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of Economics  
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# Report by the Government of the Federal Republic of Germany on Its Policy on Exports of Conventional Military Equipment in 2008

## 2008 Military Equipment Report

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## Summary

The German Government is pleased to submit here-with its tenth Report on Military Equipment Exports covering the year 2008.<sup>1</sup> The “Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment” (“Political Principles”) in the version of 19 January 2000 distinguish between military equipment exports to NATO countries, EU member states and NATO-equivalent countries (Australia, New Zealand, Japan, Switzerland), which are in principle unrestricted, and exports to all other countries (“third countries”). A restrictive approach is taken to the export of war weapons and other military equipment to these countries.<sup>2</sup>

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

In 2008, the adoption of a Common Position at EU level defining common rules governing the control of exports of military technology and equipment marked the achievement of the goal pursued for many years by the Federal Government of making the tried and trusted rules of the EU Code of Conduct for Arms Exports – which had previously only been politically binding – legally binding.

In 2008, single-transaction export licences for military equipment totalled approximately € 5.78 billion (2007: approximately € 3.7 billion). Of this amount, € 2.64 billion was accounted for by EU, NATO, and

countries with NATO-equivalent status, and € 3.14 billion was accounted for by third countries. The increase in the figures compared with 2007 is largely the result of a licence for navy supplies worth approx. € 1.5 billion to South Korea.

Classic developing countries<sup>3</sup> accounted for 5 % of the overall value of all individual export licences (2007: 10.3%).<sup>4</sup> The value of the collective licences granted for exports in connection with defence cooperation between EU and NATO partners amounted to roughly € 2.54 billion during the reporting year (2007: € 5.1 billion), and was thus half the previous year’s figure.

In addition to the figures for the export licences issued, in the case of war weapons statistics are also kept for the actual exports (2008: € 1.42 billion, 2007: € 1.51 billion<sup>5</sup>). Since the licences are not necessarily used for an export in the same year, the figures for licences and exports generally differ. The share of exports going to the EU, NATO, and countries with NATO-equivalent status stood at roughly 65 %. The proportion of these exports going to countries defined as “classic developing countries” dropped to around 0.6 % in 2008.

Details of German military equipment export policy can be found in Chapter II. and Chapter III. 3. Total licences issued in 2008 sorted by country are described in Annex 5.

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

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

3 Developing countries and developing territories pursuant to the List of the OECD’s Development Assistance Committee of 2006 without the countries featuring high and upper medium incomes (including NATO partner Turkey, as well as Malaysia and Saudi Arabia, column four of this list).

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

5 For details cf. Section III. 2, footnote 42.

# I. The German control system for military equipment exports

## 1. The German export control system

Germany's military equipment exports are governed by the Basic Law, the War Weapons Control Act<sup>6</sup>, and the Foreign Trade and Payments Act<sup>7</sup> in conjunction with the Foreign Trade and Payments Ordinance.<sup>8</sup> The "Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment" of 19 January 2000<sup>9</sup> and the Council Common Position of the EU of 8 December 2008 provide the licensing authorities with guidelines.<sup>10</sup>

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

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

Act and Ordinance. By contrast, the export of such military items in Part I Section A of the Export List as are not war weapons ("other military equipment") requires – merely – a licence pursuant to the Foreign Trade and Payments Act and Ordinance.

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

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

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

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

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

9 Cf. Annex 1a.

10 Cf. Annex 1b.

11 Further details at [www.bafa.de](http://www.bafa.de)

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

- “(1) The conducting of legal business and acts in connection with external economic transactions may be confined in order to
1. guarantee the essential security interests of the Federal Republic of Germany
  2. prevent a disturbance of the peaceful coexistence of nations or
  3. prevent a major disruption of the foreign relations of the Federal Republic of Germany.”

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

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

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

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

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

## 2. Application of the “Political Principles”

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

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

- ▶ The observance of human rights is of special importance for every export decision, regardless of the potential consignee country. Military equipment exports are therefore fundamentally not approved

<sup>12</sup> May be found on the Internet at [www.bafa.de](http://www.bafa.de)

where there is “sufficient suspicion” that the relevant military equipment will be misused for internal repression or other ongoing and systematic violations of human rights. The human rights situation in the consignee country plays an important role in connection with this question. And the Political Principles are more restrictive here than the EU’s Common Position (more detail on this aspect below, under II. 3.), which rules out export licences only where a “clear risk” exists.

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

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

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

- ▶ The Federal Government’s “special interest” in the ongoing capability for co-operation by Germany’s defence industry in NATO and the EU is expressly highlighted, above all against the background of the development of a common European defence policy.

The factors that are taken into serious consideration in deciding whether to grant licences for the export of arms to third countries include – apart from the human rights, a factor which merits particular attention – the external and internal situation, as well as the extent to which the recipient’s countries sustainable development might be jeopardised by disproportionate outlays on arms.

- ▶ Other factors come into play as well when assessing whether a licence can be issued for the export of military equipment: the recipient country’s conduct toward the international community concerning matters such as the fight against international terrorism and organized crime; the extent to which the recipient country meets its international obligations, particularly with respect to human rights, as well as in the areas of nonproliferation, military weapons, and arms control.
- ▶ The more comprehensive rules place greater emphasis than was previously the case on ensuring the correct final destination and end-use. This is to prevent the exported military equipment from falling into the wrong hands (danger of misuse and redirection).
- ▶ The Common Position of 8 December 2008<sup>13</sup> contains eight specific criteria for decisions on export applications (cf. Annex 1 b, Article 2) and is an integral element of the Political Principles.
- ▶ And finally, the Federal Government agreed to submit to the Bundestag a Military Equipment Export Report on the developments of the respectively concluded calendar year, a commitment that is now being honoured by tenth submission of such a Report.

13 For details, see II. 3.

## II. German policy on the export of military equipment in the international context

### 1. Disarmament agreements

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

The German Government's activities in this area were outlined in detail in the Annual Disarmament Report, to which reference is made.<sup>14</sup>

### 2. Arms embargoes

The international community has adopted a number of arms embargoes that are implemented in Germany's export policy through amendments to the Foreign Trade and Payments Ordinance (Sections 69 ff.) or the non-issuance of licences. The importance of such (arms) embargoes as a means of attaining specific policy objectives has noticeably increased in recent years. In 2008, there were arms embargoes against the following countries: Armenia, Azerbaijan, China, Democratic Republic of Congo, Côte d'Ivoire, Iran, Iraq, North Korea, Lebanon, Liberia, Myanmar, Rwanda (for part of the time), Sierra Leone, Somalia, Sudan, Uzbekistan and Zimbabwe.

Details of the arms embargoes in force in 2008 are listed in Annex 3.

### 3. EU Council Common Position of 8 December 2008

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

In 2008, the adoption of a Common Position at EU level defining common rules governing the control of exports of military technology and equipment marked the achievement of the goal pursued by the Federal Government for many years of revising the tried and trusted rules of the EU Code of Conduct for Arms Exports – which had previously only been politically binding – and making them legally binding for all EU member states. The Common Position updates and supplements the politically binding rules of the EU Code of Conduct, which has been in place since 1998. This represents great progress on harmonising the export control policies at EU level. The Common Position contains eight criteria (cf. Annex 1 b, Article 2) to be used by all member states in decisions on applications for export licences. A number of new elements (e.g. on humanitarian international law) have been included in the Common Position, thereby broadening and widening its scope of application. Through its incorporation in the Political Principles of the Federal Government, the Common Position is an integral part of Germany's policy on the export of military equipment.

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

During the reference year, Germany held 43 consultations with other EU countries concerning export licence denials, with a view to implementing the operative provisions of the Common Position.

<sup>14</sup> Most recently the 2008 Annual Disarmament Report, Bundestag Printed Paper 16/11690 of 21 January 2009, cf. <http://www.auswaertiges-amt.de/diplo/de/Aussenpolitik/Themen/Abbruestung/Downloads/0901-Jahresabruuestungsbericht-2008.pdf>

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

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

The directive will substantially simplify the transfer of defence-related products within the EU. To this end, companies in the EU are increasingly to be provided with global and general licences. Reliable companies in the EU are to be given the opportunity to have themselves certified in order then to be supplied with defence-related products under simplified conditions on the basis of general licences. Such general licences for deliveries to certified companies are in particular intended to improve the competitive prospects of small and medium-sized firms. When translating the rules into national law, the Federal Government will pay special attention to ensuring that it does not introduce unnecessary bureaucratic procedures. The aim will be for the member states to implement the rules in a practical, confidence-building and proportionate manner in order not to counteract the Directive's intention, which is to simplify.

The simplification of the conditions for the transfer within the EU of defence-related products will not only help the companies, but will also serve to develop the European dimension of the defence sector and to strengthen the competitiveness of the European technological and industrial basis in the defence sector.

The EU Directive simplifying terms and conditions of transfers of defence-related products within the Community does not refer to exports of military equipment from the EU.

#### 5. Framework agreement concerning measures to facilitate the restructuring and operation of the European defence industry

The German Government is also advocating, together with the other countries of manufacture – France, Italy, Spain, Sweden and the United Kingdom (“LoI” countries) – relaxed rules on co-operation within the European military equipment industry in the context of the “Letter of Intent” (LoI) process. In 2000, these countries adopted a Framework Agreement concerning Measures to Facilitate the Restructuring and Operation of the European Defence Industry (Farnborough Agreement<sup>15</sup>). A working party of the LoI countries meets regularly in order to engage in cross-border co-operation in the field of export control. There are regular attempts to achieve further harmonisation here. However, signatory countries have thus far issued relatively few Global Project Licences (GPL), which are comparable to Germany's collective export licences; a single licence can cover a number of merchandise transactions between the signatory countries as part of a military equipment project. In the meantime, negotiations have also taken place on the introduction of component licences, which are intended to facilitate deliveries from the LoI countries to recipients in certain countries of final destination.

#### 6. Wassenaar Arrangement

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

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

16 Available on the Internet at <http://www.wassenaar.org>

harmonise their controls of the export of such goods with a view to preventing destabilising stockpiling of conventional weapons and dual-use goods and technologies.

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

The Wassenaar Arrangement provides, among other things, for the participating countries, with their significant differences in export control philosophies, to mutually inform one another of exports where major weapon systems covered by the Wassenaar Arrangement control lists are involved and where such systems have been supplied to non-participating countries. This mutual information mechanism was extended in 2003 to include the export of small arms and light weapons.

In the 2008 reference year, further updates of the WA lists of goods were undertaken; these lists are subsequently integrated in the EU or national export

control lists; a draft directive on the control of illegal weapons shipments was discussed; as was the extension of the reporting requirement on transfers of ammunition. Furthermore, outreach activities took place in 2008, especially with China, Israel and Belarus. In addition to the opening up of the WA to dialogue with non-Wassenaar Arrangement signatories, there is also a need to further develop and deepen collaboration amongst Wassenaar Arrangement members. In particular, the step-by-step harmonisation of the national military equipment export policies, and an increase in transparency, are significant interests, and Germany will remain a firm advocate of this.

## 7. UN Register of conventional arms

UN member states are required to report the export (and import) of weapons that are subject to notification (major weapon systems) to the UN Conventional Arms Register; only unit quantities and not values are registered.<sup>17</sup>

For the year 2008, the Federal Republic of Germany reported the export of the following war weapons to the UN Conventional Arms Register.<sup>18</sup>

Country	Item	Quantity
Austria	Eurofighter fighter aeroplane	4
Chile	Leopard 2 main battle tank	45
France	LAR 110 mm artillery system	10
Greece	Leopard 2 main battle tank	16
Singapore	Leopard 2 main battle tank	26
South Africa	Submarine class 209 type 1400 mod.	1
Spain	Taurus guided missile	8
Turkey	Leopard 2 main battle tank	108

<sup>17</sup> The weapons are classified into the following seven categories: battle tanks, other armoured combat vehicles, artillery systems calibre 75 mm and above, combat aircraft, combat helicopters, warships with a standard displacement of 500 metric tonnes and above or armed with missiles or torpedoes with ranges of at least 25 km, and missiles and missile launchers with a range of at least 25 km.

<sup>18</sup> See also Annex 4.

## 8. International discussion on small arms and light weapons

In internal and cross-border conflicts by far the greatest proportion of human casualties has been caused by the use of small arms and light weapons (“small arms”, e.g. submachine guns, assault rifles, light mortars, etc.) and the associated ammunition.<sup>19</sup> This problem is chiefly found in developing countries, where small arms can often be procured inexpensively and illegally through internationally operating arms brokers, and national control mechanisms are mostly underdeveloped. Experience shows that deficiencies in managing and safeguarding the public-sector stocks of arms and munitions in the relevant countries represent a significant source of illegal transfers. Quite frequently, violent conflicts threaten to destroy the success achieved in many years of development work. For this reason, the German Government applies strict standards when issuing licences for exports to third countries, and developing countries in particular, in order to ensure coherence of foreign, security, external economic and development policies. The German Government is working at the international level towards an efficient prevention of the illegal proliferation of such weapons and their ammunition. With respect to the legal export of small arms, the German Government advocates strict and efficient controls. Its goal is – for example in the framework of the **OSCE Small Arms Document**<sup>20</sup>, which was adopted in November 2000, the **OSCE Document on Stockpiles of Conventional Ammunition**<sup>21</sup>, and the **UN Small Arms Action Programme**<sup>22</sup> – the achievement of concrete results with obligations for the participating countries to take action which are as binding as possible. In the context of its bilateral development co-operation, the German Government also supports the establishment of national and regional small arms control systems.

The discussion conducted in various international bodies on the small arms problem continued in 2008.<sup>23</sup> Not least, this applied to the small arms debate in the UN context. The most important task was the preparation of the next meeting of states in the UN framework (Third Biennial Meeting of States, New York, 14–18 July 2008). Germany was heavily involved in the issues of arms brokering transactions, marking and tracing (especially for the implementation of the instrument for the marking and tracing of small arms adopted by the General Assembly in December 2005), and the management and safeguarding of stockpiles. For the first time since the adoption of the UN Small Arms Action Programme in 2001, a UN conference on small arms succeeded in achieving concrete results when it adopted a substantial concluding document in July 2008. The First Committee of the 63rd UN General Assembly endorsed the results of the conference by a large majority.

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

Germany conducts a restrictive export control policy on small arms. As war weapons they are subject to the particularly strict rules of the “Political Principles” (Annex 1a of this Report), according to which licences for the export of war weapons to third countries may be issued only by way of exception and only in the case of special foreign or security policy interests of the Federal Republic of Germany. In the export of technology and production equipment, there is the fundamental rule that no licences are issued in connection with the opening of new production lines for small arms and ammunition in third countries. For third countries, the “New for Old” principle is also

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

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

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

22 A/CONF.192/15 at [http://www.disarmament.un.org/cab/smallarms/files/aconf192\\_15.pdf](http://www.disarmament.un.org/cab/smallarms/files/aconf192_15.pdf)

23 On the small arms problem, cf. also the 2008 Annual Disarmament Report, Bundestag Printed Paper 16/11690 of 21 January 2009, cf. <http://www.auswaertiges-amt.de/diplo/de/Aussenpolitik/Themen/Abruestung/Downloads/0901-Jahresabruerstungsbericht-2008.pdf>

applied wherever possible. This calls for sales contracts to be worded to ensure that the recipient destroys weapons that are to be replaced by the new consignment, in order to prevent their proliferation. Moreover, insofar as possible, the exporter is to require the consignee in a third country in new supply contracts to destroy the weapons supplied in the case of a later removal from use. In this way, exports and recipients make an active contribution towards not increasing the number of small arms available worldwide, and preventing their proliferation across to grey or black markets. Germany and, in particular the Bundeswehr, destroys surplus small arms.

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

## 9. Initiative for an Arms Trade Treaty

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

The UN General Assembly adopted a Resolution (Res. 61/89) in 2006 calling on all UN member states to comment on a possible ATT and resulting in the establishment of a group of government experts. Following this, more than 100 UN member states submitted national comments to the UN on the feasibility, the regulatory scope and the elements of a global ATT.

On this basis, the group of government experts, which also had a German representative, examined the possible parameters for a comprehensive and legally binding agreement in the first half of 2008. Finally, the group of government experts submitted a consensual report in Summer 2008. In it, the group stated that international trade in conventional defence-related goods necessitates further efforts in the UN context in view of the substantial problems related to it.<sup>24</sup>

In line with this, the UN General Assembly decided to continue the UN process on the ATT on 24 December 2008. The Resolution “Towards an Arms Trade Treaty: Establishing Common International Standards for the Import, Export and Transfer of Conventional Arms” was adopted by a large majority.<sup>25</sup> The Resolution decided to establish an Open-Ended Working Group (OEWG) to continue the discussions of the group of government experts. In particular, the OEWG is to discuss those possible elements of an ATT where a consensus appears feasible. However, no mandate to embark on specific negotiations on a treaty text has yet been issued.

As in the group of government experts, the German Government argued vigorously in favour of a comprehensive and binding ATT at the two sessions of the OEWG in March and July 2009, since an ATT can make a major contribution towards preventing destabilising stockpiles of weapons and human rights violations, and can be an important crisis prevention instrument. Furthermore, the German Government campaigned intensively in 2008 and 2009 at EU seminars and in bilateral meetings for the ATT process.

In the first OEWG report, which was adopted by consensus in July 2009, all the UN member states recognised for the first time that unregulated international arms trading is a problem which needs to be regulated. The First Committee of the UN General Assembly adopted a Resolution on 30 October 2009 by a large majority (153 yes votes, 19 abstentions, 1 no vote from Zimbabwe) envisaging a conference of nations to negotiate a legally binding ATT in 2012.

<sup>24</sup> Cf. UNGA A/63/334 of 26 August 2008.

<sup>25</sup> Resolution published on 8 January 2009 as UN General Assembly Res. 63/240.

## 10. Outreach activities

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

On 17 March 2008, the EU adopted a Joint Action (2008/230/CFSP) in order to strengthen export controls in selected countries in 2008/2009 and in particular to campaign for the principles and criteria of the EU Code of Conduct / Common Position. The outreach seminars held in this context in 2008 by the Slovenian EU Presidency for countries of the Western Balkans and by the French EU Presidency for Maghreb states were supported by the German Government via the active involvement of German export control experts.

### III. Licences for military equipment and the export of war weapons

The following is an outline of **licences** granted for military equipment exports in 2008; **actual exports** are also listed for the sub-sector **war weapons**. The outline is complete insofar as disclosure has not been restricted by law. In particular, the names of the respective exporters cannot be released owing to the legal protection afforded business and industrial secrets under Section 30 of the Law on Administrative Procedure.

The Federal Office of Economics and Export Control (BAFA)<sup>26</sup> compiles a list of the **export licences** granted for all military equipment (war weapons and other military equipment). The figures for reporting year 2008 are displayed under 1. and outlined in further detail in Annex 5. A detailed overview of the 20 leading countries of destination in the reference year can be found under 1. d).

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

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

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

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

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

Annex 5 presents an outline of military equipment licences granted and/or denied in 2008<sup>27</sup>, broken down by countries of destination. The first part of this Annex shows EU member states, the second part NATO and NATO-equivalent countries (excluding EU member states), and the third part all other countries (so-called third countries). For the sake of greater transparency in connection with exports to third countries, this country category has a column entitled "EL Items" that provides a more detailed breakdown of the important products. Where applications for a country of destination have been denied, the relevant remarks have been made in the overview with details on the number of denials, the EL Items, and the value of the goods. When denial notifications have been made in accordance with the EU Code of Conduct, a corresponding remark is noted together with the reason for denial (number of the respective criterion in the Code of Conduct).

The figures presented in columns 2 to 4 relate to export licences issued. Experience shows that actual export values are significantly lower than these licence values. The reason is that licences sometimes

<sup>26</sup> Internet address: <http://www.bafa.de>

<sup>27</sup> Goods in Part I Section A of the Export List, Appendix AL to the Foreign Trade and Payments Ordinance.

remain either partly or entirely unused. It should also be noted that some or all of the articles are frequently not exported or not entirely exported in the year in which the licence was issued.

#### a) Individual licences

In 2008 a total of 15,458 **individual licence applications for the final**<sup>28</sup> export of military equipment were approved in Germany (year earlier: 15,823). The total value of the licences – not that of actual exports – was € 5,780 million, higher than in 2007 (€ 3,668 million). This increase is largely due to licences for exports to South Korea, and the country rises to head the list of leading countries of destination. The licences for South Korea also substantially increase the proportion of exports by value to third countries compared with the preceding year.

Individual licences for countries designated in No. II of the Political Principles of 19 January 2000 (EU member states, NATO and NATO-equivalent countries)

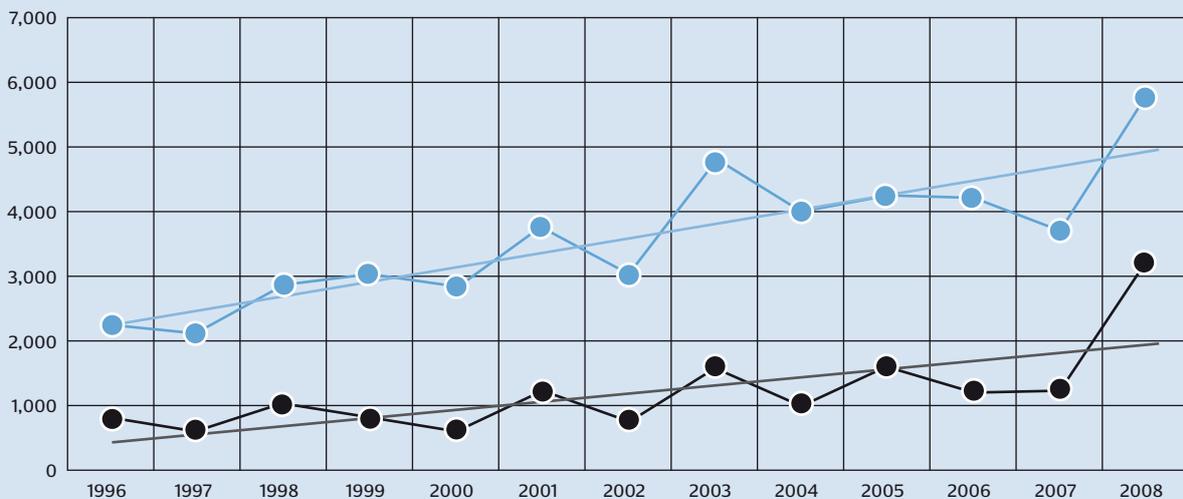
accounted for € 2,640 million of this amount (previous year: € 2,438 million), representing a slight year-on-year increase. Licences for goods with end-use in EU member states achieved a total value of € 1,838 million (preceding year: € 1,297 million), and licences for goods with end-use in NATO or NATO-equivalent countries (not including EU countries) a total value of € 810 million (preceding year: € 1,141 million) – in each case without collective export licences. The licence value for exports to third countries amounted to € 3,140 million (preceding year: € 1,230 million) and thus rose substantially in year-on-year terms. The cause of this rise was the special effect of licences for substantial exports to South Korea worth a total of € 1.91 billion. This primarily involved submarines, parts for submarines, frigates and combat vessels.

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

**Figure 1 Trend of value for individual licences 1996 to 2007**

● Third countries ● Individual licences (total)

(€ millions)



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

The sharp rise in 2008 is chiefly due to the special effect of the licences for South Korea.

For exports of military equipment to developing countries<sup>29</sup>, individual licences valued at a total of approx. € 263.3 million were issued in 2008 (2007: € 379.1 million). This is equivalent to less than 5% of the value of all German individual licences for military equipment (the proportion in 2007 was just over 10%). Major countries of destination were Pakistan (€ 93.3 million) and India (€ 51.8 million); a breakdown of the categories of goods licensed is contained in Annex 5.

The value of licences for the group of the poorest and other low-income developing countries<sup>30</sup> significantly declined in 2008 relative to the previous year. The total value of licences for this group of countries amounted to € 115.4 million (2007: € 299.1 million) or roughly 2.0% (2007: 8.2%) of the value of all individual export licences for military equipment in 2008.

*Note:* The licence values for the developing countries in general and for the group of the poorest and

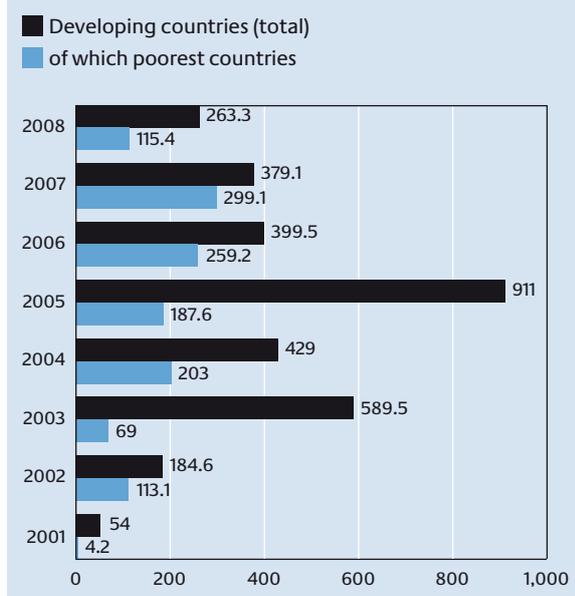
other low-income developing countries do not include 20 export licences worth a total of € 33.5 million for the Canadian armed forces in Afghanistan. Since the end user of the goods is the armed forces of a NATO country, development policy aspects played no role in the decision – cf. also the 2007 Report (Fig. 2 + 3).

### b) Collective export licences

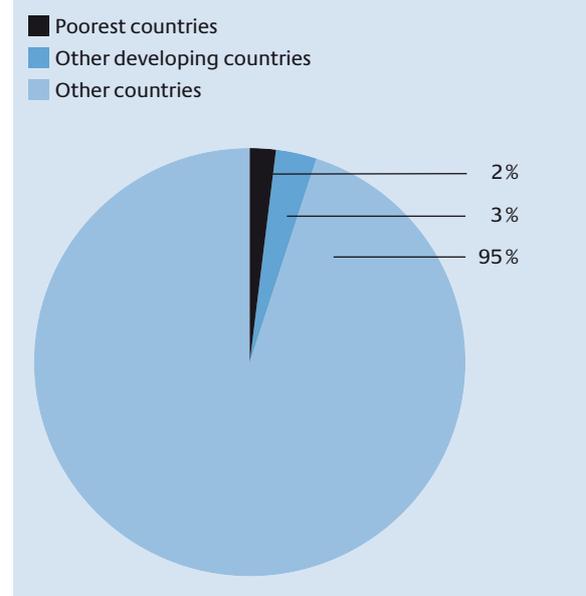
In addition to the above, 146 **collective export licences** were issued in the total amount of approximately € 2.54 billion<sup>31</sup> in 2008 (2007: roughly 100 worth some € 5.1 billion), on the basis of which the companies were able to undertake several exports to the same or various consignees abroad (chiefly as part of collaboration on official government cooperation projects). Collective export licences were granted exclusively for exports to NATO and NATO-equivalent countries.

Collective export licences issued under cooperation programs are valid for two years; this results in fluctuations in the annual figures.

**Figure 2 Licences for developing countries in € millions from 2001 to 2008**



**Figure 3 Developing countries' % share of total value of licences issued in 2008**



29 For the term “developing countries”, see footnote 3.

30 Poorest and other low-income developing countries and areas pursuant to Columns 1 and 2 of the OECD’s DAC List of ODA Recipients for 2008–2010.

31 Due to a variation in the collection of statistics on collective export licences, this figure includes the export of high-value military equipment to an EU member state which was only finally exported on 2009.

**Figure 4 Trend of licence values for collective licences 1996 to 2008**

### c) Export licence denials

In 2008, 52 applications for military equipment exports were denied. The total value of the denials came to € 305.7 million. The figure does not include applications withdrawn by applicants prior to notification because of poor prospects of success.

Since the acquisition of new orders costs money, many applicants seeking to export to sensitive destinations make a formal or informal inquiry with the control authorities about the prospects of their applications prior to the submission of a licence request. Where the response to the inquiry is negative, a formal application is filed only in extremely rare cases, and the subsequent denial is then included in the attached statistical overview. As a rule, applications appearing to have no prospects of success are not submitted.

The rejected applications with the largest order value referred to Libya (€ 131.8 million), Venezuela (€ 46 million), Sri Lanka (€ 42.6 million) and Bangladesh (€ 41.1 million). Denials for the final export of arms concerned the following destinations in 2008: Andorra, Armenia, Bangladesh, Bosnia and Herzegovina, Chad, China, Ecuador, Egypt, Georgia, Guinea, India, Indonesia, Israel, Jordan, Libya, Moldova, Nepal, Pakistan, Papua New Guinea, Russian Federation, Senegal, Serbia, Sri Lanka, Taiwan, Timor-Leste, Trinidad and Tobago, Turkey, UAE, Ukraine, Venezuela, Yemen.

#### d) Most important countries of destination

The 20 most important countries of destination for which individual export licences were granted in 2008:

No.	Country <sup>32</sup>	Value in 2008 (€ millions)	Description of articles
1 (6)	Korea, Republic	1,910.3	Submarines, ship body conduits and parts for submarines, frigates, combat vessels, sonar devices, echo sounders (A0009/78.0%);  anti-aircraft missile systems and parts for tanks, armoured vehicles, armoured recovery vehicles, mine-clearing equipment, ground vehicles (A0006/9.2%);
2 (1)	USA	507.1	Coating lacquers, equipment for signature suppression, tank containers and parts for diving apparatus, propulsion equipment, mobile electricity generators, bridges (0017/20.9%);  ammunition for rifles, submachine guns, hunting weapons, sporting weapons, revolvers, pistols, cannons, grenade launchers and ammunition parts for the following: rifles, submachine guns, machine guns, hunting weapons, sporting weapons, revolvers, pistols, howitzers, cannons, mortars, anti-tank weapons, grenade launchers (A0003/15.8%);  rifles with and without war weapons list numbers, submachine guns, revolvers, pistols, sniper rifles, hunting rifles, sporting revolvers, sporting pistols, smooth-bore weapons, silencers, gun mountings, flash suppressors, weapon sights and parts for rifles with and without war weapons list numbers, submachine guns, machine guns, revolvers, pistols, sniper rifles, hunting rifles, sporting rifles, sporting revolvers, sporting pistols, gun mountings, weapon sights (A0001/15.2%);  mine-clearing equipment and parts for tanks, armoured vehicles, amphibious vehicles, ground vehicles (A0006/15.0%);  communication equipment, navigation systems, missile warning sensors, data processing equipment, measurement and testing equipment, assemblies, parts, and parts for communication equipment, positioning equipment, navigation equipment, guidance equipment, electronic warfare, data processing equipment, measurement and testing equipment, assemblies, electricity supplies (A0011/6.6%);  parts for cameras, image intensifier equipment, infrared equipment, thermal imaging equipment (A0015/5.7%);  forged, cast and unfinished components (A0016/5.3%)

32 List position of previous year in brackets.

No.	Country <sup>32</sup>	Value in 2008 (€ millions)	Description of articles
3 (3)	United Kingdom	398.8	<p>Electronic equipment, communication equipment, navigation equipment, data processing equipment, measurement and testing equipment, assemblies, parts, electricity supplies and parts for electronic equipment, communication equipment, positioning equipment, navigation equipment, guidance equipment, data processing equipment, measurement and testing equipment (A0011/34.5%);</p> <p>ammunition for rifles, submachine guns, machine guns, cannons, mortars, grenade launchers, smoke grenades, decoys and ammunition parts for the following: rifles, submachine guns, hunting weapons, sporting weapons, guns, howitzers, cannons, mortars, anti-tank weapons, grenade launchers (A0003/19.3%);</p> <p>forged, cast and unfinished components (A0016/11.4%);</p> <p>engines, on-board equipment, ground equipment, oxygen supply equipment and parts for combat aircraft, aircraft, engines, on-board equipment, ground equipment (A0010/11.2%);</p> <p>engineering documents, trial reports, glass feedthroughs, fuse parts, missile parts, mine-clearing parts, periscope parts, target designation equipment, ground vehicle parts, ship parts, aircraft parts, ground equipment, radar systems, guidance equipment parts, communication equipment parts, assemblies, casting parts, ammunition parts (A0022/7.1%)</p>
4 (10)	Singapore	349.7	Tanks, trucks and parts for tanks, armoured vehicles, ground vehicles (A0006/87.5%)
5 (5)	Italy	290.2	<p>Communication equipment, data processing equipment, measurement and testing equipment, cathode ray tubes, travelling wave tubes and parts for electronic equipment, communication equipment, navigation equipment, positioning equipment, electronic warfare, measurement and testing equipment, (A0011/43.9%);</p> <p>parts for tanks, armoured vehicles and ground vehicles (A0006/28.3%);</p> <p>forged, cast and unfinished components (A0016/8.4%)</p>
6 (8)	Netherlands	248.8	Pioneer tanks, armoured vehicles, trucks, transporters, semi-trailer towing vehicles, crawler loaders, dumpers, ambulances, swing loaders, wheeled dozers, cross-country high-lift trucks, semi-trailers, trailers, field kitchens and parts for tanks, armoured vehicles, ground vehicles (A0006/66.3%);

No.	Country <sup>32</sup>	Value in 2008 (€ millions)	Description of articles
			<p>sonar systems and parts for frigates, submarines, mine hunters, combat vessels, diesel engines, sonar devices, echo sounders (A0009/9.2%);</p> <p>ammunition for machine guns, cannons, anti-tank weapons, grenade launchers, smoke grenades, decoys, and ammunition parts for rifles, machine guns, revolvers, pistols, howitzers (A0003/8.8%)</p>
7 (11)	Spain	207.3	<p>Communication equipment, stabilisation equipment, jamming transmitters, data processing equipment, measurement and testing equipment, electricity supplies and parts for electronic equipment, communication equipment, navigation equipment, electronic warfare, electricity supplies (A0011/65.4%);</p> <p>trucks and parts for tanks, armoured vehicles, ground vehicles (A0006/9.1%);</p> <p>ground equipment and parts for combat aircraft, combat helicopters, other aircraft, engines, on-board equipment, ground equipment (A0010/6.6%)</p>
8 (-)	Saudi Arabia	170.4	<p>Manufacturing equipment for small arms, manufacturing parts for ammunition and testing equipment for automatic cannons, tank drop facility (A0018/32.0%);</p> <p>automatic cannons, recoilless shoulder-fired weapons and parts for cannons, recoilless shoulder-fired weapons (A0002/20.7%);</p> <p>communication equipment, communication reconnaissance systems, radio monitoring systems, testing equipment and parts for communication equipment, navigation equipment, radio monitoring equipment, static converters (A0011/19.0%);</p> <p>rifles with war weapons list numbers, machine guns, revolvers, pistols, hunting rifles, sporting rifles, smooth-bore weapons and parts for rifles with war weapons list numbers, submachine guns, machine guns, revolvers, pistols, hunting rifles, sporting pistols (A0001/6.0%);</p> <p>trucks and parts for armoured vehicles, ground vehicles (A0006/5.6%)</p>
9 (17)	United Arab Emirates	142.0	<p>Recoilless naval guns, automatic cannons and parts for guns, cannons (A0002/34.1%);</p> <p>magnetic self-protection, communication equipment, magnetic surveying equipment for ships, frequency converters and parts for communication equipment, sensor platforms, radar equipment, assemblies (A0011/20.1%);</p>

No.	Country <sup>32</sup>	Value in 2008 (€ millions)	Description of articles
			parts for tanks, armoured vehicles, amphibious vehicles, self-propelled drilling equipment, ground vehicles, (A0006/17.5%); target simulators and parts for target simulators (A0014/8.8%)
10 (13)	Austria	140.6	Communication equipment, data processing equipment, measurement and testing equipment and parts for electronic equipment, communication equipment, navigation equipment, positioning equipment (A0011/53.3%); armoured vehicles, trailers and parts for tanks, armoured vehicles, ground vehicles (A0006/40.6%)
11 (19)	Schweden	104.4	Pioneer tanks and parts for tanks, armoured vehicles, ground vehicles (A0006/55.6%); tube-weapon sight systems, laser target designator equipment, target range-finders, testing and calibration equipment and parts for fire control systems, weapon sights, tube-weapon sight systems, onboard weapon control systems, target acquisition systems, target classification systems, positioning and detection systems, testing and calibration equipment (A0005/12.3%); forged, cast and unfinished components (A0016/9.2%); ammunition for submachine guns, grenade launchers and ammunition parts for the following: rifles, submachine guns, revolvers, pistols, cannons, mortars, anti-tank weapons, grenade launchers (A0003/6.4%)
12 (9)	France	99.0	Handbooks, study documents, licences, training documents, manufacturing documents for shell parts, fuse parts, bearings, gear parts, technology documents for pistols, weapons systems, helicopter parts, fuelling systems, UAV parts, machines for casting explosives, missile parts, ground vehicles, mass spectrometers, cabin pressure control, crypto management, ground stations, simulator parts (A0022/21.2%); electronic equipment, communication equipment, guidance equipment, stabilisation equipment, multi-channel monitoring receivers, data processing equipment, measurement and testing equipment, assemblies and parts for electronic equipment, communication equipment, positioning equipment, navigation equipment, stabilisation equipment, data processing equipment, assemblies (A0011/19.7%); trucks, transporters, swing loaders, dumpers and parts for tanks, armoured vehicles, amphibious vehicles, ground vehicles (A0006/17.0%);

No.	Country <sup>32</sup>	Value in 2008 (€ millions)	Description of articles
			<p>ammunition for rifles, submachine guns, machine guns, grenade launchers and ammunition parts for the following: rifles, machine guns, guns, howitzers, cannons, mortars, anti-tank weapons, decoys, grenade launchers (A0003/7.2%);</p> <p>missile launchers, hand grenades, irritant grenades, simulators and parts for torpedoes, rockets, missiles, launchers, mine-clearing systems, hand grenades, pyrotechnics, simulators (A0004/6.9%);</p> <p>forged, cast and unfinished components (A0016/6.1%);</p> <p>ground equipment and parts for combat aircraft, combat helicopters, helicopters, unmanned aircraft, other aircraft, engines, on-board equipment, ground equipment, breathing equipment (A0010/4.7%)</p>
13 (16)	Norway	96.9	<p>Rifles with war weapons list numbers, submachine guns, revolvers, pistols, sniper rifles, hunting rifles, sporting rifles, sporting revolvers, sporting pistols, smooth-bore weapons, silencers, gun mountings, weapon sights and parts for rifles with war weapons list numbers, submachine guns, machine guns, revolvers, pistols, sniper rifles, hunting rifles, sporting rifles, sporting revolvers, sporting pistols, smooth-bore weapons (A0001/26.4%);</p> <p>armoured vehicles, trucks, cross-country vehicles, trailers and parts for tanks, armoured vehicles, amphibious vehicles, ground vehicles (A0006/23.1%);</p> <p>pontoons, coating lacquers, camouflage paint and parts for diving apparatus (A0017/17.9%);</p> <p>tube-weapon sight systems, testing and calibration equipment and parts for fire control systems, tube-weapon sight systems, target acquisition systems, target range finders, testing and calibration equipment (A0005/9.9%);</p> <p>ammunition for rifles, submachine guns, hunting weapons, sporting weapons, howitzers, cannons, mortars, grenade launchers and ammunition parts for the following: rifles, submachine guns, machine guns, hunting weapons, sporting weapons, revolvers, pistols, cannons, anti-tank weapons, grenade launchers (A0003/6.1%)</p>

No.	Country <sup>32</sup>	Value in 2008 (€ millions)	Description of articles
14 (7)	Pakistan	93.3	<p>Communication equipment, navigation equipment and parts for communication equipment, navigation equipment, radar systems, electricity supplies (A0011/63.41%);</p> <p>trucks and armoured cross-country vehicles (A0006/17.9%)</p>
15 (2)	Switzerland	85.5	<p>Transport vehicles and parts for tanks, armoured vehicles, ground vehicles (A0006/22.5%);</p> <p>communication equipment, navigation equipment, guidance equipment, positioning equipment, measurement and testing equipment, electricity supplies and parts for electronic equipment, communication equipment, navigation equipment, positioning equipment, electronic warfare, data processing systems, electricity supplies (A0011/17.0%);</p> <p>ammunition for rifles, submachine guns, machine guns, hunting weapons, sporting weapons, revolvers, pistols, cannons, grenade launchers and ammunition parts for the following: rifles, submachine guns, machine guns, hunting weapons, sporting weapons, revolvers, pistols, howitzers, cannons, mortars, anti-tank weapons, grenade launchers (A0003/16.4%);</p> <p>measuring equipment, reloading equipment, ammunition testing equipment, special test equipment and parts for manufacturing equipment for small arms, small-calibre ammunition, weapons parts, gear parts, ammunition testing system, parts for test beds, workshops (A0018/10.3%);</p> <p>target display units, simulators for weapons training and parts for flight simulators, radar trainers, practice equipment, training equipment, target display units, military simulators (A0014/9.2%);</p> <p>rifles with and without war weapons list numbers, submachine guns, machine guns, revolvers, pistols, sniper rifles, hunting rifles, sporting rifles, sporting revolvers, sporting pistols, smooth-bore weapons, gun mountings, weapon sights and parts for rifles with and without war weapons list numbers, submachine guns, machine guns, revolvers, pistols, sniper rifles, hunting rifles</p>
16 (-)	Greece	83.5	<p>Laser range finders, testing and calibration equipment and parts for fire control equipment, weapons sights, on-board weapons-control systems (A0005/61.0%);</p> <p>electronic equipment, communication equipment, frequency converters, electricity supplies and parts for electronic equipment, communication equipment, electricity supplies (A0011/9.8%);</p>

No.	Country <sup>32</sup>	Value in 2008 (€ millions)	Description of articles
			<p>fire fighting vehicles and parts for tanks, armoured vehicles, ground vehicles (A0006/6.5 %);</p> <p>anti-aircraft missiles, triggers for explosive charges and parts for torpedoes, missiles, guided missile systems, illuminating cartridges (A0004/6.2 %)</p>
17 (20)	Denmark	72.3	<p>Panoramic sight, tube-weapon sight systems, testing and calibration equipment and parts for fire control systems, weapon sights, target acquisition systems, target range finders, testing and calibration equipment (A0005/38.3 %);</p> <p>armoured vehicles, trucks and parts for tanks, armoured vehicles, armoured recovery vehicles, ground vehicles (A0006/37.2 %);</p> <p>forged, cast and unfinished components (A0016/5.7 %)</p>
18 (14)	India	51.9	<p>Submarine periscope system, testing equipment, calibration equipment and parts for fire control units, on-board weapons-control systems, target acquisition systems, target range-finders, target surveillance systems (A0005/46.2 %);</p> <p>echo sounders, ship body conduits and parts for frigates, corvettes, submarines, combat vessels, command and control systems, echo sounders (A0009/23.6 %);</p> <p>communication equipment, navigation equipment, testing equipment, cathode ray tubes and parts for electronic equipment, communication equipment, positioning equipment, navigation equipment, guidance equipment (A0011/9.5 %);</p> <p>parts for combat aircraft, helicopters, training aircraft, on-board equipment, engines (A0010/4.2 %)</p>
19 (12)	Turkey	43.7	<p>Trucks and parts for tanks, armoured vehicles, amphibious vehicles, ground vehicles (A0006/44.5 %);</p> <p>communication equipment, flight inspection systems, data processing equipment, measurement and testing equipment and parts for electronic equipment, communication equipment, positioning equipment, navigation equipment, guidance equipment, electricity supplies (A0011/12.1 %);</p> <p>ammunition for rifles, hunting weapons, sporting weapons, revolvers, pistols, howitzers, decoy cartridges and parts for revolver ammunition, pistol ammunition, cannon ammunition (A0003/9.1 %);</p>

No.	Country <sup>32</sup>	Value in 2008 (€ millions)	Description of articles
			<p>target display units, launchers for simulators, training fuses, training explosive cutters and parts for simulators, training equipment (A0014/6.7 %);</p> <p>logistic support ships (for scrapping) and parts for submarines, coastguard boats, combat vessels, navigation equipment, echo sounders (A0009/6.0 %);</p> <p>pyrotechnic ammunition, simulators, sea mine destruction systems and parts for launchers, sea mine destruction systems (A0004/4.9 %)</p>
20 (-)	Russian Federation	41.0	<p>Satellites (for US operators) communication equipment, construction components and parts for communication equipment (A0011/42.8 %);</p> <p>rifles without war weapons list numbers, hunting rifles, sporting rifles and revolvers, pistols, parts for hunting rifles, sporting rifles, sporting pistols, revolvers, pistols (A0001/30.6 %);</p> <p>trucks, armoured cross-country vehicles and parts for self-propelled drilling equipment, ground vehicles (A0006/16.1 %)</p>

The sharp fluctuations in some country rankings result from the pronounced differences from year to year in the occurrence of orders eligible for export licences.

### e) Individual export licences broken down by Export List Items

The individual export licences issued in 2008 are broken down into the 22 EL Items as follows:

EL item	Description of Item	Number	Value in €
A 0001	Small firearms	4,531	176,633,540
A 0002	Large calibre weapons	243	123,798,795
A 0003	Ammunition	1,171	297,246,855
A 0004	Bombs, torpedoes, missiles	336	251,886,304
A 0005	Fire control systems	479	235,076,148
A 0006	Wheeled and tracked military vehicles	3,496	1,332,976,081
A 0007	Equipment for NBC defence, irritants ("tear gas")	218	15,841,673
A 0008	Explosives and fuels	459	7,793,971
A 0009	Naval vessels	406	1,671,649,798
A 0010	Military aircraft / aircraft technology	735	136,730,210
A 0011	Military electronics	1,124	816,247,335
A 0013	Ballistic protection equipment	214	29,175,256
A 0014	Training and simulator equipment	144	66,111,680
A 0015	Infrared/thermal imaging equipment	174	63,147,031
A 0016	Semi-finished parts for the production of certain items of military equipment	551	143,095,605
A 0017	Miscellaneous equipment	393	166,608,956
A 0018	Manufacturing equipment for the production of military articles	582	94,846,099
A 0019	Directed energy systems	3	627,000
A 0021	Military software	225	29,697,324
A 0022	Technology	571	129,076,260
<b>Total<sup>33</sup></b>		<b>16,055</b>	<b>5,788,265,921</b>

\*\* based on 15,458 licences

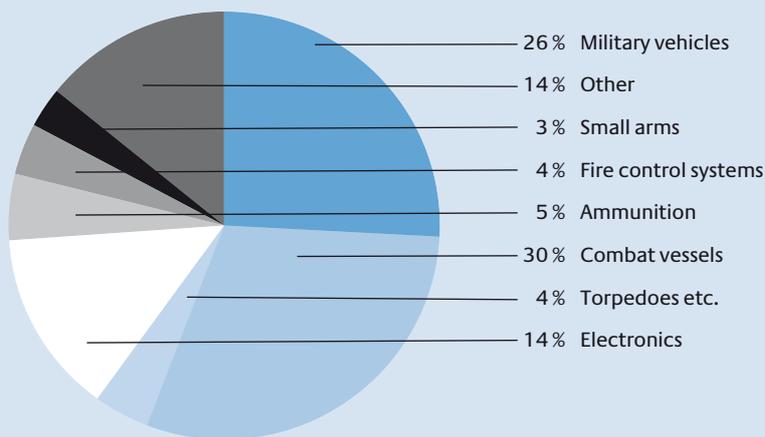
The table shows that the item which accounted for the largest share of exports of military equipment in terms of value in 2008 was "naval vessels", totalling €1.67 billion. The reason for this was the licences for submarines, parts for submarines, frigates and other naval vessels for South Korea. The second-largest item was wheeled and tracked military vehicles (€1.33 billion), followed in third place by military electronics (€816 million).

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

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

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

**Figure 5 Individual licences' share (by value) of the most important Export List items in 2008**



#### f) Export licences from 1996 to 2008

The following table compares the values (€ millions) of the licences issued in the years 1996 to 2008 for final exports. To provide a better basis for comparison, the values are not broken down by individual countries of destination but are packaged together for the privileged countries of destination (EU, NATO, NATO-equivalent) on the one hand and third countries on the other. Annex 5 offers an outline by individual country. The 1996–2008 time frame has been selected because the statistical data base of the Federal Office of Economics and Export Control did not make a comparison by country groups possible until 1996.<sup>34</sup>

<sup>34</sup> For the purpose of statistical comparability, the values of production documents for military equipment (1999: € 95.3 million and 2000: € 14.9 million) would have to be added even though they are not military equipment within the meaning of the Export List.

Year	EU countries (€ millions)	NATO or NATO-equivalent countries (without EU countries) (€ millions)	Third countries (€ millions)	Individual export licences total (€ millions)	Collective licences total (€ millions)
1996	615.2	720.2	850.0	2,185.4	2,271.0
1997	731.8	732.7	596.1	2,060.6	9,189.7
1998	632.3	1,208.0	1,033.0	2,873.7	5,577.8
1999	701.8	1,542.8	781.6	3,026.1	334.7
2000	1,283.8	963.5	599.7	2,846.0	1,909.1
2001	1,329.7	1,010.6	1,345.8	3,686.1	3,845.3
2002	1,363.5	1,149.5	744.6	3,257.6	2,550.6
2003	1,892.0	1,359.2	1,613.0	4,864.2	1,328.0
2004	1,915.8	810.7	1,080.2	3,806.7	2,437.1
2005	1,440.3	1,120.0	1,655.5	4,215.8	2,032.8
2006	1,863.3	1,174.4	1,151.3	4,189.0	3,496.2
2007	1,297.0	1,141.0	1,230.0	3,668.0	5,053.0
2008	1,838.0	810.0	3,140.0	5,788.0	2,545.0

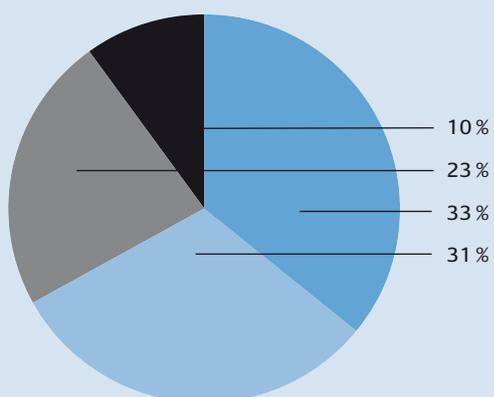
The two following illustrations compare the values accounted for by the various country groups for the years 2007 and 2008. Pursuant to the Political Principles, the EU, NATO, and NATO-equivalent

countries can more or less be regarded as a block since they are treated in largely the same manner with regard to the export of military equipment.

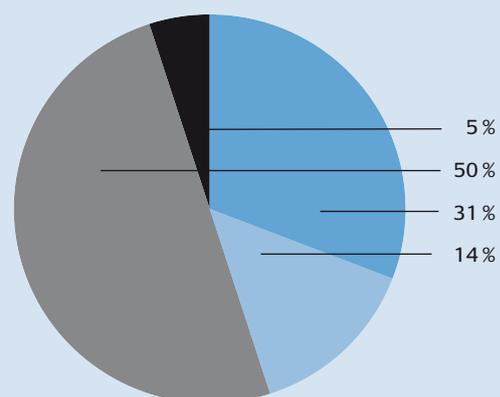
**Figure 6 Distribution of value of individual licences among country groups**

■ EU countries ■ NATO or NATO-equivalent countries ■ Third countries (excl. developing countries) ■ Developing countries

**2007 (€ 3,668 millions = 100 %)**



**2008 (€ 5,788 millions = 100 %)**



Once again, the special effect due to the licences for South Korea can be seen.

Country	Individual decisions or applications for war weapons	Value in €
Afghanistan	1	15,540
Argentina	1	190
Bermuda	1	3,344
Bhutan	1	43,107
Brazil	2	375,070
Chile	5	2,726,737
Croatia	3	252,275
Hong Kong	1	11,900
India	2	17,490
Indonesia	2	281,095
Iraq	1	586,000
Israel	5	565,041
Jordan	2	4,359,185
Korea, Republic	8	1,671,565,096
Kuwait	4	1,079,727
Lebanon	2	1,116,500
Macedonia	1	153,920
Malaysia	7	3,828,691
Oman	2	561,382
Pakistan	2	1,205,000
Philippines	1	1,360
Qatar	1	99,500
Saudi Arabia	9	31,764,905
Singapore	7	308,418,980
South Africa	3	54,402
Thailand	5	48,410
Timor-Leste	1	17,127
United Arab Emirates	11	25,507,925
Uruguay	1	247,500
<b>Total</b>	<b>91</b>	<b>2,054,907,399</b>

### g) War weapons' share of licensed values in 2008

The licence values shown under f) related to articles from Part I Section A of the Export List, thus to all military equipment including war weapons. By contrast, this section identifies the share of overall values of individual licences accounted for by war weapons in 2008. The aggregate monetary value of all single-transaction arms export licences was € 2,620 million, which represents approximately 42% of the total monetary value of all single-transaction licences granted (2007: € 464 million or 13 % of all single-transaction licences). Once again, the greatest increase derives from the licences for South Korea. The following table displays – broken down by country – total licences for the export of war weapons to third countries in 2008 (total value: € 2,054 million).

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

### h) Individual licences for the export of small arms from 1996 to 2008

In view of the continuing special problems associated with the destabilising effects of small arms accumulations in crisis areas<sup>35</sup>, the German Government is additionally reporting for 2008 on individual licences issued in the years 1996–2008 for the export of small arms.

Small arms do not represent an independent category within the groups of military equipment and war weapons under German law, but they are con-

tained within these groups of items. They thus represent a portion of the small firearms covered under EL number 0001 (see section e) above). The values shown in the following tables A to C are therefore already included in the statistics under 1. a) to g) and in the values presented under Annex 5.

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

The **OSCE** defines small arms as follows:

- ▶ “[...] small arms and light weapons are man-portable weapons made or modified to military specifications for use as lethal instruments of war.
- ▶ Small arms are broadly categorized as those weapons intended for use by individual members of armed or security forces. They include revolvers and self-loading pistols; rifles and carbines; sub-machine guns; assault rifles; and light machine guns.
- ▶ Light weapons are broadly categorized as those weapons intended for use by several members of armed or security forces serving as a crew. They include heavy machine guns; hand-held under-barrel

35 Cf. II. 8. in this regard.

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

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

and mounted grenade launchers; portable anti-aircraft guns; portable anti-tank guns; recoilless rifles; portable launchers of anti-tank missile and rocket systems; portable launchers of anti-aircraft missile systems; and mortars of calibres less than 100mm.”

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

- “a) Small arms and accessories specially designed for military use:
- ▶ machine guns (including heavy machine guns)
  - ▶ submachine guns, including fully automatic pistols
  - ▶ fully automatic rifles
  - ▶ semi-automatic rifles, if developed and/or introduced as models for the armed forces
  - ▶ moderators (silencers)

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

Using the EU’s small arms definition, the following tables show the value of licences for the export of sub-machine guns, machine guns, automatic and semi-automatic weapons, smooth-bore military weapons, weapons for caseless ammunition and parts for such weapons (Table A)<sup>38</sup>, and for the export of ammunition for guns, submachine guns and machine guns and parts for such ammunition (Table C)<sup>39</sup> for 1996–2008.

**Table A Individual licences for the export of small arms**

Year	EU countries (€ millions)	NATO or NATO-equivalent countries (without EU countries) (€ millions)	Third countries (€ millions)	Individual licences total (€ millions)
1996	0.89	2.60	1.87	5.36
1997	5.60	4.11	6.24	15.95
1998	2.09	14.68	6.57	23.34
1999	10.14	6.38	4.74	21.26
2000	4.97	3.58	0.27	8.82
2001	24.57	6.62	7.43	38.62
2002	45.31	12.09	4.20	61.60
2003	35.56	8.76	8.59	52.90
2004	12.64	15.46	8.17	36.27
2005	17.97	5.44	12.57	35.98
2006	11.45	10.23	15.60	37.28
2007	9.35	9.38	30.20	48.93
2008	22.72	28.94	17.18	68.85

38 Excluding hunting and sporting weapons.

39 Excluding ammunition for hunting and sporting weapons.

The following illustrations show the values broken down by three country groups for small arms licences issued in 2007 and 2008; in addition the group “third countries” has been divided into developing countries and other third countries. The developing coun-

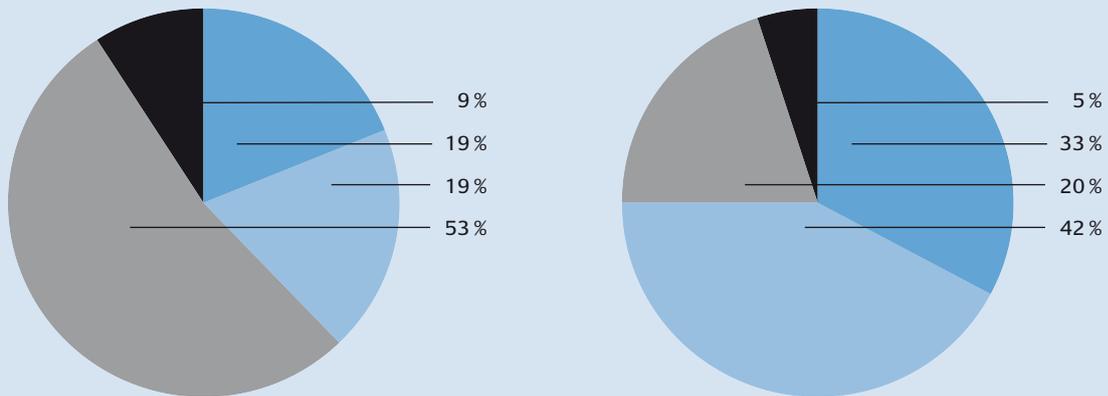
tries accounted for approx. 5% of all small arms licences in 2008. The German Government will continue to take a particularly restrictive approach to exports of small arms to developing countries in future.

**Figure 7 Values of individual licences for small arms broken down by country groups**

■ EU ■ NATO ■ Third countries (excl. developing countries) ■ Developing countries

2007 (€ 48.9 millions = 100 %)

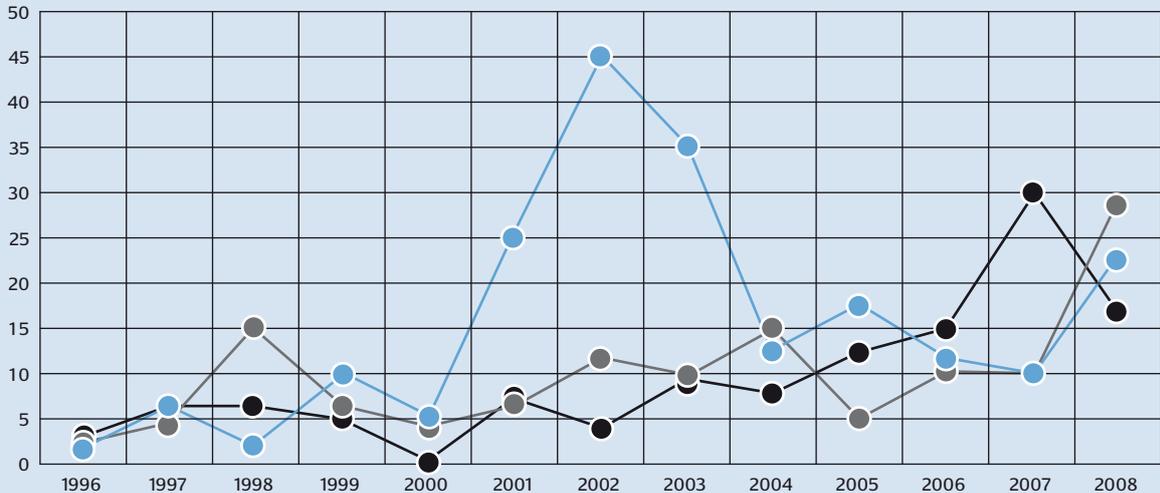
2008 (€ 68.85 millions = 100 %)



**Figure 8 Trend of export licences for small arms 1996 to 2008**

● EU ● NATO ● Third countries

Licences in € millions



The aggregate value of individual export licences for small arms is significantly lower than the aggregate value of total export licences for small firearms as listed above under e) for EL position 0001 (€176.6 million). As already explained, this is the result of the fact that the definition of small firearms found there also includes civilian weapons (revolvers, pistols) used for self defence, as well as hunting and sporting

weapons, and therefore extends far beyond that of small arms as understood internationally.

For this reason, only just under 10% of the licence values for small arms apply to licences for small arms destined for third countries (€17.18 million). The proportion of small arms licensed for third countries is clearly lower than in the preceding year.

**Table B Individual licences for the export of small arms to third countries broken down by countries, licence values and unit numbers for 2008**

Country	Licences total	EL item	Value €	Designation	Units
Afghanistan	1	0001A-02	9,600	Rifles with war weapons list numbers	6
			780	Requisite components (UN mission)	30
Argentina	1	0001A-05	190	Components for machine pistols	1
Bermuda		0001A-02	3,344	Rifles with war weapons list numbers	4
			1,434	Requisite components	164
Bhutan	1	0001A-02	16,187	Rifles with war weapons list numbers	5
			3,275	Requisite components	15
		0001A-05	8,470	Submachine guns	4
		0001A-06	8,760	Machine guns	1
Croatia	7	0001A-02	1,940	Requisite components	2
			204,150	Rifles with war weapons list numbers	161
		0001A-05	68,343	Requisite components	1,573
		16,945	Submachine guns	16	
Egypt	1	0001A-05	2,638	Requisite components	69
			24,673	Components for submachine guns	638
Hong Kong	3	0001A-02	3,486	Parts for rifles with war weapons list numbers	122
		0001A-05	29,265	Components for submachine guns	575
India	2	0001A-05	20,665	Components for submachine guns	348
Indonesia	2	0001A-02	226,080	Rifles with war weapons list numbers	116
			44,115	Requisite components	237
		0001A-05	53,960	Submachine guns	28
Jordan	3	0001A-05	2,136,810	Submachine guns	2,310
			1,008,297	Requisite components	37,415
Korea, Republic	1	0001A-05	19,440	Submachine guns	20
			1,100	Requisite components	40
Kosovo	3	0001A-02	1,298	Parts for rifles with war weapons list numbers	39
		0001A-05	2,350	Components for machine pistols (UN mission)	130
Kuwait	2	0001A-05	259,800	Submachine guns	265
			120,723	Requisite components	6,180

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

Country	Licences total	EL item	Value €	Designation	Units
Lebanon	2	0001A-02	621,500	Rifles with war weapons list numbers	550
			77,600	Requisite components	3,150
		0001A-05	153,000	Submachine guns	100
		0001A-06	304,000	Machine guns	40
			38,000	Requisite components	40
Macao	1	0001A-02	4	Parts for rifles with war weapons list numbers	80
Macedonia	1	0001A-05	153,360	Submachine guns	80
			29,377	Requisite components	565
Malaysia	2	0001A-05	106,284	Submachine guns	94
			851	Requisite components	63
Mexico	3	0001A-02	49,475	Parts for rifles with war weapons list numbers	27,031
Oman	3	0001A-05	967	Submachine guns	1
			271	Requisite components	51
		0001A-06	486,000	Machine guns	81
			104,839	Requisite components	565
Philippines	1	0001A-02	643	Parts for rifles with war weapons list numbers	125
		0001A-05	1,360	Components for submachine guns	5
Qatar	1	0001A-05	99,500	Submachine guns	100
			2,600	Requisite components	100
Saudi Arabia	13	0001A-02	858,000	Rifles with war weapons list numbers	600
			2,442,325	Requisite components	various
		0001A-05	1,391,400	Components for submachine guns	32,000
		0001A-06	4,885,699	Machine guns	898
636,016	Requisite components		978		
Singapore	3	0001A-02	270	Parts for rifles with war weapons list numbers	2
		0001A-05	1,013	Components for submachine guns	356
South Africa	2	0001A-02	3,602	Rifles with war weapons list numbers	3
		0001A-05	39,600	Submachine guns	40
			7,636	Requisite components	322
Taiwan	3	0001A-05	380	Components for submachine guns	12
Thailand	6	0001A-02	13,501	Parts for rifles with war weapons list numbers	424
		0001A-05	42,770	Submachine guns	28
			1,555	Requisite components	35
Timor-Leste	1	0001A-05	17,127	Submachine guns	11
			903	Requisite components (UN mission)	94
Ukraine	1	0001A-06	190	Parts for machine guns (inoperable)	1
United Arab Emirates	3	0001A-02	64,890	Rifles with war weapons list numbers	26
			1,845	Requisite components	53
Uruguay	1	0001A-06	247,500	Machine guns	150
<b>Total</b>	<b>75</b>		<b>17,183,971</b>		

**Table C Individual licences for ammunition for small arms, including ammunition parts**

Year	EU countries (€ millions)	NATO or NATO- equivalent countries (without EU countries) (€ millions)	Third countries (€ millions)	Individual licences total (€ millions)
1996	0.30	0.50	0.09	0.89
1997	4.60	5.00	0.74	10.34
1998	4.64	10.09	0.63	15.36
1999	2.83	14.95	0.15	17.93
2000	2.81	2.84	0.04	5.69
2001	2.20	12.46	1.80	16.46
2002	7.08	6.10	1.88	15.06
2003	1.83	8.53	1.61	11.96
2004	3.69	11.06	0.57	15.31
2005	6.13	11.50	0.24	17.87
2006	13.31	7.76	0.15	21.22
2007	16.77	13.59	1.40	31.76
2008	10.10	10.18	18.65	38.94

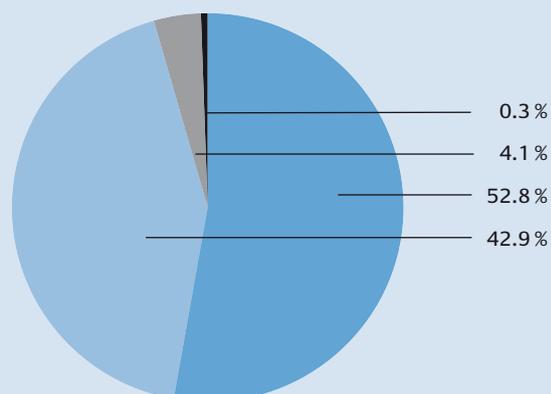
Figure 9 and table D show the distribution of licences issued in 2006 and 2007 for the export of small arms munitions to the three country groups mentioned above (in the chart, the percentages for developing

countries and other third countries are shown separately). The considerable rise in 2008 is due not least to the licensing of a multi-annual quantity for Singapore.

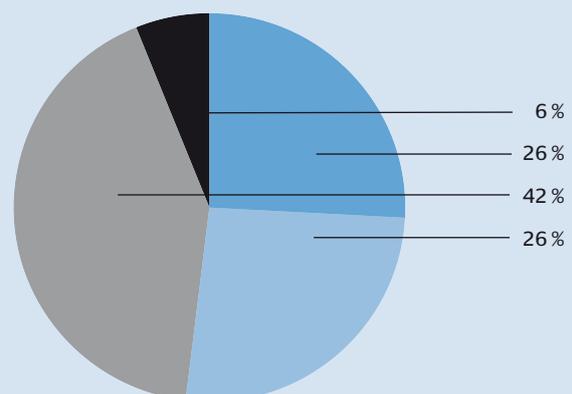
**Figure 9 Export licences for small arms ammunition**

■ EU ■ NATO ■ Third countries (excl. developing countries) ■ Developing countries

2007 (€ 31.76 millions = 100 %)



2008 (€ 38.94 millions = 100 %)



**Table D Individual licences for the export of small arms ammunition to third countries, by country, for 2008<sup>41</sup>**

Country	Licences total	EL item	Value (€)	Designation	Units
Afghanistan	1	0003A-05	5,940	Ammunition for submachine guns (for UN mission)	9,900
Bhutan	1	0003A-01	6,375	Ammunition for rifles	9,500
Brazil	2	0003A-01	2,700	Ammunition for rifles	10,000
			475,725	Components for rifle ammunition	3,540,000
Congo, Democratic Republic	1	0003A-01	19,175	Ammunition for rifles (UN mission)	65,000
Croatia	1	0003A-01	14,500	Ammunition for rifles	29,000
Jordan	2	0003A-05	2,210,000	Ammunition for submachine guns	5,000,000
Korea, Republic	2	0003A-05	65,000	Ammunition for submachine guns	130,000
Kuwait	1	0003A-05	167,552	Ammunition for submachine guns	380,800
Lebanon	1	0003A-01	735,000	Ammunition for rifles	7,500,000
Malaysia	1	0003A-01	1,128,600	Ammunition for rifles	5,016,000
Oman	2	0003A-01	3,948	Ammunition for rifles	10,000
		0003A-05	250	Ammunition for submachine guns	500
San Marino	1	0003A-01	983	Ammunition for rifles	4,000
Saudi Arabia	2	0003A-01	716,400	Components for rifle ammunition	20 million
		0003A-06	899,500	Ammunition for machine guns	2,000,000
Singapore	1	0003A-01	12,195,742	Ammunition for rifles	60 million
United Arab Emirates	3	0003A-01	9,050	Ammunition for rifles	900
		0003A-05	1,712	Ammunition for submachine guns	3,200
<b>Total</b>	<b>22</b>		<b>18,658,152</b>		

Total values for 2007 were: 24 licences at a value of € 1.39 million. As in past years, small arms and small arms munitions accounted for only a minute fraction of the total value of all individual licences: in 2008, its share amounted to 0.6 %.

#### i) Licences for brokering transactions in 2008

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

Position 2003/468/CFSP on the control of arms brokering of 23 June 2003, but it also goes beyond the Common Position. It substantially broadens the existing controls on arms brokering under Section 4a of the War Weapons Control Act, which remains in force unchanged. In 2008, a total of 15 (2007: 12) brokering licences worth € 1.69 million (2007: € 1.3 million) were issued for six countries (2007: 7 countries). Annex 6 contains an overview of these licences.

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

## 2. Exports of war weapons

### a) War weapon exports in reporting year 2008

We have figures on actual exports made in 2008 in the sub-section comprising war weapons. Germany's Federal Statistical Office determined that goods worth a total of € 1,427.2 million were exported from Germany in 2008 (2007: € 1,510.1 million<sup>42</sup>). The total value thus declined compared with the year before. In value terms, 65 % of the war weapons exports went to EU, NATO, and NATO-equivalent countries; according to the Political Principles, the export of military equipment to such countries is not normally restricted. The exports of war weapons are largely commercial transactions; to some extent, however, they are also transfers of Bundeswehr stocks.

In 2008, war weapons worth a total of € 9.08 million, or approx. 0.6 % of all exports of war weapons, were exported to "classic developing countries"<sup>43</sup> (2007: € 11.9 million and approximately 0.8 %). Of

these, Pakistan alone accounted for € 3.3 million, Jordan for € 2.1 million and India for € 1.1 million.

#### (1) Bundeswehr exports

Within the exports, a merchandise value of € 135.1 million (some 9.5 % of total exports of war weapons) was accounted for by the transfer of material by the German Ministry of Defence. The increase over 2007 is particularly due to substantial exports totalling € 124 million to South Korea – in particular, an anti-aircraft missile system and guided missiles.

#### (2) Commercial exports

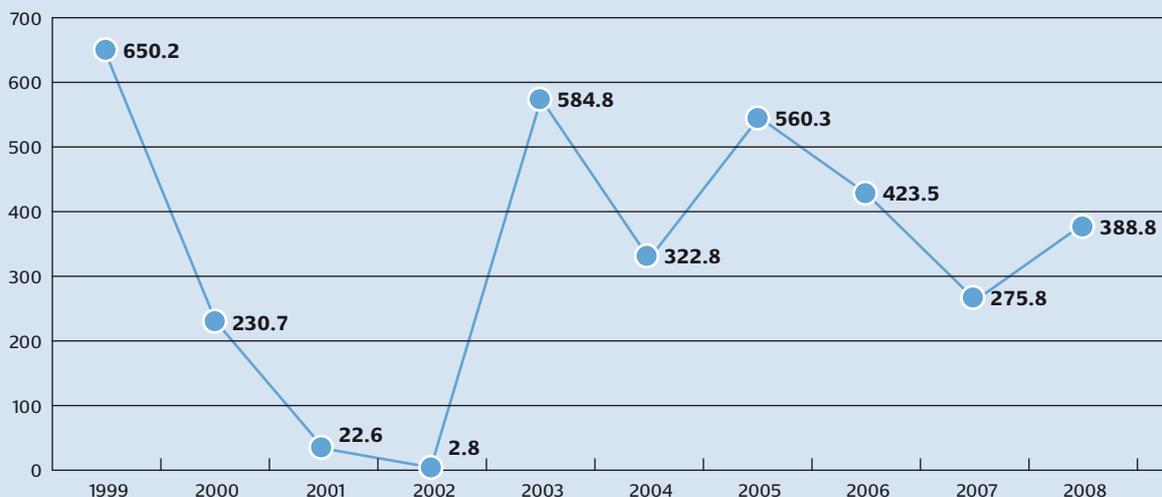
The value of German companies' commercial exports amounted to € 1,292.1 million in 2008 (2007: € 1,476.3 million). 70 % of these exports (€ 904.3 million) went to NATO, EU or NATO-equivalent countries.

War weapons exports to third countries amounted to € 388.8 million, a substantial decline relative to the € 275.8 million exported in 2007, but remained at a moderate level.

Figure 10 Commercial war weapons exports to third countries 1999 to 2008

● War weapons exports to third countries

in € millions



42 The Federal Statistical Office found that a company reported erroneous foreign-trade data regarding a licensed export of high-value military equipment to an EU country in 2007, and that this export was therefore not included in the statistics of actual exports of war weapons in 2007. For this reason, the figure of € 1,114.3 million contained in the 2007 Report is corrected to € 1,510.1 million.

43 See footnote 4 for the definition of developing countries.

The following outline contains all exports of war weapons in 2008 (commercial and German Ministry of Defence), broken down by consignee country and value.

Country	Value in € 1,000	Country	Value in € 1,000	Country	Value in € 1,000
Afghanistan (UN) <sup>44</sup>	16	India	1,117	Philippines	65
Albania	1,000	Indonesia	281	Poland	2,075
Australia	877	Ireland	827	Portugal	763
Austria	338,310	Israel	726	Romania	4,775
Belgium	31,621	Italy	22,425	Saudi Arabia	13,085
Bhutan	2	Japan	41	Sweden	10,054
Brazil	375	Jordan	2,129	Switzerland	22,833
Bulgaria	369	Korea, Republic	145,457	Singapore	40,313
Canada	156	Kuwait	728	Slovakia	114
Chile	26,856	Latvia	1,461	Slovenia	8,070
Congo, Democratic Republic (UN)	8	Lebanon	1,303	South Africa	180,311
Croatia	640	Lithuania	4,194	Spain	51,739
Czech Republic	14,545	Luxembourg	1,787	Thailand	46
Denmark	5,977	Macao	32	Timor-Leste (UN)	16
Finland	8,295	Macedonia	153	Turkey	63,728
France	8,962	Malaysia	3,191	Uruguay	75
Georgia	900	Mexico	4,064	United Arab Emirates	87,774
Greece	119,557	New Zealand	14	United Kingdom	42,781
Hong Kong	12	Netherlands	97,506	USA	22,974
Hungary	250	Norway	26,533		
		Pakistan	3,367	<b>Total</b>	<b>1,427.2</b>

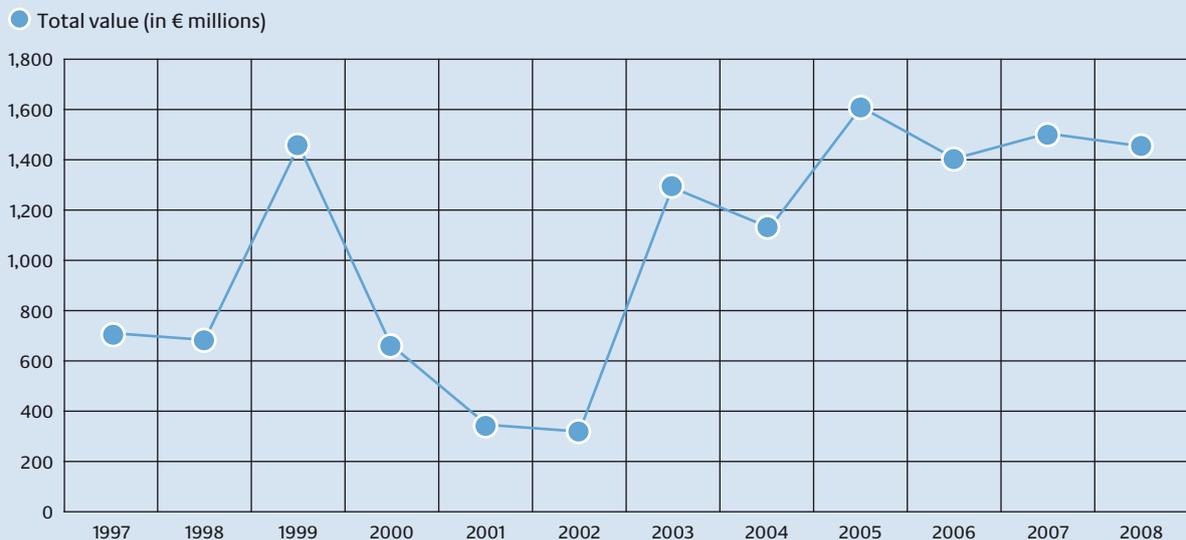
### b) War weapon exports from 1997–2008

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

Year	Total value (in € millions)	% share of total German exports
1997	707.4	0.16
1998	683.9	0.14
1999	1,454.2	0.29
2000	680.2	0.11
2001	367.3	0.06
2002	318.4	0.06
2003	1,332.8	0.20
2004	1,129.1	0.15
2005	1,629.7	0.26
2006	1,374.2	0.15
2007 <sup>45</sup>	1,510.1	0.16
2008	1,427.2	0.14

Plotted on a chart, the trend is as follows:

**Figure 11** Trend of aggregate war weapon exports in total value



### 3. German military equipment exports by international comparison

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

The study by the International Institute for Strategic Studies (IISS) ranks Germany in sixth place in 2008, well behind the UK, France and China. The USA ranks first, followed at a great distance by Russia. According to the study, Germany's 2008 world market share was 2.5 %, versus 41.5 % for the US, 17.3 %, for Russia, 16.3 % for the UK, 6.3 % for China, and 3.0 % for France.<sup>46</sup>

According to a study by the United States Congressional Research Service (CRS)<sup>47</sup>, the U.S. controlled more than 68.4 % of all weapons exports in 2008, exporting weapons worth USD 37.8 billion (€ 26.5 billion). It thus accounted for 68.4 % of the world's arms shipments.

According to the study, approx. 76.4 % of the world's weapons exports in 2008 went to third countries<sup>48</sup>. In terms of these exports to third countries, the USA ranked first, at USD 7.4 billion, ahead of Russia at USD 5.2 billion. Next came China, at USD 1.4 billion, and then Germany at USD 1.1 billion. According to the CRS, in terms of contracts for military equipment concluded with third countries in 2008, Germany ranked ninth behind the U.S., Russia, France, Italy, the Netherlands, China and Sweden.

According to this analysis, the trend for the years 2001-2008 shows that the United States was far in the lead, followed at quite a distance by Russia, France, the UK and China. Germany and Italy come next, again at quite some distance.

The Stockholm-based SIPRI Institute ranked Germany third in 2008 amongst the world's leading exporters of military equipment (behind the USA and Russia, but ahead of France and the UK<sup>49</sup>). According to SIPRI, the USA have a 31 % world market share of

military exports, followed by Russia (25 %) and Germany (7 %). German exports are said to have expanded particularly within Europe. The largest clients are Turkey and Greece, which received one-third of German exports, and particularly Leopard tanks and submarines. However, the special analytical methods used by SIPRI, which are explained in detail in the document cited here, make it virtually impossible to compare the results with those of other institutes.<sup>50</sup> Similarly, it is virtually impossible to draw a comparison with official publications like this Report and the EU annual report (see below), since the concept of military goods used by SIPRI differs significantly from the internationally agreed categories.

In terms of the EU member states, the 11th Annual Report of the EU on the Common Position provides a very good basis for comparison.<sup>51</sup> According to it, France headed the ranking of export licences issued with € 10.6 billion, ahead of Germany (€ 5.8 billion), Italy (€ 5.7 billion), Spain (€ 2.5 billion) and the UK (€ 2.5 billion). However, the point should be made here that a substantial volume of exports from Britain may be handled via open general licences, so that these exports are not recorded in the statistics.

46 IISS, *The Military Balance 2009*, p. 453.

47 CRS Report for Congress: *Conventional Arms Transfers to Developing Nations, 2001 - 2008* of 04/09/2009, authored by Richard F. Grimmett.

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

49 SIPRI Yearbook – *Armaments, Disarmament and International Security 2008*, p. 294.

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

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

## Annex 1a

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

The Government of the Federal Republic of Germany, desiring

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

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

#### I General Principles

1. The Federal Government's decisions regarding the export of war weapons<sup>52</sup> and other military equipment<sup>53</sup> are made in accordance with the provisions of the War Weapons Control Act and the Foreign Trade and Payments Act as well as the EU Code of Conduct on Arms Exports adopted

by the European Council on 8 June 1998<sup>54</sup> and such arrangements as may be agreed subsequently as well as the Principles Governing Conventional Arms Transfers adopted by the Organisation for Security and Co-operation in Europe (OSCE) on 25 November 1993. The criteria laid down in the EU Code of Conduct are an integral part of these Political Principles. The standards stipulated in the Code of Conduct will be superseded by any more stringent standards that may be derived from the following principles:

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

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

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

54 Attached as annex.

## II NATO countries<sup>55</sup>, EU member states, countries with NATO-equivalent status<sup>56</sup>

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

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

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

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

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

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

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

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

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

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

55 Area of application of NATO Treaty, Article 6.

56 Australia, Japan, New Zealand, Switzerland.

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

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

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

### III Other countries

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

granted unless in a specific case this is exceptionally warranted on particular foreign and security policy grounds, having due regard to Alliance interests. Labour policy considerations must not be a decisive factor.

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

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

4. Export licences pursuant to the War Weapons Control Act and/or the Foreign Trade and Payments Act will not be granted where the internal situation in the country concerned precludes such action, e.g. in the case of armed conflict or where there are reasonable grounds for suspecting such exports may be used for internal repression or the sustained and systematic abuse of human rights. In this context the human rights situation in the recipient country is a major factor to be considered.
5. No licences will be granted for the export of war weapons and other military equipment related to war weapons<sup>57</sup> to countries

- ▶ involved in armed conflict or where armed conflict is imminent,
- ▶ where the outbreak of armed conflict is imminent or where such exports would stir up, perpetuate or exacerbate latent tensions and conflicts.
- ▶ Exports to countries involved in external armed conflicts or where there is a danger such conflicts may erupt are therefore ruled out on principle except in cases covered by Article 51 of the UN Charter.

57 Plant and documentation for the manufacturer of war weapons.

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

#### IV Definitive determination of end-use

1. Export licences for war weapons and other military equipment will be granted only on the basis of prior knowledge of definitive end-use in the country of final destination. This will generally require a written assurance by the end-user as well as other appropriate documentation.
2. Export licences for war weapons or other military equipment of a quantity and type relevant to war weapons may be granted only on presentation of governmental end-use certificates that preclude re-exports without prior authorisation. This applies mutatis mutandis to any other military equipment related to war weapons exported in connection with a manufacturing licence. For the export of such equipment used for the manufacture of war weapons definitive end-use certificates must be furnished.

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

3. War weapons and other military equipment relevant to war weapons may only be re-exported to third countries or transferred inside the EU Internal Market with the written approval of the Federal Government.
4. A recipient country that, in breach of an end-use certificate, authorises or does not seek to prevent or sanction the unauthorised re-export of war weapons or other military equipment relevant to war weapons will on principle, as long as such conditions persist, be excluded from receiving any further deliveries of war weapons or other military equipment related to war weapons.

#### V Arms exports report

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

## Annex 1b

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

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

#### The Council of the European Union

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

Whereas:

- (1) Member States intend to build on the Common Criteria agreed at the Luxembourg and Lisbon European Councils in 1991 and 1992, and on the European Union Code of Conduct on Arms Exports adopted by the Council in 1998.
- (2) Member States recognise the special responsibility of military technology and equipment exporting States.
- (3) Member States are determined to set high common standards which shall be regarded as the minimum for the management of, and restraint in, transfers of military technology and equipment by all Member States, and to strengthen the exchange of relevant information with a view to achieving greater transparency.
- (4) Member States are determined to prevent the export of military technology and equipment which might be used for internal repression or international aggression or contribute to regional instability.
- (5) Member States intend to reinforce cooperation and to promote convergence in the field of exports of military technology and equipment within the framework of the Common Foreign and Security Policy (CFSP).
- (6) Complementary measures have been taken against illicit transfers, in the form of the EU Pro-

gramme for Preventing and Combating Illicit Trafficking in Conventional Arms.

- (7) The Council adopted on 12 July 2002 Joint Action 2002/589/CFSP on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons.
- (8) The Council adopted on 23 June 2003 Common Position 2003/468/CFSP on the control of arms brokering.
- (9) The European Council adopted in December 2003 a strategy against the proliferation of weapons of mass destruction, and in December 2005 a strategy to combat illicit accumulation and trafficking of SALW and their ammunition, which imply an increased common interest of Member States of the European Union in a coordinated approach to the control of exports of military technology and equipment.
- (10) The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was adopted in 2001.
- (11) The United Nations Register of Conventional Arms was established in 1992.
- (12) States have a right to transfer the means of self-defence, consistent with the right of self-defence recognised by the UN Charter.
- (13) The wish of Member States to maintain a defence industry as part of their industrial base as well as their defence effort is acknowledged.
- (14) The strengthening of a European defence technological and industrial base, which contributes to the implementation of the Common Foreign and Security Policy, in particular the Common European Security and Defence Policy, should be accompanied by cooperation and convergence in the field of military technology and equipment.

58 ABL L 191 vom 19. Juli 2002, S. 1.

59 ABL L 156 vom 25. Juni 2003, S. 79.

(15) Member States intend to strengthen the European Union's export control policy for military technology and equipment through the adoption of this Common Position, which updates and replaces the European Union Code of Conduct on Arms Exports adopted by the Council on 8 June 1998.

(16) On 13 June 2000, the Council adopted the Common Military List of the European Union, which is regularly reviewed, taking into account, where appropriate, similar national and international lists.<sup>60</sup>

(17) The Union must ensure the consistency of its external activities as a whole in the context of its external relations, in accordance with Article 3, second paragraph of the Treaty; in this respect the Council takes note of the Commission proposal to amend Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual use items and technology.<sup>61</sup>

#### has adopted this common position:

##### Article 1

- (1) Each Member State shall assess the export licence applications made to it for items on the EU Common Military List mentioned in Article 12 on a case-by-case basis against the criteria of Article 2.
- (2) The export licence applications as mentioned in paragraph 1 shall include:
  - ▶ applications for licences for physical exports, including those for the purpose of licensed production of military equipment in third countries,
  - ▶ applications for brokering licences,
  - ▶ applications for "transit" or "transshipment" licences,
  - ▶ applications for licences for any intangible transfers of software and technology by means such as electronic media, fax or telephone.

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

##### Article 2

##### Criteria

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

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

- a) the international obligations of Member States and their commitments to enforce United Nations, European Union and Organisation for Security and Cooperation in Europe arms embargoes;
- b) the international obligations of Member States under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention;
- c) the commitment of Member States not to export any form of anti-personnel landmine;
- d) the commitments of Member States in the framework of the Australia Group, the Missile Technology Control Regime, the Zangger Committee, the Nuclear Suppliers Group, the Wassenaar Arrangement and The Hague Code of Conduct against Ballistic Missile Proliferation.

60 Last amended on 10 March 2008, OJ C 98 of 18.4.2008, p. 1.

61 OJ L 159 of 30.6.2000, p. 1.

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

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

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

For these purposes, technology or equipment which might be used for internal repression will include, inter alia, technology or equipment where there is evidence of the use of this or similar technology or equipment for internal repression by the proposed end-user, or where there is reason to believe that the technology or equipment will be diverted from its stated end-use or end-user and used for internal repression. In line with Article 1 of this Common Position, the nature of the technology or equipment will be considered carefully, particularly if it is intended for internal security purposes. Internal repression includes, inter alia, torture and other cruel, inhuman and degrading treatment or punishment, summary or arbitrary executions, disappearances, arbitrary detentions and other major violations of human rights and fundamental freedoms as set out in relevant international human rights instruments, including the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights.

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

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

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

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

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

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

- a) the existence or likelihood of armed conflict between the recipient and another country;
- b) a claim against the territory of a neighbouring country which the recipient has in the past tried or threatened to pursue by means of force;
- c) the likelihood of the military technology or equipment being used other than for the legitimate national security and defence of the recipient;
- d) the need not to affect adversely regional stability in any significant way.

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

Member States shall take into account:

- a) the potential effect of the military technology or equipment to be exported on their defence and security interests as well as those of Member State and those of friendly and allied countries, while recognising that this factor cannot affect consideration of the criteria on respect for human rights and on regional peace, security and stability;
  - b) the risk of use of the military technology or equipment concerned against their forces or those of Member States and those of friendly and allied countries.
- (6) Criterion 6: Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law.

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

- a) its support for or encouragement of terrorism and international organised crime;
  - b) its compliance with its international commitments, in particular on the non-use of force, and with international humanitarian law;
  - c) its commitment to non-proliferation and other areas of arms control and disarmament, in particular the signature, ratification and implementation of relevant arms control and disarmament conventions referred to in point (b) of Criterion One.
- (7) Criterion 7: Existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions.

In assessing the impact of the military technology or equipment to be exported on the recipient country and the risk that such technology or equipment might be diverted to an undesirable

end-user or for an undesirable end use, the following shall be considered:

- a) the legitimate defence and domestic security interests of the recipient country, including any participation in United Nations or other peace-keeping activity;
  - b) the technical capability of the recipient country to use such technology or equipment;
  - c) the capability of the recipient country to apply effective export controls;
  - d) the risk of such technology or equipment being re-exported to undesirable destinations, and the record of the recipient country in respecting any re-export provision or consent prior to re-export which the exporting Member State considers appropriate to impose;
  - e) the risk of such technology or equipment being diverted to terrorist organisations or to individual terrorists;
  - f) the risk of reverse engineering or unintended technology transfer.
- (8) Criterion 8: Compatibility of the exports of the military technology or equipment with the technical and economic capacity of the recipient country, taking into account the desirability that states should meet their legitimate security and defence needs with the least diversion of human and economic resources for armaments.

Member States shall take into account, in the light of information from relevant sources such as United Nations Development Programme, World Bank, International Monetary Fund and Organisation for Economic Cooperation and Development reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They shall consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid.

### Article 3

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

### Article 4

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

### Article 5

Export licences shall be granted only on the basis of reliable prior knowledge of end use in the country of final destination. This will generally require a thoroughly checked end-user certificate or appropriate documentation and/or some form of official

authorisation issued by the country of final destination. When assessing applications for licences to export military technology or equipment for the purposes of production in third countries, Member States shall in particular take account of the potential use of the finished product in the country of production and of the risk that the finished product might be diverted or exported to an undesirable end user.

### Article 6

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

### Article 7

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

### Article 8

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

- (2) An EU Annual Report, based on contributions from all Member States, shall be submitted to the Council and published in the "C" series of the Official Journal of the European Union.
- (3) In addition, each Member State which exports technology or equipment on the EU Common Military List shall publish a national report on its exports of military technology and equipment, the contents of which will be in accordance with

national legislation, as applicable, and will provide information for the EU Annual Report on the implementation of this Common Position as stipulated in the User's Guide.

#### Article 9

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

#### Article 10

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

#### Article 11

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

#### Article 12

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

#### Article 13

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

#### Article 14

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

#### Article 15

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

#### Article 16

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

Done at Brussels, 8 December 2008.

For the Council  
The President B. Kouchner

## Annex 2a

### Export List

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

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

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

## Annex 2b

### War Weapons List

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

#### Part A

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

#### Part B

Other War Weapons

##### I. Projectiles

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

##### II. Combat aircraft and helicopters

13. Combat aircraft having at least one of the following features:
  1. integrated weapon system equipped particularly with target acquisition, firing control and relevant interfaces for avionics,

2. integrated electronic armaments,
3. integrated electronic combat system
14. Combat helicopters having at least one of the following features:
  1. integrated weapon system equipped particularly with target acquisition, firing control and relevant interfaces for avionics,
  2. integrated electronic armaments,
  3. integrated electronic combat system

15. Cells for the weapons enumerated in items 13 and 14

16. Jet, turboprop and rocket engines for the weapons referred to in item 13

##### III. Vessels of war and special naval equipment

17. Vessels of war, including those for military training
18. Submarines
19. Small vessels with a speed of more than 30 knots, equipped with offensive weapons
20. Mine sweeping boats, mine hunting boats, mine layers, mine breakers as well as other mine combat boats
21. Landing crafts, landing vessels
22. Tenders, ammunition transporters
23. Hulls for the weapons specified in items 17 to 22

##### IV. Combat Vehicles

24. Combat tanks
25. Other armoured combat vehicles, including combat-supporting armoured vehicles

26. Any type of special vehicles exclusively designed for the use of weapons specified in items 1 through 6
27. Carriages for the weapons enumerated in items 24 and 25
28. Turrets for combat tanks
- V. Barrel weapons**
29. a) Machine guns, except those with water cooling;<sup>62</sup>
- b) submachine guns, except those introduced as a model in a military armed force before September 1, 1939;
- c) fully automatic rifles, except those introduced as a model in a military armed force before September 2, 1945;
- d) semiautomatic rifles, except those introduced as a model in a military armed force before September 2, 1945, and rifles for hunting and sporting purposes
30. Machine guns, rifles, pistols for combat grenades
31. Cannons, howitzers, any kind of mortars
32. Automatic cannons
33. Armoured self-propelled guns for the weapons enumerated in items 31 and 32
34. Barrels for the weapons referred to in items 29, 31 and 32
35. Breech blocks for weapons referred to in items 29, 31 and 32
36. Revolving breeches for automatic cannons
- VI. Light anti-tank weapons, military flame throwers, mine-laying and mine-throwing systems**
37. Recoilless, unguided, portable anti-tank weapons
38. Flame throwers
39. Mine-laying and mine-throwing systems for land mines
- VII. Torpedoes, mines, bombs, autonomous ammunition**
40. Torpedoes
41. Torpedoes without warheads (explosive)
42. Torpedo bodies (torpedoes without warhead – explosive – and without target detection device)
43. Mines of all types
44. Bombs of all types including water bombs
45. Hand flame cartridges
46. Hand grenades
47. Infantry explosive devices, adhesive and hollow charges as well as mine-sweeping devices
48. Explosive charges for the weapons referred to in item 43

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

**VIII. Other Ammunition**

49. Ammunition for the weapons listed in items 31 and 32
50. Ammunition for the weapons listed in item 29 a, c and d except cartridge ammunition having a soft core projectile with full casing, if the projectile does not contain any accessoires, particularly a flare, incendiary or explosive charge, and if cartridge ammunition of the same calibre is used for hunting and sporting purposes
51. Ammunition for weapons referred to in item 30
52. Ammunition for the weapons listed in items 37 and 39
53. Rifle grenades
54. Projectiles for the weapons enumerated in items 49 and 52
55. Propelling charges for the weapons specified in items 49 and 52

**IX. Other Essential Components**

56. War heads for the weapons listed in items 7 through 9 and 40
57. Ignition charges for the weapons listed in items 7 through 9, 40, 43, 44, 46, 47, 49, 51 through 53 and 59, except propellant charge igniters
58. Target detection heads for the weapons enumerated in items 7, 9, 40, 44, 49, 59, 60
59. Submunition for the weapons listed in items 7 through 9, 44, 49 and 61
60. Submunition without ignition for the weapons referred to in items 7 through 9, 44, 49 and 61

**X. Dispensers**

61. Dispensers for the systematic distribution of submunition

**XI. Laser Weapons**

62. Laser weapons specially designed for causing permanent blindness

## Annex 3

### Arms embargoes in force in 2008

Country	Date	Legal basis
Armenia and Azerbaijan	28 February 1992	OSCE arms embargo
	29 July 1993	UN SC Resolution no. 853
China	27 June 1989	Declaration of the European Council
Democratic Republic of Congo (Zaire)	7 April 1993	Declaration of the European Council
	21 October 2002	EU Council Common Position (2002/829/CFSP)
	28 July 2003	UN SC Resolution no. 1493
	29 September 2003	EU Council Common Position (2003/680/CFSP)
	13 June 2005	EU Council Common Position (2005/440/CFSP)
	15 September 2006	EU Council Common Position (2006/624/CFSP)
	9 October 2007	EU Council Common Position (2007/654/CFSP)
	29 February 2008	EU Council Common Position (2008/179/CFSP)
Ivory Coast (Côte d'Ivoire)	14 May 2008	EU Council Common Position (2008/369/CFSP)
	15 November 2004	UN SC Resolution no. 1572
	13 December 2004	EU Council Common Position (2004/852/CFSP)
	23 January 2006	EU Council Common Position (2006/30/CFSP)
	12 February 2007	EU Council Common Position (2007/92/CFSP)
	22 November 2007	EU Council Common Position (2007/761/CFSP) extended until 31 October 2008
Iran	18 November 2008	EU Council Common Position (2008/873/CFSP) extended with effect from 01 November 2008
	24 March 2007	UN SC Resolution no. 1747
	23 April 2007	EU Council Common Position (2007/246/CFSP)

Country	Date	Legal basis
Iraq	6 August 1990	UN SC Resolution no. 661
	22 May 2003	UN SC Resolution no. 1483
	8 June 2004	UN SC Resolution no. 1546
	7 July 2003	EU Council Common Position (2003/495/CFSP)
	19 July 2004	EU Council Common Position (2004/553/CFSP)
	3 March 2008	EU Council Common Position (2008/186/CFSP)
Lebanon	11 August 2006	UN SC Resolution no. 1701
	15 September 2006	EU Council Common Position (2006/625/CFSP)
Liberia	19 November 1992	UN SC Resolution no. 788
	7 March 2001	UN SC Resolution no. 1343
	6 May 2003	UN SC Resolution no. 1478
	22 December 2003	UN SC Resolution no. 1521
	13 June 2006	UN SC Resolution no. 1683
	7 May 2001	EU Council Common Position (2001/357/CFSP)
	19 May 2003	EU Council Common Position (2003/365/CFSP)
	10 February 2004	EU Council Common Position (2004/137/CFSP)
	22 December 2004	EU Council Common Position (2004/902/CFSP)
	23 January 2006	EU Council Common Position (2006/31/CFSP)
	12 February 2007	EU Council Common Position (2007/93/CFSP)
	11 June 2007	EU Council Common Position (2007/400/CFSP)
	12 February 2008	EU Council Common Position (2008/109/CFSP)

Country	Date	Legal basis
Myanmar (Burma)	28 October 1996	EU Council Common Position (1996/635/CFSP)
	28 April 2003	EU Council Common Position (2003/297/CFSP)
	26 April 2004	EU Council Common Position (2004/423/CFSP)
	25 April 2005	EU Council Common Position (2005/340/CFSP)
	27 April 2006	EU Council Common Position (2006/318/CFSP)
	19 November 2007	EU Council Common Position (2007/750/CFSP)
	29 April 2008	EU Council Common Position (2008/349/CFSP) extended until 30 April 2009
North Korea	14 October 2006	UN SC Resolution no. 1718
	20 November 2006	EU Council Common Position (2006/795/CFSP)
Rwanda	17 May 1994	UN SC Resolution no. 918
	16 August 1995	UN SC Resolution no. 1011
	10 July 2008	UN SC Resolution no. 1823/2008: revocation of arms embargo
Sierra Leone	8 October 1997	UN SC Resolution no. 1132
	5 June 1998	UN SC Resolution no. 1171
	29 June 1998	EU Council Common Position (1998/409/CFSP)
	28 January 2008	EU Council Common Position (2008/81/CFSP)
Somalia	23 January 1992	UN SC Resolution no. 733
	19 June 2001	UN SC Resolution no. 1356
	10 December 2002	EU Council Common Position (2002/960/CFSP)
	12 February 2007	EU Council Common Position (2007/94/CFSP)
	7 June 2007	EU Council Common Position (2007/391/CFSP)

Country	Date	Legal basis
Sudan	29 March 2005	UN SC Resolution no. 1591
	15 March 1994	EU Council Common Position (1994/165/CFSP)
	9 January 2004	EU Council Common Position (2004/31/GASP)
	30 May 2005	EU Council Common Position (2005/411/CFSP)
Uzbekistan	14 November 2005	EU Council Common Position (2005/792/CFSP)
	13 November 2006	EU Council Common Position (2006/787/CFSP)
	14 May 2007	EU Council Common Position (2007/338/CFSP)
	13 November 2007	EU Council Common Position (2007/734/CFSP)
	10 November 2008	EU Council Common Position (2008/843/CFSP) extended until 13 November 2009
Zimbabwe	18 February 2002	EU Council Common Position (2002/145/CFSP)
	18 February 2003	EU Council Common Position (2003/115/CFSP)
	19 February 2004	EU Council Common Position (2004/161/CFSP)
	21 February 2005	EU Council Common Position (2005/146/CFSP)
	30 January 2006	EU Council Common Position (2006/51/CFSP)
	19 February 2007	EU Council Common Position (2007/120/CFSP)
	18 February 2008	EU Council Common Position (2008/135/CFSP)

## Annex 4

### Exports

Report of international conventional arms transfers

(according to United Nations General Assembly resolutions 46/36 L and 58/54)

Reporting country: Germany

Calendar year: 2008

A		B	C	D	E	Remarks	
Category (I–VII)		Final importer state(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
I. Battle tanks		Singapore	26			Leopard 2	
		Greece	16			Leopard 2	
		Turkey	108			Leopard 2	
		Chile	45			Leopard 2	
II. Armoured combat vehicles		NIL					
III. Large-calibre artillery systems	France	10			LAR 110 mm		
IV. Combat aircraft	Austria	4			Eurofighter		
V. Attack helicopters		NIL					
VI. Warship	South Africa	1			U-Boot Kl.209 Typ 1400 mod		
VII. Missiles and missile launchers	a)	Spain	8			LFK Taurus	Use by aircraft
	b)		NIL				

## Annex 5

## EU countries

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Austria	523	A0001	140,594,439					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0010						
		A0011						
		A0013						
		A0014						
		A0015						
		A0016						
A0017								
A0018								
A0021								
A0022								
Belgium	372	A0001	31,301,185					
		A0002						
		A0003						
		A0005						
		A0006						
		A0007						
		A0008						
		A0010						
		A0011						
		A0013						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Bulgaria	14	A0014	14,653,430					
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
		A0001						
		A0003						
		A0006						
		A0009						
		A0010						
		A0011						
		A0015						
A0016								
Cyprus <sup>63</sup>	6	A0006	119,170					
		A0007						
		A0008						
Czech Republic	96	A0001	22,601,142					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0010						
		A0011						
		A0013						

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

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Denmark	339	A0002	72,296,864					
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Estonia	12	A0001	535,645					
		A0002						
		A0003						
		A0004						
		A0006						
		A0008						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Finland	178	A0011	36,763,094					
		A0016						
		A0018						
		A0001						
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
A0010								
A0011								
A0013								
A0015								
A0016								
A0017								
A0018								
A0019								
A0021								
A0022								
France	636	A0001	99,021,368					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Greece	213	A0001	83,523,116					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Hungary	54	A0001	9,376,206					
		A0003						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item	
Ireland	43	A0004							
		A0005							
		A0006							
		A0007							
		A0008							
		A0011							
		A0017							
		A0018							
		A0021							
		A0022							
		A0001		2,221,813					
		A0003							
A0004									
A0006									
A0008									
A0011									
A0016									
A0017									
A0018									
A0022									
Italy	559	A0001	290,240,245						
		A0002							
		A0003							
		A0004							
		A0005							
		A0006							
		A0007							
		A0008							
		A0009							
		A0010							

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Latvia	16	A0011	7,291,348					
		A0013						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
		A0001						
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0010						
A0011								
A0013								
A0014								
A0018								
A0022								
Lithuania	35	A0001	15,226,596					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0010						
		A0011						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Luxembourg	75	A0014	5,294,385					
		A0016						
		A0018						
		A0001						
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0009						
		A0010						
		A0011						
		A0013						
Netherlands	786	A0014	248,879,823					
		A0015						
		A0017						
		A0018						
		A0021						
		A0001						
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
A0009								
A0010								
A0011								
A0013								

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Poland	202	A0014	21,279,188					
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
		A0001						
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
A0008								
A0009								
A0010								
A0011								
A0013								
A0014								
A0015								
A0016								
A0017								
A0018								
A0021								
A0022								
Portugal	107	A0001	10,257,541					
		A0002						
		A0003						
		A0004						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
		A0005						
		A0006						
		A0009						
		A0010						
		A0011						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Romania	49	A0001	2,373,560					
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0010						
		A0011						
		A0013						
		A0015						
		A0017						
		A0021						
Slovakia	38	A0001	1,959,462					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Slovenia		A0010						
		A0011						
		A0017						
		A0018						
		A0021						
	62	A0002	12,148,061					
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
	A0010							
	A0013							
	A0014							
	A0017							
	A0018							
	A0021							
	A0022							
Spain	494	A0001	207,349,281					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
		A0013						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Sweden	358	A0001	104,429,476					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
United Kingdom	825	A0001	398,791,252					
		A0002						
		A0003						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
<b>Total</b>	<b>6,092</b>		<b>1,838,527,690</b>					

### NATO and NATO-equivalent countries

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Australia	417	A0001	31,894,953					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0016						
A0017								
A0018								
A0021								
A0022								
Canada	553	A0001	34,781,973					
		A0002						
		A0003						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Iceland	26	A0013	168,844					
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
Japan	157	A0001	7,982,283					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0010						
		A0011						
		A0013						
		A0014						
A0015								
A0017								
A0018								
A0021								
A0022								

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Liechtenstein	24	A0001	110,478					
		A0003						
		A0016						
		A0018						
New Zealand	135	A0001	1,048,359					
		A0002						
		A0003						
		A0006						
		A0009						
		A0011						
		A0014						
		A0018						
Norway	596	A0001	96,919,833					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
A0016								
A0017								
A0018								
A0021								
A0022								

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item								
Switzerland	2,360	A0001	85,536,726													
		A0002														
		A0003														
		A0004														
		A0005														
		A0006														
		A0007														
		A0008														
		A0009														
		A0010														
		A0011														
		A0013														
		A0014														
		A0015														
		A0016														
		A0017														
		A0018														
		A0021														
		A0022														
		Turkey							211	A0001	43,693,111		1	A0006	98,000	1 Criterion 7/ A0006
										A0003						
										A0004						
A0005																
A0006																
A0007																
A0008																
A0009																
A0010																
A0011																
A0013																

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0021						
		A0022						
USA	1,621	A0001	507,080,942					
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0015						
		A0016						
		A0017						
		A0018						
		A0019						
		A0021						
		A0022						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons /EL item
Collective export licences: NATO or NATO-equivalent countries	146	A0003	2,545,950,000					
		A0004						
		A0005						
		A0006						
		A0009						
		A0010						
		A0011						
		A0014						
A0022								
<b>Total</b>	<b>6,246</b>		<b>3,355,167,502</b>		<b>1 (Turkey)</b>		<b>98,000</b>	

## Third countries

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Afghanistan	20	A0001	33,506,961	Mine-clearing equipment, trucks, armoured all-wheel-drive vehicles and parts for tanks, ground vehicles (A0006/56.8 %); containers and parts for containers (A0017/39.7 %) (largely for UN, aid organisations and ISAF troops)				
		A0003						
		A0005						
		A0006						
		A0013						
		A0017						
Albania	1	A0013	15,550	Splinter protection suit (A0013/100 %)				
Algeria	11	A0006	507,272	Armoured all-wheel-drive vehicles and parts for ground vehicles (A0006/81.3 %)				1 Criterion 2, 7/ A0001
		A0008						
		A0011						
		A0018						
Andorra	38	A0001	286,720	Ammunition for hunting weapons, sporting weapons, revolvers, pistols, smooth-bore weapons and parts for hunting ammunition, sporting ammunition (A0003/57.4 %); rifles without war weapons list numbers, hunting rifles, sporting rifles and parts for hunting rifles and sporting rifles (A0001/41.8 %)	1	A0001	1,298	2 Criterion 7/ A0001
		A0003						
		A0016						
Angola	5	A0006	6,898,625	Trucks and parts for trucks (A0006/99.7 %) (for mine-clearing)				
		A0007						
Argentina	34	A0001	6,795,690	Parts for frigates, submarines, and diesel engines (0009/39.3 %); manufacturing documents for patrol boats and technical documentation for hydraulic activator (A0022/33.5 %);				
		A0004						
		A0006						
		A0007						
		A0008						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Armenia		A0009 A0010 A0011 A0018 A0022		percussion cap loader and coating machine, copper crusher cylinder and parts for manufacturing equipment (A0015/23.5%);	1	A0003	5,917	2 Criterion 1/ A0001, A0003
		A0006	540,000	Armoured all-wheel-drive vehicles (A0006/100%)				1 Criterion 1a, 4/ A0014
Bahrain	12	A0001 A0003 A0006 A0007 A0009 A0013 A0017	8,759,929	Parts for patrol boats (A0009/92.0%)				
	4	A0006 A0008 A0011 A0014	365,825	Training cartridges (A0014/77.1%); engines for trucks (A0006/19.4%)				4 Criterion: 2, 3, 7/ A0001, A0003, A0005, A0015, A0016, A0018
	33	A0001 A0003 A0007 A0008	157,968	Hunting rifles, sporting rifles, and parts for hunting rifles and sporting rifles (A0001/52.1%); ammunition for hunting weapons, sporting weapons, smooth-bore weapons and parts for hunting ammunition, sporting ammunition (A0003/38.7%)				

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Bermuda	1	A0001	4,778	Rifles with war weapons list numbers and parts for rifles with war weapons list numbers (A0001/100 %)				
Bhutan	1	A0001 A0002 A0003	50,677	Rifles with war weapons list numbers, submachine guns, machine guns, pistols and parts for rifles with war weapons list numbers, machine guns (A0001/77.1 %); ammunition for rifles and grenade launchers (A0003/16.5 %)				
Bolivia	1	A0001	1,065	Sporting pistols (A0001/100 %)				
Bosnia and Herzegovina	4	A0001 A0006	131,660	Parts for mine-clearing equipment (A0006/98.7 %)				1 Criterion 7/ A0001
Botswana	14	A0001 A0006 A0011	2,411,169	Communication equipment and parts for communication equipment (A0011/91.1 %)	1	A0001	184	1 Criterion 7/ A0001
Brazil	113	A0002 A0003 A0005 A0006 A0007 A0008 A0009 A0011 A0013 A0015 A0016 A0018 A0021 A0022	17,780,334	Parts for corvettes, submarines, patrol boats, diesel engines and echo sounding facilities (A0009/56.5 %); parts for aerial cameras and reconnaissance systems (A0015/15.7 %); tanks and parts for tanks and armoured vehicles (A0006/7.7 %); electronic equipment, communication equipment, testing equipment and parts for electronic equipment, communication equipment, battery monitoring system (A0011/6.8 %)				

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Brunei	21	A0001	91,821	Revolvers, pistols and parts for revolvers, pistols (A0001/29.1%); blueprints for patrol boats (A0009/27.2%); run-flat wheels for wheeled vehicles (A0006/19.5%); manufacturing equipment for small arms (A0018/12.8%)				
		A0006						
		A0011						
		A0018						
		A0022						
Burkina Faso	1	A0007	6,840	Decontamination equipment (A0007/100%)				
Chad					1	A0015	387,672	2 Criterion 2, 3/ A0006, A0015
Chile	40	A0001	12,243,268	Parts for submarines and sonar equipment (A0009/49.4%); infantry fighting vehicles, armoured ambulances, mine-clearing equipment and parts for self-propelled drilling equipment, armoured vehicles, and ground vehicles (A0006/22.2%); ammunition for cannons and parts for howitzer ammunition (A0003/19.2%)				
		A0003						
		A0004						
		A0006						
		A0009						
		A0010						
		A0011						
		A0013						
		A0014						
		A0017						
		A0018						
		A0021						
		A0022						
China, People's Republic	17	A0007 A0008	94,067	Iron powder, aluminium powder and laboratory chemicals (A0008/87.8%)	2	A0007 A0021	8,016,133	3 Criterion 1, 7/ A0004, A0007, A0011, A0021

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Colombia	15	A0001	18,568,035	Parts for submarines and patrol boats (A0009/93.0%)				
		A0005						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
A0015								
Congo, Dem. Rep.	4	A0003	502,298	Armoured cross-country vehicles (embassy of NATO member country) and parts for mine-clearing equipment (for Swedish aid organisation) (A0006/81.6%)				
		A0006						
		A0013						
Croatia	72	A0001	11,556,111	Armoured all-wheel-drive vehicles, mine-clearing equipment and parts for armoured vehicles, ground vehicles (A0006/83.2%)				
		A0002						
		A0003						
		A0006						
		A0007						
		A0008						
		A0010						
		A0013						
A0015								
A0017								
A0018								
Ecuador	4	A0005	7,071,408	Parts for submarines and echo sounding equipment (A0009/99.7%)				1 Criterion 3, 4/ A0002
		A0009						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Egypt	41	A0001	33,590,337	Parts for armoured vehicles (A0006/53.1 %); communication equipment, navigation equipment and parts for communication equipment, broadband direction finder (A0011/38.2 %);	14	A0001	31,539,177	13 Criterion 1c, 3, 7/ A0001, A0003, A0018 A0022
		A0003						
		A0005						
		A0006						
		A0008						
		A0009						
		A0011						
		A0013						
		A0015						
		A0017						
A0018								
A0021								
Falkland Islands	1	A0011	80,400	Parts for communication equipment (A0011/100 %)				
		A0001						
Georgia	10	A0003	2,549,455	Mine-clearing equipment and parts for mine-clearing equipment (A0006/84.4 %)	8	A0001	259,513	4 Criterion 3, 4, 7/ A0001, A0015, A0016
		A0004						
		A0006						
		A0017						
		A0016						
Ghana	1	A0006	300,000	Armoured all-wheel-drive vehicles (A0006/100 %)				
		A0001						
Gibraltar	1	A0001	199	Parts for pistols (A0001/100 %)				
Guinea								1 Criterion 3, 7/ A0003
India	213	A0001	51,867,123	Submarine periscope systems, testing equipment, calibration equipment and parts for fire control systems, onboard weapon control systems,	2	A0016	259,098	4 Criterion 1c, 2, 3, 7/A0001, A0011, A0022
		A0002						
		A0003						
		A0004						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
		A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0016 A0017 A0018 A0021 A0022		target acquisition systems, target range-finder systems, target surveillance systems (A0005/46.2 %); echo sounding facilities, ship body conduits and parts for frigates, corvettes, submarines, combat vessels, command and control systems, echosounders (A0009/23.6 %); communication equipment, navigation equipment, test equipment, cathode ray tubes and parts for electronic equipment, communication equipment, positioning equipment, navigation equipment, guidance equipment (A0011/9.5 %); parts for combat aircraft, helicopters, training aircraft, on-board equipment, engines (A0010/4.2 %)				
Indonesia	23	A0001 A0004 A0005 A0006 A0010 A0011 A0014 A0017 A0018 A0022	7,736,806	Armoured all-wheel-drive vehicles and parts for armoured vehicles (A0006/69.5 %); torpedoes parts (A0004/14.3 %)				1 Criterion 2/ A0003
Iraq	8	A0002 A0004 A0006	7,159,682	Trucks, swing loaders, semi-trailer towing vehicle, and parts for ground vehicles (A0006/90.3 %)				

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons /EL item
Israel	214	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0017 A0018 A0021 A0022	25,083,601	Armoured all-wheel-drive vehicles and parts for tanks, armoured vehicles, gears (A0006/35.1 %); irritants, decontamination equipment and parts for NBC protective clothing, protective ventilation facility, decontamination equipment, detection equipment (A0007/16.3 %); (irritants) image intensifier tubes and parts for reconnaissance systems, thermal imaging equipment, sensor platforms, infrared sensors, self-protection systems (A0015/9.7 %); technical documents for recoilless shoulder-fired weapons, shell parts, seeker head parts, laser target designers, periscope, hunting weapons, NBC protection facility, engine parts, communication equipment, thermal imaging equipment, mass spectrometer, manufacturing documents for gear parts, casting parts, technical specification for missile parts (A0022/8.5 %); laser range finders, testing equipment, calibration equipment and parts for fire control systems, target range-finders, target surveillance systems (A0005/4.6 %);	3	A0005 A0018 A0022	60,061	4 Criterion 3, 4, 7/ A0001, A0005, A0010, A0016, A0022



Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Korea, Republic	221	A0001	1,910,348,730	Submarines, ship body conduits and parts for submarines, frigates, combat vessels, sonar devices, echo sounders (A0009/78.0 %); anti-aircraft missile systems and parts for tanks, self-propelled howitzers, armoured vehicles, anti-aircraft systems, armoured recovery vehicles, mine-clearing equipment, ground vehicles (A0006/9.2 %)				
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
		A0011						
		A0013						
A0014								
A0015								
A0016								
A0017								
A0018								
A0021								
A0022								
Kuwait	36	A0001	10,024,818	Training guns, training cartridges and parts for target simulators (A0014/47.2 %); software for target simulators (A0021/21.5 %); technology documents for recoilless shoulder-fired weapons and documentation for fast patrol boats (A0022/10.0 %); submachine guns, revolvers, pistols, sniper rifles, hunting rifles, sporting				
		A0002						
		A0003						
		A0006						
		A0007						
		A0014						
		A0015						
		A0016						
		A0021						
		A0022						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
				pistols, gun mountings, weapon sighting units and parts for submachine guns, revolvers, pistols, sniper rifles, sporting pistols (A0001/8.5%)				
Kyrgyzstan	2	A0001 A0003	6,512	Ammunition for hunting and sporting weapons (A0003/59.6%); sporting rifles (A0001/40.4%)				
Lebanon	16	A0001 A0003 A0006 A0013 A0015	4,086,276	Rifles with war weapons list numbers, submachine guns, machine guns, pistols, sniper rifles and parts for rifles with war weapons list numbers, machine guns, pistols (A0001/49.3%); ammunition for rifles, revolvers, pistols and smooth-bore weapons (A0003/20.1%); trucks, mine-clearing equipment, armoured cross-country vehicles and parts for mine-clearing equipment, trucks (A0006/16.2%)				
Lesotho	1	A0001	29,000	Pistols (A0001/100%)	1	A0006	166,400	1 Criterion 1a/ A0006
Liberia								
Libya	8	A0005 A0007 A0011 A0013 A0022	4,182,317	Communication equipment and parts for communication equipment (A0011/58.7%); battlefield surveillance radar and parts for battlefield surveillance radar (A0005/28.2%)				3 Criterion 2, 5c, 6b/ A0002, A0006, A0007, A0011, A0018, A0022

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Macedonia	10	A0001	420,455	Submachine guns, pistols, hunting rifles, weapon sighting units and parts for submachine guns, hunting rifles (A0001/59.3 %); NBC protective clothing (A0007/38.6 %)				
		A0005						
		A0007						
		A0008						
		A0013						
		A0018						
Madagascar Malaysia	1 89	A0001	80 21,320,959	Pistols (A0001/100 %) Testing equipment, calibration equipment and parts for fire control systems, weapon sighting units, target acquisition systems (A0005/22.6 %); communication equipment, navigation equipment, positioning equipment, and parts for communication equipment, navigation equipment, testing equipment, electricity supplies (A0011/20.7 %); parts for frigates, corvettes, submarines, patrol boats, mine warfare vessels, combat vessels and echo sounders (A0009/18.1 %); trucks and parts for tanks, self-propelled drilling equipment, armoured vehicles (A0006/15.6 %); simulators, flares and parts for rockets, hand grenades (A0004/11.1 %)				
		A0001						
		A0002						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0009						
		A0010						
		A0011						
		A0016						
		A0017						
A0018								
A0021								
A0022								
Maldives	1	A0013	26,892	Splinter protection suits (A0013/100 %)				

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Mali	1	A0013	28,440	Splinter protection vests, splinter protection visors and combat boots (A0013/100 %)				
Mauritius	13	A0001 A0008	37,230	Hunting rifles and parts for hunting rifles (A0001/99.9 %)				
Mexico	15	A0001 A0006 A0008 A0010 A0013 A0014 A0016 A0018	922,486	Armoured all-wheel-drive vehicles and parts for armoured vehicles (A0006/36.4 %); pistols and parts for rifles with war weapons list numbers, pistols (A0001/25.2 %); target simulators (A0014/22.4 %)				
Moldova, Republic	7	A0001 A0003	45,318	Hunting rifles and sporting rifles (A0001/99.0 %)				1 Criterion 7/ A0001
Mongolia	6	A0001	15,926	Rifles without war weapons list numbers, hunting rifles and parts for hunting rifles (A0001/100 %)				
Morocco	6	A0006 A0011 A0015	6,510,885	Thermal imaging cameras (A0015/53.9 %); navigation equipment, travelling wave tubes and parts for navigation equipment (A0011/44.8 %)				
Namibia	35	A0001 A0003 A0006 A0016	265,997	Pistols, hunting rifles, sporting rifles, silencers and parts for hunting rifles (A0001/39.3 %); trucks (A0006/33.9 %); ammunition for hunting weapons, sporting weapons and parts for	2	A0001	44,329	2 Criterion 7/ A0001

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Nepal	2	A0001 A0013	8,646	hunting ammunition, sporting ammunition (A0003/14.1 %) Pistols (UN mission) (A0001/53.1 %); helmets (UN mission) (A0013/46.9 %)				1 Criterion 3/ A0004
Nicaragua					1	A0001	26,205	1 Criterion 7/ A0001
Nigeria	19	A0006	5,383,762	Armoured cross-country vehicles and bus (A0006/100 %)	2	A0006	73,500	2 Criterion 3, 4, 7/ A0006
Oman	101	A0001 A0003 A0004 A0005 A0006 A0007 A0011 A0013 A0014 A0015 A0018 A0021	22,491,45	Communication equipment and parts for communication equipment (A0011/84.9 %)				
Pakistan	40	A0001 A0004 A0006 A0007 A0009 A0010 A0011	93,282,488	Communication equipment, navigation equipment and parts for communication equipment, navigation equipment, radar systems, electricity supplies (A0011/63.4 %); trucks and armoured cross-country vehicles (A0006/17.9 %)	6	A0001 A0010	40,056,205	7 Criterion 1c, 7/ A0001, A0010

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Panama	3	A0013	15,870	Parts for self-propelled drilling equipment (A0006/100%)				
		A0015						
		A0017						
		A0018						
		A0021						
		A0022						
Paraguay	3	A0001	29,219	Wheeled bulldozer system (A0006/88.6%)				
		A0006						
		A0004						
Peru	3	A0017	1,911,126	Torpedo parts (A0004/94.2%)				
Philippines	6	A0001	1,059,817	Radar beacon system (A0011/97.3%)	1	A0001	52,400	1 Criterion 7/ A0001
		A0006						
		A0010						
		A0011						
		A0021						
		A0001						
Qatar	12	A0001	5,239,815	Control and information system software (A0021/95.4%)				
		A0003						
		A0006						
		A0007						
		A0011						
		A0021						
		A0022						
		A0001						
Russian Federation	466	A0001	40,984,650	Satellites (for US operators) communication equipment, construction components and parts for communication equipment (A0011/42.8%); hunting rifles, sporting rifles, rifles without war weapons list number,	5	A0001 A0010 A0011 A0015	133,367	6 Criterion 4, 7/ A0001, A0010, A0011, A0015
		A0003						
		A0005						
		A0006						
		A0007						
		A0008						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
		A0011 A0017 A0021 A0022		revolvers, pistols, and parts for revolvers, pistols, hunting rifles, sporting rifles, sporting pistols (A0001/30.6 %); trucks, armoured all-wheel-drive vehicles and parts for self-propelled drilling equipment (A0006/16.1 %)				
Rwanda	1	A0017	72,000	Bridge pontoons (A0017/100 %)				
San Marino	10	A0001 A0003	29,297	Rifles without war weapons list number, revolvers, hunting rifles, sporting rifles, weapon sighting units and parts for revolvers, pistols (A0001/94.6 %)				
Saudi Arabia	161	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0009 A0010 A0011 A0014 A0015 A0016 A0017 A0018 A0021 A0022	170,379,016	Manufacturing equipment for rifles, small arms, manufacturing parts for ammunition and testing equipment for automatic cannons, tank drop facility (A0018/32.0 %); automatic cannons, recoilless shoulder-fired weapons and parts for cannons, recoilless shoulder-fired weapons (A0002/20.7 %); communication equipment, communication reconnaissance systems, radio monitoring systems, testing equipment and parts for communication equipment, navigation equipment, radio monitoring equipment, static converters (A0011/19.0 %); rifles with war weapons list number, submachine guns, revolvers, pistols,				

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Senegal				hunting rifles, sporting pistols, smooth-bore weapons and parts for rifles with war weapons list numbers, submachine guns, machine guns, revolvers, pistols, hunting rifles, sporting pistols (A0001/6.0 %); trucks and parts for armoured vehicles, ground vehicles (A0006/5.6 %)				1 Criterion 2, 3/ A0003
Serbia	13	A0001 A0003 A0006 A0007 A0013	503,757	Armoured cross-country vehicles (A0006/75.4 %); hunting rifles and parts for hunting rifles (A0001/19.2 %)	2	A0001 A0013	3,024	3 Criterion 7/ A0001, A0005, A0013
Seychelles	1	A0001	1,897	Pistols (A0001/100 %)				
Singapore	141	A0001 A0002 A0003 A0004 A0006 A0007 A0008 A0009 A0010 A0011 A0013 A0014 A0015 A0017	349,740,509	Tanks, armoured recovery vehicles, trucks and parts for tanks, armoured vehicles, ground vehicles (A0006/87.5 %)	1	A0011	3,289	1 Criterion 7/ A0011

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
South Africa	175	A0018	14,657,781	Testing equipment and parts for target acquisition systems, target classification systems, target range-finders, target locators (A0005/24.7 %); air cushioned vehicle and parts for armoured vehicles, amphibious vehicles, ground vehicles (A0006/21.2 %); parts for corvettes and submarines (A0009/15.3 %); parts for torpedoes, missiles and anti-tank systems (A0004/15.0 %); communication reconnaissance equipment, testing equipment, electricity supplies and parts for communication equipment, electricity supplies (A0011/5.7 %)	2	A0001 A0003	52,267	2 Criterion 7/ A0001, A0003
		A0021						
		A0022						
		A0001						
		A0003						
		A0004						
		A0005						
		A0006						
		A0007						
		A0008						
		A0009						
		A0010						
A0011								
A0013								
A0015								
A0016								
A0017								
A0018								
A0021								
A0022								
Sri Lanka								2 Criterion 2, 3/ A0006, A0010
Sudan	19	A0006	5,486,710	Trucks (UN mission), mine-clearing equipment (for UN and Norwegian aid organisation), armoured cross-country vehicles (for missions of EU member states) and parts for mine-clearing equipment, ground vehicles (A0006/100 %)	1	A0006	418,000	1 Criterion 1/ A0006

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Tanzania	5	A0001 A0003	31,299	Hunting rifles (A0001/95.3%)				
Thailand	66	A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0018 A0021 A0022	13,421,579	Submarine simulator (A0014/52.1%); parts for training aircraft (A0010/18.7%); communication equipment, navigation equipment, guidance equipment, frequency converters and parts for radar facilities, communication equipment, navigation equipment, guidance equipment, static inverters (A0011/17.9%)				1 Criterion 2, 7/ A0005
Timor-Leste	1	A0001	18,030	Submachine guns and parts for submachine guns (UN mission) (A0001/100%)				3 Criterion 2, 3, 7/ A0001, A0003
Trinidad and Tobago	2	A0001 A0008	6,736	Pistols (A0001/99.1%)	1	A0001	301,200	2 Criterion 2, 7/ A0001
Tunisia	6	A0006 A0007 A0008 A0009	69,284	Parts for fast patrol boats (A0009/86.6%)	1	A0003	16,389	1 Criterion 2/ A0003

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Turkmenistan	1	A0006	3,585	Parts for self-propelled drilling equipment (A0006/100%)				
Ukraine	239	A0001 A0003 A0006 A0007 A0008 A0013	14,938,377	Infrared surveillance systems (A0015/69.9%); hunting rifles, sporting rifles, sporting pistols and parts for machine guns (decoration), hunting rifles, sporting rifles (A0001/19.9%)	7	A0001 A0003 A0010 A0018	117,772	6 Criterion 7/ A0001, A0003, A0010, A0018
United Arab Emirates	130	A0015 A0001 A0002 A0003 A0004 A0005 A0006 A0007 A0009 A0010 A0011 A0013 A0014 A0015 A0016 A0017 A0018 A0021 A0022	142,071,142	Recoilless naval guns, automatic cannons and parts for guns, cannons (A0002/34.1%); magnetic self-protection facility, communication equipment, magnetic surveying equipment for ships, frequency converters and parts for communication equipment, sensor platforms, radar equipment, assemblies (A0011/20.1%); parts for tanks, armoured vehicles, amphibious vehicles, self-propelled drilling equipment, ground vehicles (A0006/17.5%); target simulators and parts for target simulators (A0014/8.8%)				
Uruguay	5	A0001 A0003 A0006	952,533	Radar beacon systems and parts for radar beacon systems (A0011/70.2%);				

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Venezuela	1	A0011	9,000,000	machine guns, pistols and gun mountings (A0001/27.2%)	2	A0005 A0011 A0021	269,087	4 Criterion 3, 4, 5/ A0006, A0009, A0011, A0021
		A0009						
		A0022						
Vietnam	5	A0001	513,770	Communication equipment and parts for communication equipment (A0011/86.9%)	1	A0007	27,947	1 Criterion 7/ A0007
		A0007						
		A0011						
		A0021						
Yemen	4	A0006	2,590,500	Armoured all-wheel-drive vehicles (A0006/99.8%)	1	A0006	1,740,000	2 Criterion 3, 7/ A0006
		A0010						
Zambia	4	A0001	1,145,347	Cross-country vehicles (A0006/99.2%)				
		A0006						
		A0007						
Greenland	1	A0001	575	Hunting rifles (A0001/100%)				
Hong Kong	12	A0001	109,672	Parts for rifles with war weapons list numbers, submachine guns, pistols and sporting pistols (A0001/45.9%); NBC protective clothing, detection equipment and parts for detection equipment (A0007/35.1%)				
		A0003						
		A0007						
		A0011						
		A0017						
A0018								
Kosovo	8	A0021	275,319	Ammunition for hunting weapons, sporting weapons, revolvers, and pistols (UN mission) (A0003/94.2%)				
		A0001						
		A0003						
		A0007						
		A0013						

Country	No. of licences	EL item	Total value (€)	EL merchandise as percentage of total value	Denials of final exports	EL item	Total value (€)	No. of denials/reasons/EL item
Macao	2	A0001 A0007	211,751	NBC protective clothing (A0007/99.9 %)				
New Caledonia	8	A0001	30,082	Hunting rifles, sporting revolvers, sporting revolvers and parts for hunting rifles, sporting pistols, sporting revolvers (A0001/100 %)				
Netherlands Antilles	1	A0001	5,658	Pistols and parts for pistols (A0001/100 %)				
Northern Cyprus <sup>64</sup>								2 Criterion 5, 7/ A0001, A0006
Taiwan	32	A0001 A0002 A0003 A0004 A0005 A0007 A0008 A0009 A0011 A0014 A0017 A0018 A0021	11,548,683	Decoy cartridges and decoys (A0001/26.1 %); decontamination equipment, detection equipment and parts for decontamination equipment, detection equipment (A0007/22.3 %); parts for aerial masts, communication equipment and gyro compass systems (A0011/14.9 %); decoy launching systems (A0002/13.4 %); target simulators and parts for target simulators (A0014/11.4 %)				7 Criterion 3, 4/ A0004, A0005, A0006, A0013
<b>Total</b>	<b>3,266</b>		<b>3,140,520,729</b>		<b>72</b>		<b>84,207,559</b>	

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

<sup>64</sup> Area of the Republic of Cyprus which is not under the effective control of the Republic of Cyprus.

## Annex 6

### Licenses for trading and brokering transactions (Part IA – military articles, final exports) in 2008

Country	Number	Total value €	Description of articles	Value €	EL item	Consignee
Algeria	1	0	2 units frigate type MEKO A200; 8 units helicopter type Augusta Westland Super Lynx 300; ammunition for automatic cannons	0	A0009A A0010B A0003A	Algerian Navy
Brazil	2	85,722	1 item maintenance tool Software with PCMCIA secure module and key management centre	69,370	A0011A	Brazilian Air Command
			1 item maintenance tool Software application for deciphering and downloading of SECOS software to radio equipment	16,352	A0021A	Ministerio da Aeronautica, CCSIVAM
Egypt	1	18,400	1 unit key management centre incl. security coprocessor card; 1 unit software application incl. SECOS Secure Module	18,400	A0011A A0021A	Egyptian Navy
India	2	0	120,000 units practice cartridges for naval 76 mm guns 36 units laser target designator equipment for aircraft	0 0	A0003A A0005B	Government of India, MoD, Indian Navy Indian Defence Ministry
Korea, Republic	8	1,468,118	1 unit special armoured vehicle type Chevrolet Suburban	181,000	A0006B	Presidential Security Service Republic of Korea
			3,950 kg octogen (HMX)	545,100	A0008A	Hanwha Corporation Hanwha Bldg., 1 Changgyo-Dong, Chung-Ku; Seoul
			650 kg military explosives 50 kg polymer-bonded explosive (PBX)	104,400	A0008A	Hanwha Corporation Hanwha Bldg., 1 Changgyo-Dong, Chung-Ku; Seoul
			800 kg (+/-)-1,2,4-butanetriol	124,800	A0008G	Hanwha Corporation Hanwha Bldg., 1 Changgyo-Dong, Chung-Ku; Seoul

Country	Number	Total value €	Description of articles	Value €	EL item	Consignee
			600 kg octogen (HMX)	49,890	A0008A	Hanwha Corporation Hanwha Bldg., 1 Changgyo-Dong, Chung-Ku; Seoul
			1,000 kg (+/-)-1,2,4-butanetriol	156,000	A0008G	Hanwha Corporation Hanwha Bldg., 1 Changgyo-Dong, Chung-Ku; Seoul
			1,500 kg octogen (HMX)	105,235	A0008A	Hanwha Corporation Hanwha Bldg., 1 Changgyo-Dong, Chung-Ku; Seoul
			1 unit components from IFF system remote control; 1 unit components from IFF system transponder	201,693	A0011A	Ministry of National Defence, Navy HQ
Turkey	1	119,900	10 items magnetrons	119,900	A0011A	Turkish Navy
<b>Total</b>	<b>15</b>	<b>1,692,140</b>				

### Rejected licenses for trading and brokering transactions (Part IA - military articles, final exports) in 2008

Country	Number	Total value €	Description of articles	Value €	EL item	Consignee
-	0					







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