



ROMANIA
Ministry of Foreign Affairs
Department for Export Controls

**Export, brokering, transit and transshipment
operations with conventional arms**

Annual report

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Edited by:

**Ministry of Foreign Affairs of Romania
Department for Export Controls – ANCEX
Conventional Arms Division**

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1. PERMANENT EXPORTS PER DESTINATION

AFGHANISTAN			
	ML 3	ML 14	Total per destination
a ¹	2	1	3
b	1 563 871	635 345	2 199 216
c	0	0	0
d	0	0	0
e	-	-	-

Licences issued for:

- tracer ammunition for machine gun (G)²
- spare parts for military transport helicopter simulator (G)

Military goods exported: -

Footnote: Licences issued pursuant to UN Security Council resolution for use in Afghanistan by the governmental forces.

ARGENTINA			
	ML 10	Total per destination	
a	0	0	
b	0	0	
c	53 181	53 181	
d	0	0	
e	-	-	

Licences issued for: -**Military goods exported:**

- snap pillars for military aircraft

AUSTRALIA			
	ML 1	Total per destination	
a	5	5	
b	3 906	3 906	
c	4 015	4 015	
d	0	0	
e	-	-	

Licences issued for:

- hunting riflescope and accessories (C)

Military goods exported: -

- hunting riflescope and accessories

¹ Key: (a) = number of Licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total EU number of license refusals (small discrepancies may appear between breakdowns and totals due to denials concerning more than one ML item or denials for items other than those appearing in the ML); (e) = criteria numbers of the EU Code of Conduct on arms exports on which refusals are based (the approximate number of times each criterion is invoked is indicated in brackets).

2012 Exchange rates:

1 EUR = 1,32880 USD
 1 EUR = 0,83271 GBP
 1 EUR = 1,22880 CHF

² (G), (I), (C) final destination: Government, Industry, Commercial.

AUSTRIA

	ML 1	Total per destination
a	3	3
b	72 318	72 318
c	60 077	60 077
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)
sniper rifle and accessories (200) (1 licence) (C)
components for small arms (C)

Military goods exported:

hunting riflescope
sniper rifle and accessories (200)

AZERBAIJAN

	ML 1	ML 2	ML 3	ML 11	Total per destination
a	3	1	1	1	6
b	450 933	144 491	66 601	19 375	681 400
c	92 565	36 123	0	0	128 688
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

spare parts for small arms (G)
components for machine gun (G)
machine gun ammunition (G)
components for IFF equipment (G)

Military goods exported:

spare parts for small arms
components for machine gun

BANGLADESH

	ML 1	ML 2	ML 10	Total per destination
a	1	0	1	2
b	9 725	0	1 287 327	1 297 052
c	0	85 386	2 574 654	2 660 040
d	0	0	0	0
e	-	-	-	-

Licences issued for:

submachine gun (30) (1 licence) (G)
military training aircraft (2) (1 licence) (inward processing repair) (G)

Military goods exported:

aviation gun and spare parts therefor (3)
military training aircraft (4) (inward processing repair)

BELGIUM

	ML 1	ML 6	ML 15	ML 17	ML 21	Total per destination
a	2	2	5	2	1	12
b	22 060	5 160	3 343 029	2 494 239	700 000	6 564 488
c	8 845	5 160	439 257	9 007	361 375	823 644
d	0	0	0	0	0	0
e	-	-	-	-	-	-

Licences issued for:

hunting riflescope (C)
 components for military armoured ground vehicle (I)
 optical components for imaging and countermeasure equipment (I)
 military cables with connectors (I)
 software for test and verification equipment (I)

Military goods exported:

hunting riflescope
 components for military armoured ground vehicle
 components for imaging and countermeasure equipment
 military cables with connectors
 software for test and verification equipment

BOSNIA AND HERZEGOVINA

	ML 1	Total per destination
a	1	1
b	1 881	1 881
c	1 881	1 881
d	0	0
e	-	-

Licences issued for:

automated small arms (5) (1 licence) (G)

Military goods exported:

automated small arms (5)

BULGARIA

	ML 1	ML 2	ML 3	ML 4	Total per destination
a	3	1	5	2	12
b	621 347	443 390	2 125 479	197 980	3 388 196
c	185 511	443 390	1 493 908	137 249	2 260 058
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

sniper rifle and accessories (500) (1 licence) (C)
 machine gun (18) (1 licence) (C)
 anti-aircraft machine gun (18) (C)
 antitank grenade (C)
 machine gun ammunition (C)
 links for machine gun (C)
 cartridges loading device (C)
 122 mm reactive projectile (C)
 hand grenade with tear-irritating effect (C)

Military goods exported:

hunting riflescope

machine gun (18)
 antiaircraft machine gun (18)
 machine gun ammunition
 fuses initiation
 antitank grenade
 links for machine gun
 122 mm reactive projectile

CAMEROON

	ML 10	ML 22	Total per destination
a	1	1	2
b	20 553	250 000	270 553
c	20 553	0	20 553
d	0	0	0
e	-	-	-

Licences issued for:

equipment for military transport helicopter (G)
 military transport helicopter (technical inspection) (G)

Military goods exported:

equipment for military transport helicopter

CANADA

	ML 1	ML 3	Total per destination
a	1	1	2
b	9 246	20 384	29 630
c	9 246	20 384	29 630
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)
 ammunition and components therefor (C)

Military goods exported:

hunting riflescope
 ammunition and components therefor

REPUBLIC OF CONGO

	ML 1	ML 2	ML 3	Total per destination
a	1	1	2	4
b	8 278	151 264	730 546	890 088
c	8 278	151 264	370 823	530 365
d	0	0	0	0
e	-	-	-	-

Licences issued for:

sniper rifle (10) (1 licence) (G)
 82mm mortar (30) (1 licence) (G)
 small arms ammunition (G)

Military goods exported:

sniper rifle (10)
 82mm mortar (30)
 small arms ammunition

CROATIA

	ML 1	ML 3	ML 10	Total per destination
a	1	1	2	4
b	549	57 872	611 403	669 824
c	1 837	57 872	471 095	530 804
d	0	0	0	0
e	-	-	-	-

Licences issued for:

hunting riflescope (C)
 manoeuvre ammunition for small arms (I)
 aero-engine for military combat aircraft (G)
 spare parts for military combat aircraft (I)

Military goods exported:

hunting riflescope
 manoeuvre ammunition for small arms
 aero-engine for military combat aircraft
 spare parts for military combat aircraft

CZECH REPUBLIC

	ML 1	ML 10	Total per destination
a	1	2	3
b	6 880	372 747	379 627
c	6 959	81 841	88 800
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)
 spare parts for military training aircraft (I) (inward processing repair)

Military goods exported:

hunting riflescope
 spare parts for military training aircraft (inward processing repair)

DENMARK

	ML 1	ML 13	Total per destination
a	1	2	3
b	20 000	10 561	30 561
c	4 960	8 624	13 584
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)
 bulletproof vest (I)

Military goods exported:

hunting riflescope
 bulletproof vest

EGYPT

	ML 1	ML 3	Total per destination
a	0	1	1
b	0	3 310 227	3 310 227
c	1 044	0	1 044
d	0	0	0
e	-	-	-

Licences issued for:

120mm illuminating bomb (G)

Military goods exported:

riflescope

ESTONIA

	ML 1	ML 10	Total per destination
a	1	0	1
b	8 000	0	8 000
c	0	111 379	111 379
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:hunting riflescope
training military aircraft**FALKLAND ISLANDES**

	ML 11	Total per destination
a	1	1
b	5 812	5 812
c	0	0
d	0	0
e	-	-

Licences issued for:

radio station accessories (G)

Military goods exported: -**FINLAND**

	ML 1	ML 10	Total per destination
a	1	2	3
b	45 000	75 162	120 162
c	5 843	12 294	18 137
d	0	0	0
e	-	-	-

Licences issued for:hunting riflescope (C)
components for military helicopter (I)**Military goods exported:**hunting riflescope
components for military helicopter

FRANCE						
	ML 1	ML 4	ML 5	ML 6	ML 10	ML 11
a	2	1	3	1	14	14
b	45 575	60 000	117 254	184 800	530 826	415 549
c	15 911	60 000	7 954	41 448	434 393	421 409
d	0	0	0	0	0	0
e	-	-	-	-	-	-

FRANCE (2/2)		
	ML 15	Total per destination
a	1	36
b	4 750 000	6 104 004
c	0	981 115
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)
 submachine gun with accessories (16) (1 licence) (C)
 components for identification equipment (I)
 torpedo components (I)
 components for military armoured vehicle (I)
 spare parts for military transport helicopter (I)
 electronic components for aviation (I)
 armless remote controlled platform (I)

Military goods exported:

hunting riflescope
 components for military armoured vehicle
 spare parts for military transport helicopter
 electronic components for aviation

GABON		
	ML 3	Total per destination
a	1	1
b	18 061	18 061
c	18 061	18 061
d	0	0
e	-	-

Licences issued for:

machine gun ammunition (G)

Military goods exported:

machine gun ammunition

GEORGIA		
	ML 5	Total per destination
a	1	1
b	30 116	30 116
c	30 116	30 116
d	0	0
e	-	-

Licences issued for:

sensors block for thermal camera and range-finding system (G)

Military goods exported:

sensors block for thermal camera and range-finding system

GERMANY

	ML 1	ML 10	ML 11	ML 15	Total per destination
a	4	11	2	1	18
b	93 379	3 384 804	302 080	82 500	3 862 763
c	90 455	296 938	37 929	0	425 322
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

hunting riflescope (C)
 repeating rifle (50) (1 licence) (C)
 semi-automatic rifle (220) (1 licence) (C)
 components for military personnel parachute (I)
 components for cargo parachute (I)
 components for military aircraft (I)
 container for cargo parachute (I)
 components for guidance equipment (I)
 components for data security equipment using ciphering processes (I)

Military goods exported:

hunting riflescope
 repeating rifle (50)
 semi-automatic rifle (220)
 magazines for small arms
 components for personnel parachute
 container for cargo parachute

REPUBLIC OF GUINEA (Conakry)

	ML 10	ML 22	Total per destination
a	1	1	2
b	1 327 759	0	1 327 759
c	1 327 759	0	1 327 759
d	0	0	0
e	-	-	-

Licences issued for:

military transport helicopter (1) (inward processing repair and modernization) (G)
 technical documentation for ground maintenance (G)

Military goods exported:

military transport helicopter (1) (inward processing repair and modernization)

Footnote: Licences issued pursuant to EU Council Decision 2012/149/PESC.

HUNGARY

	ML 3	Total per destination
a	0	0
b	0	0
c	12 658	12 658
d	0	0
e	-	-

Licences issued for: -**Military goods exported:**

hunting arms ammunition

INDIA

	ML 10	Total per destination
a	3	3
b	3 754 365	3 754 365
c	1 192 806	1 192 806
d	0	0
e	-	-

Licences issued for:

aero-engine for military combat aircraft (inward processing repair) (G)

Military goods exported:

aero-engine for military combat aircraft (inward processing repair)

INDONESIA

	ML 7	ML 21	Total per destination
a	2	1	3
b	370 475	18 000	388 475
c	0	0	0
d	0	0	0
e	-	-	-

Licences issued for:NBC equipment (G)
CBRN spectrometer and detector**Military goods exported: -****IRAQ**

	ML 1	Total per destination
a	1	1
b	2 334 934	2 334 934
c	1 117 550	1 117 550
d	0	0
e	-	-

Licences issued for:

sniper rifle (3 134) (1 licence) (G)

Military goods exported: -

sniper rifle (1 500)

Footnote: Licences issued pursuant to UN Security Council resolution for use in Iraq by the governmental forces.**IRELAND**

	ML 1	Total per destination
a	1	1
b	30 000	30 000
c	2 527	2 527
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

ISRAEL (1/2)

	ML 2	ML 3	ML 4	ML 5	ML 6	ML 10	ML 11
a	2	1	1	2	3	2	3
b	12 417	97 163	752 559	440 247	6 038 341	777 480	9 406 984
c	9 031	97 163	235 016	131 054	4 076 813	455 358	1 789 006
d	0	0	0	0	0	0	0
e	-	-	-	-	-	-	-

ISRAEL (2/2)

	ML 15	ML 16	ML 17	ML 18	ML 21	Total per destination
a	13	1	3	1	1	33
b	7 228 326	18 254	2 483 444	903 070	165 563	28 323 848
c	2 187 620	225 435	1 138 374	975 291	81 511	11 401 672
d	0	0	0	0	0	0
e	-	-	-	-	-	-

Licences issued for:

antitank grenade launcher with sight (1) (1 licence) (I)
 70 mm grenade launcher (1) (1 licence) (I)
 antitank grenade (I)
 components for airborne vehicle (I)
 components for surveillance and fire control equipment (I)
 components military ground vehicle (I)
 components for military aircraft (I)
 components for electronic equipment (I)
 components for imaging and countermeasure equipment (I)
 unfinished products for ammunition (I)
 military cables with connectors (I)
 test and verification equipment for military products (I)
 software for military helicopter simulator (I)

Military goods exported:

70 mm grenade launcher (1)
 antitank grenade
 riflescope and accessories
 components for air to air missile
 components for airborne vehicle
 components for surveillance and fire control equipment
 components military ground vehicle
 components for military aircraft
 parts of bomb illuminating parachute
 components for electronic equipment
 subset for pilot helmet photo viewer
 components for imaging and countermeasure equipment
 optical components for military equipment
 unfinished products for ammunition
 military cables with connectors
 test and verification equipment for military products
 software for test and verification equipment

ITALY

	ML 1	ML 10	ML 13	Total per destination
a	2	1	2	5
b	80 000	312 400	464 503	856 903
c	22 323	257 730	4 721	284 774
d	0	0	0	0
e	-	-	-	-

Licences issued for:

hunting riflescope (C)
 components for bomb illuminating parachute (I)
 bulletproof vest (I)

Military goods exported:

hunting riflescope
 components for bomb illuminating parachute
 bulletproof vest

JORDAN

	ML 10	Total per destination
a	3	3
b	2 298 844	2 298 844
c	0	0
d	0	0
e	-	-

Licences issued for:

equipment for military transport helicopter (replacement under warranty) (G)
 military transport helicopter (3) (1 licence) (inward processing repair) (G)

Military goods exported:

return of equipments removed from the military transport helicopter

LEBANON

	ML 3	ML 10	ML 22	Total per destination
a	2	2	1	5
b	1 144 642	620 222	35 000	1 799 864
c	381 547	538 495	0	920 042
d	0	0	0	0
e	-	-	-	-

Licences issued for:

antitank grenade (G)
 spare parts for military transport helicopter (G)
 handbook for military transport helicopter (G)

Military goods exported:

antitank grenade
 spare parts for military transport helicopter

Footnote: Licences issued pursuant to UN Security Council resolution for use in Lebanon with the Government of Lebanon authorization.

LUXEMBURG

	ML 13	Total per destination
a	1	1
b	0	0
c	0	0
d	0	0
e	-	-

Licences issued for:
bulletproof vest

Military goods exported:
bulletproof vest

REPUBLIC OF MACEDONIA

	ML 10	ML 14	Total per destination
a	1	1	2
b	29 350	157 661	187 011
c	0	0	0
d	0	0	0
e	-	-	-

Licences issued for:
dismantled military helicopter with the cabin modified for simulator (1) (1 licence) (G)
cabin transformation services (G)

Military goods exported: -

MALAYSIA

	ML 3	Total per destination
a	1	1
b	779 334	779 334
c	779 334	779 334
d	0	0
e	-	-

Licences issued for:
antitank grenade (G)

Military goods exported:
antitank grenade

MALTA

	ML 1	Total per destination
a	2	2
b	5 046	5 046
c	5 046	5 046
d	0	0
e	-	-

Licences issued for:
hunting riflescope (C)

Military goods exported:
hunting riflescope

REPUBLIC OF MOLDOVA

	ML 1	ML 10	Total per destination
a	2	2	4
b	14 025	286 921	300 946
c	8 220	0	8 220
d	0	0	0
e	-	-	-

Licences issued for:

submachine gun (16) (1 licence) (C)
 semi-automatic pistol (12) (1 licence) (C)
 military transport aircraft (C)
 aero-engine for military aircraft (C)

Military goods exported:

submachine gun (16)

MOROCCO

	ML 10	Total per destination
a	3	3
b	462 194	462 194
c	74 559	74 559
d	0	0
e	-	-

Licences issued for:

spare parts for military transport helicopter (G)

Military goods exported: -

spare parts for military transport helicopter

MOZAMBIQUE

	ML 10	ML 22	Total per destination
a	2	1	3
b	9 399 458	1 369 657	10 769 115
c	0	0	0
d	0	0	0
e	-	-	-

Licences issued for:

military combat aircraft (2) (1 licence) (inward processing repair) (G)
 training military aircraft (1) (1 licence) (G)
 technical training for ground maintenance crew (G)

Military goods exported: -

NETHERLANDS

	ML 1	ML 9	ML 22	Total per destination
a	1	1	4	6
b	50 000	14 970 000	1 858 000	16 878 000
c	9 123	14 970 000	1 858 000	16 837 123
d	0	0	0	0
e	-	-	-	-

Licences issued for:

hunting riflescope (C)

military patrol vessel (1) (1 licence) (I)
 execution documentation for military patrol vessel (I)

Military goods exported:

hunting riflescope
 military patrol vessel (1)
 execution documentation for military patrol vessel

NEW CALEDONIE

	ML 1	Total per destination
a	4	4
b	24 262	24 262
c	22 826	22 826
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

NIGERIA

	ML 1	ML 10	Total per destination
a	0	0	0
b	0	0	0
c	294 627	2 950 000	3 244 627
d	0	0	0
e	-	-	-

Licences issued for: -**Military goods exported:**

submachine gun (6 300)
 military transport helicopter (revision)

NORWAY

	ML 1	Total per destination
a	4	4
b	14 544	14 544
c	13 568	13 568
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

OMAN

	ML 10	Total per destination
a	2	2
b	32 500	32 500
c	116 371	116 371
d	0	0
e	-	-

Licences issued for:

equipment for military transport helicopter (G)

Military goods exported:

equipment for military transport helicopter

PAKISTAN

	ML 3	ML 10	Total per destination
a	0	20	20
b	0	773 344	773 344
c	377 032	1 103 527	1 480 559
d	0	0	0
e	-	-	-

Licences issued for:

spare parts and equipment for military transport helicopter (G)

Military goods exported:

antitank grenade

spare parts and equipment for military transport helicopter

POLAND

	ML 1	ML 3	ML 10	Total per destination
a	3	1	1	5
b	431 011	491 045	1 976 859	2 898 915
c	132 496	0	1 477 301	1 609 797
d	0	0	0	0
e	-	-	-	-

Licences issued for:

hunting riflescope (C)

submachine gun (13 000) (2 licences) (C)

small arms ammunition (I)

aero-engine and components for military combat aircraft (I)

Military goods exported:

hunting riflescope

submachine gun (7 020)

aero-engine and components for military combat aircraft

SAUDI ARABIA

	ML 3	Total per destination
a	0	0
b	0	0
c	1 941 601	1 941 601
d	0	0
e	-	-

Licences issued for: -**Military goods exported:**

antitank grenade

SERBIA

	ML 1	ML 2	Total per destination
a	3	1	4
b	2 969	8 769	11 738
c	2 786	8 769	11 555
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)

optical and mechanical components for observing apparatus (G)

Military goods exported:

hunting riflescope

optical and mechanical components for observing apparatus

SLOVAKIA

	ML 1	ML 10	Total per destination
a	1	1	2
b	30 000	92 941	122 941
c	2 078	37 174	39 252
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)

spare parts for military training aircraft (repair) (I)

Military goods exported:

hunting riflescope

spare parts for military training aircraft (repair)

SLOVENIA

	ML 1	Total per destination
a	1	1
b	35 000	35 000
c	10 404	10 404
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

SOUTH AFRICA

	ML 1	Total per destination
a	2	2
b	4 020	4 020
c	4 020	4 020
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

SPAIN

	ML 1	Total per destination
a	2	2
b	27 878	27 878
c	15 764	15 764
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

SWEDEN

	ML 1	ML 10	ML 18	Total per destination
a	1	5	1	7
b	30 000	291 000	200 000	521 000
c	0	186 510	0	186 510
d	0	0	0	0
e	-	-	-	-

Licences issued for:

hunting riflescope (C)
 components for illuminating bombs parachute (I)
 cargo parachute and components (I)
 components for personnel parachute (I)
 execution devices for military combat aircraft components (I)

Military goods exported: -

cargo parachute and components
 components for personnel parachute
 components for illuminating bombs parachute

SWITZERLAND

	ML 1	ML 3	ML 6	ML 10	Total per destination
a	2	1	1	3	7
b	81 835	1 575 846	70 247	231 674	1 959 602
c	3 635	1 997 139	70 247	6 726	2 077 747
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

sniper rifle (323) (2 licences) (C)
 components for launcher grenade (I)
 components for military armoured vehicle (I)
 spare parts for military transport aircraft (I)
 military training aircraft (2) (1 licence) (inward processing repair) (G)

Military goods exported:

sniper rifle (23)
 components for launcher grenade
 components for military armoured vehicle
 spare parts for military transport aircraft

THAILAND

	ML 2	ML 3	Total per destination
a	1	1	2
b	235 175	726 972	962 147
c	235 175	0	235 175
d	0	0	0
e	-	-	-

Licences issued for:

components for aviation gun (G)
 aviation gun ammunition (G)

Military goods exported:

components for aviation gun

TURKEY

	ML 1	ML 2	ML 3	ML 4	ML 13	ML 15	ML 22	Total per destination
a	2	3	4	9	0	1	0	19
b	1 185	1 364 640	1 110 720	3 151 970	0	1 648 200	0	7 276 715
c	1 185	93 840	549 368	839 537	1 010 250	0	30 675	2 524 855
d	0	0	0	0	0	0	0	0
e	-	-	-	-	-	-	-	-

Licences issued for:

submachine gun (5) (1 licence)
 broken calibre cartridge case extractor (I)
 tubes container for rocket launcher (I)
 accessories for rocket launcher (I)
 components for small arms ammunition (I)
 small arms ammunition (G)
 components for reactive projectile (I)
 delaying fuse for 107 mm rocket (I)
 122 mm rocket warhead (I)
 detonator for warhead cal. 122 mm (I)
 surveillance system with thermal camera (G)

Military goods exported:

broken calibre cartridge case extractor
 tubes container for rocket launcher
 small arms ammunition
 components for small arms ammunition
 122 mm rocket warhead
 107 mm rocket warhead
 bulletproof vest
 technical documentation for 107 mm warhead production

UNITED ARAB EMIRATES

	ML 10	Total per destination
a	2	2
b	607 874	607 874
c	0	0
d	0	0
e	-	-

Licences issued for:

spare parts for military transport helicopter (repair) (G)

Military goods exported: -

UNITED KINGDOM

	ML 1	ML 3	ML 4	ML 10	ML 13	ML 17	Total per destination
a	4	1	0	18	2	7	32
b	96 575	3 010	0	13 047 530	211 719	1 392 644	14 751 478
c	11 529	3 010	1 261	2 314 432	234 755	695 372	3 260 359
d	0	0	0	0	0	0	0
e	-	-	-	-	-	-	-

Licences issued for:

hunting riflescope (C)
 machine gun (14) (1 licence) (G)
 infantry tripod (G)
 piercing incendiary cartridges for machine gun (G)
 military transport helicopter (10) (1 licence) (inward processing repair) (I)
 components for personnel parachute (I)
 recovery parachute and components therefor (G)
 equipment for military transport helicopter (G)
 components for military aero-engine (I)
 components for bulletproof vest (I)
 military cables with connectors (I)

Military goods exported:

hunting riflescope
 machine gun (14)
 piercing incendiary cartridges for machine gun
 components for „fire-shadow” missile
 components for military aero-engine
 components for personnel parachute
 components for bulletproof vest
 military cables with connectors

UNITED STATES OF AMERICA (1/2)

	ML 1	ML 2	ML 3	ML 4
a	49	8	25	1
b	18 521 323	1 567 160	19 476 114	135 009
c	9 941 821	1 534 160	5 725 157	470 274
d	0	0	0	0
e	-	-	-	-

UNITED STATES OF AMERICA (2/2)

	ML 10	ML 22	Total per destination
a	1	1	85
b	8 479 831	78 266	48 257 703
c	3 621 257	91 878	21 384 547
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)
 refinishing services (C)
 accessories for sport arms (C)
 semi-automatic rifle (250) (1 licence)
 assault rifle transformed in semi-automatic rifle (29 306) (5 licences) (C)
 submachine gun (3 309) (7 licences) (G)
 automated pistol 9x19 mm (5 000) (1 licence) (G)
 submachine gun (19 337) (4 licences) (C)
 assault rifle (10 500) (4 licences) (C)
 rifle shooting (555) (1 licence) (C)
 sport shotgun (49 500) (2 licences) (C)
 40 mm grenade launcher (39) (1 licence) (G)
 60 mm grenade launcher with sight (79) (2 licences) (G)
 73 mm grenade launcher with sight (34) (1 licence) (G)
 82 mm grenade launcher with sight (59) (1 licence) (G)
 machine gun (141) (4 licences) (C)
 anti-aircraft machine gun (60) (1 licence) (G)
 anti-aircraft machine gun with two barrels (5) (1 licence) (G)
 ballistic barrel for machine gun (G)
 small arms ammunition (G)
 anti-tank grenade (G)
 illuminating bomb (G)
 explosive and smoke bomb (G)
 reactive projectile (C)
 mechanical components for aviation (I)
 execution documentation for small arms magazine tools (I)

Military goods exported:

hunting riflescope
 submachine gun kit (3 278)
 pistol (2 802)
 semiautomatic pistol t (2 000)
 assault rifle (3 312)
 war rifle converted in semi-automatic rifle (33 780)
 semi-automatic rifle (1 258)
 sport rifle (9 500)
 rifle shooting (500)
 machine gun (141)
 60 mm mortar with sight (79)
 73 mm grenade launcher with sight (34)
 82 mm grenade launcher with sight (59)
 anti-aircraft machine gun (64)
 anti-aircraft machine gun with two barrels (1)
 small arms ammunition
 anti-tank grenade
 bombs cal. 60 mm, 82 mm, 120mm, 73 mm
 cartridge loading device
 reactive projectile
 mechanical components for aviation
 technical assistance (on-site inspection services)

YEMEN

	ML 10	Total per destination
a	1	1
b	113 260	113 260
c	1 680 840	1 680 840
d	0	0
e	-	-

Licences issued for:

aero-engine for military combat aircraft (inward processing repair) (G)

Military goods exported:

aero-engine for military combat aircraft (inward processing repair)

2. PERMANENT EXPORTS PER CATEGORY OF PRODUCTS

(1/3)	ML 1	ML 2	ML 3	ML 4	ML 5	ML 6
a ³	118	18	51	14	6	7
b	23 233 684	3 927 306	33 297 887	4 297 518	587 617	6 298 548
c	12 118 955	2 597 138	13 825 057	1 743 337	169 124	4 193 668
d	0	0	0	0	0	0
e	-	-	-	-	-	-

(2/3)	ML 7	ML 9	ML 10	ML 11	ML 13	ML 14	ML 15
a	2	1	107	21	7	2	21
b	370 475	14 970 000	51 198 628	10 149 800	686 783	793 006	17 052 055
c	0	14 970 000	21 397 173	2 248 344	1 258 350	0	2 626 877
d	0	0	0	0	0	0	0
e	-	-	-	-	-	-	-

(3/3)	ML 16	ML 17	ML 18	ML 21	ML 22	Total
a	1	12	2	3	9	402
b	18 254	6 370 327	1 103 070	883 563	3 590 923	178 829 444
c	225 435	1 842 753	975 291	442 886	1 980 553	82 614 941
d	0	0	0	0	0	0
e	-	-	-	-	-	-

³ Key: (a) = number of Licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total EU number of license refusals (small discrepancies may appear between breakdowns and totals due to denials concerning more than one ML item or denials for items other than those appearing in the ML); (e) = criteria numbers of the EU Code of Conduct on arms exports on which refusals are based (the approximate number of times each criterion is invoked is indicated in brackets).

2012 Exchange rates:

1 EUR = 1,32880 USD

1 EUR = 0,83271 GBP

1 EUR = 1,22880 CHF

3. BROKERING ACTIVITIES

Brokering activities – activities carried out by a natural or legal person regarding:

- negotiations or the arrangement of transactions involving the transfer of military goods included in the lists approved by the Government decision from a third country to any other third country; or
- buy, sale or arrange the transfer of military goods included in the lists approved by the Government decision, in their ownership, from a third country to any other third country.

AZERBAIJAN

	Exporter	Importer	Total per destination
	South Africa	Azerbaijan	
	ML 10		
a ⁴	1		1
b	667 911		667 911
c	660 385		660 385
d	0		0
e	-		-

Licences issued for:

equipment for military aircraft (97) (1 licence) (G)

Military goods exported:

equipment for military aircraft (94)

UNITED STATES OF AMERICA

	Exporter	Importer	Total per destination
	Azerbaijan	United States of America	
	ML 11		
a	1		1
b	(487 658) ⁵		(487 658)
c	(226 233)		(226 233)
d	0		0
e	-		-

Licences issued for:

electronic equipment for aviation (9)

Military goods exported:

electronic equipment for aviation (4)

⁴ Key: (a) = number of Licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total EU number of license refusals (small discrepancies may appear between breakdowns and totals due to denials concerning more than one ML item or denials for items other than those appearing in the ML); (e) = criteria numbers of the EU Code of Conduct on arms exports on which refusals are based (the approximate number of times each criterion is invoked is indicated in brackets).

2012 Exchange rates:

1 EUR = 1,32880 USD
1 EUR = 0,83271 GBP
1 EUR = 1,22880 CHF

⁵ Statistical value; product exported for repair under warranty.

AZERBAIJAN

	Exporter	Importer	
	United States of America	Azerbaijan	Total per destination
	ML 11		
a	2		2
b	(1 029 500) ⁶		(1 029 500)
c	(54 184)		(54 184)
d	0		0
e	-		-

Licences issued for:

electronic equipment for aviation (19) (G)

Military goods exported:

electronic equipment for aviation (1)

⁶ Statistical value; product returned after repair under warranty.

4. TRANSIT AND TRANSHIPMENT

ML Cat.	Value [Euro]	Number of operations	Exporter Country	Neighbouring Entrance Country	Neighbouring Exit Country	Importer Country	Final Destination	Transport means
Transit Operations								
ML1, ML3, ML4, ML6, ML8	1 792 935	9	Bulgaria	Bulgaria	Ukraine	Ukraine	Ukraine	Road
ML1, ML3, ML4, ML6	2 520 105	2	Bulgaria	Bulgaria	Poland	Poland	Poland	Road
ML2	59 696	1	Bulgaria	Bulgaria	Airport Constanta	USA	USA	Road
ML3	410	1	Bulgaria	Bulgaria	Hungary	Netherlands	Norway	Road
ML6	902 497	5	Bulgaria	Bulgaria	Hungary	Czech Republic	Algeria	Road
ML2, ML3	58 026	1	Bulgaria	Bulgaria	Hungary	Germania	Germania	Road
ML3	186 421	1	Bulgaria	Bulgaria	Hungary	United Kingdom	United Kingdom	Road
ML3	151 734	1	Bulgaria	Bulgaria	Hungary	Estonia	Estonia	Road
ML3, ML6	1 741 490	3	Ukraine	Ukraine	Bulgaria	Bulgaria	Bulgaria	Road
ML6	39 480	1	Ukraine	Republic of Moldova	Bulgaria	Bulgaria	Bulgaria	Road
ML6	177 666	1	Ukraine	Ukraine	Serbia	Republic of Macedonia	Republic of Macedonia	Road
ML3	747 580	3	Brasilia	Hungary	Bulgaria	Georgia	Georgia	Road
ML9	80 520	1	Germany	Hungary	Bulgaria	Greece	Greece	Road
ML8	87 322	1	Switzerland	Hungary	Bulgaria	Bulgaria	Serbia	Road
ML2	43930	1	Czech Republic	Hungary	Bulgaria	Bulgaria	Bulgaria	Road
ML3	121 824	1	Czech Republic	Hungary	Black Sea	Israel	Israel	Road
ML8	53 717	1	Belgium	Hungary	Bulgaria	Turkey	Turkey	Road

ML Cat.	Value [Euro]	Number of operations	Exporter Country	Neighbouring Entrance Country	Neighbouring Exit Country	Importer Country	Final Destination	Transport means
Transit Operations								
ML3, ML8	56 396	1	Spain	Hungary	Bulgaria	Bulgaria	Bulgaria	Road
ML2	167 530	1	Poland	Hungary	Bulgaria	Bulgaria	Bulgaria	Road
ML8	188 800	1	Switzerland	Hungary	Bulgaria	Bulgaria	Bulgaria	Road
ML3	69 680	1	Germany	Hungary	Bulgaria	Bulgaria	Bulgaria	Road
ML6	5 898 000	1	Hungary	Hungary	Black Sea	Cambodia	Cambodia	Road
ML1, ML2, ML6	658 849	1	Slovakia	Hungary	Black Sea	Cambodia	Cambodia	Road
ML1, ML3	168 564	3	USA	Hungary	Bulgaria	Bulgaria	Bulgaria	Road
ML1	140 202	1	Lebanon	Black Sea	Ukraine	Ukraine	Ukraine	Road
ML8	36 954	1	Norway	Hungary	Bulgaria	Turkey	Turkey	Road
ML1	2 213 525	1	Czech Republic	Hungary	Black Sea	Egypt	Egypt	Road
ML8	112 908	1	Italy	Hungary	Black Sea	Lebanon	Lebanon	Road
Total		47						
Transshipment Operations						Type of transshipment		
ML1	140 202	1	Lebanon	Black Sea	Ukraine	Ukraine	Ukraine	Maritime - Road
ML1	2 213 525	1	Czech Republic	Hungary	Black Sea	Egypt	Egypt	Road - Maritime
ML2	59 696	1	Bulgaria	Bulgaria	Airport Constanta	USA	USA	Road - Air
ML8	112 908	1	Italy	Hungary	Black Sea	Lebanon	Lebanon	Road - Maritime
ML6	5 898 000	1	Hungary	Hungary	Black Sea	Cambodia	Cambodia	Road - Maritime
ML1, ML2, ML6	658 849	1	Slovakia	Hungary	Black Sea	Cambodia	Cambodia	Road - Maritime
ML3	121 824	1	Czech Republic	Hungary	Black Sea	Israel	Israel	Road - Maritime
Total		7						

5. EXPORT LICENCES BY RECIPIENT REGION AND COUNTRY

SUB-SAHARAN AFRICA

		ML 1	ML 2	ML 3	ML 10	ML 22	Total per destination
SOUTH AFRICA	a ⁷	2					
	b	4 020					
	c	4 020					
REPUBLIC OF CONGO	a	1	1	2			4
	b	8 278	151 264	730 546			890 088
	c	8 278	151 264	730 546			890 088
CAMEROON	a				1	1	2
	b				20 553	250 000	270 553
	c				20 553	0	20 553
GABON	a			1			1
	b			18 061			18 061
	c			18 061			18 061
REPUBLIC OF GUINEA (Conakry)	a				1	1	2
	b				1 327 759	0	1 327 759
	c				1 327 759	0	1 327 759
MOZAMBIQUE	a				2	1	3
	b				9 399 458	369 657	10 769 115
	c				0	0	0

⁷ Key: (a) = number of Licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total EU number of license refusals (small discrepancies may appear between breakdowns and totals due to denials concerning more than one ML item or denials for items other than those appearing in the ML); (e) = criteria numbers of the EU Code of Conduct on arms exports on which refusals are based (the approximate number of times each criterion is invoked is indicated in brackets)..

2012 Exchange rates:

1 EUR = 1,39200 USD

1 EUR = 0,86788 GBP

1 EUR = 1,23260 CHF

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		ML 1	ML 2	ML 3	ML 10	ML 22	Total per destination
NIGERIA	a	0			0		0
	b	0			0		0
	c	294 627			2 950 000		3 244 627
Total per category	a	3	1	3	4	3	14
	b	12 298	151 264	748 607	10 747 770	1 619 657	13 279 596
	c	306 925	151 264	748 607	4 298 312	0	5 505 108

NORTH AFRICA

		ML 10	Total per destination
MOROCCO	a	3	3
	b	462 194	462 194
	c	74 559	74 559
Total per category	a	3	3
	b	462 194	462 194
	c	74 559	74 559

NORTH AMERICA

		ML 1	ML 2	ML 3	ML 4	ML 10	ML 22	Total per destination
CANADA	a	1		1				2
	b	9 246		20 384				29 630
	c	9 246		20 384				29 630
UNITED STATES OF AMERICA	a	49	8	25	1	1	1	85
	b	18 521 323	1 567 160	19 476 114	135 009	8 479 831	78 266	48 257 703
	c	9 941 821	1 534 160	5 725 157	470 274	3 621 257	91 878	21 384 547
Total per category	a	50	8	26	1	1	1	87
	b	18 530 569	1 567 160	19 496 498	135 009	8 479 831	78 266	48 287 333
	c	9 951 067	1 534 160	5 745 541	470 274	3 621 257	91 878	21 414 177

SOUTH AMERICA

		ML 10	Total per destination
ARGENTINA	a	0	0
	b	0	0
	c	53 181	53 181
Total per category	a	0	0
	b	0	0
	c	53 181	53 181

SOUTH-EAST ASIA

		ML 2	ML 3	ML 7	ML 21	Total per destination
INDONESIA				2	1	3
				370 475	18 000	388 475
				0	0	0
MALAYSIA	a		1			1
	b		779 334			779 334
	c		779 334			779 334
THAILAND	a	1	1			2
	b	235 175	726 972			962 147
	c	235 175	0			235 175
Total per category	a	1	2	2	1	6
	b	235 175	1 506 306	370 475	18 000	2 129 956
	c	235 175	779 334	0	0	1 014 509

SOUTH ASIA

		ML 1	ML 2	ML 3	ML 10	ML 14	Total per destination
AFGHANISTAN	a			2		1	3
	b			1 563 871		635 345	2 199 216
	c			0		0	0
BANGLADESH	a	1	0		1		2
	b	9 725	0		1 287 327		1 297 052
	c	0	85 386		2 574 654		2 660 040
INDIA	a				3		3
	b				3 754 365		3 754 365
	c				1 192 806		1 192 806
PAKISTAN	a			0	20		20
	b			0	773 344		773 344
	c			377 032	1 103 527		1 480 559
Total per category	a	1	0	2	24	1	28
	b	9 725	0	1 563 871	5 815 036	635 345	8 023 977
	c	0	85 386	377 032	4 870 987	0	5 333 405

EUROPEAN UNION (1/2)

		ML 1	ML 2	ML 3	ML 4	ML 6	ML 7	ML 9	ML 10
AUSTRIA	a	3							
	b	72 318							
	c	60 077							
BELGIUM	a	2				2			
	b	22 060				5 160			
	c	8 845				5 160			

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		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 9	ML 10
BULGARIA	a	3	1	5	2				
	b	621 347	443 390	2 125 479	197 980				
	c	185 511	443 390	1 493 908	137 249				
CZECH REPUBLIC	a	1							2
	b	6 880							372 747
	c	6 959							81 841
DENMARK	a	1							
	b	20 000							
	c	4 960							
ESTONIA	a	1							0
	b	8 000							0
	c	0							111 379
FINLAND	a	1							2
	b	45 000							75 162
	c	5 843							12 294
FRANCE	a	2			1	3	1		14
	b	45 575			60 000	117 254	184 800		530 826
	c	15 911			60 000	7 954	41 448		434 393
NEW CALEDONIE	a	4							
	b	24 262							
	c	22 826							
GERMANY	a	4							11
	b	93 379							3 384 804
	c	90 455							296 938
IRELAND	a	1							
	b	30 000							
	c	2 527							

		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 9	ML 10
ITALY	a	2							1
	b	80 000							312 400
	c	22 323							257 730
LUXEMBURG	a								
	b								
	c								
MALTA	a	2							
	b	5 046							
	c	5 046							
NETHERLANDS	a	1						1	
	b	50 000						14 970 000	
	c	9 123						14 970 000	
POLAND	a	3		1					1
	b	431 011		491 045					1 976 859
	c	132 496		0					1 477 301
SLOVAKIA	a	1							1
	b	30 000							92 941
	c	2 078							37 174
SLOVENIA	a	1							
	b	35 000							
	c	10 404							
SPAIN	a	2							
	b	27 878							
	c	15 764							
SWEDEN	a	1							5
	b	30 000							291 000
	c	0							186 510

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		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 9	ML 10
UNITED KINGDOM	a	4		1	0				18
	b	96 575		3 010	0				13 047 530
	c	11 529		3 010	1 261				2 314 432
UNITED KINGDOM (FALKLAND ISLANDS)	a								
	b								
	c								
HUNGARY	a			0					
	b			0					
	c			12 658					
Total per category	a	40	1	7	3	3	3	1	55
	b	1 774 331	443 390	2 619 534	257 980	117 254	189 960	14 970 000	20 084 269
	c	612 677	443 390	1 509 576	198 510	7 954	46 608	14 970 000	5 209 992

EUROPEAN UNION (2/2)

		ML 11	ML 13	ML 15	ML 17	ML 18	ML 21	ML 22	Total per destination
AUSTRIA	a								3
	b								72 318
	c								60 077
BELGIUM	a			5	2		1		12
	b			3 343 029	2 494 239		700 000		6 564 488
	c			439 257	9 007		361 375		823 644
BULGARIA	a								11
	b								3 388 196
	c								2 260 058
CZECH REPUBLIC	a								3
	b								379 627
	c								88 800

		ML 11	ML 13	ML 15	ML 17	ML 18	ML 21	ML 22	Total per destination
DENMARK	a		2						3
	b		10 561						30 561
	c		8 624						13 584
ESTONIA	a								1
	b								8 000
	c								111 379
FINLAND	a								3
	b								120 162
	c								18 137
FRANCE	a	14		1					36
	b	415 549		4 750 000					6 104 004
	c	421 409		0					981 115
NEW CALEDONIE	a								4
	b								24 262
	c								22 826
GERMANY	a	2		1					18
	b	302 080		82 500					3 862 763
	c	37 929		0					425 322
IRELAND	a								1
	b								30 000
	c								2 527
ITALY	a		2						5
	b		464 503						856 903
	c		4 721						284 774
LUXEMBURG	a		1						1
	b		0						0
	c		0						0

		ML 11	ML 13	ML 15	ML 17	ML 18	ML 21	ML 22	Total per destination
MALTA	a								2
	b								5 046
	c								5 046
NETHERLANDS	a							4	6
	b							1 858 000	16 878 000
	c							1 858 000	16 837 123
POLAND	a								5
	b								2 898 915
	c								1 609 797
SLOVAKIA	a								2
	b								122 941
	c								39 252
SLOVENIA	a								1
	b								35 000
	c								10 404
SPAIN	a								2
	b								27 878
	c								15 764
SWEDEN	a					1			7
	b					200 000			521 000
	c					0			186 510
UNITED KINGDOM	a		2		7				32
	b		211 719		1 392 644				14 751 478
	c		234 755		695 372				3 260 359
UNITED KINGDOM (FALKLAND ISLANDS)	a								1
	b								5 812
	c								0

	ML 11	ML 13	ML 15	ML 17	ML 18	ML 21	ML 22	Total per destination	
HUNGARY	a							0	
	b							0	
	c							12 658	
Total per category	a	17	7	7	9	1	1	4	159
	b	723 441	686 783	8 175 529	3 886 883	200 000	700 000	1 858 000	56 687 354
	c	459 338	248 100	439 257	704 379	0	361 375	1 858 000	27 069 156

OTHER EUROPEAN COUTRIES (1/2)

	ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 10
AZERBAIJAN	a	3	1	1			
	b	450 933	144 491	66 601			
	c	92 565	36 123	0			
BOSNIA AND HERZEGOVINA	a	1					
	b	1 881					
	c	1 881					
CROATIA	a	1		1			2
	b	549		57 872			611 403
	c	1 837		57 872			471 095
REPUBLIC OF MACEDONIA	a						1
	b						29 350
	c						0
GEORGIA	a				1		
	b				30 116		
	c				30 116		
NORWAY	a	4					
	b	14 544					
	c	13 568					

		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 10
REPUBLIC OF MOLDOVA	a	2						2
	b	14 025						286 921
	c	8 220						0
SERBIA	a	3	1					
	b	2 969	8 769					
	c	2 786	8 769					
SWITZERLAND	a	2		1			1	3
	b	81 835		1 575 846			70 247	231 674
	c	3 635		1 997 139			70 247	6 726
TURKEY	a	2	3	4	9			
	b	1 185	1 364 640	1 110 720	3 151 970			
	c	1 185	93 840	549 368	839 537			
Total per category	a	18	5	7	9	1	1	8
	b	567 921	1 517 900	2 811 039	3 151 970	30 116	70 247	1 159 348
	c	125 677	138 732	2 604 379	839 537	30 116	70 247	477 821

OTHER EUROPEAN COUNTRIES (2/2)

		ML 11	ML 13	ML 14	ML 15	ML 22	Total per destination
AZERBAIJAN	a	1					6
	b	19 375					681 400
	c	0					128 688
BOSNIA AND HERZEGOVINA	a						1
	b						1 881
	c						1 881
CROATIA	a						4
	b						669 824
	c						530 804

		ML 11	ML 13	ML 14	ML 15	ML 22	Total per destination
REPUBLIC OF MACEDONIA	a			1			2
	b			157 661			187 011
	c			0			0
GEORGIA	a						1
	b						30 116
	c						30 116
NORWAY	a						4
	b						14 544
	c						13 568
REPUBLIC OF MOLDOVA	a						4
	b						300 946
	c						8 220
SERBIA	a						4
	b						11 738
	c						11 555
SWITZERLAND	a						7
	b						1 959 602
	c						2 077 747
TURKEY	a		0		1	0	19
	b		0		1 648 200	0	7 276 715
	c		1 010 250		0	30 675	2 524 855
Total per category	a	1	0	1	1	0	52
	b	19 375	0	157 661	1 648 200	0	11 133 777
	c	0	1 010 250	0	0	30 675	5 327 434

MIDDLE EAST (1/2)

		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 10	ML 11
EGYPT	a	0		1					
	b	0		3 310 227					
	c	1 044		0					
IRAQ	a	1							
	b	2 334 934							
	c	1 117 550							
ISRAEL	a		2	1	1	2	3	2	3
	b		12 417	97 163	752 559	440 247	6 038 341	777 480	9 406 984
	c		9 031	97 163	235 016	131 054	4 076 813	455 358	1 789 006
JORDAN	a							3	
	b							2 298 844	
	c							0	
LEBANON	a			2				2	
	b			1 144 642				620 222	
	c			381 547				538 495	
OMAN	a							2	
	b							32 500	
	c							116 371	
SAUDI ARABIA	a			0					
	b			0					
	c			1 941 601					
UNITED ARAB EMIRATES	a							2	
	b							607 874	
	c							0	
YEMEN	a							1	
	b							113 260	
	c							1 680 840	

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		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 10	ML 11
Total per category	a	1	2	4	1	2	3	12	3
	b	2 334 934	12 417	4 552 032	752 559	440 247	6 038 341	4 450 180	9 406 984
	c	1 118 594	9 031	2 420 311	235 016	131 054	4 076 813	2 791 064	1 789 006

MIDDLE EAST (2/2)

		ML 15	ML 16	ML 17	ML18	ML 21	ML 22	Total per destination
EGYPT	a							1
	b							3 310 227
	c							1 044
IRAQ	a							1
	b							2 334 934
	c							1 117 550
ISRAEL	a	13	1	3	1	1		33
	b	7 228 326	18 254	2 483 444	903 070	165 563		28 323 848
	c	2 187 620	225 435	1 138 374	975 291	81 511		11 401 672
JORDAN	a							3
	b							2 298 844
	c							0
LEBANON	a						1	5
	b						35 000	1 799 864
	c						0	920 042
OMAN	a							2
	b							32 500
	c							116 371
SAUDI ARABIA	a							0
	b							0
	c							1 941 601

		ML 15	ML 16	ML 17	ML18	ML 21	ML 22	Total per destination
UNITED ARAB EMIRATES	a							2
	b							607 874
	c							0
YEMEN	a							1
	b							113 260
	c							1 680 840
Total per category	a	13	1	3	1	1	1	48
	b	7 228 326	18 254	2 483 444	903 070	165 563	35 000	38 821 351
	c	2 187 620	225 435	1 138 374	975 291	81 511	0	17 179 120

OCEANIA

		ML 1	Total per destination
AUSTRALIA	a	5	5
	b	3 906	3 906
	c	4 015	4 015
Total per category	a	5	5
	b	3 906	3 906
	c	4 015	4 015

GOVERNMENT'S EMERGENCY ORDINANCE
on the control regime of exports, imports and other operations
with military goods
(unofficial translation)

CHAPTER I

General provisions

Article 1- (1) The following operations with military goods shall be subject to the control regime stipulated in the present emergency ordinance:

- a) export, import and transfer, either permanent or temporary, from or to outside the territory of Romania;
- b) brokering activity;
- c) international transit via Romania;
- d) transshipment (transfers from one transport vector to another) on the territory of Romania.

(2) An exception to the provisions of the present emergency ordinance shall be the operations stipulated in the paragraph (1), performed in connection with the participation:

a) of national forces for Defense, public order and national security in missions, operations, exercises, training, and ceremonial activities, outside the territory of Romania.

b) of foreign armed forces or law enforcement structures abroad which have the approval of the Romanian authorities for entering, staying, carrying out operations or the transit through the territory of Romania.

(3) The provisions of the present emergency ordinance shall not apply to transit and transshipment when they are related to a transfer of military products between two member states of the European Union.

(4) The provisions of the present emergency ordinance shall not apply to the control of operations stipulated in paragraph (1) performed with firearms, parts and components thereof, as well as for civil ammunitions, performed by the persons referred to in article 3.

Article 2 – The destination and final use of the military goods making the object of the operations stipulated under article 1 shall also be subject to control.

Article 3 – (1) The provisions of the present emergency ordinance shall apply to all persons carrying out the operations stipulated under article 1.

(2) By *person* one shall understand any natural or legal entity residing in Romania, including public authorities.

(3) The provisions of paragraph (1) shall also apply to Romanian natural entities outside the Romanian territory, in compliance with the international law.

Article 4 – The operations stipulated under article 1 shall be authorized by means of a licence, as applicable, under the provisions of the present emergency ordinance.

Article 5 – For the purpose of the present emergency ordinance, the terms and phrases below shall have the following meanings:

a) *military goods* – weapons, ammunition, missiles, bombs, torpedoes, mines, land, air and marine vehicles and other products, equipments and systems designed and built for military purposes, their components, parts and accessories, as well as related software and technology;

b) *export* - removing a military product from the Romanian territory, temporarily or permanently, by a person or natural entity of any third country, including re-export activities and technical assistance;

c) *import* – placing a military product on the Romanian territory, temporarily or permanently, from a person or natural entity of any third country;

d) *transfer* – any shipment or movement of a military product to a recipient or provider from another member state of the European Union;

e) *transit* – the transport of military products through Romanian territory, which come from other countries and are intended to other countries;

f) *transshipment* – the operation of changing the means of transport during transit operations or during insertion or removal operations in or from the territory of Romania;

g) *technical assistance* – any technical support dealing with the development, manufacture, assembly, testing, maintenance, repair or any technical service in the form of instruction, training, transmission of information or operational qualifications or consultancy services for military goods. Technical assistance shall also include forms of orally transmitted assistance;

- h) *foreign trade operations* – operations involving the military goods stipulated under article 1 (1) a) and b);
- i) *transmission of software or technology by electronic means* – transmission of software or technology by electronic means, by fax, Internet or telephone to a destination outside Romania; this shall not include oral transmission of technology via telephone unless a document or pertinent parts of it are being read to a correspondent over the telephone or described to him/her so as to obtain the same result;
- j) *brokering activity* – activities carried out by a person regarding:
 - (i) negotiation or organisation of transactions that may involve the export, the import or the transfer of military from a third country to any other third country;
 - (ii) purchase, sale, export or transfer of military goods that are in their ownership from a third country to any other third country;
 - (iii) negotiating or arranging transactions involving the removal or insertion of the or in the Romanian territory of military products;
- k) exporter - any natural or legal person, or any association of persons:
 - (i) on account of which the export declaration is made and who is the owner of the goods to be exported, or a person invested with the right to alienation of the goods when the declaration is accepted;
 - (ii) which, when the ownership or the alienation of goods belongs to a person established outside the European Union in accordance with the contract on which the export is based, is the contracting party established in the European Union
- l) importer –any natural or legal person, or any association of persons in whose name the military products are put into free circulation, undergo active improvement, are processed under customs control or are temporary admitted;
- m) supplier - any natural or legal person with residence/Headquarters in the European Union which has legal responsibility for transfer;
- n) recipient - any natural or legal person with residence/Headquarters in the European Union which has legal responsibility for the reception of a transfer;
- o) registration - confirmation of operation of fulfillment by the applicant of legal provisions for carrying out foreign trade operations with military products;
- p) certification - operation through which it is established the credibility of a recipient enterprise;
- q) transfer licence - authorization issued to a supplier, respectively recipient, to transfer military products, as applicable, to a recipient or from a supplier from another Member State of the European Union;
- r) export licence - authorization issued to an export to provide military products by a legal or natural person from a third country;
- s) import licence - authorization issued to an importer to receive military goods from a legal or natural person from a third country;
- t) brokering activity license - authorization issued to a person to carry out a brokering activity with military goods;
- u) transit licence-authorization issued to a person to carry out a transit operation with military goods
- v) transshipment license -authorization license issued to a person for a transshipment operation.

Article 6 – The list comprising the military goods subject to the control regime for exports, imports and other operations shall be set out by order of the Minister of Foreign Affairs, which is published in the Official Gazette of Romania, Part 1.

Article 7 – (1) Export, re-export, transfer and technical assistance of military goods that are not included in the list comprising the products subject to the control of exports, imports and other operations stipulated at article 6 shall be subject to the licensing procedure in compliance with the provisions of the present emergency ordinance, if the exporter, the supplier or the intermediary is informed by the Ministry of Foreign Affairs, through the Department for the control of exports, hereinafter referred to as the MFA/DEC, that the products in question are or may be used, entirely or partially, for:

- a) developing, manufacturing, maintaining, stockpiling, or using military goods; or
- b) developing, manufacturing, maintaining, stockpiling, or using vectors able to carry on and deliver weapons of mass destruction to their target.

(2) If the exporter, the supplier or the intermediary should be acquainted with the fact that some products that are not controlled in accordance with the list comprising the military goods set out by Government decision are meant, either entirely or partially, to be used for one of the purposes stipulated under paragraph (1), he/she/it shall be under the obligation to inform MFA/DEC, which in turn will decide on the opportunity whether that export, re-export or transfer is subject to licensing procedure or not.

(3) The operations stipulated under paragraphs (1) and (2) shall be subject to the control regime stipulated by the present emergency ordinance by order of the Minister of Foreign Affairs, and shall be notified to the interested persons.

Article 8 – The control regime for exports, imports and other operations with military goods shall be accomplished in compliance with:

- a) the fundamental guidelines of Romania's foreign policy;
- b) Romania's national security and economic interests;

- c) the principles and criteria referred to in the Commun Position of 2008/944/CFSP of the European Council in December 2008 defining common rules governing the control of exports of military technology and equipment;
- d) the obligations deriving from the implementation of embargoes on weapons transfers established by the United Nations Security Council Resolutions, a common position or joint action adopted by the Council of the European Union, a decision of the Organisation for Security and Co-operation in Europe, or established by other EU or NATO member states;
- e) the objectives of non-proliferation of weapons of mass destruction, of vectors carrying such weapons, and of other military goods used for the purpose of destabilizing accumulations;
- f) the international conventions, treaties and agreements, the non-proliferation mechanisms Romania is a party to, and other international undertakings assumed by Romania as a participating state in the international non-proliferation and export controls regimes;
- g) the principle of co-operation with the states promoting non-proliferation policies similar to Romania's policies in this field.

Article 9 – MAE by ANCEX, is the national authority in the field of operations with military goods stipulated under article 1, paragraph (1) and ensures the implementation of the Government's policy in this field too.

CHAPTER II

Registration, certification and licencing regime

Article 10 – (1) The legal persons stipulated under article 3 may only require carrying out foreign trade operations with military goods only after receiving confirmation of registration issued by MFA/DEC, under the law.

(2) The addressing of the requests for registration referred to in paragraph (1) of the persons referred to in article 3 is subject to obtaining the opinion of the Ministry of National Defense.

Article 11 – The persons referred to in article 3, which also have the quality of recipient may receive general transfer licences of military products, issued by the authorities of other Member States of the European Union, only after their approval by the MFA/DEC.

Article 12 - For each operation stipulated under article 1 b), the persons stipulated under article 3 shall be under the obligation to request to MFA/FEC the release of licences, according to the provisions of article 13..

Article 13 – (1) The operations stipulated under article 1 (1) a) shall be based on licences, which can be included in one of the following categories:

- a) *individual licence* – shall be granted to a registered person, in order to carry out an operation with one or several military goods from the same category, to or from a single importer, recipient, exporter or supplier;
- b) *global licence* – shall be granted to a registered person, in order to carry out operations with one or several military goods, to or from several importers, recipients, exporters or suppliers.
- c) *general Licence* – it is adopted by order of the Minister of Foreign Affairs, which shall be published in the Official gazette of Romania, Part I, and can be used by registered persons and, where appropriate, certified by the MINISTRY of FOREIGN AFFAIRS by ANCEX in compliance with the terms and conditions contained in the licence to perform repetitive operations with one or more military goods, to or from several importers, recipients, exporters, suppliers.

(2) The operations referred to in article 1 (1) shall be carried out on the basis of the licence of transfer, whether recipients or suppliers are EU Member States, respectively on the basis of licences of export, import, transit, brokering activity or transshipment, for exporters or importers from non-Member States of the European Union.

(3) For the operations referred to in article 1 (1) the MFA/DEC issues, if necessary, individual licences, global or general ones of export, import, transfer, transit, brokering activity or trans-shipment of military goods.

(4) Transfer operations, export, re-export, import, broking activity with military goods subject to international reporting is carried out only on the basis of an individual licence.

Article 14– (1) The users referred to in article 3 shall be under the obligation to apply in its own name MFA/DEC for a registration or, where appropriate, certification, as well as licence of export, import, transfer, transit or brokering activity or transshipment of military goods. General transfer licence authorises Romanian suppliers to perform transfers with Romanian military goods, in compliance with the terms and conditions contained in the transfer licence.

(2) The terms to be met in order to be issued a registration, a certification or a licence, as applicable, shall be set out by means of methodological regulations of implementation.

(3) The persons stipulated under article 3 shall be under the obligation to state before MFA/DEC the destination of the military goods, as well as their final recipient or user.

(4) The registering and certification applications shall be solved no later than 90 days from the date of the documentation being submitted, under the law.

(5) Applications for export, import, transfer and brokering activity licences shall be solved no later than 90 days from the date of the necessary documentation being submitted, under the law.

(6) Applications for transit or transshipment licence shall be answered no later than 30 days from the date of the documentation being submitted, under the law.

(7) Applications for registering, certification or licence, together with the data and information concerning any one of the elements regarding operations involving military goods, shall be submitted by the managers of the interested legal persons or, as applicable, by the natural entities.

(8) The responsibility for the correctness of the data and information provided in support of the application shall belong to the applicants mentioned in paragraph (7).

Article 15 - People registered, certified, where appropriate, as well as the licence holders shall be under the obligation to notify the MFA/DEC of about any changes or differences occurred in the data listed in the registration documents, certification or licences, as well as during the hand-over or take-over of such military goods. If such changes or differences alter the terms based on which the registration document, certification or licence was issued, the latter documents shall be cancelled, and stating such changes or differences may be deemed as application for a new application for registration, certification or license, as applicable.

Article 16 – (1) The registration validity shall be no longer than 3 years from the date of issuance.

(2) The validity of certification shall not exceed 5 years from the date of issuance.

(3) The validity of individual licenses shall be no longer than one year from their date of issuance. The validity of such licences may be prolonged for up to one year.

(4) The validity of global licenses shall not exceed 3 years from their date of issuance. The validity of such licenses may be prolonged for up to two years.

(5) The validity of the general transfer licences shall be established by order of the Minister of Foreign Affairs, which shall be published in the Official Gazette of Romania, Part I.

(6) The validity of general export or of import licenses shall be no longer than 3 years from their date of issuance. The validity of such licences may be prolonged, as applicable, for up to 2 years.

(7) The validity of individual transit or transshipment licenses shall not exceed 90 days from their date of issuance.

(8) The document confirming the registration, certification and licences can be used only by their holders, for the purposes for which it was issued, subject to the limits and conditions provided for by them, and may not be transferred, directly or indirectly.

Article 17 – (1) The persons stipulated under article 3 shall be under the obligation to declare and present the military goods for customs operations only before the customs facilities set out in the documents issued by MFA/DEC.

(2) Transit and transshipment for military goods on the territory of Romania shall only take place via the customs facilities set out under paragraph (1).

CHAPTER III

Control regime within the relationships with foreign partners

Article 18– (1) As regards exports or transfer of military goods, the exporter shall be under the obligation to ask the foreign partner to produce an ensuring document from the end user - international import certificate or an equivalent document, issued or certified by the competent authority in the importer's country, respectively the consignee, or the declaration of the ultimate consignee, as applicable, according to which the latter undertakes to comply with the destination and final use, as stated, and, as applicable, not to re-export, respectively not to re-transfer the imported or transferred products without prior written approval by MFA/DEC. The ensuring document from the end user, in original, shall necessarily be enclosed with the export or transfer licence application.

(2) The applicant for an export license, transfer or brokering activity shall be under the obligation to notify the MFA/DEC the identification data of all persons of whom he/she acknowledges that they are involved in the operation of the export, transfer or brokering activity.

(3) In the case of exports, or brokering activity using military goods which are performed through foreign partners registered in States which ensure the anonymity of the shareholder, export or brokering activity operation can be performed only if the foreign partner is represented in Romania by a person registered to the MFA/DEC.

(4) After the delivery of the military goods has taken place, but no later than 4 months from that time, the holder of an export, transfer or brokering activity license shall have to obtain from the foreign partner the delivery control certificate or another equivalent document, issued or certified by the competent authority in the importing country, attesting the fact that the commodity has reached its destination.

(5) The delivery control certificate or the equivalent document shall be produced to the MFA/DEC, in original, within the delay stipulated under paragraph (4).

Article 19– (1) As regards imports or transfer of military goods, the license applicant, at the request of the foreign partner, shall be under the obligation to request MFA/DEC to issue the international import certificate or the certification of an equivalent document.

(2) The applicant for the import or transfer licence shall be under the obligation to inform MFA/DEC about the statements of assurance of the end-user, respectively of the end use that he/she previously sent to the foreign partner.

(3) The applicant for the import or transfer licence shall be under the obligation to notify MFA/DEC the identification data of all persons of whom he/she acknowledge that they are involved in the respective operation of import or transfer.

(4) After the import has been completed, but no later than two months from that time, the holder of the licence, following the foreign partner's request, shall be under the obligation to apply with the MFA/DEC for release of a delivery control certificate or an equivalent document.

(5) Should the foreign partner request additional proof that the import has been performed, the National Customs Authority shall issue such a confirmation.

(6) If the external partner requires additional evidence of import, the National Customs Authority will issue such a confirmation.

Article 20 – (1) In the case of brokering activity as defined in article 5, letter j), point (i) and (ii) the applicant for a license must submit the ensuring document provided by the end user, issued or certified by the competent authority of the country of the importer, respectively the consignee, through which the latter undertakes to respect the final use and destination, declared, and not re-export or re-transfer military goods unless with approval, written, of the authorities of the country of the exporter or supplier, as applicable.

(2) The ensuring document from the end user, in original or certified copy, must be enclosed in a license request for brokering activity.

(3) After examination and acceptance by the MFA/DEC, the ensuring document, in original, provided by the end user shall be returned to the license applicant in order to be transmitted to the licensing authorities of the country of the exporter or the supplier, as applicable.

Article 21 – (1) After the export or transfer, as applicable, related to the brokering activity stipulated under article 20, paragraph (1), but not later than four months from that moment, the broker must obtain from the foreign partner the certificate of delivery control or an equivalent document, issued or certified by the competent authority of the importing or destination country, as applicable, certifying that the military goods reached the destination.

(2) The delivery control certificate or the equivalent document shall be presented to MFA/DEC, in original, within the term stipulated under paragraph (1).

(3) After examination and acceptance by the MFA/DEC, the delivery control certificate or the equivalent document shall be returned to the intermediary to be forwarded to the licensing authorities of the country of the exporter or of the supplier, as applicable.

Article 22 - (1) In the case of brokering activity defined in article 5, letter j), point (iii), registered persons must notify in writing MFA/DEC of any activities which are considered and the Romanian or foreign persons with which they are going to negotiate or carry out operations that involve the removal from or entry on the Romanian territory of military goods.

(2) The broker will present MFA/DEC all documents which attest to its trade relations with the exporter, the importer, the consignee or other mediators, including operations and relevant activities carried out after the issuance of the corresponding licence of brokering activities, but not later than 10 working days from their progression.

Article 23 - (1) The persons referred to in article 3, which carry out foreign trade operations with military products, have the obligation to provide the data owned, by periodic reports, on the work carried out, in accordance with the requirements of MFA/DEC.

(2) Periodic reporting procedure, the deadlines for reporting, as well as the reporting format shall be determined by order of the Minister of Foreign Affairs, published in the Official gazette of Romania, Part I.

(3) MFA/DEC requires legal or natural persons, in the process of examination of the applications for registration, certification or licensing, to report the way the previous foreign trade operations were carried out, if:

a) the foreign trade operation has not made the subject of a periodic report as provided in paragraph (2);

b) the foreign trade operation has made the subject of a periodic report as provided in paragraph (2), but in the process of examination or evaluation additional details are required about the final consignee, the end user, the destination and the final use of the military goods.

CHAPTER IV

Organization and functioning of the control regime

Article 24 – (1) In implementing the control regime stipulated in the present emergency ordinance, MFA/DEC shall co-ordinate the activity of the national control system for exports, imports and other operations with military goods, as the national authority.

(2) In order to accomplish its object, the Agency shall have the following main powers:

a) to initiate draft laws, to draw up its own regulations, as well as joint regulations together with other authorities competent in this field, under the law, and to co-operate with them in implementing the provisions of the present emergency ordinance;

- b) to register and, as applicable, to certify the persons referred to in article 3 to carry out foreign trade operations with military goods, as stipulated under article 1 paragraph (1);
- c) to audit the implementation of the internal program ensuring the compliance to registered persons and, as applicable, certificated, who will benefit from the general transfer licences;
- d) to check, by looking into the records or facts, whenever necessary, the relevant aspects concerning the conclusion, progression or finalization of the operations stipulated under article 1, the object of which consists in the military goods, as well as the observance of their destination and final use;
- e) to check the compliance and accuracy of the declarations of persons carrying out the operations stipulated under article 1;
- f) to evaluate and to accept, as applicable, the international import certificate or equivalent documents issued by the competent authorities in the importer partners or consignees' countries, with a view to issuing the export, transfer or brokering activity licences for military goods;
- g) to evaluate and to accept, as applicable, the delivery control certificate or a certificate issued by the competent authorities from the countries of the importers or recipient partners or equivalent documents;
- h) to issue an international import certificate or an equivalent document, as well as the delivery control certificate for imports or transfers of military goods;
- i) to examine and to approve, based on the Inter-ministry council's opinion, the applications for a licence for export, import, transfer or brokering activity using military goods;
- j) to issue export, import, transfer or brokering activity licences for military goods;
- k) to examine and to approve licence applications for transit or transshipping operations on the territory of Romania;
- l) if violations of the provisions of the present emergency ordinance should be found, to order the discontinuance or prohibition of the progression of the operations of export, import, transfer, brokering activity, transit or transshipment involving military goods, as well as sanctions against the persons stipulated under article 3 that are found guilty of such violations;
- m) to apply the sanctions regime provided for in this emergency Ordinance through the control body set up by decision of the Director general;
- n) to inform periodically the Government and the Supreme Council for National Defense, on the operations with military goods which are being regulated by the present emergency ordinance;
- o) to draw up and to publish periodic reports on exports control of military products, under the law;
- p) to organize, with the support of the ministries and institutions concerned, information programmes for economic agents relative to the principles, objectives, regulations and procedures regarding the control regime for exports and imports with military goods;
- q) to provide, on request, free specialized consultancy to economic agents and other persons interested in carrying out export, import, transfer, brokering activity, transit or transshipment with military goods, subject to the control regime regulated by the present emergency ordinance;
- r) to check how the obligations and undertakings assumed by Romania under the international treaties, agreements and arrangements in this field are being complied with;
- s) to represent Romania within the activities carried out by international organizations and bodies in charge in the field of controlling exports, imports and other operations involving military goods;
- t) to be the national point of contact designated to ensure the link with other States parties in the fields which are the subject of the *Protocol against the illicit manufacture and trafficking of firearms, their parts and components and ammunition*, adopted at New York on 31 May 2001, in addition to the *United Nations Convention against transnational organized crime*, adopted at New York on 15 November 2000;
- u) to be the national contact point ensuring the bond with the other States parties as regards the *International Instrument which allows the States to identify and track, fast and safe, small arms and light weapons*, adopted at New York on 5 December 2005, in the framework of the *UN program of action to prevent, combat and eradicate the illicit trade with small arms and light weapons*, in all its aspects, adopted on 20 July 2001;
- v) to co-operate with similar authorities from other states, for the purpose of:
 - (i) mutual information and consultation when registration, certification and licence applications for military goods are being submitted, if there are good grounds to believe they might be used for other purposes than the stated ones;
 - (ii) updating and consistently implementing the regulations in the matter, including the lists of military goods;
 - (iii) notifying the violations of the control regime, allowing the competent authorities in each country to sanction such violations;
- w) to initiate, together with the competent institutions, the updating of the lists of military goods subject to the control regime, in accordance with the international obligations and undertakings assumed by Romania;
- x) to initiate, in collaboration with other authorities and other public Romanian institutions, actions for promoting Romania's specific interests in its relationships with the international organizations and bodies controlling the exports, imports and other operations involving military goods;
- y) to use any other powers stipulated by the law in the field of control regime of exports imports and other operations involving military goods.

Article 25 – (1) MFA/DEC shall exercise its control powers by means of a control body, comprised of its own specialists and other experts, as external collaborators.

(2) The expenses incurred for the technical expert's investigation of the products, performed in laboratories, research institutes or in other institutions specialized in this field, with a view to finding whether they may be qualified as military goods subject to the control regime stipulated in the present emergency ordinance or not, shall be covered by the entity for the benefit of which the classification activity is being performed.

(3) In the exercise of its control powers, MFA/DEC's control unit shall have unrestricted access, under the law, to the necessary documents, data and information, whatever their holders may be.

(4) The persons stipulated under article 3 shall be under the obligation to send, at MFA/DEC's motivated request, all the documents, data and information requested, within the set delays, and to facilitate, under the terms of the law, unrestricted access of its control unit to their head offices and to any premises belonging to them, allowing them to check the relevant aspects relative to the conclusion, progression or finalization of the operations stipulated under article 1, as well as those regarding the final destination and use of military goods.

(5) The legal persons stipulated under article 3 and the public authorities having powers in this field shall be under the obligation to preserve for 15 years the documents on operations carried out with military goods subject to control.

(6) The persons involved in implementing the control regime for military goods that become acquainted with information that is a state secret, a professional secret or a trading secret shall be under the obligation to observe its status and only make it known to the pertinent authorities, under the terms of the law.

(7) In the case in which military goods are exported, imported, transferred or are used in brokering activity which are in connection with international instruments concerning the traceability, the persons referred to in article 3 shall be under the obligation to keep at least 20 years the documents related to the operations carried out. In the case of economic agents who manufacture military goods which are related to international instruments concerning to traceability, the period of storage of the documents is of at least 30 years.

Article 26 – (1) Within the control system for exports, imports and other operations with military goods, an Inter-ministry council shall be established, comprised of representatives, at least at the level of director, of the Ministry of Foreign Affairs, Ministry of National Defence, Ministry of Economy and Trade, Ministry of Administration and Home Affairs, Romanian Intelligence Service, Foreign Intelligence Service and National Customs Authority.

(2) The presidency of the Inter-ministry council shall be ensured by MFA/DEC, through its director general..

(3) The secretarial activity for the Inter-ministry council shall be ensured by MFA/DEC.

(4) The Inter-ministry council shall examine and endorse licence applications for:

a) export, import and transfer of military goods;

b) brokering activity.

(5) Organization and functioning of the Inter-Ministry Council shall be determined by order of the Minister of Foreign Affairs, which shall be published in the Official Gazette of Romania, Part I.

Article 27– Applications for registration, certification and licence, shall be approved by order of the MFA/DEC's director general.

Article 28 - The settlement of registration, certification and licence is subject to the presentation and, if necessary, of other notifications or acts of authorization issued under the law by the competent public authorities.

Article 29 – (1) MFA/DEC shall refuse the issuance of a license for operations with military goods specified in article 1, paragraph (1), with the assent of the Inter-ministry Council, if its release would be in violation of international commitments and obligations of Romania to apply the embargoes on arms trade imposed by the United Nations, the European Union or the Organization for Security and Cooperation in Europe.

(2) MFA/DEC may refuse to issue a licence for operations with military goods specified in article 1 (1), with the assent of the Inter-ministry Council, if the ultimate consignee's state or the ultimate consignee is subject to a unilateral embargo on trade in arms or restrictive measures, as applicable, established by Romania or other Member States of the European Union or NATO.

Article 30 – (1) In implementing the provisions of the present emergency ordinance, the Agency shall be an authorized beneficiary and a user of specific information, including those held by the state bodies authorized, under the law, to perform intelligence activities.

(2) MFA/DEC shall have unrestricted access, under the terms of the law, to all information concerning operations with military goods stipulated under article 1 paragraph (1), as well as to the information needed for assessing any forms of activities involving such products.

(3) The authorized public authorities, under the law, to perform intelligence activities shall be under the obligation to send the MFA/DEC the data obtained, referring to violations of the provisions of the present emergency ordinance.

(4) At the request of the MFA/DEC, the Ministry of Administration and Home Affairs or other competent institutions shall carry out specific checks and then inform it so that it may take the lawful actions.

(5) The National Customs Authority shall make available to the MFA/DEC, at the latter's request, all the necessary data concerning the export, import and other operations with military goods stipulated under article 1 paragraph (1).

CHAPTER V
Sanctions

Article 31 – Violation of the provisions of the present emergency ordinance regarding operations involving military goods, as well as those on the truthfulness of declarations, which represent crimes under the law, shall be punishable according to the provisions of the Penal Code.

Article 32 – Failure to comply with the provisions of the present emergency ordinance shall entail, as applicable, disciplinary, administrative, civil or criminal liability, under the law.

Article 33 – Failure to observe the final destination and use of the military goods listed in the documents based on the declaration stipulated under article 14 (3) shall constitute an offence and shall be sanctioned by a fine from RON 20000 to RON 30000.

Article 34 – (1) Violation of the provisions of article 7 (2), article 15, article 18 (4) and (5), article 21 (1) and (2), article 22 and article 25 (4), (5) and (6) shall constitute an offence and shall be sanctioned by a fine from RON 20000 to RON 30000.

Article 35 - (1) Violation of the provisions of article 23 (1) and article 25 (7) shall constitute an offence and shall be sanctioned by a fine from RON 5000 to RON 10000.

(2) In case of recurrence of the offence stipulated under paragraph (1) at least once within a year of the fulfillment of the first offense, the penalty is a fine of from RON 10,000 to RON 20,000.

Article 36 – (1) Ascertainment and application of the penalties provided for offences under article 33, 34 and 35 shall be made by the members of the MFA/DEC control body, empowered as ascertainment agents through control mandate issued by the director general of the MFA/DEC.

(2) The MFA/DEC shall notify the criminal investigation bodies if the actions ascertained are deemed to be crimes, under the law.

Article 37– The sanctions stipulated in the present emergency ordinance shall also apply to legal entities.

Article 38 – The application of sanctions for the offences stipulated in the present emergency ordinance shall be lost by prescription within 5 years of the action being committed.

Article 39 – The provisions of Government Ordinance no. 2/2001 on the legal status of offences, approved with amendments and additions by Law no. 180/2002, with subsequent amendments and additions, shall apply to the offences stipulated in the present emergency ordinance, insofar as they do not contradict the present emergency ordinance.

Article 40 – If the violation of the provisions of the present emergency ordinance should be likely to cause serious consequences onto the regime of exports, imports and other operations involving military goods and on Romania meeting the international obligations and undertakings that it assumed in this field, the MFA/DEC may suspend or withdraw the registration or certification documents, as well as the licences issued, under the law.

CHAPTER VI

Final provisions

Article 41– The MFA/DEC shall belong, as a rightful member, to the decision-making structures of all the bodies created at a national level that carry out activities related to the control regime of exports, imports and other operations involving military goods.

Article 42 – The forms for registration, certification, licence, as well as other documents stipulated in the present emergency ordinance shall be set out by order of the Ministry of Foreign Affairs and published in the Official Gazette of Romania, Part I.

Article 43 – (1) The present emergency ordinance shall come into effect within 15 days from the date of it being published in the Official Gazette of Romania.

(2) On the date of the present emergency ordinance coming into effect, Government Ordinance no. 31/1994 on the regime of imports and export of strategic products, published in the Official Gazette of Romania, Part I., no. 218 of 16 August 1994 and approved by Law no. 93/1994, as well as any other contrary provisions, shall be repealed.

NOTE:

We reproduce below the provisions of article II, III and IV, as well as the mention on the transposition of Community rules from the Emergency Ordinance of Government No. 55/2012, which are not incorporated in this republished form and which apply hereinafter as the provisions of the modifying act:

“Article II. – (1) The Ministry of Foreign Affairs through the Department for Exports Control - ANCEX elaborates methodological norms for the application of the provisions of Emergency Ordinance of Government No. 158/1999 concerning the control of exports, imports and other operations with military goods, approved with amendments and additions by law No. 595/2004, amended, within a period of 30 days from the date of entry into force of this Emergency Ordinance.

(2) The methodological norms referred to in paragraph (1) shall be approved by order of the Minister of Foreign Affairs and shall be published in The Official Gazette of Romania, Part I.

Article III. - This Emergency Ordinance shall come into effect on the date of its publication in The Official Gazette of Romania, Part I, with the exception of article I point 35-37, which come into effect 30 days after the date of its publication.

Article IV. - Authorizations, licences and permits issued before the coming into effect of this Emergency Ordinance will maintain their validity up to the expiry date inscribed on them. "

*

This emergency Ordinance shall transpose the Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfer of goods related to defense within the community, published in the Official Journal of the European Union L146/1 from June 10 2009.

**Council Common Position 2008/944/CFSP
of 8 December 2008
defining common rules governing control of exports
of military technology and equipment**

THE COUNCIL OF THE EUROPEAN UNION,

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

- (1) Member States intend to build on the Common Criteria agreed at the Luxembourg and Lisbon European Councils in 1991 and 1992, and on the European Union Code of Conduct on Arms Exports adopted by the Council in 1998.
- (2) Member States recognise the special responsibility of military technology and equipment exporting States.
- (3) Member States are determined to set high common standards which shall be regarded as the minimum for the management of, and restraint in, transfers of military technology and equipment by all Member States, and to strengthen the exchange of relevant information with a view to achieving greater transparency.
- (4) Member States are determined to prevent the export of military technology and equipment which might be used for internal repression or international aggression or contribute to regional instability.
- (5) Member States intend to reinforce cooperation and to promote convergence in the field of exports of military technology and equipment within the framework of the Common Foreign and Security Policy (CFSP).
- (6) Complementary measures have been taken against illicit transfers, in the form of the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms.
- (7) The Council adopted on 12 July 2002 Joint Action 2002/589/CFSP⁸ on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons (1).
- (8) The Council adopted on 23 June 2003 Common Position 2003/468/CFSP⁹ (2) 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

⁸ JO L 191, 19.7.2002, p. 1.

⁹ JO L 156, 25.6.2003, p. 79.

Defence Policy, should be accompanied by cooperation and convergence in the field of military technology and equipment.

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

(16) On 13 June 2000, the Council adopted the Common Military List of the European Union, which is regularly reviewed, taking into account, where appropriate, similar national and international list¹⁰.

(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 technology¹¹.

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 One:** 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.

(2) **Criterion Two:** 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;

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

¹¹ JO L 159, 30.6.2000, p. 1.

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:

a) 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 Three:** 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 Four:** 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 Five:** 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 Six:** 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 Seven:** 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 Eight:** 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

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

Article 9

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

Article 10

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

Article 11

Member States shall use their best endeavors 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*.

National List
with military goods under the export control regime¹²
(summary)

- ML1** Smooth-bore weapons with a calibre of less than 20 mm, other arms and automatic weapons with a calibre of 12.7 mm (calibre 0.50 inches) or less and accessories, and specially designed components therefor.
- ML2** Smooth-bore weapons with a calibre of 20 mm or more, other weapons or armament with a calibre greater than 12.7 mm (calibre 0.50 inches), projectors and accessories, and specially designed components therefore.
- ML3** Ammunition and fuze setting devices and specially designed components therefor.
- ML4** Bombs, torpedoes, rockets, missiles, other explosive devices and charges and related equipment and accessories, specially designed for military use, and specially designed components therefore.
- ML5** Fire control, and related alerting and warning equipment, and related systems, test and alignment and countermeasure equipment, specially designed for military use, and specially designed components and accessories therefor.
- ML6** Ground vehicles and components.
- ML7** Chemical or biological toxic agents, "riot control agents", radioactive materials, related equipment, components, and materials.
- ML8** "Energetic materials", and related substances.
- ML9** Vessels of war, special naval equipment and accessories and components therefor, specially designed for military use.
- ML10** "Aircraft", "lighter-than-air vehicles", unmanned airborne vehicles, aero-engines and "aircraft" equipment, related equipment and components, specially designed or modified for military use.
- ML11** Electronic equipment, not controlled elsewhere on the Munitions List, and specially designed components therefor.
- ML12** High velocity kinetic energy weapon systems and related equipment and specially designed components therefor.
- ML13** Armoured or protective equipment and constructions and components.
- ML14** Specialised equipment for military training or for simulating military scenarios, simulators specially designed for training in the use of any firearm or weapon controlled by ML1 or ML2, and specially designed components and accessories therefor.
- ML15** Imaging or countermeasure equipment, specially designed for military use, and specially designed components and accessories therefor.
- ML16** Forgings, castings and other unfinished products the use of which in a controlled product is

¹² Adopted by Government Decision no. 1094/2011 (published in Official Journal of Romania, Part I, no. 809, 16 November 2011)

identifiable by material composition, geometry or function, and which are specially designed for any products controlled by ML1 to ML4, ML6, ML9, ML10, ML12 or ML19.

- ML17** Miscellaneous equipment, materials and libraries, and specially designed components therefor.
- ML18** Equipment for the production of products referred to in the Munitions List.
- ML19** Directed energy weapon systems (DEW), related or countermeasure equipment and test models, and specially designed components therefor.
- ML20** Cryogenic and "superconductive" equipment and specially designed components and accessories therefor.
- ML21** "Software" specially designed or modified for the "development", "production" or "use" of equipment or materials controlled by the Munitions List.
- ML22** "Technology" which is "required" for the "development", "production" or "use" of items controlled in the Munitions List.

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