |                  |    |                   |          |    |    |    |    |                   |                    | 700,000              |
| Philippines       |            |                  |    |                   |          |    |    |    |    |                   |                    | 49,820               |
| Poland            |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,783,972            |
| Portugal          |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,137,303            |
| Qatar             |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,177,299            |
| Romania           |            |                  |    |                   |          |    |    |    |    |                   |                    | 729,845              |
| Russia            |            |                  |    |                   |          |    |    |    |    |                   |                    | 0                    |
| Saudi Arabia      |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,876,735            |
| Senegal           |            |                  |    |                   |          |    |    |    |    |                   |                    | 390                  |
| Singapore         |            |                  |    |                   |          |    |    |    |    |                   |                    | 317,770              |
| Slovenia          |            |                  |    |                   |          |    |    |    |    |                   |                    | 0                    |
| South Africa      |            |                  |    |                   |          |    |    |    |    |                   |                    | 227,975,600          |
| South Korea       |            |                  |    |                   |          |    |    |    |    |                   |                    | 331,454              |
| Sweden            |            |                  |    |                   |          |    |    |    |    | 160,000           |                    | 205,257              |
| Switzerland       |            |                  |    |                   |          |    |    |    |    | 19,824,336        |                    | 20,455,693           |
| Tanzania          |            |                  |    |                   |          |    |    |    |    |                   |                    | 13,000               |
| Thailand          |            |                  |    |                   |          |    |    |    |    |                   |                    | 0                    |
| Turkey            |            |                  |    |                   |          |    |    |    |    |                   |                    | 3,983,447            |
| U. Arab Emirates  |            | 0                |    |                   |          |    |    |    |    |                   |                    | 0                    |
| United Kingdom    |            |                  |    |                   |          |    |    |    |    | 160,000           |                    | 59,173,209           |
| United States     |            |                  |    | 0                 |          |    |    |    |    | 0                 |                    | 159,585,721          |
| Venezuela         |            |                  |    |                   |          |    |    |    |    |                   |                    | 1,186,610            |
| <b>TOTAL</b>      |            | <b>1,971,504</b> |    | <b>10,300,529</b> | <b>0</b> |    |    |    |    | <b>20,624,336</b> | <b>230,000,000</b> | <b>1,961,090,300</b> |

| EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE<br>2007 |                  |                  |                   |                   |                  |                   |   |                   |                    |                    |                  |
|--|------------------|------------------|-------------------|-------------------|------------------|-------------------|---|-------------------|--------------------|--------------------|------------------|
| Country  | Categories       |                  |                   |                   |                  |                   |   |                   |                    |                    |                  |
|  | 1                | 2                | 3                 | 4                 | 5                | 6                 | 7 | 8                 | 9                  | 10                 | 11               |
| Andorra  | 8,027            | 700              | 11,458            |                   |                  |                   |   |                   |                    |                    |                  |
| Argentina  |                  |                  |                   |                   |                  |                   |   |                   |                    |                    | 0                |
| Australia  | 64,695           | 0                |                   |                   |                  |                   |   | 191               |                    |                    |                  |
| Austria  |                  | 2,397,739        |                   |                   |                  |                   |   |                   |                    | 2,186,293          |                  |
| Bahrain  |                  |                  |                   | 2,323,489         |                  |                   |   |                   |                    |                    |                  |
| Belgium  |                  |                  |                   | 478,100           |                  |                   |   | 331,500           |                    |                    |                  |
| Brazil   |                  | 860              |                   | 4,800             |                  |                   |   | 784,372           |                    | 79,123,447         |                  |
| Canada   | 700              |                  |                   | 1,131,081         |                  |                   |   |                   |                    |                    |                  |
| Chile  |                  | 5,957            | 1,418,946         | 883,447           |                  |                   |   |                   |                    |                    |                  |
| Colombia   |                  |                  |                   | 15,942,448        |                  |                   |   |                   |                    | 80,000             |                  |
| Costa Rica   |                  |                  |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Czech Rep.   | 9,330            |                  |                   | 108,000           |                  |                   |   |                   |                    |                    |                  |
| Denmark  |                  | 719,500          |                   | 6,405,741         |                  |                   |   | 0                 |                    |                    |                  |
| Ecuador  |                  |                  |                   | 54,253            |                  |                   |   |                   |                    |                    |                  |
| Egypt  | 95,060           |                  | 273,541           |                   |                  |                   |   | 16,988            |                    |                    |                  |
| El Salvador  |                  | 124,150          |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Finland  | 4,900            | 6,500            |                   | 264,208           |                  |                   |   |                   |                    | 36,084,315         |                  |
| France   |                  | 7,240            | 3,400             | 2,031,720         |                  |                   |   | 13,990,616        |                    | 761,595            | 87,372           |
| Germany  | 611,490          | 0                | 570,486           | 9,739,577         | 2,158,955        | 29,940,955        |   | 451,200           |                    | 20,945,292         | 591,994          |
| Greece   | 536,011          |                  |                   |                   |                  |                   |   | 4,730,193         |                    |                    |                  |
| Guinea Bissau  |                  | 3,118            |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Hungary  | 1,600            |                  |                   |                   |                  |                   |   |                   |                    |                    |                  |
| India  |                  | 261,461          |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Indonesia  | 25,000           |                  | 136,764           | 3,665,548         |                  |                   |   |                   |                    |                    |                  |
| Ireland  |                  |                  |                   | 2,612,500         |                  |                   |   |                   |                    |                    |                  |
| Israel   | 163,599          |                  |                   | 25,474            |                  |                   |   | 87,586            |                    |                    | 0                |
| Italy  |                  |                  |                   | 147,550           |                  |                   |   |                   | 210,756            | 17,117,467         | 1,748,195        |
| Jordan   |                  |                  |                   | 350               |                  |                   |   |                   |                    |                    |                  |
| Kazakhstan   |                  | 1,100            |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Luxembourg   |                  |                  |                   | 0                 |                  | 5,544             |   |                   |                    |                    | 0                |
| Malaysia   |                  |                  | 114,091           | 2,824,941         |                  |                   |   |                   | 150,000,000        |                    |                  |
| Mexico   |                  | 14,000           |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Mongolia   |                  | 1,595            |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Morocco  |                  |                  |                   | 9,331,200         |                  | 1,800,000         |   |                   |                    | 2,600              |                  |
| Namibia  |                  | 0                |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Netherlands  |                  | 7,600            |                   | 4,599,276         |                  | 0                 |   | 14,100            |                    | 39,579             |                  |
| Norway   |                  |                  | 2,539,178         | 5,324,097         |                  |                   |   | 161,808           | 258,342,880        | 0                  |                  |
| Oman   |                  | 695,418          |                   | 427,500           | 144,760          |                   |   |                   |                    |                    |                  |
| Pakistan   |                  | 2,500            |                   | 968,571           |                  |                   |   |                   |                    |                    |                  |
| Panama   |                  | 1,690            |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Peru   |                  |                  |                   |                   |                  | 156,704           |   |                   |                    |                    |                  |
| Philippines  | 49,820           |                  |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Poland   | 4,080            |                  | 1,753,700         |                   |                  |                   |   |                   |                    | 30,762,754         |                  |
| Portugal   | 35,188           | 4,687            | 984               |                   |                  |                   |   | 193,710           |                    |                    |                  |
| Qatar  |                  |                  |                   | 1,149,550         |                  | 38,171            |   |                   |                    |                    |                  |
| Romania  |                  | 1,549            |                   |                   |                  | 725,045           |   |                   |                    |                    |                  |
| Saudi Arabia   | 8,125            |                  |                   |                   |                  | 1,868,530         |   |                   |                    |                    |                  |
| Senegal  |                  | 390              |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Singapore  |                  |                  | 317,770           | 5,704,148         |                  |                   |   |                   |                    |                    |                  |
| Slovenia   |                  |                  |                   | 2,721,048         |                  |                   |   |                   |                    |                    |                  |
| Sri Lanka  | 2,000            |                  |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Sweden   |                  |                  |                   | 36,370            |                  |                   |   |                   |                    |                    |                  |
| Switzerland  | 1,640            | 121,595          | 2,074             | 160,882           |                  |                   |   |                   |                    | 59,343             | 19,360           |
| Tanzania   |                  | 12,000           |                   |                   |                  |                   |   |                   |                    |                    |                  |
| Turkey   | 629              |                  |                   |                   |                  |                   |   |                   |                    |                    |                  |
| U. Arab Emirates   |                  | 75,900           |                   | 0                 |                  |                   |   |                   |                    |                    |                  |
| United Kingdom   |                  | 7,850            |                   | 1,187,393         |                  | 38,550            |   | 50,342,729        |                    | 13,408,841         | 789,185          |
| United States  | 560,523          | 126,250          | 10,989,749        | 5,084,438         | 1,180,932        | 32,298            |   | 16,658,851        |                    | 832,039            | 2,878,022        |
| Venezuela  |                  |                  |                   | 3,241,047         |                  | 1,049,079         |   |                   |                    |                    |                  |
| <b>TOTAL</b>   | <b>2,182,417</b> | <b>4,601,349</b> | <b>18,132,141</b> | <b>88,578,747</b> | <b>3,484,647</b> | <b>35,654,876</b> |   | <b>87,763,844</b> | <b>408,553,636</b> | <b>201,403,565</b> | <b>6,114,128</b> |

EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE  
2007 (Continued)

| Country          | Categories |                  |    |                   |    |    |    |    |    |                |                  | € Value            |
|------------------|------------|------------------|----|-------------------|----|----|----|----|----|----------------|------------------|--------------------|
|                  | 12         | 13               | 14 | 15                | 16 | 17 | 18 | 19 | 20 | 21             | 22               |                    |
| Andorra          |            |                  |    |                   |    |    |    |    |    |                |                  | 20,185             |
| Argentina        |            |                  |    |                   |    |    |    |    |    |                |                  | 0                  |
| Australia        |            |                  |    |                   |    |    |    |    |    |                | 1,042,053        | 1,106,939          |
| Austria          |            |                  |    |                   |    |    |    |    |    |                |                  | 4,584,032          |
| Bahrain          |            |                  |    |                   |    |    |    |    |    |                |                  | 2,323,489          |
| Belgium          |            |                  |    |                   |    |    |    |    |    |                |                  | 809,600            |
| Brazil           |            |                  |    |                   |    |    |    |    |    |                |                  | 79,913,479         |
| Canada           |            |                  |    |                   |    |    |    |    |    |                |                  | 1,131,781          |
| Chile            |            |                  |    |                   |    |    |    |    |    |                |                  | 2,308,350          |
| Colombia         |            |                  |    |                   |    |    |    |    |    |                |                  | 16,022,448         |
| Costa Rica       |            | 1,101,920        |    |                   |    |    |    |    |    |                |                  | 1,101,920          |
| Czech Rep.       |            |                  |    |                   |    |    |    |    |    |                |                  | 117,330            |
| Denmark          |            |                  |    |                   |    |    |    |    |    |                |                  | 7,125,241          |
| Ecuador          |            |                  |    |                   |    |    |    |    |    |                |                  | 54,253             |
| Egypt            |            |                  |    |                   |    |    |    |    |    |                |                  | 385,589            |
| El Salvador      |            |                  |    |                   |    |    |    |    |    |                |                  | 124,150            |
| Finland          |            |                  |    |                   |    |    |    |    |    |                |                  | 36,359,923         |
| France           |            |                  |    |                   |    |    |    |    |    |                |                  | 16,881,943         |
| Germany          |            |                  |    | 17,114,603        |    |    |    |    |    | 577,370        |                  | 82,701,922         |
| Greece           |            |                  |    |                   |    |    |    |    |    |                |                  | 5,266,204          |
| Guinea Bissau    |            |                  |    |                   |    |    |    |    |    |                |                  | 3,118              |
| Hungary          |            |                  |    |                   |    |    |    |    |    |                |                  | 1,600              |
| India            |            |                  |    |                   |    |    |    |    |    |                |                  | 261,461            |
| Indonesia        |            |                  |    |                   |    |    |    |    |    |                |                  | 3,827,312          |
| Ireland          |            |                  |    |                   |    |    |    |    |    |                |                  | 2,612,500          |
| Israel           |            |                  |    | 1,239,275         |    |    |    |    |    |                |                  | 1,515,934          |
| Italy            |            |                  |    | 27,860,268        |    |    |    |    |    |                |                  | 47,084,236         |
| Jordan           |            |                  |    |                   |    |    |    |    |    |                |                  | 350                |
| Kazakhstan       |            |                  |    |                   |    |    |    |    |    |                |                  | 1,100              |
| Luxembourg       |            |                  |    |                   |    |    |    |    |    |                |                  | 5,544              |
| Malaysia         |            |                  |    |                   |    |    |    |    |    |                |                  | 152,939,032        |
| Mexico           |            |                  |    |                   |    |    |    |    |    |                |                  | 14,000             |
| Mongolia         |            |                  |    |                   |    |    |    |    |    |                |                  | 1,595              |
| Morocco          |            |                  |    |                   |    |    |    |    |    |                |                  | 11,133,800         |
| Namibia          |            |                  |    |                   |    |    |    |    |    |                |                  | 0                  |
| Netherlands      |            |                  |    |                   |    |    |    |    |    |                |                  | 4,660,555          |
| Norway           |            |                  |    |                   |    |    |    |    |    |                |                  | 266,367,963        |
| Oman             |            |                  |    |                   |    |    |    |    |    |                |                  | 1,267,678          |
| Pakistan         |            |                  |    |                   |    |    |    |    |    |                |                  | 971,071            |
| Panama           |            |                  |    |                   |    |    |    |    |    |                |                  | 1,690              |
| Peru             |            |                  |    |                   |    |    |    |    |    |                |                  | 156,704            |
| Philippines      |            |                  |    |                   |    |    |    |    |    |                |                  | 49,820             |
| Poland           |            |                  |    |                   |    |    |    |    |    |                |                  | 32,520,534         |
| Portugal         |            |                  |    |                   |    |    |    |    |    |                |                  | 234,569            |
| Qatar            |            |                  |    |                   |    |    |    |    |    |                |                  | 1,187,721          |
| Romania          |            |                  |    |                   |    |    |    |    |    |                |                  | 726,594            |
| Saudi Arabia     |            |                  |    |                   |    |    |    |    |    |                |                  | 1,876,655          |
| Senegal          |            |                  |    |                   |    |    |    |    |    |                |                  | 390                |
| Singapore        |            |                  |    |                   |    |    |    |    |    |                |                  | 6,021,918          |
| Slovenia         |            |                  |    |                   |    |    |    |    |    |                |                  | 2,721,048          |
| Sri Lanka        |            |                  |    |                   |    |    |    |    |    |                |                  | 2,000              |
| Sweden           |            |                  |    |                   |    |    |    |    |    |                |                  | 36,370             |
| Switzerland      |            | 126,750          |    |                   |    |    |    |    |    | 27,000         |                  | 518,644            |
| Tanzania         |            |                  |    |                   |    |    |    |    |    |                |                  | 12,000             |
| Turkey           |            |                  |    |                   |    |    |    |    |    |                |                  | 629                |
| U. Arab Emirates |            |                  |    |                   |    |    |    |    |    |                |                  | 75,900             |
| United Kingdom   |            |                  |    | 27,382,771        |    |    |    |    |    |                |                  | 93,157,319         |
| United States    |            |                  |    |                   |    |    |    |    |    |                |                  | 38,343,102         |
| Venezuela        |            |                  |    |                   |    |    |    |    |    |                |                  | 4,290,126          |
| <b>TOTAL</b>     |            | <b>1,228,670</b> |    | <b>73,596,917</b> |    |    |    |    |    | <b>604,370</b> | <b>1,042,053</b> | <b>932,941,360</b> |

**DEFENCE MATERIAL EXPORTS**  
**INDICATING THE NATURE OF THE USER AND END USE**  
**2007**

| Country       | End user        | End use | Percentage |
|---------------|-----------------|---------|------------|
| Andorra       | Armoury         | Private | 83.97      |
|               | Private company | Private | 2.04       |
|               | Private person  | Private | 13.99      |
| Argentina     | Armed Forces    | Public  | 100        |
| Australia     | Private company | Private | 0.02       |
|               | Public company  | Public  | 0.45       |
|               | Armed Forces    | Public  | 99.53      |
|               | Private person  | Private | 0.00       |
| Austria       | Private company | Private | 83.71      |
|               | Public company  | Public  | 0.00       |
|               | Armed Forces    | Public  | 16.29      |
| Bahrain       | Armed Forces    | Public  | 100        |
| Belgium       | Private company | Private | 100        |
| Brazil        | Armed Forces    | Public  | 100        |
|               | Private person  | Private | 0.00       |
| Canada        | Armoury         | Private | 0.06       |
|               | Private company | Private | 45.10      |
|               | Armed Forces    | Public  | 54.84      |
| Chile         | Armed Forces    | Public  | 99.94      |
|               | Private person  | Private | 0.06       |
| Colombia      | Armed Forces    | Public  | 100        |
| Costa Rica    | Police          | Public  | 100        |
| Czech Rep.    | Public company  | Public  | 1.56       |
|               | Armed Forces    | Public  | 92.05      |
|               | Private person  | Private | 6.39       |
| Denmark       | Armed Forces    | Public  | 100        |
| Ecuador       | Armed Forces    | Public  | 100        |
| Egypt         | Public company  | Public  | 75.35      |
|               | Police          | Public  | 24.65      |
| El Salvador   | Armed Forces    | Public  | 100        |
| Finland       | Private company | Private | 0.02       |
|               | Armed Forces    | Public  | 99.97      |
|               | Private person  | Private | 0.01       |
| France        | Private company | Private | 96.39      |
|               | Public company  | Public  | 2.96       |
|               | Armed Forces    | Public  | 0.63       |
|               | Private person  | Private | 0.02       |
| Germany       | Armoury         | Private | 0.00       |
|               | Private company | Private | 30.52      |
|               | Public company  | Public  | 5.71       |
|               | Armed Forces    | Public  | 63.77      |
| Greece        | Private company | Private | 6.99       |
|               | Armed Forces    | Public  | 93.01      |
| Guinea Bissau | Private person  | Private | 100        |
| Hungary       | Public company  | Public  | 100        |
| India         | Armed Forces    | Public  | 100        |
| Indonesia     | Private company | Private | 51.17      |
|               | Armed Forces    | Public  | 48.83      |
| Ireland       | Armed Forces    | Public  | 100        |
| Israel        | Armoury         | Private | 0.10       |
|               | Private company | Private | 70.19      |
|               | Public company  | Public  | 7.46       |
|               | Armed Forces    | Public  | 22.25      |
| Italy         | Private company | Private | 58.37      |
|               | Public company  | Public  | 19.06      |
|               | Armed Forces    | Public  | 22.57      |
| Jordan        | Armed Forces    | Public  | 100        |

| DEFENCE MATERIAL EXPORTS<br>INDICATING THE NATURE OF THE USER AND END USE<br>2007 (Continued) |                 |         |            |
|---|-----------------|---------|------------|
| Country   | End user        | End use | Percentage |
| Kazakhstan  | Private person  | Private | 100        |
| Luxembourg  | Private company | Private | 0.00       |
|   | Armed Forces    | Public  | 100        |
| Malaysia  | Armed Forces    | Public  | 100        |
| Mexico  | Private person  | Private | 100        |
| Mongolia  | Private person  | Private | 100        |
| Morocco   | Armed Forces    | Public  | 100        |
| Namibia   | Private person  | Private | 100        |
| Netherlands   | Private company | Private | 1.11       |
|   | Armed Forces    | Public  | 98.89      |
| Norway  | Private company | Private | 1.85       |
|   | Armed Forces    | Public  | 98.15      |
| Oman  | Armed Forces    | Public  | 100        |
| Pakistan  | Armed Forces    | Public  | 99.74      |
|   | Private person  | Private | 0.26       |
| Panama  | Private person  | Private | 100        |
| Peru  | Armed Forces    | Public  | 100        |
| Philippines   | Private company | Private | 100        |
| Poland  | Private company | Private | 5.39       |
|   | Public company  | Public  | 0.00       |
|   | Armed Forces    | Public  | 94.59      |
|   | Private person  | Private | 0.00       |
| Portugal  | Armoury         | Private | 10.53      |
|   | Private company | Private | 82.58      |
|   | Private person  | Private | 6.89       |
| Qatar   | Armed Forces    | Public  | 100        |
| Romania   | Armed Forces    | Public  | 99.79      |
|   | Private person  | Private | 0.21       |
| Saudi Arabia  | Armed Forces    | Public  | 100        |
| Senegal   | Private person  | Private | 100        |
| Singapore   | Armed Forces    | Public  | 100        |
| Slovenia  | Armed Forces    | Public  | 100        |
| Sri Lanka   | Armed Forces    | Public  | 100        |
| Sweden  | Private company | Private | 100        |
| Switzerland   | Armoury         | Private | 0.23       |
|   | Private company | Private | 42.86      |
|   | Armed Forces    | Public  | 56.82      |
|   | Private person  | Private | 0.09       |
| Tanzania  | Private person  | Private | 100        |
| Turkey  | Private person  | Private | 100        |
| U Arab Emirates   | Armed Forces    | Public  | 100        |
| United Kingdom  | Private company | Private | 20.10      |
|   | Public company  | Public  | 3.93       |
|   | Armed Forces    | Public  | 75.96      |
|   | Private person  | Private | 0.01       |
| United States   | Private company | Private | 52.31      |
|   | Public company  | Public  | 2.14       |
|   | Armed Forces    | Public  | 45.22      |
|   | Private person  | Private | 0.33       |
| Venezuela   | Public company  | Public  | 24.45      |
|   | Armed Forces    | Public  | 75.55      |

| EXPORTS MADE AS PART OF THE MOST NOTEWORTHY DEFENCE MATERIAL PROGRAMMES<br>2007 |                    |              |
|---|--------------------|--------------|
| Programmes/Country  | € Value            | %            |
| <b>Eurofighter (combat aircraft)</b>  | <b>118,759,298</b> | <b>12.73</b> |
| United Kingdom  | 40,886,347         | 4.38         |
| Italy   | 38,914,781         | 4.18         |
| Germany   | 36,711,020         | 3.93         |
| Austria   | 2,169,160          | 0.23         |
| Israel  | 77,990             | 0.01         |
| <b>Leopard (tank)</b>   | <b>30,386,210</b>  | <b>3.26</b>  |
| Germany   | 29,844,655         | 3.20         |
| Greece  | 536,011            | 0.06         |
| Luxembourg  | 5,544              | 0.00         |
| <b>Iris-T (missile)</b>   | <b>9,261,350</b>   | <b>0.99</b>  |
| Germany   | 7,161,609          | 0.77         |
| Norway  | 2,099,741          | 0.22         |
| <b>Taurus (missile)</b>   | <b>2,246,333</b>   | <b>0.24</b>  |
| Germany   | 2,246,333          | 0.24         |
| <b>MIDS (communications system)</b>   | <b>2,151,125</b>   | <b>0.23</b>  |
| Italy   | 1,748,195          | 0.19         |
| Germany   | 402,930            | 0.04         |
| <b>A400M (transport aircraft)</b>   | <b>1,490,038</b>   | <b>0.16</b>  |
| Germany   | 700,723            | 0.08         |
| France  | 516,273            | 0.06         |
| United Kingdom  | 259,573            | 0.02         |
| Italy   | 13,156             | 0.00         |
| United States   | 313                | 0.00         |
| <b>Meteor (missile)</b>   | <b>284,644</b>     | <b>0.03</b>  |
| United Kingdom  | 284,644            | 0.03         |
| <b>Mistral (missile)</b>  | <b>107,096</b>     | <b>0.01</b>  |
| France  | 107,096            | 0.01         |
| <b>Total programmes</b>   | <b>164,686,094</b> | <b>17.65</b> |
| <b>TOTAL MD</b>   | <b>932,941,360</b> | <b>100</b>   |

DEFENCE MATERIAL EXPORTS  
(LEASING, CESSIONS, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND  
PRODUCTION UNDER LICENSE)

2007

| Country      | Product                                     | Operation            | € Value          |
|--------------|---|----------------------|------------------|
| Australia    | Definition and technological design studies | Technical assistance | 1,042,053        |
| Australia    | 5 rifles                                    | Cession              | 0                |
| Brazil       | 1 rifle                                     | Donation             | 0                |
| <b>Total</b> |   |                      | <b>1,042,053</b> |

## DESCRIPTION OF THE 22 ARTICLES FIGURING ON THE LIST OF DEFENCE MATERIAL (ROYAL DECREE 1782/2004 OF 30 JULY)

| Category | Description 22 articles                                | List of items included  |
|----------|--|---|
| 1        | Smooth-bore weapons with a calibre of less than 20 mm. | Rifles, carbines, revolvers, pistols, machine pistols, machine guns, silencers, clips, sights and flash suppressers   |
| 2        | Smooth-bore weapons with a calibre of 20 mm or more    | Firearms (including pieces of artillery), rifles, howitzers, cannons, mortars, anti-tank weapons, projectile launchers, flame throwers, recoilless rifles, signature reduction devices, military smoke, gas and pyrotechnic projectors or generators and weapons sights |
| 3        | Ammunition, devices and components                     | Ammunition for the weapons subject to control by articles 1, 2 or 12. Fuse-setting devices including cases, links, bands, power supplies with high operational output, sensors, submunitions  |
| 4        | Bombs, torpedoes, rockets, missiles                    | Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth charges, demolition charges, "pyrotechnic" devices, cartridges and simulators, smoke grenades, incendiary bombs, missile rocket nozzles and re-entry vehicle nosetips.                     |
| 5        | Fire control systems                                   | Weapon sights, bombing computers, gun laying equipment, weapon control systems, systems for data collection, surveillance or tracking, recognition or identification  |
| 6        | Ground vehicles  | Vehicles especially designed or modified for military use, tanks and other armed military vehicles or equipment for the planting of mines, armoured vehicles, amphibious vehicles, bullet-proof tyres.  |
| 7        | Chemical or biological toxic agents                    | Biological agents and radioactive materials, nerve agents, vesicant agents, tear gases, anti-riot agents  |
| 8        | Energetic materials and related substances             | Explosives, propellants, pyrotechnics, fuels and related substances, perchlorates, chlorates and chromates, oxidizers, binders, additives and precursors  |
| 9        | Warships   | Combatant vessels and surface or underwater vessels and components therefore, diesel engines especially designed for submarines, electric motors especially designed for submarines, underwater detection devices, submarine and torpedo nets                           |
| 10       | Aircraft   | Combat aircraft, unmanned airborne vehicles, aero-engines, remotely piloted air vehicles, refuelling equipment, pressurised breathing equipment, parachutes, automatic piloting systems   |
| 11       | Electronic equipment                                   | Countermeasure and electronic counter-countermeasure equipment, underwater acoustic material, data security equipment, equipment using ciphering processes, guidance, navigation and transmission equipment   |
| 12       | Kinetic energy weapon systems                          | Kinetic energy weapon systems, test and evaluation facilities and test models, propulsion systems, homing seeker, guidance or divert propulsion systems for projectiles   |
| 13       | Armoured equipment and constructions                   | Armoured plate, constructions of metallic or non-metallic materials, military helmets, body armour and protective garments  |
| 14       | Military training or simulation equipment              | Attack trainers, flight trainers, radar target trainers, anti-submarine warfare trainers, missile launch trainers, image generating trainers  |
| 15       | Imaging or countermeasure equipment                    | Recorders and image processing equipment, cameras, photographic equipment, image intensifier equipment, infrared or thermal imaging equipment, imaging radar sensor equipment   |
| 16       | Forgings, castings and unfinished products             | Forgings, castings and unfinished product parts   |
| 17       | Miscellaneous equipment, materials and libraries       | Self-contained diving and underwater swimming apparatus, closed and semi-closed circuit apparatus, robots, ferries  |
| 18       | Production equipment                                   | Environmental test facilities, continuous nitrators, centrifugal testing apparatus or equipment, screw extruders  |
| 19       | Directed energy weapon systems                         | Laser systems, particle beam systems, radio-frequency systems, particle accelerators  |
| 20       | Cryogenic and superconductive equipment                | Equipment especially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, superconductive electrical equipment  |
| 21       | Software   | Software designed for modelling, simulation or evaluation of military weapon systems or for the simulation of military operation scenarios, for command, communications, control and intelligence applications  |
| 22       | Technology   | Technology for the development, production or use of items controlled   |

**BY-COUNTRY EXPORT OF "OTHER MATERIAL" AUTHORISED IN 2007**

| Country      | Lic. No  | €Value         |
|--------------|----------|----------------|
| Bolivia      | 2        | 65,202         |
| Portugal     | 2        | 60,032         |
| Andorra      | 1        | 2,928          |
| Peru         | 3        | 0              |
| <b>TOTAL</b> | <b>8</b> | <b>128,162</b> |

**Note 1.-** €Value0, indicates no charge made for export

**Note 2.-** The number of licenses authorised is lower than the number of licenses actually processed given that the former does not include licences denied by the JIMDDU, abandoned by the company or expired for failure to submit control documents by the stipulated date.

**BY-COUNTRY EXPORT OF "OTHER MATERIAL" ACTUALLY UNDERTAKEN IN 2007**

| Country      | € Value        |
|--------------|----------------|
| Morocco      | 87,216         |
| Bolivia      | 65,330         |
| Portugal     | 61,190         |
| Andorra      | 2,928          |
| <b>TOTAL</b> | <b>216,664</b> |

**EXPORTS OF "OTHER MATERIAL" WITH INDICATION OF THE NATURE OF THE END USER AND FINAL USE MADE OF THE MATERIAL  
2007**

| Country  | End user | End use | Percentage |
|----------|----------|---------|------------|
| Morocco  | Police   | Public  | 100        |
| Bolivia  | Police   | Public  | 100        |
| Portugal | Police   | Public  | 100        |
| Andorra  | Police   | Public  | 100        |

**DESCRIPTION OF "OTHER MATERIAL" (ROYAL DECREE 1782/2004 OF 30 JULY)**

- a) Firearms or propelled arms
- b) Visors and sights, telescopic sights and light or image intensification
- c) Generator devices, projectors, smoke dispensers, gases, "anti-riot agents" or incapacitating substances
- d) Launchers of the foregoing elements
- e) Bombs, grenades and explosive devices
- f) Armoured vehicles and vehicles equipped with metal or non-metal materials providing anti-ballistic protection
- g) Light and deafening sound equipment for riot control
- h) Devices for the restriction of bodily movement including leg and/or waist shackles with or without chains and remote, fixed anti-movement devices
- i) Portable equipment and electric shock belts.
- j) Vehicles equipped for anti-riot control.



## ANNEX III. EXPORT STATISTICS ON DUAL-USE ITEMS AND TECHNOLOGIES IN 2007

| BY-COUNTRY AUTHORISED EXPORT OF DUAL-USE<br>ITEMS AND TECHNOLOGIES<br>2007 |         |            |
|--|---------|------------|
| Country  | Lic. No | € Value    |
| Algeria  | 13      | 557,329    |
| Argentina  | 10      | 2,411,991  |
| Australia  | 9       | 1,669      |
| Bangladesh   | 1       | 130        |
| Brazil   | 11      | 37,858,730 |
| Chile  | 1       | 4,425      |
| China  | 18      | 8,918,917  |
| Colombia   | 29      | 1,218,062  |
| Cuba   | 24      | 7,917,133  |
| Dominican Republic   | 5       | 95,106     |
| Egypt  | 4       | 403        |
| Ethiopia   | 2       | 119,370    |
| Ghana  | 1       | 84         |
| India  | 6       | 1,607,331  |
| Indonesia  | 1       | 607,000    |
| Iran   | 52      | 35,554,961 |
| Israel   | 6       | 471,876    |
| Jordan   | 1       | 47,520     |
| Kenya  | 2       | 128,100    |
| Kuwait   | 2       | 103        |
| Libya  | 3       | 121,325    |
| Madagascar   | 1       | 33         |
| Malaysia   | 2       | 131        |
| Mali   | 1       | 14,400     |
| Mexico   | 2       | 872,500    |
| Morocco  | 19      | 1,761,024  |
| Myanmar  | 1       | 1,607      |
| Netherlands (N. Antilles)  | 1       | 328,776    |
| New Zealand  | 9       | 1,569      |
| Nigeria  | 3       | 792,023    |
| Panama   | 2       | 7,941      |
| Paraguay   | 5       | 1,206,618  |
| Peru   | 7       | 680,121    |
| Philippines  | 2       | 403        |
| Russia   | 16      | 335,723    |
| Saudi Arabia   | 1       | 1,099      |
| Singapore  | 17      | 1,949      |
| South Africa   | 7       | 3,191,400  |
| Sudan  | 2       | 43         |
| Syria  | 1       | 7,368      |

**BY-COUNTRY AUTHORISED EXPORT OF DUAL-USE  
ITEMS AND TECHNOLOGIES  
2007 (Continued)**

| Country              | Lic, No    | € Value            |
|----------------------|------------|--------------------|
| Taiwan               | 18         | 794,705            |
| Thailand             | 8          | 28,684             |
| Trinidad and Tobago  | 4          | 1,116              |
| Tunisia              | 7          | 500,003            |
| Turkey               | 9          | 1,270,520          |
| Ukraine              | 1          | 108,000            |
| United Arab Emirates | 2          | 52                 |
| United States        | 2          | 41,436,500         |
| Uruguay              | 1          | 45,000             |
| Venezuela            | 5          | 3,584,558          |
| Vietnam              | 4          | 511                |
| <b>TOTAL</b>         | <b>361</b> | <b>154,615,942</b> |

**Note 2.-** The number of licenses authorised is lower than the number of licenses actually processed given that the former does not include licences denied by the JIMDDU, abandoned by the company or expired for failure to submit control documents by the stipulated date.

| BY-COUNTRY / BY-PRODUCT EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES AUTHORISED |                   |                   |                   |                  |                |          |                |                |   |         |                    |
|---|-------------------|-------------------|-------------------|------------------|----------------|----------|----------------|----------------|---|---------|--------------------|
| 2007  |                   |                   |                   |                  |                |          |                |                |   |         |                    |
| Country   | Category          |                   |                   |                  |                |          |                |                |   | € Value |                    |
|   | 0                 | 1                 | 2                 | 3                | 4              | 5        | 6              | 7              | 8 |         | 9                  |
| Algeria   | 6,840             | 550,489           |                   |                  |                |          |                |                |   |         | 557,329            |
| Argentina   |                   | 1,621,656         | 610,000           | 180,335          |                |          |                |                |   |         | 2,411,991          |
| Australia   |                   | 1,669             |                   |                  |                |          |                |                |   |         | 1,669              |
| Bangladesh  |                   | 130               |                   |                  |                |          |                |                |   |         | 130                |
| Brazil  |                   | 37,612,810        |                   | 245,920          |                |          |                |                |   |         | 37,858,730         |
| Chile   |                   | 4,425             |                   |                  |                |          |                |                |   |         | 4,425              |
| China   |                   | 0                 | 7,212,042         | 1,706,875        |                | 0        |                |                |   |         | 8,918,917          |
| Colombia  | 266               | 1,217,796         |                   |                  |                |          |                |                |   |         | 1,218,062          |
| Cuba  | 7,901,371         | 15,762            |                   |                  |                |          |                |                |   |         | 7,917,133          |
| Dominican Rep   |                   | 95,106            |                   |                  |                |          |                |                |   |         | 95,106             |
| Egypt   | 124               | 279               |                   |                  |                |          |                |                |   |         | 403                |
| Ethiopia  |                   | 119,370           |                   |                  |                |          |                |                |   |         | 119,370            |
| Ghana   |                   | 84                |                   |                  |                |          |                |                |   |         | 84                 |
| India   |                   | 1,764             | 1,518,575         | 86,992           |                |          |                |                |   |         | 1,607,331          |
| Indonesia   |                   |                   | 607,000           |                  |                |          |                |                |   |         | 607,000            |
| Iran  |                   |                   | 35,486,588        |                  |                |          |                | 68,373         |   |         | 35,554,961         |
| Israel  |                   | 64,076            |                   | 126,000          | 281,800        |          |                |                |   |         | 471,876            |
| Jordan  |                   | 47,520            |                   |                  |                |          |                |                |   |         | 47,520             |
| Kenya   |                   | 128,100           |                   |                  |                |          |                |                |   |         | 128,100            |
| Kuwait  |                   | 103               |                   |                  |                |          |                |                |   |         | 103                |
| Libya   |                   | 121,325           |                   |                  |                |          |                |                |   |         | 121,325            |
| Madagascar  |                   | 33                |                   |                  |                |          |                |                |   |         | 33                 |
| Malaysia  |                   | 131               |                   |                  |                | 0        |                |                |   |         | 131                |
| Mali  |                   | 14,400            |                   |                  |                |          |                |                |   |         | 14,400             |
| Mexico  |                   |                   | 872,500           |                  |                |          |                |                |   |         | 872,500            |
| Morocco   |                   | 1,761,024         |                   |                  |                |          |                |                |   |         | 1,761,024          |
| Myanmar   | 1,607             |                   |                   |                  |                |          |                |                |   |         | 1,607              |
| Netherlands (N. Antilles)   |                   | 328,776           |                   |                  |                |          |                |                |   |         | 328,776            |
| New Zealand   |                   | 1,569             |                   |                  |                |          |                |                |   |         | 1,569              |
| Nigeria   |                   | 792,023           |                   |                  |                |          |                |                |   |         | 792,023            |
| Panama  |                   | 7,941             |                   |                  |                |          |                |                |   |         | 7,941              |
| Paraguay  |                   | 51,840            | 1,154,778         |                  |                |          |                |                |   |         | 1,206,618          |
| Peru  |                   | 70,121            |                   |                  |                |          | 400,000        | 210,000        |   |         | 680,121            |
| Philippines   |                   | 403               |                   |                  |                |          |                |                |   |         | 403                |
| Russia  | 581               | 1,593             |                   | 333,549          |                |          |                |                |   |         | 335,723            |
| Saudi Arabia  |                   | 1,099             |                   |                  |                |          |                |                |   |         | 1,099              |
| Singapore   | 231               | 1,718             |                   |                  |                |          |                |                |   |         | 1,949              |
| South Africa  |                   | 1,991,400         | 1,200,000         |                  |                |          |                |                |   |         | 3,191,400          |
| Sudan   |                   | 43                |                   |                  |                |          |                |                |   |         | 43                 |
| Syria   |                   |                   | 7,368             |                  |                |          |                |                |   |         | 7,368              |
| Taiwan  | 362               | 794,343           | 0                 |                  |                |          |                |                |   |         | 794,705            |
| Thailand  |                   | 28,684            |                   |                  |                |          |                |                |   |         | 28,684             |
| Trinidad and Tobago   |                   | 1,116             |                   |                  |                |          |                |                |   |         | 1,116              |
| Tunisia   |                   | 5,003             | 495,000           |                  |                |          |                |                |   |         | 500,003            |
| Turkey  |                   | 1,270,520         |                   |                  |                |          |                |                |   |         | 1,270,520          |
| U Arab Emirates   | 52                | 0                 |                   |                  |                |          |                |                |   |         | 52                 |
| Ukraine   |                   | 108,000           |                   |                  |                |          |                |                |   |         | 108,000            |
| United States   | 41,436,500        |                   |                   |                  |                |          |                |                |   |         | 41,436,500         |
| Uruguay   |                   | 45,000            |                   |                  |                |          |                |                |   |         | 45,000             |
| Venezuela   |                   | 3,584,558         |                   |                  |                |          |                |                |   |         | 3,584,558          |
| Vietnam   |                   | 511               |                   |                  |                |          |                |                |   |         | 511                |
| <b>TOTAL</b>  | <b>49,347,934</b> | <b>52,464,313</b> | <b>49,163,851</b> | <b>2,679,671</b> | <b>281,800</b> | <b>0</b> | <b>400,000</b> | <b>278,373</b> |   |         | <b>154,615,942</b> |

BY-COUNTRY / BY-PRODUCT EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES ACTUALLY UNDERTAKEN  
2007

| Country                   | Category          |                   |                   |                  |                |               |                  |                |   | €Value           |                    |
|---------------------------|-------------------|-------------------|-------------------|------------------|----------------|---------------|------------------|----------------|---|------------------|--------------------|
|                           | 0                 | 1                 | 2                 | 3                | 4              | 5             | 6                | 7              | 8 |                  | 9                  |
| Algeria                   | 6,840             | 305,171           |                   |                  |                |               |                  |                |   |                  | 312,011            |
| Argentina                 |                   | 468,329           | 610,000           | 19,986           |                |               |                  |                |   |                  | 1,098,315          |
| Australia                 |                   | 1,695             |                   |                  |                |               |                  |                |   |                  | 1,695              |
| Bangladesh                |                   | 130               |                   |                  |                |               |                  |                |   |                  | 130                |
| Bosnia and Herzegovina    |                   | 424               |                   |                  |                |               |                  |                |   |                  | 424                |
| Brazil                    |                   | 6,340,169         | 289,912           | 211,460          |                |               |                  |                |   |                  | 6,841,541          |
| Burkina Faso              |                   | 117,810           |                   |                  |                |               |                  |                |   |                  | 117,810            |
| Chile                     |                   | 4,425             |                   |                  |                |               |                  |                |   |                  | 4,425              |
| China                     |                   | 0                 | 4,816,550         | 3,113,043        |                | 13,926        |                  |                |   |                  | 7,943,519          |
| Colombia                  | 170               | 62,545            |                   |                  |                |               | 660,000          | 280,000        |   |                  | 1,002,715          |
| Costa Rica                |                   | 14,652            |                   |                  |                |               |                  |                |   |                  | 14,652             |
| Cuba                      | 2,456,042         | 14,909            |                   |                  |                |               |                  |                |   |                  | 2,470,951          |
| Dominican Rep             |                   | 15,948            |                   |                  |                |               |                  |                |   |                  | 15,948             |
| Egypt                     | 124               | 405               |                   |                  |                |               |                  |                |   |                  | 529                |
| Ethiopia                  |                   | 48,618            |                   |                  |                |               |                  |                |   |                  | 48,618             |
| Ghana                     |                   | 84                |                   |                  |                |               |                  |                |   |                  | 84                 |
| India                     |                   | 1,764             | 1,064,815         | 86,992           |                |               |                  |                |   |                  | 1,153,571          |
| Iran                      |                   |                   | 23,108,891        |                  |                |               |                  |                |   | 1,787,283        | 24,896,174         |
| Israel                    |                   | 41,760            |                   | 252,000          | 283,050        |               |                  |                |   |                  | 576,810            |
| Japan                     |                   | 617,576           |                   |                  |                |               |                  |                |   |                  | 617,576            |
| Jordan                    |                   | 7,722             |                   |                  |                |               |                  |                |   |                  | 7,722              |
| Kenya                     |                   | 29,919            |                   |                  |                |               |                  |                |   |                  | 29,919             |
| Kuwait                    |                   | 103               |                   |                  |                |               |                  |                |   |                  | 103                |
| Libya                     |                   | 49,163            |                   |                  |                |               |                  |                |   |                  | 49,163             |
| Madagascar                |                   | 153               |                   |                  |                |               |                  |                |   |                  | 153                |
| Malaysia                  |                   | 131               |                   |                  |                | 12,660        |                  |                |   |                  | 12,791             |
| Mali                      |                   | 14,581            |                   |                  |                |               |                  |                |   |                  | 14,581             |
| Mexico                    |                   |                   | 425,000           |                  |                |               |                  |                |   |                  | 425,000            |
| Morocco                   |                   | 513,300           |                   |                  |                |               |                  |                |   |                  | 513,300            |
| Netherlands (N. Antilles) |                   | 416,857           |                   |                  |                |               |                  |                |   |                  | 416,857            |
| New Zealand               |                   | 1,139             |                   |                  |                |               |                  |                |   |                  | 1,139              |
| Nigeria                   |                   | 239,940           |                   |                  |                |               |                  |                |   |                  | 239,940            |
| Norway                    |                   | 111,451           |                   |                  |                |               |                  |                |   |                  | 111,451            |
| Panama                    |                   | 7,569             |                   |                  |                |               |                  |                |   |                  | 7,569              |
| Paraguay                  |                   | 25,920            | 319,469           |                  |                |               |                  |                |   |                  | 345,389            |
| Peru                      |                   | 15,403            |                   |                  |                |               | 400,000          | 210,000        |   |                  | 625,403            |
| Russia                    | 581               | 2,037             |                   | 397,081          |                |               |                  |                |   |                  | 399,699            |
| Saudi Arabia              |                   | 154,751           |                   |                  |                |               |                  |                |   |                  | 154,751            |
| Singapore                 | 95                | 1,783             |                   |                  |                |               |                  |                |   |                  | 1,878              |
| South Africa              |                   | 162,018           | 1,200,000         |                  |                |               |                  |                |   |                  | 1,362,018          |
| Sudan                     |                   | 43                |                   |                  |                |               |                  |                |   |                  | 43                 |
| Switzerland               |                   | 19,230            |                   |                  |                |               |                  |                |   |                  | 19,230             |
| Syria                     |                   | 10                | 1,382             |                  |                |               |                  |                |   |                  | 1,392              |
| Taiwan                    | 628               | 82,358            |                   |                  |                |               |                  |                |   |                  | 82,986             |
| Thailand                  |                   | 17,090            |                   |                  |                |               |                  |                |   |                  | 17,090             |
| Togo                      |                   | 47                |                   |                  |                |               |                  |                |   |                  | 47                 |
| Trinidad and Tobago       |                   | 1,116             |                   |                  |                |               |                  |                |   |                  | 1,116              |
| Tunisia                   |                   | 11,926            |                   |                  |                |               |                  |                |   |                  | 11,926             |
| Turkey                    |                   | 559,385           |                   |                  |                |               |                  |                |   |                  | 559,385            |
| U Arab Emirates           | 52                | 35                |                   |                  |                |               |                  |                |   |                  | 87                 |
| Ukraine                   |                   | 21,600            |                   |                  |                |               |                  |                |   |                  | 21,600             |
| United States             | 56,559,604        | 2,078,063         |                   | 13,512           |                |               |                  |                |   |                  | 58,651,179         |
| Uruguay                   |                   | 29,106            |                   |                  |                |               |                  |                |   |                  | 29,106             |
| Venezuela                 |                   | 2,504,020         | 522,350           |                  |                |               |                  |                |   |                  | 3,026,370          |
| Vietnam                   |                   | 51                |                   |                  |                |               |                  |                |   |                  | 51                 |
| Yemen                     |                   | 146               |                   |                  |                |               |                  |                |   |                  | 146                |
| <b>TOTAL</b>              | <b>59,024,136</b> | <b>15,134,580</b> | <b>32,358,369</b> | <b>4,094,074</b> | <b>283,050</b> | <b>26,586</b> | <b>1,060,000</b> | <b>490,000</b> |   | <b>1,787,283</b> | <b>114,258,078</b> |

**EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES  
INDICATING THE NATURE OF THE USER AND END USE  
2007**

| Country                   | End user        | End use | Percentage |
|---------------------------|-----------------|---------|------------|
| Algeria                   | Private company | Private | 100        |
| Argentina                 | Private company | Private | 100        |
| Australia                 | Private company | Private | 100        |
| Bangladesh                | Private company | Private | 100        |
| Bosnia-Herzegovina        | Private company | Private | 100        |
| Brazil                    | Private company | Private | 100        |
| Burkina Faso              | Private company | Private | 100        |
| Chile                     | Private company | Private | 100        |
| China                     | Private company | Private | 93.58      |
|                           | Public company  | Public  | 6.42       |
| Colombia                  | Private company | Private | 6.25       |
|                           | Public company  | Public  | 93.75      |
| Costa Rica                | Private company | Private | 100        |
| Cuba                      | Private company | Private | 100        |
| Dominican Republic        | Private company | Private | 100        |
| Egypt                     | Private company | Private | 100        |
| Ethiopia                  | Private company | Private | 100        |
| Ghana                     | Private company | Private | 100        |
| India                     | Private company | Private | 100        |
| Iran                      | Private company | Private | 17.51      |
|                           | Public company  | Public  | 82.49      |
| Israel                    | Private company | Private | 50.93      |
|                           | Public company  | Public  | 49.07      |
| Japan                     | Private company | Private | 100        |
| Jordan                    | Private company | Private | 100        |
| Kenya                     | Private company | Private | 100        |
| Kuwait                    | Private company | Private | 100        |
| Libya                     | Private company | Private | 100        |
| Madagascar                | Private company | Private | 100        |
| Malaysia                  | Private company | Private | 100        |
| Mali                      | Private company | Private | 100        |
| Mexico                    | Private company | Private | 100        |
| Morocco                   | Private company | Private | 94.08      |
|                           | Public company  | Public  | 5.92       |
| Netherlands (N. Antilles) | Public company  | Public  | 100        |
| New Zealand               | Private company | Private | 100        |
| Nigeria                   | Private company | Private | 100        |
| Norway                    | Private company | Private | 100        |
| Panama                    | Private company | Private | 100        |
| Paraguay                  | Private company | Private | 100        |
| Peru                      | Private company | Private | 2.46       |
|                           | Public company  | Public  | 97.54      |
| Russia                    | Private company | Private | 100        |
| Saudi Arabia              | Private company | Private | 100        |
| Singapore                 | Private company | Private | 100        |
| South Africa              | Private company | Private | 100        |
| Sudan                     | Private company | Private | 100        |
| Switzerland               | Private company | Private | 100        |

| EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES<br>INDICATING THE NATURE OF THE USER AND END USE<br>2007 (Continued) |                 |         |            |
|--|-----------------|---------|------------|
| Country  | End user        | End use | Percentage |
| Syria  | Private company | Private | 100        |
| Taiwan   | Private company | Private | 100        |
| Thailand   | Private company | Private | 100        |
| Togo   | Private company | Private | 100        |
| Trinidad and Tobago  | Private company | Private | 100        |
| Tunisia  | Private company | Private | 100        |
| Turkey   | Private company | Private | 100        |
| U Arab Emirates  | Private company | Private | 100        |
| Ukraine  | Private company | Private | 100        |
| United States  | Private company | Private | 100        |
| Uruguay  | Private company | Private | 100        |
| Venezuela  | Private company | Private | 14.91      |
|  | Public company  | Public  | 85.09      |
| Vietnam  | Private company | Private | 100        |
| Yemen  | Private company | Private | 100        |

| APPLICATION OF THE CATCH-ALL CLAUSE IN THE EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES<br>2007 |        |   |   |
|--|--------|---|---|
| Country  | Number | Item  | Reason  |
| Iran   | 13     | Steel tubes, machine-tools and centrifuge pumps | Risk of being diverted to nuclear and missile proliferation |
| Syria  | 5      | Machine-tools                                   | Risk of being diverted to nuclear and missile proliferation |

**CORRESPONDENCE BETWEEN THE 10 STATISTICAL CATEGORIES AND THE CATEGORIES OF PRODUCTS AND TECHNOLOGIES UNDER REGULATION 1334/2000 AND SUBSEQUENT AMENDMENTS**

| Category | Description 10 categories                                | List of products included   |
|----------|--|---|
| 0        | Nuclear material, facilities and equipment               | Nuclear reactors, plants for the separation of isotopes of natural uranium, depleted uranium and fissile materials, gas centrifuges, mass spectrometers, graphite electrodes  |
| 1        | Materials, chemicals, "microorganisms" and "toxins"      | Gas masks, body armour, personal dosimeters, prepregs, tools, dies, moulds, continuous mixers, filament winding machines, fluids and lubricating materials, fluorides, sulphides, cyanides and halogenated derivatives  |
| 2        | Processing of materials                                  | Bearings, crucibles, machine tools, isostatic presses, measuring instruments, robots, motion simulators and machining centres   |
| 3        | Electronics  | Electronic components, integrated circuits, microprocessor microcircuits, programmable gate logic arrays, microwave components, mixers and converters and electrically fired explosive detonators   |
| 4        | Computers  | Electronic, hybrid, digital, analogue, systolic array, neural and optical computers   |
| 5        | Telecommunications and "information security"            | Telecommunications transmission equipment and systems, underwater communication systems, radio equipment, optic fibre cables, telemetering and telecontrol equipment and security systems   |
| 6        | Sensors and lasers                                       | Acoustics, image intensifier tubes, optical sensors, instrumentation cameras, optics, lasers, gravity meters, gravity gradiometers and radar systems  |
| 7        | Navigation and avionics                                  | Inertial navigation accelerometers, gyros, GPS and GLONASS, hydraulic, mechanical, electro-optical and electro-mechanical flight control systems including <i>fly-by-wire</i> types   |
| 8        | Marine   | Submersible vehicles and surface vessels, hydrofoil vessels, underwater vision systems, diving and underwater swimming apparatus  |
| 9        | Propulsion systems, space vehicles and related equipment | aero and marine gas turbine engines, space launchers and space vehicles, solid and liquid rocket propulsion systems, ramjet, turbojet and turbofan engines, sounding rockets, hybrid rocket propulsion systems, launch support equipment, environmental and anechoic chambers and re-entry vehicles |



## **ANNEX IV. LICENSES PROCESSED AND OPERATIONS EXEMPTED**

### NUMBER OF EXPORT LICENSES PROCESSED

2007

| DEFENCE MATERIAL                |          |         |         |        |           |       |
|---------------------------------|----------|---------|---------|--------|-----------|-------|
| TYPE OF LICENSE                 | Approved | Pending | Expired | Denied | Abandoned | TOTAL |
| INDIVIDUAL                      | 495      | 46      | 11      | 6      | 105       | 663   |
| GLOBAL                          | 5        |         |         |        |           | 5     |
| PRIOR AGREEMENTS                | 23       |         |         |        |           | 23    |
| TEMPORARY                       | 180      |         | 1       |        | 2         | 183   |
| GLOBAL PROJECT                  | 5        |         | 2       |        |           | 7     |
| EXPORT RECTIFICATION            | 236      |         | 1       | 1      | 1         | 238   |
| INWARD PROCESSING TRAFFIC       | 2        |         |         |        |           | 2     |
| OTHER MATERIAL                  |          |         |         |        |           |       |
| TYPE OF LICENSE                 | Approved | Pending | Expired | Denied | Abandoned | TOTAL |
| INDIVIDUAL                      | 7        |         | 3       |        |           | 10    |
| EXPORT RECTIFICATION            | 5        |         |         |        |           | 5     |
| DUAL-USE ITEMS AND TECHNOLOGIES |          |         |         |        |           |       |
| TYPE OF LICENSE                 | Approved | Pending | Expired | Denied | Abandoned | TOTAL |
| INDIVIDUAL                      | 360      | 7       | 1       | 24     | 15        | 407   |
| GLOBAL                          | 2        |         |         |        |           | 2     |
| EXPORT RECTIFICATION            | 23       |         |         |        | 1         | 24    |
| PRIOR AGREEMENTS                | 1        |         |         |        |           | 1     |

| LICENSE PROCESSING TIME FOR DEFENCE MATERIAL, OTHER MATERIAL AND DUAL-USE ITEMS AND TECHNOLOGIES<br>2007 |                    |               |        |
|--|--------------------|---------------|--------|
| DEFENCE MATERIAL   | Preliminary report | = 0 < 30 days | 56.5%  |
|  |                    | > 30 days     | 43.5 % |
|  | Exempt from report | = 0 < 5 days  | 49.5%  |
|  |                    | > 5 days      | 50.5%  |
| OTHER MATERIAL   | Preliminary report | = 0 < 30 days | 50%    |
|  |                    | > 30 days     | 50%    |
| DUAL-USE ITEMS AND TECHNOLOGIES  | Preliminary report | = 0 < 30 days | 60%    |
|  |                    | > 30 days     | 40%    |
|  | Exempt from report | = 0 < 5 days  | 67.5%  |
|  |                    | > 5 days      | 32.5%  |

| TRENDS IN THE EXPORT OF DEFENCE MATERIAL, OTHER MATERIAL AND DUAL-USE ITEMS AND TECHNOLOGIES<br>2007 |                               |                             |                       |
|--|-------------------------------|-----------------------------|-----------------------|
|  | DEFENCE MATERIAL<br>(€ Value) | OTHER MATERIAL<br>(€ Value) | DUAL-USE<br>(€ Value) |
| Authorised   | 1,961,090,360                 | 128,160                     | 154,615,960           |
| Undertaken   | 932,941,360                   | 216,664                     | 114,258,078           |
| Percentage   | 47.57                         | 169.06                      | 73.90                 |

## DEFENCE MATERIAL OPERATIONS EXEMPT FROM THE JIMDDU PRELIMINARY REPORT AND END-USE CONTROL DOCUMENTS

2007

| Art,<br>RMD  | Eurofighter | A400M    | Tiger<br>Eurocopter | Leopard  | Iris-T<br>missile | Meteor<br>Missile | MIDS     | Fuel      | Return to<br>origin | Under<br>€12,000 |
|--------------|-------------|----------|---------------------|----------|-------------------|-------------------|----------|-----------|---------------------|------------------|
| 1            |             |          |                     |          |                   |                   |          |           | 99                  | 5                |
| 2            |             |          |                     |          |                   |                   |          |           | 65                  | 1                |
| 3            |             |          |                     |          |                   |                   |          |           | 24                  |                  |
| 4            |             |          |                     |          | 3                 | 1                 |          |           | 11                  | 12               |
| 6            |             |          |                     | 7        |                   |                   |          |           | 5                   | 11               |
| 8            |             |          |                     |          |                   |                   |          | 20        | 6                   |                  |
| 10           | 32          | 1        |                     |          |                   |                   |          |           | 2                   | 1                |
| 11           |             |          | 2                   |          |                   |                   |          |           | 3                   |                  |
| 15           |             |          |                     |          |                   |                   | 1        |           |                     |                  |
| 22           |             |          | 1                   |          |                   |                   |          |           |                     |                  |
| <b>TOTAL</b> | <b>32</b>   | <b>1</b> | <b>3</b>            | <b>7</b> | <b>3</b>          | <b>1</b>          | <b>1</b> | <b>20</b> | <b>215</b>          | <b>30</b>        |

DUAL-USE ITMES AND TECHNOLOGIES OPERATIONS EXEMPT FROM THE JIMDDU  
PRELIMINARY REPORT AND AND-USE CONTROL DOCUMENTS  
2007

| Category     | Exemption from Board Report    |                | Exemption from control document                 |
|--------------|--------------------------------|----------------|---|
|              | Non-proliferation<br>countries | fora<br>member | Regulation (EC) 1504/2004 Annex II<br>countries |
| 1            | 125                            |                | 7   |
| 2            | 12                             |                |   |
| 3            | 11                             |                |   |
| 6            | 1                              |                |   |
| 7            | 1                              |                |   |
| <b>TOTAL</b> | <b>150</b>                     |                | <b>7</b>  |



## **ANNEX V. SPANISH STATISTICS AS PER THE UNITED NATIONS REGISTER OF CONVENTIONAL ARMS**

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This Annex outlines Spain's contribution to the United Nations Register of Conventional Arms with a table showing exports of the seven categories of conventional arms and another table showing the exports of small arms and light weapons.

This contribution is voluntary in nature.

The following are included in the seven categories of conventional arms: battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships and missiles and missile launchers.

The following categories are included under the "small arms" classification: revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, light machine guns and others. Under light weapons we have: heavy machine guns, portable anti-aircraft weapons, hand-held underbarrel and mounted grenade launchers, portable anti-tank guns, recoilless rifles, portable anti-tank missile launchers and rocket systems, mortars of calibres less than 75 mm and others.

Information exchange regarding arms recipients, the complete product excluding components and munitions is limited to the armed and security Forces and regarding countries of destination to United Nations member countries.

**Information o international export transfers of conventional arms, small arms and light weapons.**

**Exports**

Country submitting information: Spain

National contact point: Ministry of Foreign Affairs and Cooperation

Calendar year: 2007

**Conventional arms**

| A  | B                     | C                | D                                     | E                                     | Observations             |                            |
|--|-----------------------|------------------|---------------------------------------|---------------------------------------|--------------------------|----------------------------|
| Categories (I-VII)                           | End importer state(s) | Number of pieces | State of origin (if not the exporter) | Intermediate location (if applicable) | Description of the piece | Commentary on the transfer |
| I. Battle tanks                              |                       |                  |                                       |                                       |                          |                            |
| II. Armoured combat vehicles                 |                       |                  |                                       |                                       |                          |                            |
| III. Large-calibre artillery systems         | Colombia              | 13               |                                       |                                       | 155 mm howitzers         | EUC                        |
| IV. Combat aircraft                          |                       |                  |                                       |                                       |                          |                            |
| V. Attack helicopters                        |                       |                  |                                       |                                       |                          |                            |
| VI. Warships                                 | Norway                | 1                |                                       |                                       | Frigate                  | IIC                        |
| VII. Missiles and a) missile launchers d) b) |                       |                  |                                       |                                       |                          |                            |

**Small arms and light weapons**

| A  | B  | C                          | D                                     | E                                     | Observations                          |                                      |
|--|--|----------------------------|---------------------------------------|---------------------------------------|---------------------------------------|--------------------------------------|
| Category VIII  | End importer state(s)  | Number of pieces           | State of origin (if not the exporter) | Intermediate location (if applicable) | Description of the piece              | Commentary on the transfer           |
| <b>Small arms</b>  |  |                            |                                       |                                       |                                       |                                      |
| 1. Revolvers and self-loading pistols                      | Egypt<br>Indonesia<br>Sri Lanka                              | 100<br>20<br>1             |                                       |                                       | Pistols<br>"<br>"                     | EUC<br>"<br>"                        |
| 2. Rifles and carbines                                     |  |                            |                                       |                                       |                                       |                                      |
| 3. Sub-machine guns  |  |                            |                                       |                                       |                                       |                                      |
| 4. Assault rifles  |  |                            |                                       |                                       |                                       |                                      |
| 5. Light machine guns                                      | Egypt  | 1                          |                                       |                                       | Machine gun                           | Exempt from control document (tests) |
| 6. Others  |  |                            |                                       |                                       |                                       |                                      |
| <b>Light weapons</b>                                       |  |                            |                                       |                                       |                                       |                                      |
| 1. Heavy machine guns                                      |  |                            |                                       |                                       |                                       |                                      |
| 2. Hand-held underbarrel and mounted grenade launchers     | El Salvador<br>U.A. Emirates<br>India<br>Oman<br>Switzerland | 152<br>4<br>64<br>338<br>4 |                                       |                                       | Grenade launchers<br>"<br>"<br>"<br>" | EUC<br>"<br>"<br>"<br>IIC            |
| 3. Portable anti-tank guns                                 |  |                            |                                       |                                       |                                       |                                      |
| 4. Recoilless rifles                                       |  |                            |                                       |                                       |                                       |                                      |
| 5. Portable anti-tank missile launchers and rocket systems |  |                            |                                       |                                       |                                       |                                      |
| 6. Mortars of calibres less than 75 mm                     | Denmark<br>Netherlands                                       | 15<br>1                    |                                       |                                       | Mortars<br>"                          | IIC<br>"                             |
| 7. Others  |  |                            |                                       |                                       |                                       |                                      |

Note - The recipients are the Armed Forces and Law Enforcement Officials and the products are complete with the exclusion of parts and munitions.

## **ANNEX VI. SPANISH STATISTICS AS PER THE OSCE DOCUMENT ON SMALL ARMS AND LIGHT WEAPONS**

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In accordance with the OSCE Document concerning small arms and light weapons Spain, as a participating State, must submit on an annual basis and using the agreed format, the information regarding the export and import to and from the rest of the participating States.

The said Document defines as small arms those intended for use by individual members of the armed forces or law enforcement officials. Included under this denomination are revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns. In this same Document, light weapons are defined as those intended for use by several members of the armed forces or law enforcement officials acting collectively including: 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 launching systems and mortars of calibres less than 100 mm calibre.

This Annex presents 2007 data concerning authorisations and exports actually undertaken. The data set out in this section do not necessarily have to coincide with those presented in the tables found in Annexes II and V given that the exchange of information in the OSCE is limited, first of all, to the armed Forces and law enforcement officials in respect of the consignees of the arms and to OSCE countries in terms of countries of destination.

**EXPORTS AUTHORISED IN 2007**  
**Annual information regarding the export of small arms and light weapons**

Reporting country Spain Reporting year: 2007  
 Original language: Spanish Date of the report: May 2008

| Category and sub-category                                     | End importing State    | Number of products | State of origin (if not the importer) | Intermediate situation (if applicable) | Commentary on the transfer* |
|---|------------------------|--------------------|---------------------------------------|--|-----------------------------|
| <b>A. Small arms</b>  |                        |                    |                                       |  |                             |
| 1. Revolvers and self-loading pistols                         |                        |                    |                                       |  |                             |
| 2. Rifles and carbines  |                        |                    |                                       |  |                             |
| 3. Sub-machine guns   |                        |                    |                                       |  |                             |
| 4. Assault rifles   |                        |                    |                                       |  |                             |
| 5. Light machine guns   |                        |                    |                                       |  |                             |
| <b>B. Light weapons</b>                                       |                        |                    |                                       |  |                             |
| 1. Heavy machine guns   |                        |                    |                                       |  |                             |
| 2. Hand-held under-barrel and mounted grenade launchers       | Switzerland            | 4                  |                                       |  | IIC                         |
| 3. Portable anti-aircraft guns                                |                        |                    |                                       |  |                             |
| 4. Portable anti-tank guns                                    |                        |                    |                                       |  |                             |
| 5. Recoilless cannons   |                        |                    |                                       |  |                             |
| 6. Portable launchers of anti-tank missile and rocket systems |                        |                    |                                       |  |                             |
| 7. Portable launchers of anti-aircraft missile systems        |                        |                    |                                       |  |                             |
| 8. Mortars of calibres less than 100 mm                       | Denmark<br>Netherlands | 101<br>1           |                                       |  | IIC<br>"                    |

\* Control document.

Note - The recipients are the Armed Forces and Law Enforcement Officials of the OSCE countries and the products are complete with the exclusion of parts and munitions.

**EXPORTS UNDERTAKEN IN 2007**  
**Annual information regarding the export of small arms and light weapons**

| Reporting country Spain  | Reporting year: 2007         |                    |                                       |  |                             |
|--|------------------------------|--------------------|---------------------------------------|--|-----------------------------|
| Original language: Spanish                                     | Date of the report: May 2008 |                    |                                       |  |                             |
| Category and sub-category                                      | End importing State          | Number of products | State of origin (if not the importer) | Intermediate situation (if applicable) | Commentary on the transfer* |
| <b>C. Small arms</b>   |                              |                    |                                       |  |                             |
| 6. Revolvers and self-loading pistols                          |                              |                    |                                       |  |                             |
| 7. Rifles and carbines   |                              |                    |                                       |  |                             |
| 8. Sub-machine guns  |                              |                    |                                       |  |                             |
| 9. Assault rifles  |                              |                    |                                       |  |                             |
| 10. Light machine guns   |                              |                    |                                       |  |                             |
| <b>D. Light weapons</b>  |                              |                    |                                       |  |                             |
| 9. Heavy machine guns  |                              |                    |                                       |  |                             |
| 10. Hand-held under-barrel and mounted grenade launchers       | Switzerland                  | 4                  |                                       |  | IIC                         |
| 11. Portable anti-aircraft guns                                |                              |                    |                                       |  |                             |
| 12. Portable anti-tank guns                                    |                              |                    |                                       |  |                             |
| 13. Recoilless cannons   |                              |                    |                                       |  |                             |
| 14. Portable launchers of anti-tank missile and rocket systems |                              |                    |                                       |  |                             |
| 15. Portable launchers of anti-aircraft missiles               |                              |                    |                                       |  |                             |
| 16. Mortars of calibres less than 100 mm                       | Denmark<br>Netherlands       | 15<br>1            |                                       |  | IIC<br>"                    |

\* Control document.

Note - The recipients are the Armed Forces and Law Enforcement Officials of the OSCE countries and the products are complete with the exclusion of parts and munitions.



## **ANNEX VII. EUROPEAN UNION CODE OF CONDUCT ON ARMS EXPORTS**

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The Council of the European Union,

BUILDING on the Common criteria agreed at the Luxembourg and Lisbon European Councils in 1991 and 1992,

RECOGNISING the special responsibility of arms exporting states,

DETERMINED to set high common standards which should be regarded as the minimum for the management of, and restraint in, conventional arms transfers by all EU Member States, and to strengthen the exchange of relevant information with a view to achieving greater transparency,

DETERMINED to prevent the export of equipment which might be used for internal repression or international aggression, or to contribute to regional instability,

WISHING within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of conventional arms exports,

NOTING complementary measures taken by the EU against illicit transfers, in the form of the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms,

ACKNOWLEDGING the wish of EU Member States to maintain a defence industry as part of their industrial base as well as their defence effort,

RECOGNISING that states have a right to transfer the means of self-defence, consistent with the right of self-defence recognised in the UN Charter,

have adopted the following Code of Conduct and operative provisions:

### CRITERION ONE

*Respect for the international commitments of EU Member State, in particular the sanctions decreed by the UN Security Council and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations.*

An export licence should be refused if approval would be inconsistent with, inter alia:

- a) The international obligations of Member States and their commitments to enforce UN, OSCE and EU 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) their commitments in the frameworks of the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement;
- d) their commitment not to export any form of anti-personnel landmine.

### CRITERION TWO

*The respect of human rights in the country of final destination*

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

- a) not issue an export licence if there is a clear risk that the proposed export might be used for internal repression;
- b) exercise special caution and vigilance in issuing licenses, on a case-by-case basis and taking account of the nature of the equipment, to countries where serious violations of human rights have been established by the competent bodies of the UN or by the EU.

For these purposes, equipment which might be used for internal repression will include, inter alia, equipment where there is evidence of the use of this or similar equipment for internal repression by the proposed end-user, or where there is reason to believe that the equipment will be diverted from its stated end-use or end-user and used for internal repression. In line with operative paragraph 1 of this Code, the nature of the 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 detentions 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.

#### CRITERION THREE

*The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.*

Member States will not allow exports which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

#### CRITERION FOUR

*Preservation of regional peace, security and stability*

Member States will not issue an export licence if there is a clear risk that the intended recipient would use the proposed export aggressively against another country or to assert by force a territorial claim.

When considering these risks, EU Member States will 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) whether the equipment would be likely to be 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.

## CRITERION FIVE

*The 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 proposed export on their defence and security interests and those of friends, allies and other Member States, while recognising that this factor cannot affect consideration of the criteria on respect of human rights and on regional peace, security and stability;
- b) the risk of use of the goods concerned against their Forces or those of friends, allies or other Member States;
- c) the risk of reverse engineering or unintended technology transfer.

## CRITERION SIX

*The behaviour of the buyer country with regard to the international community, as regards in particular to its attitude to terrorism, the nature of its alliances and respect for international law.*

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

- a) its support or encouragement of terrorism and international organised crime;
- b) its compliance with its international commitments, in particular on the non-use of force, including under international humanitarian law

applicable to international and non-international conflicts;

- 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 sub-paragraph b) of Criterion One.

## CRITERION SEVEN

*The existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions.*

In assessing the impact of the proposed export on the importing country and the risk that exported goods might be diverted to an undesirable end-user, the following will be considered:

- a) the legitimate defence and domestic security interests of the recipient country, including any involvement in UN or other peacekeeping activity;
- b) the technical capability of the recipient country to use the equipment;
- c) the capability of the recipient country to exert effective export controls;
- d) the risk of the arms being re-exported or diverted to terrorist organisations (anti-terrorist equipment would need particularly careful consideration in this context).

## CRITERION EIGHT

*The compatibility of the arms exports with the technical and economic capacity*

*of the recipient country, taking into account the desirability that states should achieve their legitimate needs of security and defence with the least diversion for armaments of human and economic resources.*

Member States will take into account, in the light of information from relevant sources such as the UNDP, World Bank, IMF and OECD reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They will consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid.

#### OPERATIVE PROVISIONS

1. Each EU Member State will assess export licence applications for military equipment made to it on a case-by-case basis against the provisions of the Code of Conduct.
2. This code will not infringe on the right of Member States to operate more restrictive national policies.
3. EU Member States will circulate through diplomatic channels details of licences refused in accordance with the Code of Conduct for military equipment together with an explanation of why the licence has been refused. The details to be notified are set out in the form of a draft pro-forma at Annex A. 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 will 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 will notify the Member State or States issuing the denial(s), giving a detailed explanation of its reasoning.
4. EU Member States will keep such denials and consultations confidential and will not use them for commercial advantage.
5. EU Member States will work for the early adoption of a common list of military equipment covered by the Code, based on similar national and international lists. Until then, the Code will operate on the basis of national control lists incorporating, where appropriate, elements from relevant international lists.
6. The criteria in this Code and the consultation procedure provided for by paragraph 3 of the operative provisions will also apply to dual-use goods as specified in Annex 1 of Council Decision 94/942/CFSP as amended, where there are grounds for believing that the end-user of such goods will be the armed Forces

- or internal security Forces or similar entities in the recipient country.
7. In order to maximise the efficiency of this Code, EU Member States will work within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of conventional arms exports.
  8. Each EU Member State will circulate to other EU Partners in confidence an annual report on its defence exports and on its implementation of the Code. These reports will be discussed at an annual meeting held within the framework of the CFSP. The meeting will also review the operation of the Code, identify any improvements which need to be made and submit to the Council a consolidated report, based on contributions from Member States.
  9. EU Member States will, as appropriate, assess jointly through the CFSP framework the situation of potential or actual recipients of arms exports from EU Member States, in the light of the principles and criteria of the Code of Conduct.
  10. It is recognised that Member States, where appropriate, may also take into account the effect of proposed exports on their economic, social, commercial and industrial interests, but that these factors will not affect the application of the above criteria.
  11. EU Member States will use their best endeavours to encourage other arms exporting states to subscribe to the principles of this Code of Conduct.
  12. This Code of Conduct and the operative provisions will replace any previous elaboration of the 1991 and 1992 Common Criteria.

## Annex A

*(Name of Member State) has the honour to inform partners of the following denial under the EU Code of Conduct:*

*Destination Country:* .....

Short description of equipment, including quantity and, where appropriate, technical specifications: .....

*Proposed consignee:* .....

*Proposed end-user (if different):* .....

*Reason for refusal:* .....

Date of denial: .....

## **ANNEX VIII. INTERNATIONAL CONTROL FORA**

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### **A. Wassenaar Arrangement (WA)**

The Wassenaar Arrangement dates back to 19 December 1995 when it replaced the Coordination Committee on Multilateral Strategic Export Controls (COCOM). This latter organisation was in operation from 1950 until March of 1994 and was based on a series of informal agreements between the governments of 17 countries (NATO countries) along with Japan and Australia and 6 collaborating nations (Austria, Finland, Ireland, New Zealand, Sweden and Switzerland). With the fall of the Berlin Wall in November 1989 and the end of the Cold War, the COCOM Member States decided that it no longer made sense to persevere in a common control system for the export of sensitive products and technologies with respect to countries from the defunct Warsaw Pact.

However, the existence of regional conflicts and the underlying threat of the possible stockpiling of weapons of mass destruction in some regions, called for some sort of general agreement based on the control of the export of arms and dual-use items and technologies. Subsequent to a series of drawn-out discussions, the decision was taken to negotiate a new, less restrictive agreement which did not focus on a block of "banned nations". Finally on 19 December 1995 a "minimum" agreement known as the "Wassenaar Arrangement" was reached at the meeting held at the Dutch city of Wassenaar. In addition to the COCOM member nations and the six collaborating countries, the agreement was subscribed to by Russia and four other ex-socialist block

countries (Hungary, Poland, the Czech Republic and Slovakia). These 28 founding countries were later joined by a further five (Argentina, Bulgaria, South Korea, Romania and Ukraine). Slovenia was admitted in December 2004 and Estonia, Latvia, Lithuania, Croatia and Malta in 2005. Today there are a total of 40 members.

Spain joined the COCOM in 1985. The Arrangement's Secretariat is located in Vienna.

The Arrangement has two export control lists: The Munitions List and the Dual-Use List. The Dual-Use List, in turn, has two annexes: the first corresponds to sensitive products and technologies (Sensitive List) while the second addresses very sensitive products and technologies (Very Sensitive List).

The Wassenaar dual-use list basically corresponds to Categories 1 to 9 of Annex I of Regulation (EC) 1334/2000 (amended by Regulation 2432/2001 of 20 November, 394/2006 of 27 February) the former including a category 0 of nuclear material and a more extensive list of products from other fora (the Australia Group and the Missile Technology Control Regime).

The main goal of the Arrangement is to foster international transparency, develop effective cooperation and information systems and encourage greater responsibility in respect of foreign trade in defence and dual-use material, preventing the stockpiling of weapons that could endanger global security and the stability of the most conflictive regions. Since its creation the Arrangement has undergone two review processes in 1999 and 2003.

## B. Nuclear Suppliers Group (NSG)

The NSG is a group formed by nuclear supplier countries whose aim is to contribute to the non-proliferation of nuclear weapons through compliance with two sets of Guidelines applicable to the export of nuclear products and likewise of materials, software and related technology without hindering international trade and cooperation in the peaceful use of nuclear energy.

Part I of the NSG guidelines lays down the fundamental principles concerning export safeguards and controls applicable to nuclear transfers for peaceful purposes to any State which does not possess nuclear arms and, in the case of re-transfer control, it applies to all nations.

The aforementioned guidelines require formal guarantees from the recipient government assuring the peaceful use of the products exported (non-proliferation policy, blanket safeguards, physical protection, etc.). This first set of guidelines applies to an initial list known as the Trigger List which includes nuclear material and specific equipment for nuclear purposes as well as related technology. Part 2 of the NSG guidelines governs the export, to any country, of a list of dual-use nuclear-industrial material and technology which could play an important role in nuclear explosive activities or in the nuclear fuel cycle not subject to safeguards but which are widely used in industry.

The NSG has a Consultation Group which was created in 2001 for the study of the guidelines and technical annexes of both parties. The plenary session is held once yearly taking decision by consensus. The NSG does not have a

headquarters but rather a contact point housed in Japan's Permanent Mission at Vienna. It is comprised of 45 member countries. Spain became a member of the NSG in 1988.

Aside from the NSG, there is the so-called Zangger Committee (ZC) also known as the Nuclear Exporters Committee constituted as another nuclear non-proliferation forum with the aim of achieving the standard enforcement of article III.2 of the Non-Proliferation Treaty (NPT).

The NSG and Zangger Committee guidelines and control lists are published by the IAEA under the name of INFCIRC 254/ Part 1, INFCIRC 254/ Part 2 and INFCIRC 209, respectively.

## C. Missile Technology Control Regime (MTCR)

The MTCR is an export control regime aimed at restricting the proliferation of certain missile systems and unmanned aerial vehicles and related technology, of systems capable of transporting a payload of 500 kg over a distance of 300 km and likewise of systems capable of transporting weapons of mass destruction.

The Regime was created in 1987 by 7 nations concerned about the proliferation of missiles capable of carrying nuclear warheads. It is currently formed by 34 Member States. Spain joined the Regime in 1989. The Regime's point of contact is in Paris.

Being an MTCR member entails the adoption of common guidelines regarding export policies applicable to an Annex of equipment, software and technology which includes a wide range of military and dual-use products which are important for the development, production and deployment of missiles.

MTCR guidelines call for the enforcement of restrictions concerning the approval of all transfers of the products listed in the Annex. These transfers must be considered on a case-by-case basis.

The MTCR Annex (list of products subject to control) is divided into two categories:

- “Category I Products”: These include complete missile and unmanned aerial vehicle systems with a “range/payload” of over 300 km/500 kg, facilities for their manufacture and their main sub-systems. These are considered highly sensitive products subject to a “high likelihood of export denial”. Transfer of production facilities for Category I products is strictly prohibited.
- “Category II Products”: These include the remainder of the Annex; i.e. the complete missile and unmanned aerial vehicle systems not included in Category I with a range of 300 km or greater and likewise a wide array of equipment, material and technology much of which have other uses other than their application in missiles under the MTCR. Despite export restrictions these materials do not generally encounter great difficulties in procuring authorisation providing that their end use is not related to the development of missiles regulated by the MTCR.

The Regime is not intended to hinder national space or international cooperation programmes providing that

the said programmes do not contribute to the development of transport systems for weapons of mass destruction.

The MTCR does not take group decisions regarding export licences. Decisions regarding exports are taken at the national level in accordance with national laws and practices.

#### D. Australia Group (AG)

The Australia Group was created in June 1985, the result of an informal agreement, its purpose being that of curtailing the risk that certain exports and transfers have of contributing to the proliferation of chemical and biological weapons. Up until 2001 the Group had limited its meetings to one yearly plenary session but has held a number of meetings since February 2002 given mounting concern over the 11 September 2001 attacks.

The Australia Group is comprised of 40 members and its point of contact is the Australian Embassy in Paris. This forum has six annexes of controlled products (chemical precursors, dual-use products and chemicals, pathogenic agents for use against plants and animals and dual-use biological equipment). Spain became a member of the Australia Group in December 1985.

Australia Group participants do not undertake legally binding obligations. The efficacy of cooperation among participating members depends solely on their commitment to the non-proliferation objectives of chemical and biological weapons and on the effectiveness of the measures adopted individually by each one on the national level. Therefore, the Group’s members must bear in mind that the said measures must be effective in terms of curtailing the production of chemical and biological weapons, they

must be reasonably easy to enforce and should not hinder normal trade in materials and equipment used for legitimate purposes.

All of the States party to the Australia Group are also Member States of the Chemical Weapons Convention and the Biological and Toxin Weapons Convention.

#### E. Chemical Weapons Convention (CWC)

The Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction, signed at Paris on 13 January 1993 is a unique international legal instrument in the history of disarmament and non-proliferation; it entered into force on 29 April 1997.

On 31.12.07 there were 182 Contracting States. The international organisation entrusted with its effective enforcement is the Organisation for the Prohibition of Chemical Weapons (OPCW) with headquarters at The Hague (Netherlands).

The CWC envisages the complete prohibition of the development, production, acquisition by any other means, stockpiling or upkeep of chemical weapons and the direct or indirect transfer of the said weapons. The products controlled by the CWC not only include chemical weapons but also toxic chemicals and their precursors except those cases in which the latter are intended for purposes not prohibited by the CWC and providing that the type and quantity of the substances in question are in line with the said purposes.

There are three lists of chemicals within the CWC:

- List 1: Compounds and precursors which are considered chemical weapons given that they have no civilian use with the exception of ricine and saxitoxin. Trade in these substances, even among OPCW countries, is strictly prohibited except for limited quantities and for specific purposes (medical and research use in laboratories).
- List 2: Dual-use chemical substances and precursors. Export of this material outside of the OPCW is prohibited.
- List 3: Widely available chemical substances and precursors. Export is allowed even to OPCW non-member countries but under strict control including licence application and the submission of an end-use certificate.

However, the Convention not only lays down a set of regulations concerning Member States –during war or peacetime– but also envisages a set of strict verification measures with a view to assuring compliance. Specifically, each Member State is required to file a series of periodical declarations to the OPCW furnishing detailed information regarding civilian or military facilities affected by the CWC as well as data concerning external trade transactions undertaken. Based on these declarations, the Organisation has the authority to carry out routine inspections or inspections stemming from a charge filed with a view to checking the veracity of the data furnished by the States thus preventing the illicit diversion of chemicals for the manufacture of weapons of mass destruction (WMD).

In Spain, Law 49/1999 of 20 December regulates the composition and operation of the National Authority for the Prohibition of Chemical Weapons (Spanish initials ANPAQ), a collegiate body of the General State Administration chaired by the Under-Secretary of the Ministry of Foreign Affairs and Cooperation and comprised of the Under-Secretaries of the eight ministerial departments directly involved in the CWC.

The executive body of the ANPAQ is the permanent Secretariat General attached to the Ministry of Industry, Tourism and Trade and a Working Group was created to provide assistance. Spain also has a Permanent Representation to the OPCW at its embassy in The Hague.

#### F. Biological and Toxin Weapons Convention (BTWC)

Signed in 1972 and ratified by 161 Member Countries as of 31.12.07, the Biological and Toxin Weapons Convention was given renewed impetus in the middle of the 90's.

The Convention prohibits the development, production, stockpiling, acquisition and holding of

microbiological and other biological agents or toxins regardless of their origin or production method, type or in quantities not warranted by peaceful purposes and likewise weapons, equipment or means of transfer designed for the use of the said agents or toxins for hostile purposes or in armed conflicts. The signatory States undertake to destroy or divert for peaceful purposes all prohibited agents, toxins and weapons, to not directly or indirectly transfer the said materials and to not encourage or provide technical assistance to anyone for their development, production, stockpiling, acquisition or holding.

The main problem is that the Convention does not have the means by which to verify or enforce compliance given that at the time it was drawn up (during the Cold War) biological warfare was not considered a threat. A stronger regime thus became necessary to detect and prevent violations of the Convention and in 1995 the signatory countries commenced negotiations to set up a Verification Protocol that would include declaration, verification and inspection provisions similar to those envisaged in the Chemical Weapons Convention.

**G, List of member countries of international fora controlling the export of defence material and dual-use items and technologies**

| Countries      | WA  | MTCR | NSG | AG  | ZC  |
|----------------|-----|------|-----|-----|-----|
| Argentina      | X   | X    | X   | X   | X   |
| Australia      | X   | X    | X   | X   | X   |
| Austria        | X   | X    | X   | X   | X   |
| Belgium        | X   | X    | X   | X   | X   |
| Belorussia     |     |      | X   |     |     |
| Brazil         |     | X    | X   |     |     |
| Bulgaria       | X   | X    | X   | X   | X   |
| Canada         | X   | X    | X   | X   | X   |
| China          |     |      | X   |     | X   |
| Croatia        | X   |      | X   | X   | X   |
| Cyprus         |     |      | X   | X   |     |
| Czech Rep      | X   | X    | X   | X   | X   |
| Denmark        | X   | X    | X   | X   | X   |
| Estonia        | X   |      | X   | X   |     |
| Finland        | X   | X    | X   | X   | X   |
| France         | X   | X    | X   | X   | X   |
| Germany        | X   | X    | X   | X   | X   |
| Greece         | X   | X    | X   | X   | X   |
| Hungary        | X   | X    | X   | X   | X   |
| Iceland        |     | X    |     | X   |     |
| Ireland        | X   | X    | X   | X   | X   |
| Italy          | X   | X    | X   | X   | X   |
| Japan          | X   | X    | X   | X   | X   |
| Kazakhstan     |     |      | X   |     |     |
| Latvia         | X   |      | X   | X   |     |
| Lithuania      | X   |      | X   | X   |     |
| Luxembourg     | X   | X    | X   | X   | X   |
| Malta          | X   |      | X   | X   |     |
| Netherlands    | X   | X    | X   | X   | X   |
| New Zealand    | X   | X    | X   | X   |     |
| Norway         | X   | X    | X   | X   | X   |
| Poland         | X   | X    | X   | X   | X   |
| Portugal       | X   | X    | X   | X   | X   |
| Romania        | X   |      | X   | X   | X   |
| Russia         | X   | X    | X   |     | X   |
| Slovakia       | X   |      | X   | X   | X   |
| Slovenia       | X   |      | X   | X   | X   |
| South Africa   | X   | X    | X   |     | X   |
| South Korea    | X   | X    | X   | X   | X   |
| Spain          | X   | X    | X   | X   | X   |
| Sweden         | X   | X    | X   | X   | X   |
| Switzerland    | X   | X    | X   | X   | X   |
| Turkey         | X   | X    | X   | X   | X   |
| Ukraine        | X   | X    | X   | X   | X   |
| United Kingdom | X   | X    | X   | X   | X   |
| United States  | X   | X    | X   | X   | X   |
| E. Commission  | OBS |      | OBS | OBS | OBS |

## ANNEX IX. DEFENCE AND DUAL-USE MATERIAL EMBARGOES CURRENTLY IN FORCE

| Countries                | United Nations                     | European Union                        | OSCE              |
|--------------------------|------------------------------------|---------------------------------------|-------------------|
| Armenia                  | March 2000 (v)                     |                                       | March 2000 (v)    |
| Azerbaijan               |                                    |                                       | February 1992 (*) |
| China                    |                                    | June 1989 (v)                         |                   |
| Dem. Rep. Congo (Zaire)  | July 2003<br>August 2007 (Mod.)    | April 1993<br>October 2007 (Mod.)     |                   |
| Democratic Rep. of Korea | October 2006                       | November 2006<br>January 2008 (Mod.)  |                   |
| Iraq                     | August 1990<br>June 2004 (Mod.)    | August 1990<br>July 2004 (Mod.)       |                   |
| Iran                     | March 2007 (v)                     | April 2007                            |                   |
| Ivory Coast              | November 2004                      | November 2004                         |                   |
| Lebanon                  | August 2006                        | September 2006                        |                   |
| Liberia                  | March 2001<br>December 2006 (Mod.) | May 2001<br>February 2008 (Mod.)      |                   |
| Myanmar (Burma)          |                                    | July 1991<br>April 2006 (Mod.)        |                   |
| Rwanda                   | August 1995                        |                                       |                   |
| Sierra Leone             | June 1998<br>May 2000 (Mod.)       | June 1998                             |                   |
| Somalia                  | January 1992<br>July 2002 (Mod.)   | December 2002<br>June 2007 (Mod.)     |                   |
| Sudan                    | July 2004                          | March 1994<br>May 2005 (Mod.)         |                   |
| Uzbekistan               |                                    | November 2005<br>November 2007 (Mod.) |                   |
| Zimbabwe                 |                                    | February 2002<br>February 2004 (Mod.) |                   |

The United Nations (January 2002) and the European Union (May 2002) agreed to prohibit the export of arms and all types of related equipment to Osama Bin Laden, members of Al-Qaeda and Talibans and likewise other individuals, groups and organisations related to these.

The embargoes reflected in this table exclude prohibitions on the export of non-lethal equipment for humanitarian purposes or for certain International Organisations and United Nations personnel as well as those used for demining actions except in the case of China. Under the embargos against Lebanon, the Democratic Republic of the Congo, Rwanda and Sierra Leone, shipments of arms to the governments of these countries are excluded with certain conditions in the case of the Government of Liberia. The embargo on North Korea also applies to items, equipment, materials, products and technology related to nuclear and missile programmes.

(\*) The region of Nagorno-Karabakh is subject to an OSCE embargo.

(v) Voluntary embargo.

(Mod) Date of modification.

| Countries               | United Nations   | European Union | Restrictive measure  |
|-------------------------|--|----------------|--|
| Iran                    | July 2006 (1696)<br>December 2006 (1737)<br>March 2007 (1747) (v)<br>March 2008 (1803) | February 2007  | Prevent all transfer of arms and similar material and dual-use items except when it is certain that these cannot be used for WMD or their delivery vehicles. |
| Non-governmental agents | April 2004 (1540)<br>April 2006 (1673)   |                | Prevent all transfer for use in WMD and their delivery vehicles  |
| North Korea             | July 2006 (1695)<br>October 2006 (1718)  | November 2006  | Prevent all transfer of conventional weapons, dual-use products and luxury products  |

The United Nations Resolution calls on Member States to prevent the direct or indirect supply, sale or transfer through their territories or by their nationals, or using their flag vessels or aircraft, of products and their related technology, including technical or financial assistance, investments, brokering or other related services, having to do with unlawful uses and the transfer of persons related with the proliferation of WMD.

WMD: weapons of mass destruction

(v) Voluntary embargo.

## ANNEX X. AVAILABLE PUBLICATIONS

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Articles published  
(State Secretariat for Trade)

- 1, External Trade Control of Defence and Dual-use Material (*Boletín Económico de Información Comercial Española* [Economic Bulletin of Spanish Trade Information] No. 2409 of 18-24 April 1994).
- 2, Community Regime for the Control of the Export of Dual-use Products (*Boletín Económico de Información Comercial Española* No. 2468, of 4 to 10 September 1995).
- 3, External Spanish Trade in Defence and Dual-use Material 1991-1994 (*Boletín Económico de Información Comercial Española* No. 2478, of 13 to 19 November 1995).
- 4, Report on Authorisations for the Export of Defence and Dual-use Material issued by the Directorate-General of External Trade in 1995 (*Boletín Económico de Información Comercial Española* No. 2.527, of 16 to 22 December 1996).
- 5, Export of Defence Material by Recipient Country. Period from 1991-1996 (*Boletín Económico de Información Comercial Española* No. 2566, of 2 to 15 February 1998).
- 6, Export of Defence and Dual-use Material in 1997 by recipient countries (*Boletín Económico de Información Comercial Española* No. 2589, of 5 to 11 October 1998).
- 7, External Trade Control of Defence and Dual-use Material (*Boletín Económico de Información Comercial Española* No. 2594-2596 of 9-22 November 1998).
- 8, External Trade of Defence and Dual-use Material first semester 1998 (*Boletín Económico de Información Comercial Española* No. 2625 of 2 August to 5 September 1999).
- 9, External Trade in Defence and Dual-use Material second semester of 1998 (*Boletín Económico de Información Comercial Española* No. 2638, of 20 December 1999 to 2 January 2000).
- 10, The Chemical Weapons Convention (CWC) and external trade (*Boletín Económico de Información Comercial Española* No. 2649, of 10-23 January 2000).
- 11, The European Union Code of Conduct on Arms Exports (*Boletín Económico de Información Comercial Española* No. 2644, of 21-27 February 2000).
- 12, External Trade Statistics concerning Defence and Dual-use Material from 1999 (*Boletín Económico de Información Comercial Española* No. 2666 of 9-15 October 2000).
- 13, The future of weapons of mass destruction non-proliferation regimes. Export control regime (*Boletín Económico de Información Comercial Española* No. 2.687 of 2-15 April 2001).
- 14, External Trade Statistics concerning Defence and Dual-use Material from 2000 (*Boletín Económico de*

- Información Comercial Española* No. 2666 of 2-18 October 2000).
- 15, External trade and non-proliferation of chemical and biological weapons (*Boletín Económico de Información Comercial Española* No. 2723, of 18-31 March 2002).
  - 16, External Trade in Defence and Dual-use Material 2001 (*Boletín Económico de Información Comercial Española* No. 2745, of 28 October to 3 November 2002).
  - 17, Spanish exports of defence and dual-use material in the first semester of 2002 (*Boletín Económico de Información Comercial Española* No. 2771, of 16-22 June 2003).
  - 18, External Trade in Defence and Dual-use Material 2002 (*Boletín Económico de Información Comercial Española* No. 2780, of 29 September to 5 October 2003).
  - 19, Spanish Export Statistics regarding Defence and Dual-use Material 2003 (*Boletín Económico de Información Comercial Española* No. 2827, of 13-19 December 2004).
  - 20, New Spanish legislation regarding the control of external trade in defence material, other material and dual-use items and technologies (*Boletín Económico de Información Comercial Española* No. 2829, of 27 December 2004 to 9 January 2005).
  - 21, Spanish Export Statistics regarding defence material, other material and dual-use items and technologies in 2004 (*Boletín Económico de Información Comercial Española* No. 2849, of 11-31 July 2005).
  - 22, The European Union Code of Conduct on Arms Exports, seven years of experience (*Boletín Económico de Información Comercial Española* No. 2858, of 10-16 October 2005).
  - 23, Spanish Export Statistics regarding defence material, other material and dual-use items and technologies in 2005 (*Boletín Económico de Información Comercial Española* No. 2886, of 14-27 August 2006).
  - 24, Spanish Export Statistics regarding defence material, other material and dual-use items and technologies in 2006 (*Boletín Económico de Información Comercial Española* No. 2921, of 16-30 September 2006).
  - 25, Law concerning control of external trade in defence and dual-use material (*Boletín Económico de Información Comercial Española* No. 2933 of 1-15 March 2008).
- Other articles
- “*The industrial defence sector*”, AFARMADE annual report 2006.
- Country reports available on the Internet
1. *Spain*  
<http://www.comercio.es>  
- link to publications
  1. *Australia*  
<http://www.dmo.defence.gov.au/id/export/ar2000.pdf>

*2. Belgium*

[http://diplobel.fgov.be/Politics/policy\\_exportation\\_d'armes\\_FR.htm](http://diplobel.fgov.be/Politics/policy_exportation_d'armes_FR.htm)

*3. Canada*

<http://www.dfait-maeci.gc.ca>

*4. Denmark*

<http://www.um.dk>

*5. Finland*

<http://www.vn.fi/plm/evkas.htm>  
(2000 report)

*6. Germany*

<http://www.bmwi.de/Homepage/Startseite.jsp>

*7. Ireland*

<http://www.entemp.ie/export/military.htm>  
(2000 report)

*8. Netherlands*

<http://www.minez.nl/ezenglish/export.htm>

*9. Norway*

<http://www.odin.dep.no>

*10. Sweden*

<http://www.utrikes.regeringen.se/prefak>

<http://www.utrikes.regeringen.se/prefak/document>

*11. United Kingdom*

<http://www.fco.gov.uk/news/newstext>

*12. United States*

<http://www.state.gov/www/global/arms/bureauac.html>

**International fora Web pages***1. Australia Group (AG)*

<http://www.australiagroup.net>

*2. Chemical Weapons Convention (CWC)*

<http://www.opcw.org>

<http://www.mcx.es/anpaq>

*3. Missile Technology Control Regime (MTCR)*

<http://www.mtcr.info>

*4. Nuclear Suppliers Group (NSG)*

<http://www.nsg-online.org>

*5. Wassenaar Arrangement (WA)*

<http://www.wassenaar.org>