

# **Dutch Export Policy on Strategic Goods in 2023**

Report by the Minister for Foreign Trade and Development and the Minister of Foreign Affairs on the issuing of export licences for military and dual-use goods, and goods listed in the Anti-Torture Regulation

## Contents

1	Foreword.....	4
2	Principles of export control .....	6
2.1	What is export control and why is it necessary? .....	6
2.2	Which goods are controlled? .....	7
2.3	Procedures .....	7
3	Assessment framework .....	11
3.1	Military goods .....	11
3.2	Dual-use goods .....	14
4	Transparency.....	15
4.1	Reporting .....	15
4.2	Parliament.....	15
5	The Netherlands' exports of military goods in 2023 .....	20
5.1	Licences issued .....	20
5.2	Licence application denials.....	24
6	The Netherlands' exports of dual-use goods in 2023 .....	26
6.1	Dual-use goods .....	26
6.2	New sensitive technologies .....	29
6.3	Knowledge security.....	29
6.4	Anti-Torture Regulation.....	30
7	Relevant developments in the European Union.....	31
7.1	European Council Working Party on Conventional Arms Exports (COARM).....	31
7.2	EU outreach on military goods .....	32
7.3	EU annual report for 2023 on the export of military goods.....	33
7.4	Council Working Parties on dual-use goods .....	36
8	Other relevant international developments .....	38
8.1	Arms Trade Treaty.....	38
8.2	Wassenaar Arrangement .....	39
8.3	Other export control regimes .....	39
9	Annexes.....	41
9.1	Annex 1: Licences issued for the export of military goods.....	41
9.2	Annex 2: Evolution of the value of licences issued for the export of military goods from the Netherlands since 1996 .....	52
9.3	Annex 3: Use of general licences (military) .....	53
9.4	Annex 4: Transit of military goods .....	62
9.5	Annex 5: Brokering services for military goods.....	63
9.6	Annex 6: Licence application denials for military goods .....	65



## 1 Foreword

This is the 27th annual report on Dutch export policy on military and dual-use goods, collectively referred to as strategic goods. The report provides background on the nature of strategic goods, the reasons for applying export controls to these goods and the form that this policy took in 2023.

Global developments are having an adverse effect on the security of the Netherlands, its international partners and citizens worldwide. Since February 2022, a devastating war has been raging in Europe, clearly illustrating on a daily basis that nothing is certain in terms of security and that a sustained commitment is required; that in turn has implications for the domain of strategic goods.

The Dutch strategic goods industry is characterised by high-value production, innovation and a highly educated workforce. The sector is strongly export-oriented, and trade is therefore seen as a necessary condition for business continuity, with due regard for the importance of proper controls to prevent the undesirable use of military and dual-use goods.

Developments that left their mark on 2023 in terms of export control are the ongoing military support for Ukraine, European efforts to create a more level playing field with regard to the export control of military goods, increased focus on the blurring distinction between civil and military technology, and a growing awareness of the need to protect certain technology.

These developments show that the field of export control is in a state of flux and not only relates to preventing unwanted end use, but also to ensuring that the Netherlands is better placed to take care of its own national security and that of its allies – for instance through the role of the Dutch defence industry in joint capability development and production, and through initiatives such as the national export control measure for advanced semiconductor manufacturing equipment, in order to better monitor access to this advanced technology.

The present report and the accompanying letter to parliament will take a more in-depth look at these developments and the role played in them by the Netherlands.

Reinette Klever  
Minister for Foreign Trade and Development



## 2 Principles of export control

### 2.1 What is export control and why is it necessary?

Export controls are rooted in legislation implemented by the Netherlands to control the export of certain strategic goods, technologies and services for reasons of national security.<sup>1</sup> The controls are designed to prevent the undesirable proliferation of arms, control the spread of sensitive technologies and ensure that export does not support any activities that are at odds with the interests of the Netherlands. Violation of export control legislation may result in severe penalties, such as fines or imprisonment.

Export control measures are adopted multilaterally on the basis of agreements made in international export control regimes (see Chapter 8). Multilateral measures are important because they guarantee a joint approach by multiple countries, making it more difficult to divert controlled goods via countries with less stringent legislation. This contributes to global security. Multilateral regimes also help to ensure a level playing field for businesses, reducing competitive disadvantages that arise when there is a substantial difference between countries in the degree of control of strategic goods.

## Why export controls?



Figure 1. Why are export controls necessary?

<sup>1</sup> See 'Strategic Goods Decree' (in Dutch): <https://wetten.overheid.nl/BWBR0024139/2021-09-09/0>, and the Strategic Services Act (in Dutch): <https://wetten.overheid.nl/BWBR0030545/2022-07-07/0>.

## 2.2 Which goods are controlled?

The term 'strategic goods' is a collective name for dual-use goods and military goods. Dual-use goods are those that can be used for both civil and military purposes and which the relevant export control regime has deemed to be sufficiently sensitive to be controlled. Such goods include advanced computer chips, rocket engines and industrial mixing equipment that can also be used for chemical weapons production. These dual-use goods are listed in Annex I of the European Union's Dual-Use Regulation.<sup>2</sup>

Military goods are defined as all products that are included in the Common Military List (ML) of the European Union.<sup>3</sup> This ranges from smaller components and products such as wheels for armoured vehicles or image intensifier equipment for observation purposes to entire systems such as ships and radar installations.

## 2.3 Procedures

### 2.3.1 General

Export licences for strategic goods (military and dual-use goods) are issued on the basis of the General Customs Act (*Algemene Douanewet*) and the associated export control regulations.<sup>4</sup>

Companies or persons wishing to export goods or technology that appear on the Common Military List of the European Union or Annex 1 of the EU Regulation on dual-use items<sup>5</sup> must apply to the Central Import and Export Office (CDIU) for an export licence. The CDIU, which is a subdivision of the Customs Administration, issues export licences under the policy supervision of the Ministry of Foreign Affairs. Licences are issued on behalf of the Minister for Foreign Trade and Development.

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<sup>2</sup> <https://eur-lex.europa.eu/eli/reg/2021/821>.

<sup>3</sup> [Common Military List of the European Union](#).

<sup>4</sup> The complete legislative framework can be found on the central government website: <https://www.government.nl/topics/export-controls-of-strategic-goods/laws-and-rules-on-the-export-of-strategic-goods>.

<sup>5</sup> <https://eur-lex.europa.eu/legal-content/en/TXT/HTML/?uri=CELEX:02009R0428-20211007&from=EN>.

### 2.3.2 Types of licences

#### Military goods

When military goods are sent to a recipient outside the Netherlands, a distinction is made between a 'transfer' to recipients in other EU countries and 'export' to countries outside the EU. In both cases, there is a licence requirement, either for a transfer licence or an export licence.

## Different types of licence applications

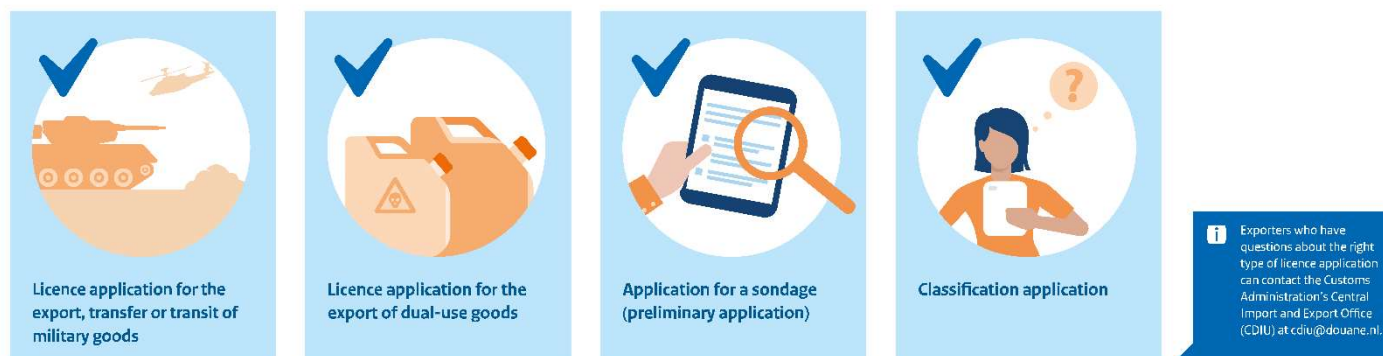


Figure 2. The different types of licence application

These licences fall into different categories depending on the type of export or transfer:

- Individual licences for a single transfer of military goods to one destination;
- Global licences for the export or transfer of military goods to recipients or categories of recipient in one or more countries of final destination;
- General licences for the unlimited (in terms of both quantity and timeframe) export or transfer of military goods in accordance with the parameters (and conditions) stipulated in the licence in question. Companies can register for a general licence with these conditions.

#### Dual-use goods

For dual-use goods, there is only a licence requirement for export to recipients outside the EU. Within the EU, there is no licence requirement. The only exception is the intra-EU transfer of goods that appear in Annex IV of the Dual-Use Regulation<sup>6</sup>; for these goods, a licence is also required within the EU.

For dual-use goods too, there are individual, global and general licences:

- Individual licences for a single export to one end user;
- Global licences for the export of dual-use goods to recipients in one or more countries of final destination;

<sup>6</sup> <https://eur-lex.europa.eu/eli/reg/2021/821>



- General licences for the unlimited export (in terms of both quantity and timeframe) of dual-use goods to certain, less sensitive destinations. Companies can register for a general licence with specific conditions.

#### Catch-all goods

In the case of goods that are not subject to mandatory licensing (non-controlled goods) – because they do not meet the technical specifications set down in the Dual-Use Regulation – an ad hoc licence requirement may still be imposed (a catch-all order) if there is information to indicate that the goods will be used after export for the development or manufacturing of weapons of mass destruction, deployed for military end use in a country subject to an arms embargo, or that they are intended for use in connection with internal repression or the commission of serious violations of human rights and international humanitarian law.<sup>7</sup> This should not be seen as a ban on the transaction but as the imposition of a licence requirement for export of this specific – previously non-controlled – good to a specific final destination. Under certain conditions, the authorities may still ultimately decide to issue an export licence if, for example, there are safeguards in place that will minimise the risk of undesirable end use.

There is in principle no licence requirement for the transit of dual-use goods. Here too, however, if information is available to indicate that the goods could be used for the development or manufacture of weapons of mass destruction or for military end use in a country subject to an arms embargo, their transit may be subject to an ad hoc licence requirement.

#### 2.3.3 Procedures for military goods

##### Commercial licence applications

In principle, licence applications for the export of military goods to NATO and EU member states and countries with a similar export policy status (referred to as EU/NATO+ countries, namely Australia, Japan, New Zealand and Switzerland) are processed by the CDIU, on the basis of a procedure formulated by the Ministry of Foreign Affairs. The exceptions to this rule are Cyprus and Türkiye. Applications for exports to these two countries – and all other countries – are submitted to the Ministry of Foreign Affairs for a decision. In assessing licence applications against the eight criteria of the EU's Common Position on arms export control,<sup>8</sup> the Minister for Foreign Trade and Development seeks foreign policy guidance from the Minister of Foreign Affairs. This guidance plays a key role in the final decision on whether or not to issue an export licence.

##### Licence applications from the Ministry of Defence and the National Police

Both the disposal of surplus equipment by the Ministry of Defence and export by the National Police are governed by the normal licensing procedure. As with private sector export transactions, the Ministry of Foreign Affairs assesses such transactions against the criteria set out in the arms export policy. Prior to signing a sales contract for surplus Dutch weapon

<sup>7</sup> See Articles 4 and 5 of EU Regulation 821/2021, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:206:FULL&from=EN>.

<sup>8</sup> <https://eur-lex.europa.eu/legal-content/en/TXT/HTML/?uri=CELEX:02008E0944-20190917&from=EN>.

systems, the Minister of Defence will notify the House of Representatives. If this is not possible for commercial reasons, the Minister of Defence will notify the House of Representatives immediately after the contract is signed.<sup>9</sup>

#### *2.3.4 Procedures for dual-use goods*

Various procedures are in place for dual-use applications, depending on the country of final destination and the type of product. For countries that belong to the export control regime that covers the goods in question, individual and global licence applications are in principle assessed by the CDIU, in line with the applicable work instruction. These countries subscribe to the same principles as the Netherlands with regard to trade in these sensitive goods. For some goods in combination with certain destinations, it is possible to use a general export licence. In such cases, there is no review at transaction level, although there is a registration and archiving requirement. For example, there is a general licence (EU001) for the export of dual-use goods listed in Annex I of the Dual-Use Regulation and destined for Australia, Canada, Japan, New Zealand, Norway and Switzerland, including Liechtenstein, the United Kingdom and the United States. All politically sensitive applications are submitted to the Ministry of Foreign Affairs for a decision.

#### *2.3.5 Classification application*

If there is any doubt as to whether a transaction involving a particular good requires a licence, a classification application can be submitted. On the basis of the technical data provided, specialists from the Customs Administration and the Ministry of Foreign Affairs will determine whether the transaction falls under dual-use legislation.

#### *2.3.6 Sondage (inquiry/preliminary application)*

A sondage is a preliminary application which exporters can submit for transactions for which the contract negotiations with the end user have not yet been started or completed. This enables a company to explore at an early stage whether an export licence can be obtained for the transaction in question before any major investments are made. No rights can be derived from a positive response to a sondage, but it does provide an idea as to the likelihood of being granted an export licence if circumstances remain unchanged.

#### *2.3.7 Anti-Torture Regulation*

Goods covered by the Anti-Torture Regulation<sup>10</sup> may not be freely imported to, exported to or transhipped to or from non-EU countries. If no prohibition applies, goods and services that fall under the Anti-Torture Regulation require a licence. Licence applications for goods and services listed in the Anti-Torture Regulation for destinations where capital punishment is still imposed or carried out are in all cases submitted to the Ministry of Foreign Affairs by the

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<sup>9</sup> <https://zoek.officielebekendmakingen.nl/kst-22054-129.html> (in Dutch).

<sup>10</sup> Regulation (EU) 2019/125 of the European Parliament and of the Council of 16 January 2019 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

CDIU. At present, more than two-thirds of the world's countries have abolished the death penalty. Licence applications for destinations where the death penalty has been abolished are dealt with independently by the CDIU.

### *2.3.8 EU coordination to ensure a level playing field*

Denials of licence applications are recorded in an EU database. Under the EU's common position on arms exports and the Dual-Use Regulation, if another member state receives a similar application, they are obliged to hold bilateral consultations, with a view to ensuring that they do not undermine each other's decisions. As EU member states are thus aware of each other's views on similar applications, this helps to ensure a more unified implementation of EU agreements for the control of strategic goods. This benefits the consolidation of a more level European playing field for the business community.

## **3 Assessment framework**

### **3.1 Military goods**

#### *3.1.1 EU criteria*

Licence applications for the export of military equipment are assessed on a case-by-case basis against the eight criteria of EU arms export policy, with due regard for the nature of the product, the country of final destination, the end user and the intended end use. These eight criteria (see Figure 3) were initially defined by the European Councils of Luxembourg (1991) and Lisbon (1992) and were subsequently incorporated in the EU Code of Conduct on Arms Exports (1998). On 8 December 2008 the Council of the European Union decided to transform the EU Code of Conduct from 1998 into Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment.

Besides the assessment against the EU Common Position on arms export control, member states exchange information via (1) an obligation to notify all other member states when a member state denies a licence application and (2) an obligation to hold bilateral consultations when a member state proceeds to consider an application that is essentially identical to another application that has previously been denied by another member state.

Albania, Bosnia and Herzegovina, Canada, North Macedonia, Georgia, Iceland, Montenegro and Norway have endorsed the criteria and principles of the Common Position. In 2017 Norway joined the European Council Working Party on Conventional Arms Exports (COARM) online denial database, making it a participant in information exchanges between EU member states about denied licence applications and the consultations that are conducted through this system.

### 3.1.2 Arms embargoes

The Netherlands fully observes all arms embargoes imposed by the UN, the Organization for Security and Co-operation in Europe (OSCE) and the EU.

An overview of the current arms embargoes can be found on the EU Sanctions Map.<sup>11</sup> In addition to the information shown there, it should be noted that an OSCE embargo against 'forces engaged in combat in Nagorno-Karabakh' has been in force since 1992.

### 3.1.3 Additional national policy

EU member states are also free to adopt national policy in addition to the Common Position. Until 14 July 2023, the Netherlands implemented additional policy in the form of a presumption of denial for Saudi Arabia, the United Arab Emirates and Türkiye because of their military involvement in Yemen and/or Syria. Licence applications for the export of military goods and dual-use goods with military end use to presumption-of-denial countries were denied unless it could be incontrovertibly demonstrated that the goods would not be used in the conflict in Yemen or Syria. The presumption-of-denial policy was discontinued on 14 July 2023 in connection with the government's commitment to accede to the agreement on export control in the military domain. The House of Representatives was informed to this effect in the letter to parliament on measures to enhance European defence cooperation and further European convergence of arms export control policy (Parliamentary Paper 2023D32804).<sup>12</sup>

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<sup>11</sup> <https://www.sanctionsmap.eu/>

<sup>12</sup> [https://www.tweedekamer.nl/kamerstukken/brieven\\_regering/detail?id=2023Z13740&did=2023D32804](https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2023Z13740&did=2023D32804) (in Dutch).

# Eight criteria of Common Position

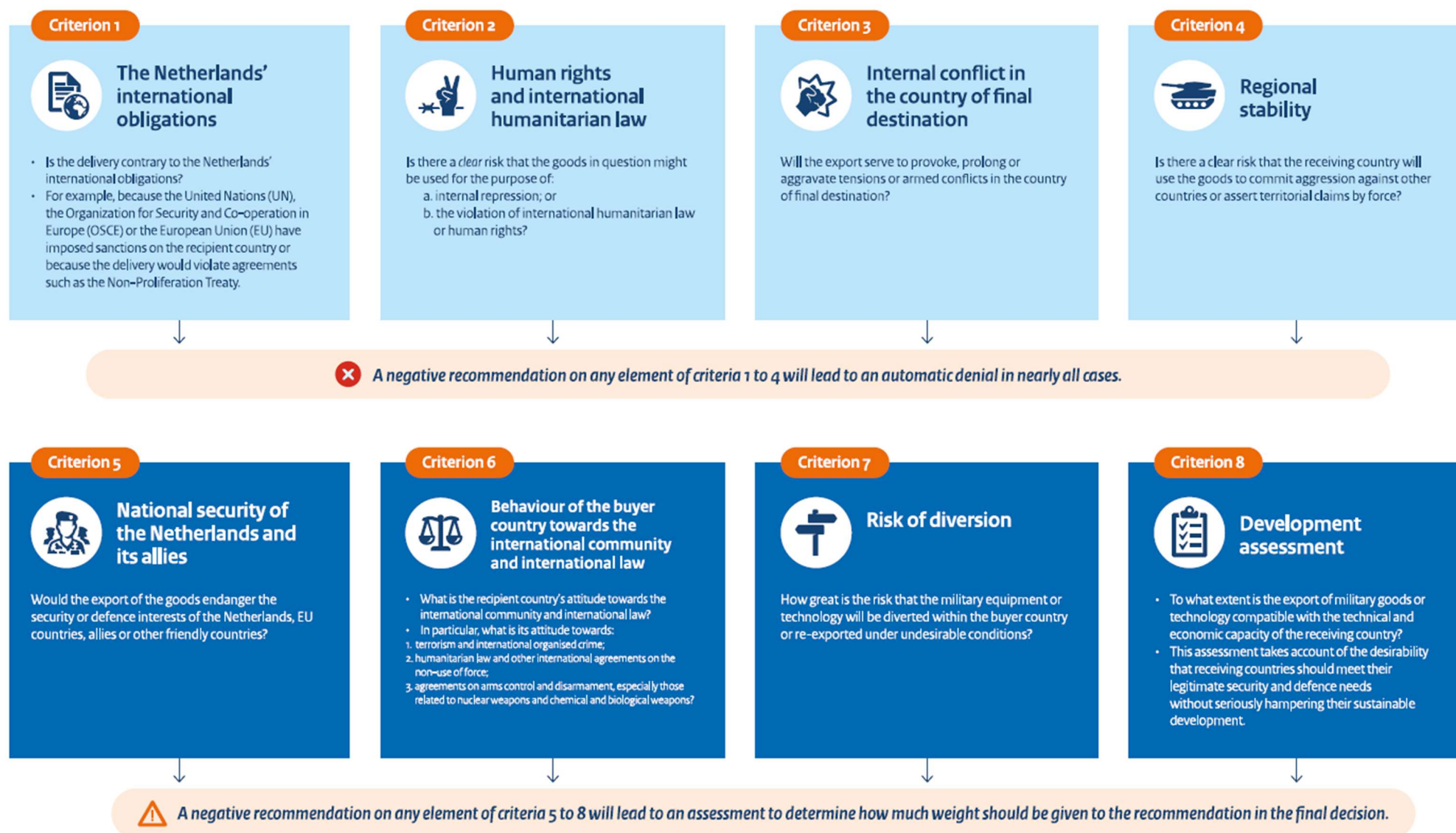


Figure 3. The eight criteria of Common Position 2008/944/CFSP

### 3.2 Dual-use goods

Licence applications for dual-use goods are assessed on the basis of the criteria listed in the EU Dual-Use Regulation.<sup>13</sup> For each application, a risk assessment is made with regard to the likelihood of undesirable end use, on the basis of factors like the nature of the goods in question, the plausibility of the stated end use, the end user and the country of destination. In making this assessment the relevant parties also consider UN and EU decisions related to the destination in question, such as sanctions and embargoes. With the help of an assessment framework, this assessment leads to a decision about whether to grant or deny the licence application. Dual-use goods that have a conventional military end use are, like military goods, assessed on the basis of the Common Position. Denials of dual-use licence applications are recorded in an EU database. Under the Dual-Use Regulation, if another member state receives a similar application, they are obliged to hold bilateral consultations, with a view to ensuring that they do not undermine each other's decisions.

#### 3.2.1 Assessment framework for goods listed in the Anti-Torture Regulation

Besides dual-use goods, the Ministry of Foreign Affairs also assesses licence applications for goods and services covered by Regulation (EU) 2019/125 (Anti-Torture Regulation).

The Anti-Torture Regulation makes a distinction between two categories of goods, namely those for which trade is prohibited (Annex II) and those for which a licence is required (Annex III and Annex IV). It is prohibited to trade in goods which have no practical use other than for the purpose of capital punishment or for the purpose of torture or other cruel, inhuman or degrading treatment or punishment (Annex II), such as guillotines or thumb screws. An exception may be made if it can be demonstrated that such goods will be used for a museum exhibition in the country of final destination.

Annex III of the Anti-Torture Regulation lists goods that could, for example, be used for riot control or self-protection. Examples include certain portable electric discharge weapons and fixed or mountable devices for the dissemination of incapacitating or irritating chemical substances (pepper spray). A licence will not be issued if there are reasonable grounds to assume that the goods in question could be used in a third country by a law enforcement agency or a natural or legal person for torture or other cruel, inhuman or degrading treatment or punishment, including judicial corporal punishment.

Annex IV of the Anti-Torture Regulation lists goods that have medical applications, but which could also be used for the purpose of capital punishment. These include, for example, certain anaesthetic agents such as pentobarbital and thiopental. No licence will be issued if there are reasonable grounds to assume that the goods listed in Annex IV could be used for the purpose of capital punishment in a third country.

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<sup>13</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02009R0428-20211007>.

## 4 Transparency

The Netherlands is an international leader when it comes to transparency about the export and transit of strategic goods. Transparency benefits dialogue about this sensitive topic and thus helps to prevent the irresponsible build-up of weapons arsenals and limit the undesirable spread of other strategic goods.

### 4.1 Reporting

Since the 1990s, a growing number of countries have published national annual reports on arms exports.<sup>14</sup> The Netherlands ranks among the most transparent of these countries. For example, in the latest edition of the Small Arms Trade Transparency Barometer, the Netherlands is in fourth place, after Switzerland, the United Kingdom and Romania.<sup>15</sup> In addition, for a number of years the Netherlands has supported the Arms Trade Treaty (ATT) Monitor, which surveys how many countries fulfil their reporting obligations with regard to arms exports.<sup>16</sup> At the UN, the Netherlands also seeks to draw attention to transparency and openness in this area (see also section 8.2).

In addition to the annual report by way of the present document, the Netherlands regularly publishes key information regarding all licences issued for the export of military and dual-use goods, as well as key information about the transit of military goods through Dutch territory. The government has posted links on its internet portal to all the various national and international reports drawn up by the Netherlands, such as the EU annual reports on arms exports and reports in connection with the ATT and the UN Register of Conventional Arms.<sup>17</sup>

The present report on Dutch arms export policy in 2023 is the 27th such report since the policy memorandum of February 1998 on greater transparency in the reporting procedure on exports of military goods (Parliamentary Paper 22 054, no. 30). It is based on the value of the licences issued by category of military goods and by country of final destination.

### 4.2 Parliament

The government exchanges views with parliament on export control policy in various ways. Based on the annual report, a debate on export control is held every year between the minister and the Foreign Trade and Development Committee. The debate on the 2022 annual report was held on 29 February 2024, somewhat delayed by the late delivery of the report and the elections in the autumn of 2023.

Written questions are also submitted on a regular basis with regard to export control and the government informs parliament by letter of any relevant policy developments and amendments. In addition, parliament is briefed confidentially by the government where necessary on matters relating to export control, as was the case in 2023.

Lastly, the House of Representatives has since 2012 been informed under the accelerated parliamentary notification procedure of new licences for the definitive export of complete (military) systems worth over €2 million to countries other than Australia, Japan, New

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<sup>14</sup> <https://www.sipri.org/databases/national-reports>.

<sup>15</sup> <https://www.smallarmssurvey.org/resource/2021-small-arms-trade-transparency-barometer>.

<sup>16</sup> <https://attmonitor.org/>.

<sup>17</sup> <https://www.government.nl/topics/export-controls-of-strategic-goods/reporting-practices-with-regard-to-military-and-dual-use-goods>.

Zealand, Switzerland or a member state of the EU or NATO. This takes place within two weeks of the decision and notifications are accompanied by an explanatory note.<sup>18</sup> In the 2023 reporting year, there were two transactions that qualified for accelerated parliamentary notification. The House of Representatives is informed of exports to Ukraine in separate letters every month; until 13 April 2023 this was done in complete confidence for reasons of operational security. Since 13 April 2023, the government has been more open about exports to Ukraine.

The following overview shows communications by the government to the House of Representatives in respect of the export of strategic goods in 2023.

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<sup>18</sup> The accelerated reporting procedure is based on the letter to the House of Representatives of 10 June 2011 announcing a stricter arms export policy (Parliamentary Paper, 2010-2011, 22 054, no. 165) and the motion submitted by MP Joël Voordewind et al. on 22 December 2011 on lowering to €2 million the threshold triggering the accelerated parliamentary notification procedure for certain arms export licence applications (Parliamentary Paper, 2011-2012, 22 054, no. 181).



Table 1. Overview of parliamentary papers relating to export control of strategic goods

Parliamentary paper number	Date	Type of parliamentary paper	Title
<a href="#">2023D04055</a>	2 February 2023	Committee letter to minister	Request for technical briefing on news reports regarding export of microchip machinery to China
<a href="#">2023D04247</a>	3 February 2023	Written questions	News article: 'Millions of Dutch-manufactured chips end up in Russia despite sanctions'
<a href="#">2022Z24876</a>	8 February 2023	Response to written questions	Response to questions from MP Jasper van Dijk about the sharp increase in military spending in the European Union since the start of the war in Ukraine and large profits for the arms industry
<a href="#">22054-381</a>	27 February 2023	Letter to parliament	Issue of licence for export of military materiel to Singapore
<a href="#">2023D08753</a>	3 March 2023	Written questions	Report that illegal teak from Myanmar is being used by Dutch superyacht builders
<a href="#">22054-384</a>	8 March 2023	Letter to parliament	Announcement of forthcoming export control measures for advanced semiconductor manufacturing equipment
<a href="#">2023D10811</a>	17 March 2023	Written questions	Cooperation between Japan and South Korea in response to the US CHIPS Act
<a href="#">2023D12631</a>	28 March 2023	Written questions	The supply of microchip machinery to China

<a href="#">2023D14726</a>	6 April 2023	Committee letter to minister	Request for letter concerning export restriction measures against Iran
<a href="#">2023D21672</a>	23 May 2023	Written questions	News article: 'Eindhoven supplier to Philips and ASML opens subsidiary in China'
<a href="#">22054-391</a>	24 May 2023	Letter to parliament	Issue of licence for export of military materiel to Egypt
<a href="#">2023D31574</a>	6 July 2023	Committee letter to minister	Request for further information regarding exports to Iran
<a href="#">22054-395</a>	14 July 2023	Letter to parliament	Measures to enhance European defence cooperation and further European convergence of arms control policy
<a href="#">2023D33440</a>	31 July 2023	Written questions	Illegal teak from Myanmar used in renovation of Dutch yacht <i>De Groene Draeck</i>
<a href="#">2023D34262</a>	25 August 2023	Written questions	Report that parent company of Douwe Egberts and Pickwick, JDE Peet's, refuses to pull out of Russia
<a href="#">2023Z14060</a>	29 September 2023	Response to written questions	Response to questions from MP Jasper van Dijk regarding changes in arms export policy
<a href="#">2023Z18976</a>	23 November 2023	Response to written questions	Response to questions from MP Sjoerd Sjoersma regarding the supply of JSF parts to Israel
<a href="#">2023Z19001</a>	23 November 2023	Response to written questions	Response to questions from MP Kati Piri concerning the supply of F-35 parts

<a href="#">2023Z18977</a>	23 November 2023	Response to written questions	Response to questions from MP Sjoerd Sjoerdsma about the news article 'The Netherlands continues to supply F-35 parts to Israel despite warning of violation of international humanitarian law'
<a href="#">2023Z19578</a>	19 December 2023	Response to written questions	Response to questions from MP Jasper van Dijk about the continued supply of F-35 parts to Israel

In addition to producing the present report on Dutch exports of military and dual-use goods in 2023, the government also provides other information on Dutch export policy. For instance, the Ministry of Foreign Affairs publishes information about various aspects of export control online at <https://www.government.nl/topics/export-controls-of-strategic-goods>, including the monthly overview of dual-use exports,<sup>19</sup> cloud-based exports, cryptography, sanctions against Russia and doing business with Iran. Regular seminars on export control policy are also organised for businesses or knowledge institutions.

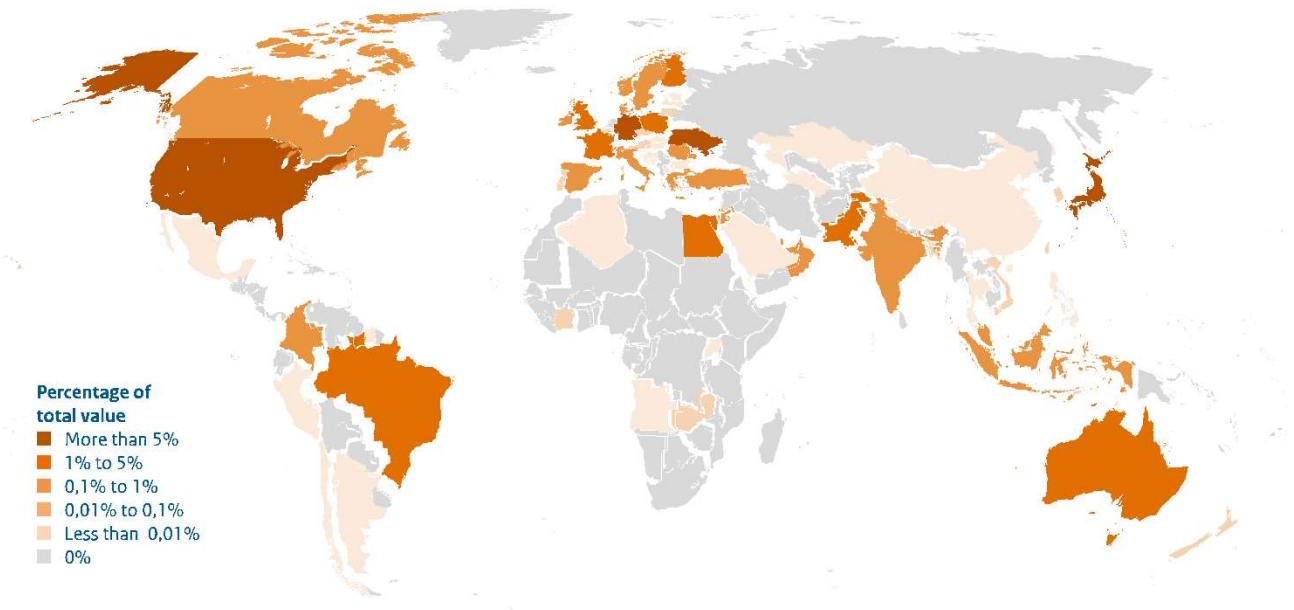
<sup>19</sup> <https://www.rijksoverheid.nl/onderwerpen/exportcontrole-strategische-goederen/rapportages-dual-use-en-militaire-goederen> (in Dutch).

## 5 The Netherlands' exports of military goods in 2023

### 5.1 Licences issued

# Licences issued for arms exports in 2023

In 2023, licences worth a total value of €1.78 billion were issued for arms exports



**N.B.:** Non-country-specific global licences for allied countries accounted for 2.5% of the total. These are not included in the above map.

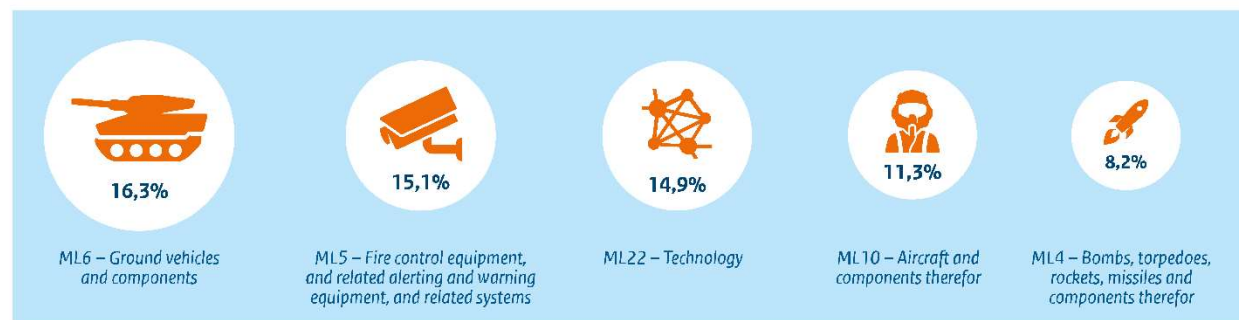


Figure 4. Overview of licences issued, broken down by final destination and top 5 ML categories<sup>20</sup>

There were 1,684 licence applications in 2023. That is an increase of 293 compared to 2022 (1,391).<sup>21</sup> Of these, 1,679 were approved. Rounded to two decimal places, the total value of

<sup>20</sup> The description of the various ML categories has been shortened. The complete version can be found in Annex 1.

<sup>21</sup> The increase in the number of applications virtually equals the number of applications for the export of military goods to Ukraine (167). These exports rose significantly in 2022 as a result of Dutch military support to Ukraine in the light of Russia's illegal war.

licences issued in 2023 amounted to €1.78 billion.<sup>22</sup> That is an increase compared to previous years (2023: €1.36 billion; 2022: €928.46 million; 2020: €701.76 million; 2019: €923 million). A significant share of this increase relates to Dutch supplies of military materiel to Ukraine, which also rose considerably in value (€813 million) in comparison to 2022 (€291 million) and which cover 45% of the total value of licences issued. The share of 'other European countries' (49.04%) grew significantly compared to last year (31%). This is linked to increased support to Ukraine in terms of military materiel. The share of countries within the European Union has also increased substantially, from 6% to 15.71%.

The following table provides a regional breakdown of licences issued in 2023. The breakdown into regions in this table is the same as in the EU's annual reports on arms export control.<sup>23</sup>

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<sup>22</sup> A total overview of all licences issued is published on this website (in Dutch): <https://www.rijksoverheid.nl/onderwerpen/exportcontrole-strategische-goederen/rapportages-dual-use-en-militaire-goederen>.

<sup>23</sup> Twenty-Fourth Annual Report according to Article 8(2) of Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment, [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023XG0216\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023XG0216(01)).

Table 2. Regional breakdown of licences issued

Region	Value of licences issued in 2023 (in € millions)	Share of total in 2023 (%)
North Africa	0.14	<1%
Sub-Saharan Africa	0.62	<1%
North America	92.18	5.19%
Central America and the Caribbean	1.76	<1%
South America	37.69	2.12%
Central Asia	0.13	<1%
Northeast Asia	143.45	8.08%
Southeast Asia	74.32	4.18%
South Asia	30.70	1.73%
European Union	279.09	15.71%
Other European countries	871.08	49.04%
Middle East	114.90	6.47%
Oceania	79.31	4.47%
Global licences	6.77	0.38%
Other EU/NATO+	44.08	2.48%
Total	1,776.22	100%

Among the top five countries of final destination in terms of total export licence values, Ukraine ranks first (€813.55 million) because of the large-scale Dutch export of materiel in support of Ukraine's defence against Russia's illegal war of aggression.

In second place is Germany, primarily because of licences for the export of military technology (ML22).

In third place is Japan (€101.23 million). Most of this (€100 million) is in connection with the export of a Japanese coastguard aircraft that was in the Netherlands for maintenance.

Fourth place is held by the United States (€90.12 million). This relates mainly to parts for airplanes and/or helicopters.

In fifth place is Australia (€78.31 million).

In 2023, two licences were issued for system deliveries to a non-EU or NATO+ country of final destination. These were licences for the export of radar and C3 systems<sup>24</sup> to Egypt and of radar and fire control systems to Singapore. Both cases concerned transactions with the receiving country's navy as the end user. The House of Representatives was informed to this effect under the accelerated procedure, in accordance with existing agreements (see Table 2).

When comparing this data with international figures, it is important to note that both the Dutch private sector and Dutch government bodies are subject to mandatory licensing for the export of military goods. Only the equipment belonging to Dutch military units that is sent abroad for exercises or international operations is exempt from mandatory export licensing. Unlike in some other countries, the sale of surplus defence equipment to third countries is thus included in the figures for the Netherlands.

#### *5.1.1 Supply of military goods to Ukraine*

In 2023, the Netherlands continued to provide support to Ukraine, partly through the delivery of military goods. These deliveries are founded on Ukraine's right to self-defence under Article 51 of the UN Charter and fall within the frameworks of both the Arms Trade Treaty and the European Common Position on arms export control (2008/944/CFSP).

As is the case for any other military goods, the export of military goods to Ukraine requires a licence. All exports are carefully assessed against the EU Common Position on arms export control. Given Ukraine's substantial need for support and the need for rapid delivery of the necessary equipment, an accelerated procedure is used.

Throughout 2023, the House of Representatives was informed on a regular basis by means of letters to parliament with confidential annexes providing details of all Dutch military support. Since 13 April 2023 (Parliamentary Paper 2023D15753), the government has been providing greater transparency in respect of exports to Ukraine. Since then, regular parliamentary letters about supplies to Ukraine have included a public overview of the equipment concerned.

Monthly public reports ([www.rijksoverheid.nl](http://www.rijksoverheid.nl)) on the export of military goods also indicate when licences have been issued, without going into detail about the nature of the goods.

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<sup>24</sup> C3: command, control and communications.

## 5.2 Licence application denials

In 2023, a total of 5 licence applications and preliminary applications (sondages)<sup>25</sup> for the export or transit of military goods were denied. See Annex 6 for a complete list of licence application denials. The figures below show the distribution of application denials, based on the reason for denial and on the country of final destination.<sup>26</sup>

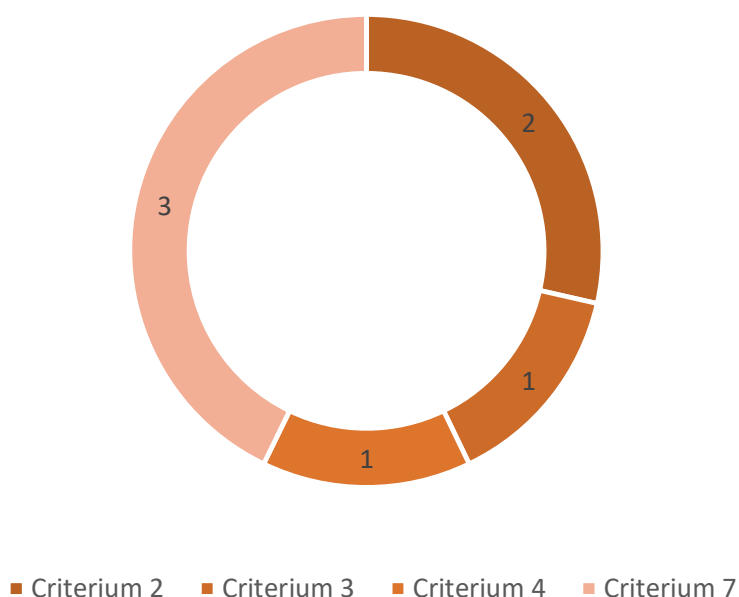


Figure 5. Licence application denials (2023) on the basis of reason for denial

In 2023, the most frequently invoked reason for denying a licence application was criterion 7 (risk of diversion, three times), followed by criterion 2 (risk of violation of international humanitarian law or human rights, twice) and criterion 3 (internal conflicts, once) and criterion 4 (regional stability, once).

<sup>25</sup> A sondage provides a company with an early indication as to whether the desired transaction will be eligible for an export licence. The assessment is carried out in the same way as that for a regular export licence. An export licence will still be required for the actual transaction (i.e., on delivery). A positive response to a sondage does not guarantee a positive outcome to an actual licence application.

<sup>26</sup> NB: a licence application can be denied on multiple grounds; consequently, the sum of the criteria will not be equal to the total.



The number of denials for 2023 (5) is lower than that for 2022 (10). The figure below illustrates, for reference purposes, the percentage of licence application denials out of the total number of applications for the period from 2005 to 2023.<sup>27</sup>

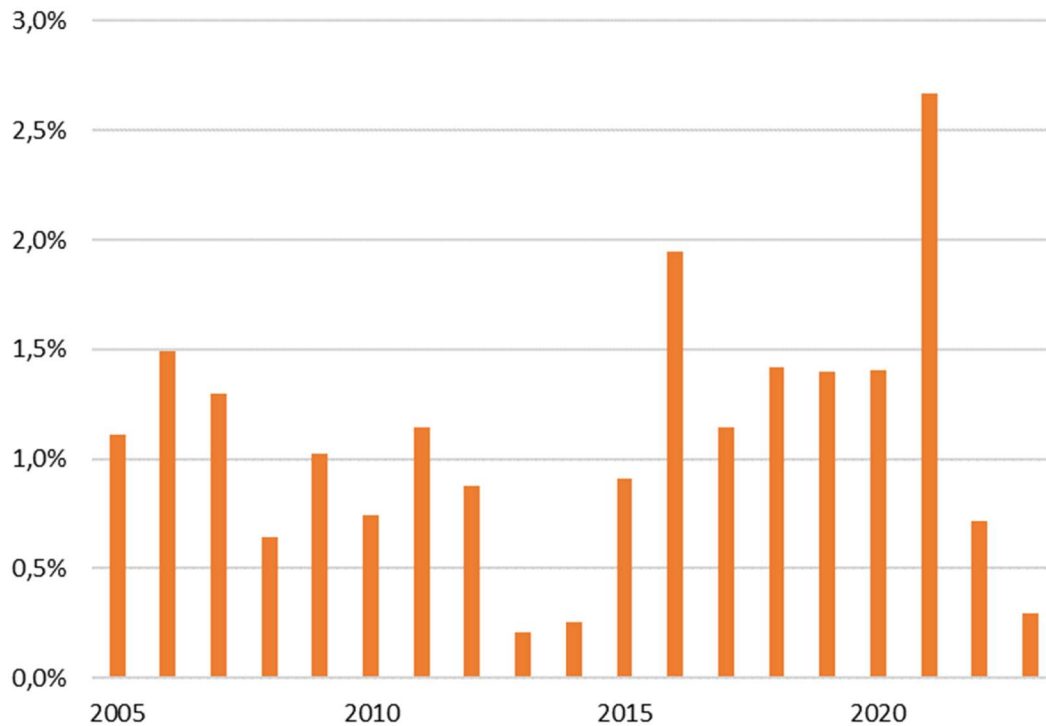


Figure 6. Denial rate, 2005-2023

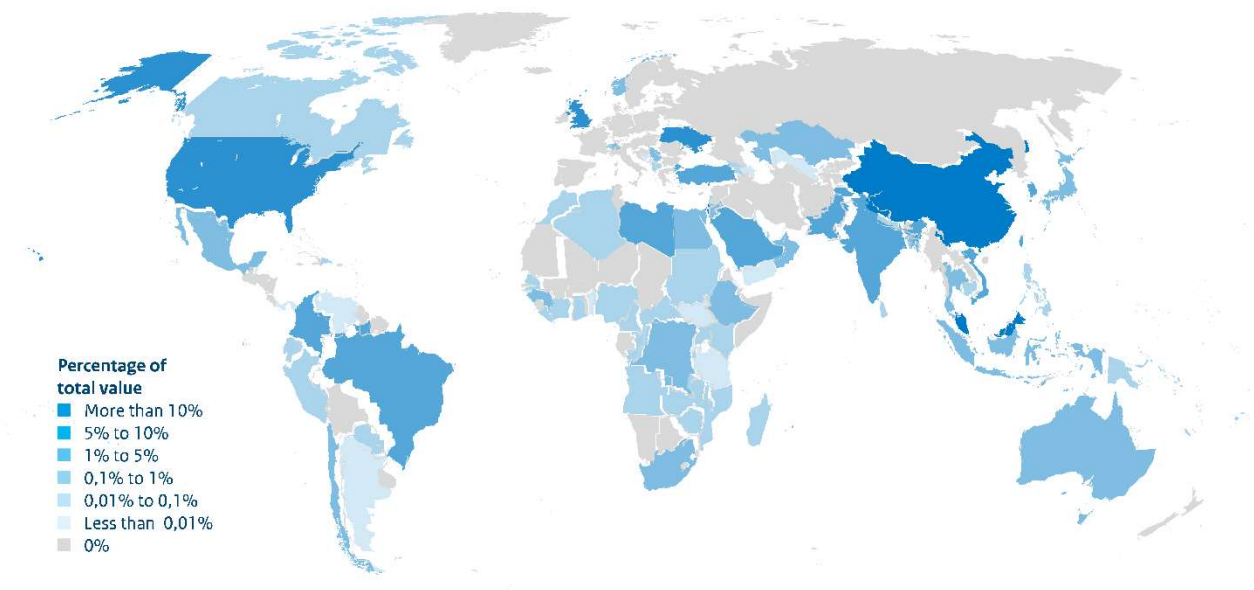
<sup>27</sup> The number of application denials is expressed as a percentage of the total number of licence applications. This includes licences requested for EU/NATO+ countries as a final destination. These applications are handled independently by the CDIU (see section 2.3). Applications listing EU/NATO+ countries as a final destination account for around 66% of the total number of applications and represent over 80% of the total value of licences issued.

## 6 The Netherlands' exports of dual-use goods in 2023

### 6.1 Dual-use goods

# Licences issued for dual-use goods in 2023

In 2023, licences worth almost €21 billion were issued for dual-use goods



**N.B.:** This graphic depicts the value of dual-use exports of all individually granted licences in 2023. The dual-use export of individual licences amounts to €294 million (1.41%) of the total value of the dual-use exports.

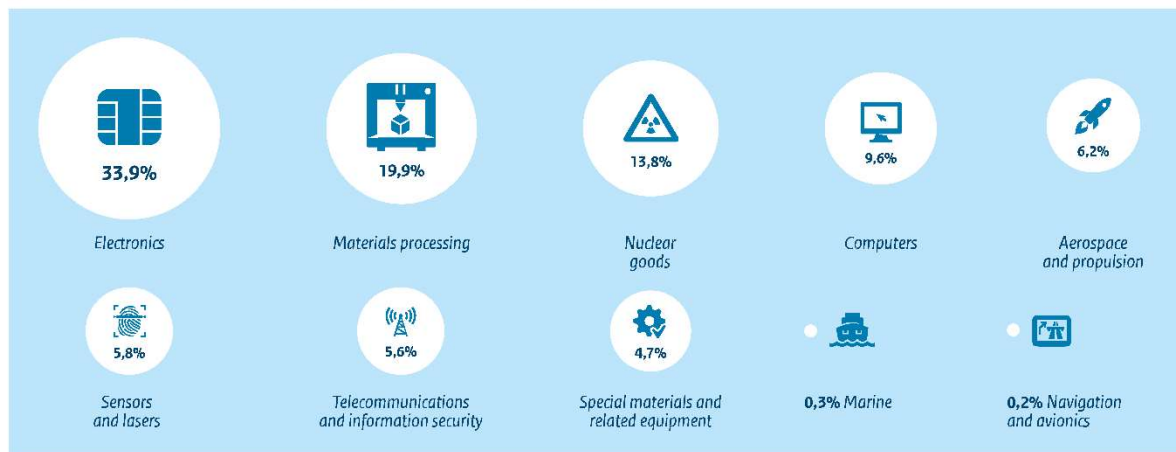


Figure 7. Overview of individual licences issued, broken down by final destination and category of good

The number of dual-use licences issued by the Netherlands under the Dual-Use Regulation increased in 2023 compared to the previous year (from 667 to 898). The corresponding value of the licences issued rose slightly, from over €20 billion to almost €21 billion. At 14,

the number of licence application denials is lower than the total for the previous year (32). The value of the licence application denials increased slightly from €15.11 million to €16.72 million. There are three types of export licence for dual-use goods, namely (1) individual licences for a single export of controlled goods to a destination outside the EU; (2) individual licences for a single transaction of controlled goods to a destination within the EU (intra-EU); and (3) the global licences category. Global licences are for multiple transactions for destinations outside the EU for which the exporters themselves assess the transaction for undesirable end use, under a government-approved Internal Compliance Programme (ICP). Given that such a licence can cover many transactions for many destinations, the corresponding value for this type of licence is much higher than that of individual licences. In addition to the licences listed in the table below, there are also general licences at national and EU level which can be used on the basis of a one-off registration.

Table 3. Number and value of licences issued and denied for dual-use goods in 2023

	<b>Number of licences issued</b>	<b>Value (in € millions)</b>	<b>Number of licences denied</b>	<b>Value (in € millions)</b>
Individual licences	660	294.85	14	16.72
Global licences	181	20,554.28	0	0
Intra-EU	54	117.94	0	0
Catch-all	3	0.0171	0	0
Total	898	20,967	14	16.72

This report also includes a map of the world showing the destinations for which licences were issued. However, because a large proportion of dual-use licences are global licences for which it is not possible to attribute the value on the basis of final destination, this map includes only the individual licences issued. Although it represents only a part of the total number of licences issued, the map nevertheless gives a sense of the final destination of dual-use goods exported from the Netherlands. That said, when viewing the map, the reader should bear in mind that the listed values of goods do not lend themselves to straightforward comparisons. For example, one licence for highly sophisticated technical equipment may be of a similar value to a large number of licences for certain less expensive goods.

A total overview of all applications granted, including their value, destination and product category, is published on a regular basis.<sup>28</sup> No details are published on licence application

<sup>28</sup> <https://www.rijksoverheid.nl/onderwerpen/exportcontrole-strategische-goederen/documenten/rapporten/2016/10/01/overzicht-dual-use-vergunningen> (in Dutch).

denials because this could result in the disclosure of information regarding the Dutch government's intelligence position with regard to acquisition attempts.

The EU's Dual-Use Regulation distinguishes between various categories of goods. The largest share of the total value of the individual licences issued in the Netherlands in 2023 consisted of licences for transactions of goods in the categories of electronics, materials processing and the nuclear industry.

The list of the top 10 destinations of realised exports also factors in the data for global and general licences. For this reason, the list differs from the global map above, which only includes individual licences issued.

Table 4. Value of realised exports of dual-use goods (including general licences) for the top 10 countries of final destination outside the EU

	Destination	Value (in € millions)
1	South Korea	3,895
2	Taiwan	3,437
3	United States of America	2,329
4	United Kingdom	1,333
5	Switzerland	276
6	China	253
7	India	203
8	Norway	153
9	Türkiye	146
10	Israel	137

The list above is similar to the top 10 for 2022. As in the previous year, South Korea, Taiwan and the United States make up the top 3. Although Russia was still in the top 10 in 2021, that was no longer the case in 2023 because of the changing geopolitical situation. In 2023, India entered the top 10 and Malaysia dropped out of it.

## 6.2 New sensitive technologies

Technologies such as quantum, AI, semiconductor and biotechnology are playing a more central role than ever before in national security issues. This is partly due to the increasing use of technology in international geopolitical conflicts, the dual-use nature of technology whereby the civil/military distinction is becoming more blurred, and the ever greater interconnectedness of technology and society. This raises new questions about the relationship between technology, security and the economy, including the question of what technology needs to be controlled and protected based on potential national security risks. Key considerations in responding to these questions are not only security, but also market forces and the preservation of an open economy, although intervention in these areas could be necessary from a national security perspective. Internationally, the relevant parties are already exploring what steps need to be taken to enhance oversight of the export of new sensitive technologies (some of which are in essence dual-use, but often not yet subject to controls). In addition, the Netherlands is actively participating in discussions on this issue within the EU and NATO and in other international consultative bodies, both multilaterally and bilaterally.

### 6.2.1 Ministerial Order on advanced semiconductor manufacturing equipment

In line with the developments outlined above, the Netherlands introduced export controls for advanced semiconductor manufacturing equipment for reasons of national security in 2023. The Ministerial Order on advanced semiconductor manufacturing equipment came into effect on 1 September 2023. Since then, the export of certain advanced semiconductor manufacturing equipment and technologies has been subject to an authorisation requirement. Because of the specific ways in which these products could be used, these technologies can make a vital contribution to certain military applications. Non-controlled export of these goods and technologies from the Netherlands could therefore pose a risk to national security. The ultimate decision to apply additional export control measures was taken with due care and the utmost surgical precision in order to prevent unnecessary disruption to the relevant value chains and take due account of the international level playing field.<sup>29</sup>

## 6.3 Knowledge security

Knowledge security features with increasing frequency on the international agenda. With a view to promoting knowledge security and limiting the risk of undesirable knowledge transfer, further steps were taken in 2023. For example, the government has sought to raise awareness and foster self-regulation among knowledge institutions by establishing a knowledge security dialogue in which central government and knowledge institutions discuss possible courses of action. The government-wide Contact Point for Knowledge Security

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<sup>29</sup> <https://www.government.nl/documents/parliamentary-documents/2023/03/10/letter-to-parliament-on-additional-export-control-measures-concerning-advanced-semiconductor-manufacturing-equipment>.

continues to support knowledge institutions in their commitment to knowledge security.<sup>30</sup>  
The first Export control seminar for knowledge institutions was also held in 2023.

#### 6.4 Anti-Torture Regulation

Under the Anti-Torture Regulation, the trade in goods and services listed in Annexes III and IV is subject to a licensing requirement.<sup>31</sup> Table 5 below provides an overview of the licences issued for these goods in 2023.

Table 5. Value of licences issued for the export of goods listed in the Anti-Torture Regulation (per category)

Total for 2023				
	Number of licences	Value (in euros)	Final destination	End use
Annex III goods	5	54,820	Aruba, Bonaire, Curaçao, St Eustatius, St Maarten	Law enforcement and food industry
Annex IV goods	24	2,182,588	Australia, Aruba, BES islands (Bonaire, St Eustatius, Saba), Canada, Curaçao, Ethiopia, Gabon, Guinea-Bissau, Haiti, Hong Kong, Liberia, Malawi, Malaysia, Somalia, South Sudan, St Maarten, Ukraine, United Kingdom	Veterinary, medical and pharmaceutical

<sup>30</sup> <https://english.loketkennisveiligheid.nl/>.

<sup>31</sup> See also section 3.2.1.

## 7 Relevant developments in the European Union

### 7.1 European Council Working Party on Conventional Arms Exports (COARM)

EU cooperation on export controls for conventional weapons takes place mainly in the European Council Working Party on Conventional Arms Exports (COARM). Representatives from the Ministry of Foreign Affairs participate in COARM meetings on behalf of the Netherlands. In COARM, member states share information on their arms export policies in the framework of the EU's Common Security and Defence Policy (CSDP), with a view to improving coordination of those policies and the relevant procedures. In doing so, they promote policy harmonisation and strive to ensure a level playing field. The above-mentioned activities are based on the EU's Common Position on arms export control, which was adopted by the Council on 8 December 2008.

#### Review of the Common Position

The EU Common Position on arms export control was last reviewed in 2019. The next review should be completed in the course of 2024. The review is still based on the principle that arms export control remains a national responsibility and continues to form part of the EU's Common Foreign and Security Policy (CFSP).

Throughout 2023, three COARM focus groups worked on the review, with particular attention for three issues:

- *jointly manufactured military goods*, to reach agreements on export controls and to stimulate joint development and manufacture of military goods;
- *further harmonisation*, to achieve further harmonisation of EU arms export policy, and
- *legal matters and enforcement issues*, to minimise legal differences and exchange best practices with regard to enforcement and control.

The exchange of views between the members of each focus group resulted in a document containing a number of proposals for review of the EU Common Position. The Netherlands played a leading role in this and co-chaired the focus group on jointly manufactured military goods with France. The aim was to achieve a more streamlined export control system for the intra-EU transfer of components for the joint development and manufacture of defence goods, with due regard for a thorough export assessment using common European assessment criteria.

The government's aim is for this to boost European security through a more uniform application of European export policies and better streamlining of export controls. This should also prevent a 'waterbed effect', whereby export that is denied in one member state still takes place because a licence is issued in another. The European defence industry can thus be upscaled to increase European self-sufficiency.

Specifically, the government is committed to incorporating elements of the French/German/Spanish agreement on export control in the defence domain, which the Netherlands wishes to join, in the review of the EU Common Position.

The government also intends to incorporate elements into the review that promote the convergence of European arms export policies, such as the enhanced exchange of information and timely consultation on divergent views on specific export transactions, in

order to achieve a more uniform application of the assessment criteria. In terms of harmonisation, the Netherlands sees opportunities in exploring new ways of working, for example in the form of an enhanced information exchange on sensitive final destinations with a view to promoting a common understanding of assessment criteria.

The government is also in favour of giving countries' right to self-defence a more prominent place in the Common Position, further promoting transparency on arms exports and, in line with the Arms Trade Treaty, specifically including in the EU Common Position the potential impact of arms exports on gender-based violence or serious acts of violence against women and children.

Member states are endeavouring to complete the review before the end of 2024. The government will continue to play an active and constructive role to ensure that the review of the Common Position serves Dutch priorities. The review must be established by consensus. The realisation of the above-mentioned government aims therefore depends partly on whether there is sufficient support among other member states.

## 7.2 EU outreach on military goods

COARM also regularly discusses various outreach activities through the EU which contribute to knowledge development and policymaking, legislation and institutions in respect of export control in partner countries. For instance, the EU supports the Arms Trade Treaty (ATT) outreach programme, aimed at raising awareness of the ATT in partner countries (set to run until January 2025). The EU has a similar outreach programme for the Common Position, which endeavours to raise awareness of the EU Common Position in European Neighbourhood Policy countries. This programme was extended in 2023 (Council Decision (CFSP) 2023/2539) until February 2025. Finally, COARM also agreed via Council Decision (CFSF) 2023/2296 to provide continued financial support to the ATT secretariat for the purpose of promoting the implementation of the treaty. This support will cease in November 2025.



### 7.3 EU annual report for 2023 on the export of military goods

On 11 December 2023, the Council adopted the EU's 25th Annual Report On Arms Exports,<sup>32</sup> which provides an overview of the subjects discussed in COARM. The report also contains detailed statistical data on exports of military equipment by EU member states in 2022.<sup>33</sup>

In 2022, the total value of arms export licences issued by EU member states was over €179 billion. At more than €130 billion, France reported the highest value of licences issued. It should be noted, however, that France changed its licensing system in 2014, as a result of which licences for *potential* orders are now also included in the total. Consequently, this figure is probably an overestimate. The true contract value (i.e., the actual figure for which licences were issued) will be lower. In 2022, the Netherlands was in 10th place in the EU. The following table lists the total value of licences issued in 2022 by country and each country's share of the total.

Table 6. European arms exports in 2023

Country	Value of licences issued (in €)	Share of total (%)
France <sup>34</sup>	130,475,869,557	75.93%
Spain	10,555,191,486	5.88%
Germany	8,362,028,138	4.66%
Poland	5,686,055,405	3.17%
Bulgaria	4,320,244,872	2.41%
Italy	3,830,646,987	2.13%
Austria	2,483,505,844	1.38%
Sweden	2,061,271,223	1.15%
Belgium	1,767,314,872	0.98%
The Netherlands	1,362,684,678	0.76%
Czech Republic	1,022,252,648	0.57%
Hungary	816,654,748	0.46%
Croatia	689,461,430	0.38%

<sup>31</sup> <https://data.consilium.europa.eu/doc/document/ST-16605-2023-INIT/en/pdf>.

<sup>33</sup> Unlike the present report, the EU annual report does not cover 2023 but 2022, because member states reported on the preceding year over the course of 2023.

<sup>34</sup> As noted above, the figures for France are not comparable due to a different reporting system.

Slovakia	606,664,048	0.34%
Latvia	526,103,319	0.29%
Romania	482,436,676	0.27%
Greece	444,397,091	0.25%
Portugal	191,938,824	0.11%
Denmark	180,872,343	0.10%
Slovenia	164,928,137	0.09%
Ireland	125,858,821	0.07%
Finland	119,290,811	0.07%
Estonia	107,199,797	0.06%
Lithuania	65,231,774	0.04%
Luxemburg	6,780,438	0.00%
Malta	4,617,953	0.00%
Cyprus	4,427,767	0.00%
Total	179,479,111,163	100.0%

Besides EU member states and NATO allies, the main destinations for the EU were India, Ukraine, Colombia, Egypt, Indonesia and the United Arab Emirates. The breakdown by final destination is shown in the figure below:

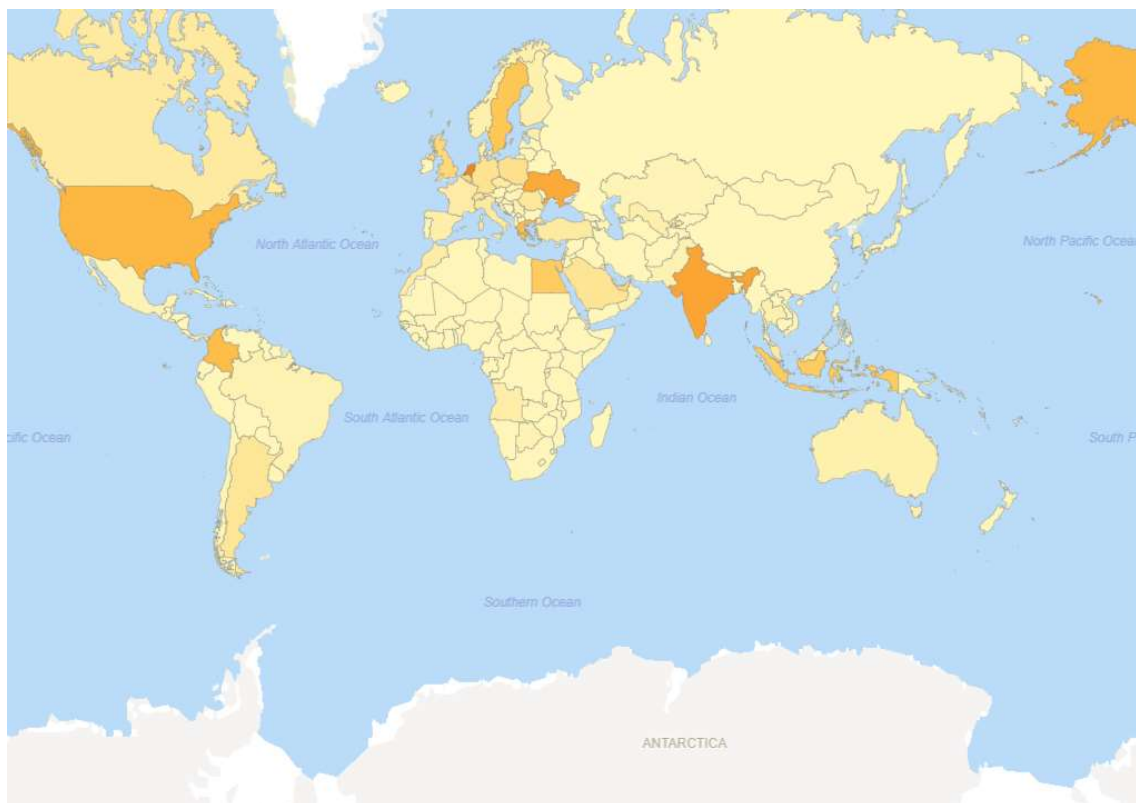


Figure 8. Value of EU export licences by final destination in 2022<sup>35</sup>

The EU's annual report further indicates that member states issued a total of 31,327 licences and that 123 licence applications were denied and reported.<sup>36</sup> The number of denied applications was lower than in previous years (2021: 216; 2020: 203; 2019: 216).

The number of consultations between EU member states regarding denied licence applications amounted to 36 in 2022. That represents a decrease compared to the previous year (66). In 2022, the Netherlands was involved in 11 consultations (30% of cases), six of which were instigated by the Netherlands itself and five of which were instigated by other member states. By means of these consultations, the Netherlands is helping to develop a clearer understanding of European arms export control frameworks.

<sup>35</sup> Source: COARM Public online database: <https://webgate.ec.europa.eu/eeasgap/sense/app/75fd8e6e-68ac-42dd-a078-f616633118bb/sheet/24ca368f-a36e-4cdb-94c6-00596b50c5ba/state/analysis>.

<sup>36</sup> Not all member states report their denials in the EU annual report. The overview of denials is therefore not comprehensive, but it does provide a general idea.

#### 7.4 Council Working Parties on dual-use goods

EU cooperation on export control of dual-use goods takes place mainly in the Dual-Use Working Party (DUWP). Representatives from the Ministry of Foreign Affairs take part in DUWP meetings on behalf of the Netherlands. In 2023, the DUWP renewed and formalised its mandate. It was also the year in which Articles 9 and 10 of the EU's Dual-Use Regulation came under the spotlight. On the basis of those articles, national export control measures were announced and introduced in 2023 by various EU member states, including the Netherlands, Spain and Lithuania. Various countries, including the Netherlands, also called for national measures to be adopted by other EU member states. In addition, 2023 saw the start of an exchange of views about the European Economic Security Strategy, which was presented by the European Commission and in which the export control instrument for dual-use items featured prominently. The Commission aims to strengthen coordination between European member states, without affecting the division of competences or the representation in the multilateral export control regimes.<sup>37</sup>

The Dual-Use Coordination Group (DUCG), established under Article 24 of the Dual-Use Regulation, is tasked with examining issues arising from the application of the Regulation. With a representative from each EU member state, the DUCG is chaired by the European Commission. The DUCG organised seven meetings (mainly online) in 2023. It plays a key role in the active implementation of the Regulation and focuses on fulfilling new requirements and mandates in the context of the Regulation, which was revised in 2021. This includes the continuation of activities in the various technical expert groups with a view to enhancing controls on cybersurveillance technologies, an improved exchange of technical and other information and greater transparency, enforcement of export controls, emerging technologies, and the development of EU programmes for capacity building and training for the licence-issuing and enforcement agencies of the member states.

As regards the technical expert groups, the Surveillance Technology Expert Group (STEG) completed its activities in respect of the development of due diligence guidelines for exporters in 2023.<sup>38</sup> The Technical Expert Group on data collection and transparency (TEG-Transparency) completed its work on developing guidelines relating to the preparation of the EU annual report on export controls of dual-use goods.<sup>39</sup>

The control list in Annex I of the Regulation is updated every year to take account of changes in the multilateral export control regimes. The updated and consolidated control list came into effect on 15 December 2023.

Just as in 2022, the export restriction measures in the successive sanction packages imposed on Russia demanded a great deal of capacity. One consequence of the sanctions was that more information about export control was exchanged among partner countries, such as the United States, Japan and the United Kingdom. Together with the Commission, the DUWP worked on ways to ensure that that information exchange proceeded smoothly. This was also

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<sup>37</sup> [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_23\\_3358](https://ec.europa.eu/commission/presscorner/detail/en/IP_23_3358).

<sup>38</sup> EU approval of the guidelines is currently in the final phase.

<sup>39</sup> [Recommendation \(EU\) 2024/214 on guidelines setting out the methodology for gathering and processing data required in the EU annual report](#)

part of the discussions in the export control working group under the Trade and Technology Council (TTC), the content for which is prepared in the technical expert groups.

## 8 Other relevant international developments

There have also been various developments outside the EU that are relevant to arms export policy.

### 8.1 Arms Trade Treaty

A crucial element of the Arms Trade Treaty (ATT) is that it obliges states to set up national export control systems, thereby nudging the world in the direction of a more responsible international arms trade system. The treaty's assessment criteria are consistent with several of the criteria that already apply under the EU's Common Position on arms export control: compliance with international embargoes, no cooperation in violations of international humanitarian law or human rights and mitigation of the risk of diversion of conventional arms to the illicit market or for unauthorised use.

The ATT has 113 states parties. Twenty-eight countries have signed the treaty, but have not yet ratified it. The Netherlands and the EU will continue to encourage more countries to sign up to the ATT.

The 9th Conference of States Parties (CSP9) of the ATT took place in Geneva from 21 to 25 August 2023. After almost 10 years, there is a widely shared desire among the states to shift the ATT's focus to the way in which the treaty is applied by countries in practice. For instance, there is not enough discussion about the different ways in which states conduct risk assessments (in accordance with Article 7 of the ATT) during the licence-issuing process. There is also room for improvement on addressing practical challenges faced by countries when establishing and maintaining an effective national export control system. To focus more attention on these issues, the Netherlands set out, together with a group of like-minded countries, to review the treaty's focus during the CSP9 (within the parameters of its current text) as well as to optimise the internal structure and number of meeting days. To this end, a new work programme was adopted during CSP9 ensuring that countries can exchange information and best practices on export control and the licensing process even more effectively.

For the Netherlands, transparency and compliance by states parties with ATT reporting obligations on arms trade are priority themes within the treaty. For instance, just as in previous years, the Netherlands has again made a multi-year financial contribution – for the period 2023-2025 – to Control Arms, for the ATT monitor,<sup>40</sup> and to the Stimson Center.<sup>41</sup> Both the monitor and the Stimson Center project keep a check on the implementation of the treaty by states parties, particularly with regard to transparency and reporting. The Stimson Center identifies the main challenges facing states parties in meeting their reporting obligations, defines best practices and makes specific recommendations for states parties to improve their reporting systems. These reports are actively introduced by Stimson, and by Control Arms for the ATT monitor, at the plenary discussions of the ATT and are used by countries as a source of information. As the ATT has no treaty-mandated implementing organisation, these organisations play a vital role in monitoring the actual implementation.

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<sup>40</sup> <https://attmonitor.org/en/>.

<sup>41</sup> <https://www.stimson.org/project/arms-trade-treaty/taking-stock-of-the-arms-trade-treaty/>.

In addition, Dutch financial support enables Stimson to undertake activities to provide direct assistance to non-reporting states parties in meeting their reporting obligations.

Lastly, the Netherlands' annual ATT report is a public document.<sup>42</sup> This year too, a number of transactions relating to exports to Ukraine cannot be fully reported for reasons of national security, as was the case for the 2022 ATT report. This concerns the export of highly strategic equipment from its own defence stockpile, where full transparency would provide insight into the Netherlands' capabilities in this area. The Netherlands will disclose this information retrospectively when it becomes possible from a security perspective.

## 8.2 Wassenaar Arrangement

The export of strategic goods (military and dual-use) is discussed in the framework of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies (WA). In the year under review, 42 countries, including the United States, Russia and all EU member states with the exception of Cyprus, participated in this forum, which takes its name from the town where the negotiations to establish the Arrangement were conducted in 1995, under the chairmanship of the Netherlands. It is estimated that these countries jointly account for over 90% of global military exports.

The aim of the WA, as stated in the 'Initial Elements',<sup>43</sup> is to contribute to regional and international security and stability. This is achieved through regular information sharing on the export to third countries of arms and goods that can be used for military ends. Through this exchange of information, the participating states will be better able to assess more accurately whether the build-up of military resources is having a destabilising effect in certain countries or regions. If so, they should exercise greater restraint when considering licence applications for these destinations.

The Wassenaar Arrangement maintains both a list of dual-use goods that applies to the Netherlands on the basis of the EU Dual-Use Regulation and a list of military goods that are deemed to be subject to export controls. Any revision of the WA list results in the amendment of the EU Common Military List and the control list of the EU Dual-Use Regulation.

### Current events

Geopolitical tensions have severely hampered the process of reaching consensus on export control and political proposals. The large-scale Russian invasion of Ukraine in 2022 further escalated the impasse within the WA. As a result, it is currently unlikely that it will be possible to control the exports of emerging technologies through the WA in the short term.

## 8.3 Other export control regimes

The Netherlands plays an active role in the various international export control regimes. In respect of non-proliferation, these are the Nuclear Suppliers Group (NSG) for nuclear weapons, the Australia Group (AG) for biological/chemical weapons, and the Missile Technology Control Regime (MTCR), which focuses on the means of delivery for such

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<sup>42</sup> <https://thearmstradetreaty.org/download/b2dbb78e-bbe8-3fc6-a985-f0b3f37108c7>.

<sup>43</sup> The Initial Elements can be consulted on the website of the Wassenaar Arrangement: [www.wassenaar.org](http://www.wassenaar.org).

weapons (ballistic missiles and unmanned aerial vehicles). Countries which participate in these regimes make agreements on export control policy and exchange information on programmes for weapons of mass destruction and their means of delivery in countries of concern. Countries also share their experiences and information with regard to enforcement. The countries participating in the respective regimes have also drawn up control lists for a range of goods, production technologies, materials, software and other technology for which an export licence is mandatory. These lists are regularly updated to keep pace with technological developments. Discussions are taking place in the various regimes about the possible accession of new members and about unilateral compliance with guidance and goods lists by non-partner countries.

Due to political tensions, as outlined above under current events in relation to the Wassenaar Arrangement (8.2), it is proving extremely difficult for the export control regimes to reach a consensus or to make progress on technical proposals. This also applies to the MTCR. The Australia Group is, however, making progress in terms of export controls to tackle biological and chemical weapons, because this particular export control regime is composed of a more like-minded group of member states.



## 9 Annexes

### 9.1 Annex 1: Licences issued for the export of military goods

Overview of the value of licences issued in 2023 for the permanent export of military goods by category of goods and by country of final destination.

#### Methodology

The values reported below are based on the value of the licences for the permanent export of military goods issued during the period under review. The licence value represents the maximum export value, although this may not necessarily correspond to the value of the exports actually carried out at the time of publication. Licences for temporary export have been disregarded in these figures, on the grounds that they are subject to a reimport requirement. These usually concern shipments for demonstration or exhibition purposes. On the other hand, licences for trial or sample shipments are included in the figures because they are not subject to the reimport requirement given the nature of the exported goods. Licences for goods that are sent back following repair in the Netherlands are similarly not included in the reported figures. In such cases, however, the goods must have been part of a prior shipment from the Netherlands, whose value will therefore have been reflected in a previous report. Without these precautions, the inclusion of such 'return following repair' licences would lead to duplication. Licences whose validity has been extended do not appear in the figures for the same reason. This also applies to licences that are replaced for reasons such as a recipient's change of address. However, if the value of the extension or replacement licence is higher than that of the original licence, the surplus will obviously be reported.

Table 7. Value of licences issued for the permanent export of military goods in 2023 by category (divided according to the ML system)<sup>44</sup>

ML category	Description	Value (in € millions)
ML1	Smooth-bore weapons with a calibre of less than 20 mm, other arms and automatic weapons with a calibre of 12.7 mm (calibre 0.50 inches) or less and accessories and specially designed components therefor	126.06
ML2	Smooth-bore weapons with a calibre of 20 mm or more, other weapons or armament with a calibre greater than 12.7 mm (calibre 0.50 inches), projectors specially designed or modified for military use and accessories and specially designed components therefor	51.75
ML3	Ammunition and fuze setting devices and specially designed components therefor	51.81
ML4	Bombs, torpedoes, rockets, missiles, other explosive devices and charges and related equipment, and specially designed components therefor	145.38
ML5	Fire control, surveillance and warning equipment, and related systems, test and alignment and countermeasure equipment, specially designed for military use, and specially designed components and accessories therefor	268.38
ML6	Ground vehicles and components	288.83

<sup>44</sup> For further information, see the EU Common Military List.

ML category	Description	Value (in € millions)
ML7	Chemical agents, 'biological agents', 'riot control agents', radioactive materials, related equipment, components and materials	4.65
ML8	'Energetic materials' and related substances	0.03
ML9	Vessels of war (surface or underwater), special naval equipment, accessories, components and other surface vessels	103.80
ML10	'Aircraft', 'lighter-than-air vehicles', 'unmanned aerial vehicles' ('UAVs'), aero-engines and 'aircraft' equipment, related equipment, and components, specially designed or modified for military use	201.19
ML11	Electronic equipment, 'spacecraft' and components, not specified elsewhere on the EU Common Military List	53.37
ML12	High velocity kinetic energy weapon systems and related equipment and specially designed components therefor	0.03
ML13	Armoured or protective equipment, constructions and components	32.03
ML14	'Specialised equipment for military training' or for simulating military scenarios, simulators specially designed for training in the use of any firearm or weapon specified by ML1 or ML2, and specially designed components and accessories therefor	3.95
ML15	Imaging or countermeasure equipment specially designed for military use, and specially designed components and accessories therefor	24.29

ML category	Description	Value (in € millions)
ML16	Forgings, castings and other unfinished products, specially designed for items specified by ML1 to ML4, ML6, ML9, ML10, ML12 or ML19	3.60
ML17	Miscellaneous equipment, materials and 'libraries' and specially designed components therefor	52.65
ML18	'Production' equipment, environmental test facilities and components	1.08
ML19	Directed Energy Weapon (DEW) systems, related or countermeasure equipment and test models and specially designed components therefor	0.03
ML20	Cryogenic and 'superconductive' equipment and specially designed components and accessories therefor	0.03
ML21	Software	98.63
ML22	Technology	264.66
Total		1,776.22

Table 7B. Value of licences issued for the permanent export of military goods by country of destination (broken down by ML category)

<b>Total for 2023 [€ million]</b>											
	<b>ML1</b>	<b>ML2</b>	<b>ML3</b>	<b>ML4</b>	<b>ML5</b>	<b>ML6</b>	<b>ML7</b>	<b>ML8</b>	<b>ML9</b>	<b>ML10</b>	<b>ML11</b>
Algeria											0.05
Angola					0.12						
Aruba			0.00								
Australia				4.52	0.53	0.01			30.10		1.83
Austria	0.05	0.05	0.00								
Bangladesh					0.54						
Belgium				0.03							
BES islands	0.01		0.02								
Brazil					5.92				12.27		5.84
Bosnia and Herzegovina						0.01					
Bulgaria	0.01										
Canada	0.01	0.01	0.00						2.00	0.00	0.06
Chile	0.00					0.02					
China											
Colombia					0.35						
Côte d' Ivoire	0.31										
Croatia	0.00										
Curaçao			0.03		0.57					0.57	
Czech Republic	0.28		1.03			0.00					
Denmark	0.01	0.47		0.00		4.05					
Egypt					17.58						19.80

Total for 2023 [€ million]											
	ML1	ML2	ML3	ML4	ML5	ML6	ML7	ML8	ML9	ML10	ML11
Estonia	0.00				0.01	0.03					0.04
EU/NATO+	2.04				5.65	2.72				16.45	
Finland	0.00	0.00			8.37	0.22			0.48		
France	0.02	2.05	0.00	0.03	0.03	9.56		0.03	3.55	1.52	0.03
Georgia											
Germany	2.28	1.47	1.09	34.93	0.04	10.34			4.49	1.99	9.39
Greece	0.00		0.13		4.98				1.32	1.01	
Hungary	0.00									0.13	
Ireland						4.53				0.01	
India					2.71	0.86				0.06	
Indonesia	0.58				0.17						1.17
Israel			0.05		0.36				1.71	0.29	8.06
Italy	0.01	0.03	1.80	0.82					0.17	0.83	0.06
Japan									0.58	100.00	
Jordan						3.33					
Kazakhstan						0.03			0.10		
Latvia	0.00										
Lebanon											
Lithuania	0.02					0.21					
Malaysia				1.15	0.92						
Malta	0.02										
Mexico											
New Zealand					0.50						
North Macedonia	0.02										

Total for 2023 [€ million]											
	ML1	ML2	ML3	ML4	ML5	ML6	ML7	ML8	ML9	ML10	ML11
Norway			0.23	3.44		0.22			0.15	1.50	0.75
Oman					0,21					2,72	
Pakistan					7.85				0.49	1.00	
Peru											
Philippines					0.11						
Poland	0.19	0.01	1.18			16.05			0.07	0.00	
Portugal	0.03				0.00					0.32	
Qatar					0.75					5.00	1.07
Romania	0.00								2.15	0.03	
Saudi Arabia							0.01		0.00		
Singapore					15.42	0.64			0.00	0.00	0.03
St Maarten			0.00								
Slovenia	0.01										
Slovakia	0.00										
South Korea		0.04			9.28	0.04	1.62		0.64		
Spain	0.00	0.50	0.36	0.00		0.53	1.10		0.19	0.21	0.01
Suriname	0.00										
Sweden	0.01		0.01	0.41		1.76			0.03		
Switzerland	0.04		0.75	0.00	0.48	1.67					
Taiwan									8.25		
Thailand									0.04		
Türkiye	0.18		0.01		0.12	0.06			1.80		0.03
Turkmenistan										0.00	
Uganda	0.00										

**Total for 2023 [€ million]**

	ML1	ML2	ML3	ML4	ML5	ML6	ML7	ML8	ML9	ML10	ML11
Ukraine	117.59	46.24	44.08	99.19	177.81	224.34	1.92		1.89	7.28	2.77
United Arab Emirates				0.79	1.36				0.08		
United Kingdom	0.14	0.00	0.01	0.06	1.68	6.54		0.00	20.33	0.19	0.70
United States	2.20	0.88	1.01	0.01	1.79	0.89			9.25	59.96	
Various					2.16				1.67		1.67
Vietnam										0.12	0.03
Zambia						0.19					
Total	126.06	51.75	51.81	145.38	268.38	288.83	4.65	0.03	103.80	201.19	53.37



**Total for 2023 [€ million]**

	ML12	ML13	ML14	ML15	ML16	ML17	ML18	ML19	ML20	ML21	ML22	Total
Algeria										0.05	0.05	0.14
Angola												0.12
Aruba												0.00
Australia			0.15	7.49	1.30		0.18			0.25	31.96	78.31
Austria		0.15	0.13	0.00							0.07	0.46
Bangladesh										0.39	0.39	1.32
Belgium						0.08				0.10	0.10	0.31
BES islands												0.03
Brazil										5.82	5.91	35.77
Bosnia and Herzegovina												0.01
Bulgaria												0.01
Canada											0.00	2.07
Chile												0.02
China											0.00	0.00
Colombia										0.70	0.85	1.89
Côte d'Ivoire												0.31
Croatia												0.00
Curaçao				0.57								1.73
Czech Republic				0.00								1.31
Denmark				0.02							0.00	4.56
Egypt										18.41	20.13	75.92
Estonia				0.01						0.04	0.04	0.16
EU/NATO+		0.01			0.01					1.21	15.99	44.08
Finland							0.23			8.37	8.37	26.04
France	0.03	0.03	0.12	0.03	0.03	0.05	0.03	0.03	0.03		2.48	19.67

**Total for 2023 [€ million]**

	ML12	ML13	ML14	ML15	ML16	ML17	ML18	ML19	ML20	ML21	ML22	Total
Georgia						0.00						0.00
Germany		16.00	2.19	0.00	0.08	0.59	0.05			0.13	84.20	169.25
Greece											6.30	13.74
Hungary											0.00	0.13
Ireland												4.53
India											1.10	4.72
Indonesia				0.31						0.31	2.93	5.47
Israel				0.09			0.29				1.22	12.07
Italy			0.51	0.00							0.59	4.82
Japan			0.20								0.45	101.23
Jordan												3.33
Kazakhstan												0.13
Latvia												0.00
Lebanon		0.00										0.00
Lithuania												0.23
Malaysia				0.02			0.09			1.85	2.12	6.15
Malta												0.02
Mexico			0.00									0.00
New Zealand										0.00	0.50	1.00
North Macedonia												0.02
Norway							0.09			0.00	0.05	6.45
Oman										0.43	0.71	4.08
Pakistan										7.66	7.66	24.66
Peru											0.00	0.00
Philippines												0.11
Poland		0.05		0.00		2.81					0.00	20.36

**Total for 2023 [€ million]**

	ML12	ML13	ML14	ML15	ML16	ML17	ML18	ML19	ML20	ML21	ML22	Total
Portugal												0.36
Qatar			0.02							1.50	6.82	15.15
Romania											2.07	4.25
Saudi Arabia			0.02									0.03
Singapore										30.57	15.67	62.32
St Maarten												0.00
Slovenia				0.01								0.02
Slovakia											0.04	0.04
South Korea				5.63		0.07				8.88	7.78	33.97
Spain		0.08	0.39	0.00						0.10	0.64	4.11
Suriname												0.00
Sweden				0.01						1.15	1.35	4.72
Switzerland			0.01	0.00	0.06					0.02	0.05	3.07
Taiwan											0.00	8.25
Thailand										0.00	0.04	0.07
Türkiye		0.00								0.01	1.81	4.00
Turkmenistan												0.00
Uganda												0.00
Ukraine		15.68		8.71		49.06				8.50	8.50	813.55
United Arab Emirates										1.11	0.97	4.32
United Kingdom							0.12			0.04	14.15	43.98
United States			0.22	1.36	2.13					0.65	9.75	90.12
Various		0.03								0.41	0.84	6.77
Vietnam				0.04							0.00	0.20
Zambia												0.19
<b>Total</b>	<b>0.03</b>	<b>32.03</b>	<b>3.95</b>	<b>24.29</b>	<b>3.60</b>	<b>52.65</b>	<b>1.08</b>	<b>0.03</b>	<b>0.03</b>	<b>98.63</b>	<b>264.66</b>	<b>1776. 22</b>

## 9.2 Annex 2: Evolution of the value of licences issued for the export of military goods from the Netherlands since 1996

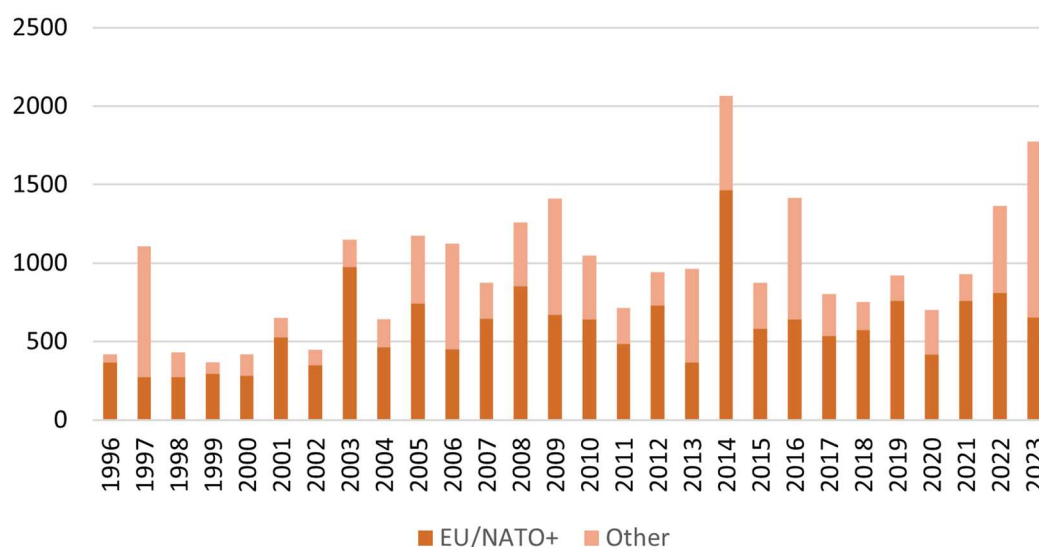


Figure 9. Value of licences issued (in € millions per year)

\* From the 2015 report onwards, in the table giving the value of licences issued for the permanent export of military goods by country of destination, the heading 'NATO other' has been replaced by the heading 'EU/NATO+' for the purpose of showing the value of global licences.

In 2023, the following 27 countries were members of the EU: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Slovakia, Spain and Sweden.

In 2023, the following 31 countries were members of NATO: Albania, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland (as of 4 April 2023), France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Slovenia, Slovakia, Spain, Türkiye, United Kingdom and United States.

### 9.3 Annex 3: Use of general licences (military)

Overview of the use of general licences

NL003: Export (transfer) to armed forces of EU member states

NL004: Export (transfer) to certified recipients within the meaning of Article 9 of Directive 2009/43/EC.

NL005: Export (transfer) for the purpose of demonstration, evaluation or exhibition

NL006: Export (transfer) for the purpose of repair, maintenance and servicing

NL007: Transit, originating from an allied country

NL008: Transit, with an allied country as final destination

NL009: Export to parties participating in the F-35 Lightning II programme

Table 8. Value of reported uses of general transfer licences for the permanent export of military goods in 2023 under NL003 (armed forces of EU member states, Norway, Iceland and the United Kingdom) by country of destination

Country of destination	Value (€ millions)	ML code(s)
Austria	0.2	6; 10
Belgium	0.003	11
Denmark	1.7	5; 10; 11; 21; 22
Finland	0.06	22
France	3.65	5; 17; 21; 22
Germany	32.3	5; 6; 10; 21; 22
Greece	3.19	5; 21; 22
Hungary	0.15	11
Italy	11.8	5; 11; 22
Luxembourg	1.6	6
Norway	0.3	7; 22

Poland	0.001	21; 22
Portugal	4.5	5; 10
Spain	0.1	17; 22
Sweden	0,02	6; 11; 22
United Kingdom	2.4	6; 9; 22
Total	62	

Table 9. Value of reported uses of general transfer licences for the permanent export of military goods in 2023 under NL004 (recipients are companies certified under Directive 2009/43/EC in EU member states, Norway, Iceland and the United Kingdom) per country of destination

Country of destination	Value (€ millions)	ML code(s)
Belgium	0.14	5; 6
Denmark	0.7	4
Germany	68.06	5; 6; 11; 15; 22
France	2.22	5; 6; 10; 21; 22
Sweden	0.74	3; 6; 7; 13
Total	71.86	

Table 10. Value of reported uses of general transfer licences for the permanent export of military goods in 2023 under NL005 (demonstration, evaluation or exhibition in EU member states, Norway, Iceland and the United Kingdom) per country of destination

Country of destination	Value (€ millions)	ML code(s)
Austria	0.000001	ML 5
Belgium	0.013	ML 5, 13
Czech Republic	0.011	ML 5
Denmark	0.05	ML 5
Estonia	0.13	ML 5, 11, 13, 15, 21, 22
Finland	0.000005	ML 5
France	0.285	ML 13
Germany	2.12	ML 5, 13, 15
Greece	0.008	ML 5, 6, 11, 13, 15, 21, 22
Italy	0.000002	ML 5
Norway	0.000001	ML 5, 6, 11, 13, 15
Poland	0.032	ML 5, 13
Portugal	0.153	ML 5
Romania	0.022	ML 5
Spain	0.024	ML 5
Sweden	0.177	ML 5, 9, 11, 13
United Kingdom	0.174	ML 5
Total	3.2	

Table 11. Value of reported uses of general transfer licences for the permanent export of military goods in 2023 under NL006 (repair, maintenance and servicing in EU member states, Norway, Iceland and the United Kingdom) per country of destination

Country of destination	Value (€ millions)	ML code(s)
Austria	0.117	6
Belgium	0.73	10; 15
Denmark	1.845	5; 6; 10; 11; 16
Finland	0.001	6
France	4.47	5; 6; 9; 10; 11; 15; 21
Germany	44.55	5; 6; 10; 11; 14; 15; 21; 22
Greece	1.71	5; 22
Italy	0.904	5; 15
Luxembourg	0.09	11
Norway	0.0005	6
Poland	0.1	5; 6; 21
Portugal	0.1	5
Spain	0.7	5; 6; 15
Sweden	0.93	5; 6; 15
United Kingdom	12.85	1; 6; 9; 10; 11; 15; 17
United States	0.04	15
Total	68.64	



Table 12. Value of reported uses of general transfer licences for the permanent transit of military goods in 2023 under NL007 (originating from an allied country) by country of destination

Country of destination	Value (€ millions)	ML code(s)
Brazil	2.55	6; 7; 10; 14; 15
Chile	0.61	5; 6; 9; 10; 11; 14
Ecuador	1.88	17
Germany	0.01	11
Iceland	0.083	11
India	0.63	5
Indonesia	0.005	10
Kenya	0.005	11
Kuwait	1.5	6
Malaysia	3.68	10; 11
Morocco	0.001	11
Mexico	0.005	11
Pakistan	4.14	10; 11
Saudi Arabia	0.015	5
Senegal	0.016	11
Singapore	0.034	11
South Africa	0.236	10
South Korea	0.008	11
Taiwan	0.49	5
Thailand	0.004	11
United Arab Emirates	0.049	11
Total	15.95	

Table 13. Value of reported uses of general transfer licences for the permanent transit of military goods in 2023 under NL008 (allied country as final destination) by country of destination

Country of destination	Value (€ millions)	ML code(s)
Austria	0.05	10; 11; 17
Belgium	0.73	4; 8; 13
Bulgaria	0.018	11
Canada	0.98	1; 5; 6; 10; 11; 13
Croatia	0.27	10
Czech Republic	0.045	1; 11; 13
Denmark	0.55	11; 13; 15; 18; 21; 22
Estonia	0.02	1
Finland	0.162	10; 13; 15
France	1.18	5; 10; 11; 15; 17
Germany	22.73	2; 10; 11; 13; 15
Greece	0.038	10; 11
Ireland	2.71	3; 4
Italy	1.44	5; 10; 11; 13; 14
Japan	0.065	6; 11
Luxembourg	1.58	4; 10; 11; 15
New Zealand	0.2	6
Norway	2.23	3; 11; 13
Poland	5.53	1; 2; 3; 13
Portugal	4.87	10
Romania	0.61	1; 6; 14
Slovakia	0.12	13

Spain	0.02	7; 10; 17
Sweden	63.7	4; 5; 10; 11; 13; 14
Switzerland	8.8	4; 10
United Kingdom	11.106	6; 10; 11; 13; 14
United States	33.75	3; 5; 6; 9; 10; 11; 13; 14; 18
Total	163.5	

Table 14. Value of reported uses of general transfer licences for the permanent export of military goods in 2023 under NL009 (F-35 Lightning II) by country of destination

Country of destination	Value (€ millions)	ML code(s)
Australia	0.72	10; 17
Canada	0.63	10
Denmark	1.33	10; 11; 17
Germany	0.003	17
Israel	5.72	10; 11; 17; 19
Italy	17.74	5; 10; 11; 12; 17; 19
Japan	2.32	10; 11; 17
Jordan	0.1	10; 17
Norway	2.66	5; 10; 11; 17; 19
Singapore	0.001	10
South Korea	0.043	10; 17
United Kingdom	9.83	5; 10; 11; 17; 19
United States	216.62	4; 10; 11; 14; 15; 17; 19
Total	257.7	

Table 15. Value of reported uses of general transfer licences for the permanent transit of military goods in 2023 under NL009 (F-35 Lightning II) by country of destination

Country of destination	Value (€ millions)	ML code(s)
Australia	7.75	10; 18
Israel	29.69	10
Italy	0.009	10
Japan	2.07	10
Norway	4.5	10; 18
South Korea	0.049	10
United Kingdom	0.57	10
United States	227.84	10; 17; 18
Total	272.5	

#### 9.4 Annex 4: Transit of military goods

Table 16. Value (in € millions) of licences issued for the transit of military goods in 2023

Country of destination	ML1	ML2	ML3	ML6	ML11	ML17	ML22	Total
Austria		0.06						0.06
Finland				1.3				1.30
Jordan					0.00			0.00
South Africa			0.24					0.24
Ukraine	7.71	0.40	14.99	69.48	0.14		0.14	92.85
United Arab Emirates				0.30		0.30		0.61
Total	7.71	0.46	15.24	71.09	0.14	0.30	0.14	95.06

## 9.5 Annex 5: Brokering services for military goods

This annex contains an overview of the licences issued for brokering services. The overview indicates the type of goods the brokering services related to, plus the goods' country of origin and country of final destination. Brokering means that the goods do not cross Dutch territory, but a Dutch party does play an enabling role in the transaction. There is a mandatory licence requirement for this service. The value of the brokering service is not always known because the services are sometimes part of a larger contract, which also covers the supply of goods and technology. Similarly, there is not always a value linked to the provision of brokering services, as companies may also provide such a service for the benefit of their own operations, thus making it cost neutral. Companies are asked to specify the value of the brokering service as accurately as possible in the licence application.

Table 17. Licences issued for brokering services for military goods in 2023

Country of final destination	Country of origin	ML	Brokering service relating to	Value of brokering service (in euros) <sup>45</sup>
United States	United States	ML3a	Ammunition for use by Dutch police for training purposes	16,255
Ukraine	Czech Republic	ML6a	T-72 tanks	n/a
Ukraine	Germany	ML6a	Leopard 2A4 tanks	n/a
Ukraine	Czech Republic	ML4a	Artillery ammunition	2,275,500
Ukraine	Czech Republic	ML10c	Drones and accessories	812,048
Ukraine	Czech Republic	ML10c	Drones and accessories	451,950
Ukraine	Czech Republic	ML10c	Drones and accessories	601,000
United Kingdom	Singapore	ML18a	Submarine maintenance equipment	n/a
United Kingdom	Singapore	ML18a	Submarine maintenance equipment	n/a
Taiwan	United States	ML11a	Pipeline survey equipment	20,550
Thailand	United States	ML11a	Pipeline survey equipment	8,203

<sup>45</sup> This is not the value of the goods but of the brokering service provided.



## 9.6 Annex 6: Licence application denials for military goods

Licence application denials are also shared with EU partners pursuant to Article 4 of Common Position 2008/944/CFSP defining common rules governing control of exports of military goods and technology.

Table 18. Licence application denials for the export of military goods in 2023

Country of final destination	Brief description	Number of items	Recipient	End user	Date of denial	Reason for denial (criteria and any supplementary policy)
Pakistan	Ammunition	3,000,000	Friends Arms Company	Unknown, destined for local resale	04-04-2023	7
Israel via the United States	Shock absorbers for artillery system	1,440	Oshkosh Defense	Israeli armed forces	09-05-2023	2, 4
El Salvador	Armoured vehicles	3	Eyeteck Solutions S.A.	El Salvador police force	23-05-2023	2, 3
Ukraine <sup>46</sup>	Sports and hunting ammunition	2,312,000	Safari Ukraine	Unknown, destined for local resale	15-06-2023	7
India	Antennas for mobile communication equipment	5	Bharat Electronics Limited	Bharat Electronics Limited, for integration in its own products. Further end user(s) unknown.	07-09-2023	7

<sup>46</sup> This was not an export in the context of supporting Ukraine's self-defence against Russian armed aggression, but a commercial transaction for the purpose of local resale of sports and hunting ammunition. Given the unknown final destination, and concerns about the build-up of arms and ammunition in Ukraine as a result of the war, this licence application was denied because of the risk of diversion to an undesirable end user. A limited risk of diversion is considered acceptable in the case of transactions with end use by the Ukrainian armed forces, given the importance of Ukraine's self-defence, but in the case of this denial it outweighed the economic interest involved in the transaction.