

Ministry of Foreign Affairs
Department for Export Controls - ANCEX

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

**Annual Report
January – December**

Romania



2013

Edited by:

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

July 2014

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1. PERMANENT EXPORTS PER DESTINATION

AFGHANISTAN				
	ML 3	ML 14	Total per destination	
a ¹	1	1	2	
b	1 502 146	465 507	1 967 653	
c	1 502 146	465 507	1 967 653	
d	0	0	0	
e	-	-	-	

Licences issued for:

small arms ammunition (G)²
 components for military simulator (G)

Military goods exported:

small arms ammunition
 components for military simulator

AUSTRALIA				
	ML 1	ML 2	ML 3	Total per destination
a	6	1	1	8
b	19 016	1 054	8 959	29 029
c	18 413	1 054	8 959	28 426
d	0	0	0	0
e	-	-	-	-

Licences issued for:

hunting riflescope (C)
 assault rifle (4) (1 licence) (C)
 sniper rifle (2) (1 licence) (C)
 antitank grenade launcher cal. 40 mm (2) (1 licence) (C)
 small arms ammunition (C)

Military goods exported:

hunting riflescope
 assault rifle (4)
 sniper rifle (2)
 antitank grenade launcher cal. 40 mm (2)
 small arms ammunition

¹ Key: (a) = number of Licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total number of licenses; (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).

2013 Exchange rates:

1 EUR = 1,32810 USD
 1 EUR = 0,84926 GBP
 1 EUR = 1,23110 CHF

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

AUSTRIA

	ML 1	Total per destination
a	1	1
b	100 000	100 000
c	89 016	89 016
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:hunting riflescope
components for small arms**AZERBAIJAN**

	ML 1	ML 2	Total per destination
a	0	2	2
b	0	71 734	71 730
c	389 429	32 211	421 640
d	0	0	0
e	-	-	-

Licences issued for:

components for mortar sight (I)

Military goods exported:components for small arms
components for mortar sight**BANGLADESH**

	ML 10	Total per destination
a	0	0
b	0	0
c	1 288 005	1 288 005
d	0	0
e	-	-

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

military training aircraft (4) (inward processing repair)

BELGIUM

	ML 1	ML 6	ML 7	ML 13	ML 15	ML 17	ML 21	Total per destination
a	1	5	2	3	2	2	0	15
b	35 000	25 220	124 540	48 225	2 948 469	2 489 411	0	5 670 865
c	7 000	25 532	38 580	39 598	72 565	1 082	139 774	324 131
d	0	0	0	0	0	0	0	0
e	-	-	-	-	-	-	-	-

Licences issued for:hunting riflescope (C)
components for military ground vehicle (I)
NBC protection suit (I)

bulletproof vest (I)
 components for imaging and counter measure equipment (I)
 military cables with connectors (I)

Military goods exported:

hunting riflescope
 components for military ground vehicle
 NBC protection suit
 bulletproof vest
 components for imaging and counter measure equipment
 military cables with connectors
 software for test and verification equipment

BULGARIA

	ML 1	ML 2	ML 3	ML 4	ML 10	ML 22	Total per destination
a	3	1	3	3	1	1	12
b	59 279	42 668	816 262	752 837	2 354	1 262 044	2 935 444
c	398 548	0	816 244	290 704	0	2 354	1 507 850
d	0	0	0	0	0	0	0
e	-	-	-	-	-	-	--

Licences issued for:

hunting riflescope (C)
 adjusting scope (I)
 sight for grenade launcher (I)
 antitank grenade (I)
 empty shell for reactive projectile (I)
 reactive projectile cal. 122 mm (C)
 spare parts for military helicopter (G)
 technical assistance for military helicopter (G)

Military goods exported:

hunting riflescope
 adjusting scope
 sniper rifle with accessories (500)
 antitank grenade
 empty shell for reactive projectile
 reactive projectile cal. 122 mm
 reactive projectile for aviation
 hand grenade with tear-irritating effect
 technical assistance for military helicopter

BURKINA FASO

	ML 1	ML 2	ML 3	ML 4	Total per destination
a	1	1	1	1	4
b	1 164 717	1 801 748	1 298 556	30 871	4 295 892
c	1 164 717	1 801 748	1 298 556	30 871	4 295 892
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

heavy machine gun (118) (1 licence) (G)
 anti-aircraft machine gun with 4 barrels (12) (1 licence) (G)
 anti-aircraft machine gun with 2 barrels (96) (1 licence) (G)
 machine gun with one barrel (20) (1 licence) (G)
 small arms ammunition (G)
 offensive and defensive hand grenade (G)

Military goods exported:

heavy machine gun (118)
 anti-aircraft machine gun with 4 barrels (12)
 anti-aircraft machine gun with 2 barrels (96)
 machine gun with one barrel (20)
 small arms ammunition
 offensive and defensive hand grenade

CANADA			
	ML 1	Total per destination	
a	1	1	
b	2 705	2 705	
c	2 705	2 705	
d	0	0	
e	-	-	

Licences issued for:
 hunting riflescope (C)

Military goods exported:
 hunting riflescope

CROATIA			
	ML 3	ML 10	Total per destination
a	1	0	1
b	20 330	0	20 330
c	20 330	37 685	58 015
d	0	0	0
e	-	-	-

Licences issued for:
 manoeuvre ammunition for small arms (G)

Military goods exported:
 manoeuvre ammunition for small arms
 spare parts for military combat aircraft

CZECH REPUBLIC				
	ML 3	ML 10	ML 22	Total per destination
a	2	2	1	5
b	326 783	2 409 457	282 490	3 018 730
c	326 783	106 982	282 490	716 255
d	0	0	0	0
e	-	-	-	-

Licences issued for:
 small arms ammunition (I)
 spare parts for military aircraft (I)
 technical documentation for military aircraft (I)

Military goods exported:
 small arms ammunition
 spare parts for military aircraft
 technical documentation for military aircraft

DENMARK

	ML 1	Total per destination
a	2	2
b	25 715	25 715
c	4 246	4 246
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

EGYPT

	ML 1	ML 3	Total per destination
a	1	1	2
b	9 800	2 808 696	2 818 496
c	9 800	503 275	513 075
d	0	0	0
e	-	-	-

Licences issued for:

small arms scope (G)

illuminating bomb cal. 122 mm (G)

Military goods exported:

small arms scope

illuminating bomb cal. 122 mm

ESTONIA

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

Licences issued for:

hunting riflescope (C)

Military goods exported: -**FINLAND**

	ML 1	ML 10	Total per destination
a	1	0	1
b	45 000	0	45 000
c	7 844	38 086	45 930
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

components for military aircraft

FRANCE

	ML 1	ML 2	ML 5	ML 6	ML 10	ML 11	ML 13	ML 15	Total per destination
a	5	1	3	1	13	0	1	1	25
b	46 614	30 400	34 530	52 800	830 452	0	4 050	7 272 000	8 270 846
c	26 530	0	162 380	22 461	272 306	25 350	203	0	509 230
d	0	0	0	0	0	0	0	0	0
e	-	-	-	-	-	-	-	-	-

Licences issued for:

hunting riflescope (C)
 sniper rifle (11) (3 licences) (C)
 assault rifle and magazines therefor (10) (1 licence) (C)
 smoke grenade launcher (4) (1 licence) (I)
 components for identifying equipment (I)
 accessories for military vehicle (I)
 spare parts for military helicopter (I)
 bulletproof vest (G)
 armless remote controlled platform (I)

Military goods exported:

hunting riflescope
 sniper rifle (11)
 assault rifle and magazines therefor (10)
 components for identifying equipment
 accessories for military vehicle
 bulletproof vest
 optical components for imaging and countermeasure equipment

GABON

	ML 10	ML 22	Total per destination
a	1	1	2
b	76 682	20 948	97 630
c	76 682	0	76 682
d	0	0	0
e	-	-	-

Licences issued for:

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

Military goods exported:

equipment for military transport helicopter

GERMANY

	ML 1	ML 3	ML 10	ML 11	Total per destination
a	2	1	17	2	22
b	55 000	125 744	684 140	166 932	1 031 816
c	31 940	0	242 056	108 677	382 673
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

hunting riflescope (C)
 small arms ammunition (G)
 military personnel parachute (I)
 stabilizing parachute for in-flight refuelling aircraft (I)

container for cargo parachute (I)
 parts of military personnel parachute (I)
 components for guiding equipment (I)
 components for military aircraft (I)

Military goods exported:

hunting riflescope
 components for military aircraft
 military personnel parachute
 container for cargo parachute
 stabilizing parachute for in-flight refuelling aircraft
 spare parts for military combat aircraft
 components for guiding equipment

GREECE				
	ML 4	ML 16	ML 17	Total per destination
a	1	1	1	3
b	1 129 433	678	183 721	1 313 832
c	248 011	678	56 765	305 454
d	0	0	0	0
e	-	-	-	-

Licences issued for:

mechanical and electric components for missile launcher equipment (I)
 aluminium extruded profile (I)
 metallic filtering elements for exhausters (I)

Military goods exported:

mechanical and electric components for missile launcher equipment
 aluminium extruded profile
 metallic filtering elements for exhausters

HUNGARY			
	ML 10	Total per destination	
a	1	1	
b	9 093	9 093	
c	9 093	9 093	
d	0	0	
e	-	-	

Licences issued for:

spare parts for military training aircraft (G)

Military goods exported:

spare parts for military training aircraft

INDIA			
	ML 10	Total per destination	
a	3	3	
b	532 543	532 543	
c	1 512 971	1 512 971	
d	0	0	
e	-	-	

Licences issued for:

products for military combat aircraft (G)

Military goods exported:

products for military combat aircraft

aero-engine for military combat aircraft

INDONESIA

	ML 7	ML 10	ML 21	Total per destination
a	0	3	0	3
b	0	919 765	0	919 765
c	370 475	917 600	18 000	1 306 075
d	0	0	0	0
e	-	-	-	-

Licences issued for:

equipment for military transport helicopter (G)

Military goods exported:NBC protection suit
equipment for military transport helicopter
CBRN software**IRAQ**

	ML 13	Total per destination
a	1	1
b	5 007	5 007
c	0	0
d	0	0
e	-	-

Licences issued for:

protection suit for ammunition demilitarisation (G)

Military goods exported: -**IRELAND**

	ML 1	Total per destination
a	1	1
b	25 000	25 000
c	0	0
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported: -**ISRAEL (1/2)**

	ML 4	ML 5	ML 6	ML 10	ML 11	ML 14
a	3	1	2	3	6	1
b	425 958	344 846	7 153 076	3 063 775	7 913 335	6 550
c	39 491	28 650	4 305 528	1 119 098	6 082 522	6 550
d	0	0	0	0	0	0
e	-	-	-	-	-	-

ISRAEL (2/2)

	ML 15	ML 17	ML 18	ML 21	Total per destination
a	12	3	1	1	33
b	6 478 205	2 036 142	4 442	527 069	27 953 398
c	2 293 650	1 431 717	965 189	543 310	16 815 705
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

proximity fuse (I)
 impact fuse (I)
 mechanical components for airborne vehicle (I)
 components for fire control equipment (I)
 military utility helicopter (1) (1 licence) (I) (cabin recovery for simulator)
 components for military aircraft (I)
 equipment and components for unmanned aerial vehicle (I)
 electronic equipment and components for military products(I)
 equipment and software for simulator calibration (I)
 components and equipment for imaging and countermeasure equipment (I)
 military cables with connectors (I)
 test interface for power supply (I)
 software for test and verification equipment (I)

Military goods exported:

mechanical components for airborne vehicle
 components for fire control equipment
 components for military aircraft
 military utility helicopter (1) (cabin recovery for simulator)
 parts for bomb illuminating parachute
 electronic components
 equipment and software for simulator calibration
 components and equipment for imaging and countermeasure equipment
 military cables with connectors
 test interface for power supply
 test and verification equipment for military products
 software for military helicopter simulator
 software for test and verification equipment

ITALY

	ML 1	ML 10	ML 13	Total per destination
a	2	2	3	7
b	65 000	237 155	480 111	782 266
c	29 673	273 862	64 750	368 285
d	0	0	0	0
e	-	-	-	-

Licences issued for:

hunting riflescope (C)
 components for illuminating parachute (I)
 components for cargo parachute (I)
 components for guidance and navigation equipment (I)
 bulletproof vest (G)

Military goods exported:

hunting riflescope
 components for illuminating parachute
 components for cargo parachute
 bulletproof vest

JORDAN

	ML 10	Total per destination
a	0	0
b	0	0
c	2 308 009	2 308 009
d	0	0
e	-	-

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

military transport helicopter (3) (inward processing repair)
equipment for military transport helicopter

KAZAKHSTAN

	ML 1	Total per destination
a	1	1
b	4 555	4 555
c	4 555	4 555
d	0	0
e	-	-

Licences issued for:

sniper rifle and accessories therefor (5) (1 licence) (G)

Military goods exported:

sniper rifle and accessories therefor (5)

KENYA

	ML 10	Total per destination
a	1	1
b	76 000	76 000
c	76 000	76 000
d	0	0
e	-	-

Licences issued for:

unmanned aerial vehicle system (G)

Military goods exported:

unmanned aerial vehicle system

LEBANON

	ML 3	ML 10	ML 22	Total per destination
a	2	11	1	14
b	646 036	2 461 147	6 600	3 113 783
c	117 461	1 650 844	6 600	1 774 905
d	0	0	0	0
e	-	-	-	-

Licences issued for:

antitank grenade (G)
spare parts and equipment for military transport helicopter (G) (inward processing repair)
technical assistance for military helicopter (G)

Military goods exported:

antitank grenade

spare parts and equipment for military transport helicopter (inward processing repair)
technical assistance for military helicopter

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

LITHUANIA

	ML 1	Total per destination
a	1	1
b	30 000	30 000
c	7 793	7 793
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

REPUBLIC OF MACEDONIA

	ML 10	ML 14	Total per destination
a	1	3	4
b	29 365	5 948 347	5 977 712
c	0	0	0
d	0	0	0
e	-	-	-

Licences issued for:

dismantled military helicopter with the cabin modified (G)

military helicopter simulator (2) (G)

transformation and integration services for cabin simulator (G)

spare parts for military helicopter simulator (G)

Military goods exported: -**MALAYSIA**

	ML 3	Total per destination
a	1	1
b	387 396	387 396
c	387 396	387 396
d	0	0
e	-	-

Licences issued for:

antitank grenade (G)

Military goods exported:

antitank grenade

REPUBLIC OF MOLDOVA

	ML 10	Total per destination
a	0	0
b	0	0
c	287 072	287 072
d	0	0
e	-	-

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

military utility aircraft (2)
military aero-engine

MOROCCO

	ML 3	ML 10	Total per destination
a	3	1	4
b	4 657 209	27 998	4 685 207
c	4 657 209	54 109	4 711 318
d	0	0	0
e	-	-	-

Licences issued for:

small arms ammunition (G)
antitank grenade (G)
explosive bomb cal. 60 mm, 81 mm and 120 mm (G)

Military goods exported:

small arms ammunition
antitank grenade
explosive bomb cal. 60 mm, 81 mm and 120 mm
spare parts for military helicopter

MOZAMBIQUE

	ML 10	ML 22	Total per destination
a	4	1	5
b	8 742 866	429 185	9 172 051
c	1 887 784	8 283	1 896 067
d	0	0	0
e	-	-	-

Licences issued for:

military combat aircraft (8) (1 licence) (inward processing repair) (G)
military training aircraft (1) (inward processing repair) (G)
spare parts, materials and equipment for military combat aircraft (G)
products for military training aircraft (G)
technical training for ground maintenance crew (G)

Military goods exported:

military combat aircraft (1) (inward processing repair)
military training aircraft (1) (inward processing repair)
spare parts, materials and equipment for military combat aircraft
technical training for ground maintenance crew

NETHERLANDS

	ML 1	ML 9	ML 22	Total per destination
a	1	3	1	5
b	45 000	75 292 402	527 345	75 864 747
c	7 480	73 407 754	527 345	73 942 579
d	0	0	0	0
e	-	-	-	-

Licences issued for:

hunting riflescope (C)
 transport ship for nuclear wastes (1) (1 licence) (I)
 ship hull for logistic support (I)
 piping for military ship (I)
 technical documentation for multirole frigate (I)

Military goods exported:

hunting riflescope
 transport ship for nuclear wastes (1)
 ship hull for logistic support
 technical documentation for multirole frigate

NEW CALEDONIE

	ML 1	Total per destination
a	2	2
b	5 600	5 600
c	11 230	11 230
d	0	0
e	-	-

Licences issued for:

hunting riflescope (C)

Military goods exported:

hunting riflescope

NORWAY

	ML 1	ML 9	Total per destination
a	4	1	5
b	8 347	15 401 000	15 409 347
c	13 569	0	13 569
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)
 research navy ship hull (G)

Military goods exported:

hunting riflescope

OMAN

	ML 10	Total per destination
a	5	5
b	45 390	45 390
c	79 910	79 910
d	0	0
e	-	-

Licences issued for:

products for military transport helicopter (G)

Military goods exported:

products for military transport helicopter

PAKISTAN

	ML 3	ML 10	Total per destination
a	2	26	28
b	116 670	600 451	717 121
c	116 670	619 389	736 059
d	0	0	0
e	-	-	-

Licences issued for:

components for antitank grenade (I)

spare parts and equipment for military helicopter (G)

Military goods exported:

components for antitank grenade

spare parts and equipment for military helicopter

POLAND

	ML 1	ML 3	Total per destination
a	2	0	2
b	73 478	0	73 478
c	64 389	470 974	535 363
d	0	0	0
e	-	-	-

Licences issued for:

hunting riflescope (C)

components for small arms scope (C)

Military goods exported:

components for hunting riflescope

hunting riflescope

small arms ammunition

SERBIA

	ML 1	Total per destination
a	0	0
b	0	0
c	757	757
d	0	0
e	-	-

Licences issued for: -

Military goods exported:
hunting riflescope

SINGAPORE				
	ML 15	ML 17	Total per destination	
a	1	1	2	
b	1 069 197	203 298	1 272 495	
c	0	0	0	
d	0	0	0	
e	-	-	-	

Licences issued for:
components for imaging and countermeasure equipment (I)
military cables with connectors (I)

Military goods exported: -

SLOVAKIA				
	ML 1	ML 4	ML 10	Total per destination
a	1	1	1	3
b	30 000	22 611	55 794	108 405
c	699	22 611	0	23 310
d	0	0	0	0
e	-	-	-	-

Licences issued for:
hunting riflescope (C)
reactive projectile cal. 80 mm (G)
spare parts for military training helicopter (inward processing repair) (G)

Military goods exported:
hunting riflescope
reactive projectile cal. 80 mm

SLOVENIA				
	ML 1	ML 3	Total per destination	
a	1	1	2	
b	35 000	7 968	42 968	
c	5 542	0	5 542	
d	0	0	0	
e	-	-	-	

Licences issued for:
hunting riflescope (C)
cupper thimbles cal. 9 mm (I)

Military goods exported:
hunting riflescope

SOUTH AFRICA				
	ML 1	Total per destination		
a	1	1		
b	2 566	2 566		
c	2 586	2 586		
d	0	0		
e	-	-		

Licences issued for:

hunting rifle scope (C)

Military goods exported:

hunting rifle scope

SPAIN

	ML 1	Total per destination
a	1	1
b	30 000	30 000
c	10 456	10 456
d	0	0
e	-	-

Licences issued for:

hunting rifle scope (C)

Military goods exported:

hunting rifle scope

SWEDEN

	ML 1	ML 3	ML 4	ML 10	ML 18	Total per destination
a	1	2	1	2	1	7
b	30 000	529 386	409 608	45 600	200 000	1 214 594
c	7 322	529 386	2 702	127 790	0	667 200
d	0	0	0	0	0	0
e	-	-	-	-	-	-

Licences issued for:

hunting rifle scope (C)
 small arms ammunition (G)
 spare parts and components for anti-ship missile (I)
 cargo parachute (G)
 container for cargo parachute (G)
 execution devices for military combat aircraft (I)

Military goods exported:

hunting rifle scope
 small arms ammunition
 spare parts and components for anti-ship missile
 cargo parachute
 container for cargo parachute

SWITZERLAND

	ML 1	ML 3	ML 6	Total per destination
a	0	0	1	1
b	0	0	70 247	70 247
c	78 200	280 374	70 247	428 821
d	0	0	0	0
e	-	-	-	-

Licences issued for:

components for military armoured vehicle (I)

Military goods exported:

sniper rifle with accessories (300)
 components for launcher grenade
 components for military armoured vehicle

THAILAND

	ML 2	ML 10	Total per destination
a	1	3	4
b	237 557	236 590	474 147
c	237 557	100 520	338 077
d	0	0	0
e	-	-	-

Licences issued for:

components for aviation gun (G)
products for military training aircraft (G)

Military goods exported: -

components for aviation gun
products for military training aircraft

TURKEY

	ML 2	ML 3	ML 4	ML 13	Total per destination
a	1	1	6	1	9
b	128 544	179 580	2 352 110	17 000	2 677 234
c	3 150	1 162 883	1 369 875	0	2 535 908
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

spare parts for launching tubes container (I)
components for reactive projectile (I)
warhead cal. 122 mm and 107 mm (I)
bulletproof vest (G)

Military goods exported:

spare parts for launching tubes container
components for reactive projectile
small arms ammunition
warhead cal. 122 mm and 107 mm
bulletproof vest

UKRAINE

	ML 10	Total per destination
a	1	1
b	55 470	55 470
c	30 470	30 470
d	0	0
e	-	-

Licences issued for:

pyrotechnic loading for military aircraft ejection seat (I)

Military goods exported:

pyrotechnic loading for military aircraft ejection seat

UNITED ARAB EMIRATES

	ML 10	Total per destination
a	1	1
b	543 173	543 173
c	0	0
d	0	0
e	-	-

Licences issued for:

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

Military goods exported: -

UNITED KINGDOM

	ML 1	ML 3	ML 10	ML 16	ML 17	Total per destination
a	2	2	34	1	2	41
b	102 485	28 763	52 780 911	1 167	546 074	53 459 400
c	45 520	26 881	11 185 224	1 167	183 548	11 442 340
d	0	0	0	0	0	0
e	-	-	-	-	-	-

Licences issued for:

hunting riflescope (C)

assault rifle (10) (1 licence) (C)

normal and manoeuvre for small arms ammunition (C)

brake parachute (I)

recovery parachute (I)

military personnel parachute (I)

products for military aircraft (I)

military transport helicopter (11) (2 licenses) (inward processing repair) (G)

aluminium extruded profile (I)

military cables with connectors (I)

Military goods exported:

hunting riflescope

assault rifle (10)

infantry tripod

normal and manoeuvre for small arms ammunition

products for military aircraft

military personnel parachute

recovery parachute

brake parachute

components for military aero-engine

military transport helicopter (10) (inward processing repair)

products for military training aircraft

aluminium extruded parachute

military cables with connector

UNITED STATES OF AMERICA

	ML 1	ML 2	ML 3	ML 10	ML 11	ML 21	Total per destination
a	56	4	28	1	1	1	91
b	23 701 818	1 793 811	24 952 042	6 376 312	656 937	460 176	57 941 096
c	14 672 172	1 809 849	20 331 447	4 338 573	239 458	0	41 391 499
d	0	0	0	0	0	0	0
e	-	-	-	-	-	-	-

Licences issued for:

hunting rifle scope (C)
 accessories for small arms (C)
 sniper rifle (61 870) (7 licenses) (C)
 sport rifle (9 500) (2 licenses) (C)
 training rifle (343) (1 licence) (C)
 assault rifle (4 870) (3 licenses) (G) and (C)
 pistol (31 774) (3 licenses) (C)
 machine gun cal.12,5x108 mm (35) (2 licenses) (G)
 conversion services for small arms (C)
 heavy machine gun with one barrel (6) (1 licence) (G)
 anti-aircraft machine gun with 2 barrels (28) (1 licence) (G)
 incendiary grenade launcher cal. 73 mm (61) (2 licenses) (G)
 incendiary grenade launcher cal. 82 mm (43) (2 licenses) (G)
 grenade launcher cal. 40 mm (123) (2 licenses) (G)
 grenade launcher cal. 60 mm (18) (1 licence) (G)
 small arms ammunition (G) and (C)
 normal, smoking and illuminating grenades cal. 60 mm, 73 mm and 82 mm (G)
 components for guiding equipment (I)
 spare parts and components for military aircraft (I)
 software licenses for command and control system (I)

Military goods exported:

hunting rifle scope
 accessories for small arms
 conversion services for small arms
 machine gun cal. 12,5x108 mm (35)
 pistol (3 862)
 sniper rifle (36 834)
 light machine gun (4 664)
 sport rifle (8 750)
 machine gun with one barrel (6)
 anti-aircraft machine gun with 2 barrels (28)
 grenade launcher cal. 40 mm (138)
 incendiary grenade launcher cal. 73 mm (60)
 incendiary grenade launcher cal. 82 mm (41)
 grenade launcher cal. 60 mm (18)
 small arms ammunition
 normal, smoking and illuminating grenades cal. 60 mm, 73 mm and 82 mm
 components for guiding equipment
 spare parts and components for military aircraft

ZAMBIA

	ML 3	Total per destination
a	1	1
b	677 660	677 660
c	677 660	677 660
d	0	0
e	-	-

Licences issued for:

manoeuvring ammunition for small arms (G)

Military goods exported:

manoeuvring ammunition for small arms

2. PERMANENT EXPORTS PER CATEGORY OF PRODUCTS

(1/3)	ML 1	ML 2	ML 3	ML 4	ML 5	ML 6
a ³	102	12	54	16	4	9
b	25 781 695	4 107 516	39 090 186	5 123 428	379 376	7 301 343
c	17 112 131	3 885 569	33 234 634	2 004 265	191 030	4 423 768
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	4	138	9	9	5	16
b	124 540	90 693 402	80 842 483	8 737 204	554 393	6 420 404	17 767 871
c	409 055	73 407 754	28 640 120	6 456 007	104 551	472 057	2 366 215
d	0	0	0	0	0	0	0
e	-	-	-	-	-	-	-

(3/3)	ML 16	ML 17	ML 18	ML 21	ML 22	Total
a	2	9	2	2	6	401
b	1 845	5 458 646	204 442	987 245	2 528 612	296 104 631
c	1 845	1 673 112	965 189	701 084	827 072	176 875 458
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 number of licenses; (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).

2013 Exchange rates:

1 EUR = 1,32810 USD
 1 EUR = 0,84926 GBP
 1 EUR = 1,23110 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 minister of Foreign Affairs order 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 minister of Foreign Affairs order, in their ownership, from a third country to any other third country.

During the year 2013 no brokering licence application has been received.

	Exporter	Importer	Total per destination
	ML		
a ⁴			
b			
c			
d			
e			

Licences issued for: -

Military goods exported: -

⁴ Key: (a) = number of Licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total number of licenses; (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).

2013 Exchange rates:

1 EUR = 1,32810 USD
 1 EUR = 0,84926 GBP
 1 EUR = 1,23110 CHF

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								
ML6	46 087	1	Georgia	Bleak Sea	Hungary	Canada	Canada	Road
ML15, ML8	192 741	2	Ukraine	Ukraine	Bulgaria	Bulgaria	Bulgaria	Road
ML3	45 000	1	Bulgaria	Bulgaria	Hungary	Canada	Canada	Road
ML8	185 000	1	Switzerland	Hungary	Bulgaria	Bulgaria	Bulgaria	Road
ML3	10 750	1	Czech Republic	Hungary	Bulgaria	Turkey	Turkey	Road
ML8	25 223	1	Czech Republic	Hungary	Bulgaria	Georgia	Georgia	Road
ML3	772 035	1	Brasilia	Hungary	Bleak Sea	Georgia	Georgia	Road
ML6	64 800	1	Bulgaria	Bulgaria	Ukraine	Ukraine	Ukraine	Road
ML8	255 000	1	France	Hungary	Bulgaria	Turkey	Turkey	Road
ML3	25 349	1	SUA	Hungary	Bulgaria	Bulgaria	Bulgaria	Road
ML3	7 132 990	1	Czech Republic	Hungary	Bleak Sea	Egypt	Egypt	Road
Total	8 754 975	12						
Transshipment Operations						Type of transshipment		
ML6	46 087	1	Georgia	Bleak Sea	Hungary	Canada	Canada	Maritime - Road
ML3	772 035	1	Brasilia	Hungary	Bleak Sea	Georgia	Georgia	Road - Maritime
ML3	7 132 990	1	Czech Republic	Hungary	Bleak Sea	Egypt	Egypt	Road - Maritime
Total	7 951 112	3						

5. EXPORT LICENCES BY RECIPIENT REGION AND COUNTRY

SUB-SAHARAN AFRICA								
		ML 1	ML 2	ML 3	ML 4	ML 10	ML 22	Total per destination
BURKINA FASO	a ⁵	1	1	1	1			4
	b	1 164 717	1 801 748	1 298 556	30 871			4 295 892
	c	1 164 717	1 801 748	1 298 556	30 871			4 295 892
GABON	a					1	1	1
	b					76 682	20 948	76 682
	c					76 682	0	76 682
KENYA	a					1		1
	b					76 000		76 000
	c					76 000		76 000
MOZAMBIQUE	a					4	1	5
	b					8 742 866	429 185	9 172 051
	c					1 887 784	8 283	1 896 067
SOUTH AFRICA	a	1						1
	b	2 566						2 566
	c	2 566						2 566
ZAMBIA	a			1				1
	b			677 660				677 660
	c			677 660				677 660

⁵ Key: (a) = number of Licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total number of licenses; (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).

2013 Exchange rates:

1 EUR = 1,32810 USD
1 EUR = 0,84926 GBP
1 EUR = 1,23110 CHF

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		ML 1	ML 2	ML 3	ML 4	ML 10	ML 22	Total per destination
Total per category	a	2	1	2	1	6	2	14
	b	1 167 283	1 801 748	1 976 216	30 871	8 895 548	450 133	14 321 799
	c	1 167 303	1 801 748	1 976 216	30 871	2 040 466	8 283	7 024 887

NORTH AFRICA

		ML 3	ML 10	Total per destination
MOROCCO	a	3	1	4
	b	4 657 209	27 998	4 685 207
	c	4 657 209	54 109	4 711 318
Total per category	a	3	1	4
	b	4 657 209	27 998	4 685 207
	c	4 657 209	54 109	4 711 318

NORTH AMERICA

		ML 1	ML 2	ML 3	ML 10	ML 11	ML 21	Total per destination
CANADA	a	1						1
	b	2 705						2 705
	c	2 705						2 705
UNITED STATES OF AMERICA	a	56	4	28	1	1	1	91
	b	23 701 818	1 793 811	24 952 042	6 376 312	656 937	460 176	57 941 096
	c	14 672 172	1 809 849	20 331 447	4 338 573	239 458	0	41 391 499
Total per category	a	57	4	28	1	1	1	92
	b	23 704 523	1 793 811	24 952 042	6 376 312	656 937	460 176	57 943 801
	c	14 674 877	1 809 849	20 331 447	4 338 573	239 458	0	41 394 204

CENTRAL ASIA

		ML 1	Total per destination
KAZAKHSTAN	a	1	1
	b	4 555	4 555
	c	4 555	4 555
Total per category	a	1	1
	b	4 555	4 555
	c	4 555	4 555

SOUTH-EAST ASIA

		ML 2	ML 3	ML 7	ML 10	ML 15	ML 17	ML 21	Total per destination
INDONESIA	a			0	3			0	3
	b			0	919 765			0	919 765
	c			370 475	917 600			18 000	1 306 075
MALAYSIA	a		1						1
	b		387 396						387 396
	c		387 396						387 396
THAILAND	a	1			3				4
	b	237 557			236 590				474 147
	c	237 557			100 520				338 077
Total per category	a	1	1	0	6	1	1	0	10
	b	237 557	387 396	0	1 156 355	1 069 197	203 298	0	3 053 803
	c	237 557	387 396	370 475	1 018 120	0	0	18 000	2 031 548

SOUTH ASIA

		ML 3	ML 10	ML 14	Total per destination
AFGHANISTAN	a	1		1	2
	b	1 502 146		465 507	1 967 653
	c	1 502 146		465 507	1 967 653

		ML 3	ML 10	ML 14	Total per destination
BANGLADESH	a		0		0
	b		0		0
	c		1 288 005		1 288 005
INDIA	a		3		3
	b		532 543		532 543
	c		1 512 971		1 512 971
PAKISTAN	a	2	26		28
	b	116 670	600 451		717 121
	c	116 670	619 389		736 059
Total per category	a	3	29	1	33
	b	1 618 816	1 32 994	465 507	3 217 317
	c	1 618 816	3 420 365	465 507	5 504 688

EUROPEAN UNION (1/3)

		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 9
AUSTRIA	a	1							
	b	100 000							
	c	89 016							
BELGIUM	a	1					5	2	
	b	35 000					25 220	124 540	
	c	7 000					25 532	38 580	
BULGARIA	a	3	1	3	3				
	b	59 279	42 668	816 262	752 837				
	c	398 548	0	816 244	290 704				
CZECH REPUBLIC	a			2					
	b			326 783					
	c			326 783					

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		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 9
DENMARK	a	2							
	b	25 715							
	c	4 246							
ESTONIA	a	1							
	b	30 000							
	c	0							
FINLAND	a	1							
	b	45 000							
	c	7 844							
FRANCE	a	5	1			3	1		
	b	46 614	30 400			34 530	52 800		
	c	26 530	0			162 380	22 461		
FRANCE (NEW CALEDONIE)	a	2							
	b	5 600							
	c	11 230							
GERMANY	a	2		1					
	b	55 000		125 744					
	c	31 940		0					
GREECE	a				1				
	b				1 129 433				
	c				248 011				
HUNGARY	a								
	b								
	c								
IRELAND	a	1							
	b	25 000							
	c	0							

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		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 9
ITALY	a	2							
	b	65 000							
	c	29 673							
LITHUANIA	a	1							
	b	30 000							
	c	7 793							
NETHERLANDS	a	1							3
	b	45 000							75 292 402
	c	7 480							73 407 754
POLAND	a	2		0					
	b	73 478		0					
	c	64 389		470 974					
SLOVAKIA	a	1			1				
	b	30 000			22 611				
	c	699			22 611				
SLOVENIA	a	1		1					
	b	35 000		7 968					
	c	5 542		0					
SPAIN	a	1							
	b	30 000							
	c	10 456							
SWEDEN	a	1		2	1				
	b	30 000		529 386	409 608				
	c	7 322		529 386	2 702				

		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 9
UNITED KINGDOM	a	2		2					
	b	102 485		28 763					
	c	45 520		26 881					
Total per category	a	31	2	11	6	3	6	2	3
	b	868 171	73 068	1 834 906	2 314 489	34 530	78 020	124 540	75 292 402
	c	755 228	0	2 170 268	564 028	162 380	47 993	38 580	73 407 754

EUROPEAN UNION (2/3)

		ML 10	ML 11	ML 13	ML 15	ML 16	ML 17	ML 18
AUSTRIA	a							
	b							
	c							
BELGIUM	a			3	2		2	
	b			48 225	2 948 469		2 489 411	
	c			39 598	72 565		1 082	
BULGARIA	a	1						
	b	2 354						
	c	0						
CYPRUS	a							
	b							
	c							
CZECH REPUBLIC	a	2						
	b	2 409 457						
	c	106 982						
DENMARK	a							
	b							
	c							

		ML 10	ML 11	ML 13	ML 15	ML 16	ML 17	ML 18
ESTONIA	a							
	b							
	c							
FINLAND	a	0						
	b	0						
	c	38 086						
FRANCE	a	13	0	1	1			
	b	830 452	0	4 050	7 272 000			
	c	272 306	25 350	203	0			
FRANCE (NEW CALEDONIE)	a							
	b							
	c							
GERMANY	a	17	2					
	b	684 140	166 932					
	c	242 056	108 677					
GREECE	a					1	1	
	b					678	183 721	
	c					678	56 765	
HUNGARY	a	1						
	b	9 093						
	c	9 093						
IRELAND	a							
	b							
	c							
ITALY	a	2		3				
	b	237 155		480 111				
	c	273 862		64 750				

Arms Export Controls / Annual Report 2013

		ML 10	ML 11	ML 13	ML 15	ML 16	ML 17	ML 18
LITHUANIA	a							
	b							
	c							
NETHERLANDS	a							
	b							
	c							
POLAND	a							
	b							
	c							
SLOVAKIA	a	1						
	b	55 794						
	c	0						
SLOVENIA	a							
	b							
	c							
SPAIN	a							
	b							
	c							
SWEDEN	a	2						1
	b	45 600						200 000
	c	127 790						0
UNITED KINGDOM	a	34				1	2	
	b	52 780 911				1 167	546 074	
	c	11 185 224				1 167	183 548	
Total per category	a	73	2	7	3	2	5	1
	b	57 054 956	166 932	532 386	10 220 469	1 845	3 219 206	200 000
	c	12 255 399	134 027	104 551	72 565	1 845	241 395	0

EUROPEAN UNION (3/3)

		ML 21	ML 22	Total per destination
AUSTRIA	a			1
	b			100 000
	c			89 016
BELGIUM	a	0		15
	b	0		5 670 865
	c	139 774		324 131
BULGARIA	a		1	12
	b		1 262 044	2 935 444
	c		2 354	1 507 850
CZECH REPUBLIC	a		1	5
	b		282 490	3 018 730
	c		282 490	716 255
DENMARK	a			2
	b			25 715
	c			4 246
ESTONIA	a			1
	b			30 000
	c			0
FINLAND	a			1
	b			45 000
	c			45 930
FRANCE	a			25
	b			8 270 846
	c			509 230
FRANCE (NEW CALEDONIE)	a			2
	b			5 600
	c			11 230

		ML 21	ML 22	Total per destination
GERMANY	a			22
	b			1 031 816
	c			382 673
GREECE	a			3
	b			1 313 832
	c			305 454
HUNGARY	a			1
	b			9 093
	c			9 093
IRELAND	a			1
	b			25 000
	c			0
ITALY	a			7
	b			782 266
	c			368 285
LITHUANIA	a			1
	b			30 000
	c			7 793
NETHERLANDS	a		1	5
	b		527 345	75 864 747
	c		527 345	73 942 579
POLAND	a			2
	b			73 478
	c			535 363
SLOVAKIA	a			3
	b			108 405
	c			23 310

		ML 21	ML 22	Total per destination
SLOVENIA	a			2
	b			42 968
	c			5 542
SPAIN	a			1
	b			30 000
	c			10 456
SWEDEN	a			7
	b			1 214 594
	c			667 200
UNITED KINGDOM	a			41
	b			53 459 400
	c			11 442 340
Total per category	a	0	3	160
	b	0	2 071 879	154 087 799
	c	139 774	812 189	90 907 976

OTHER EUROPEAN COUTRIES (1/2)

		ML 1	ML 2	ML 3	ML 4	ML 6	ML 9	ML 10
AZERBAIJAN	a	0	2					
	b	0	71 734					
	c	389 429	32 211					
CROATIA	a			1				0
	b			20 330				0
	c			20 330				37 685
REPUBLIC OF MACEDONIA	a							1
	b							29 365
	c							0

		ML 1	ML 2	ML 3	ML 4	ML 6	ML 9	ML 10
REPUBLIC OF MOLDOVA	a							0
	b							0
	c							287 072
NORWAY	a	4					1	
	b	8 347					15 401 000	
	c	13 569					0	
SERBIA	a	0						
	b	0						
	c	757						
SWITZERLAND	a	0		0		1		
	b	0		0		70 247		
	c	78 200		280 374		70 247		
TURKEY	a		1	1	6			
	b		128 544	179 580	2 352 110			
	c		3 150	1 162 883	1 369 875			
UKRAINE	a							1
	b							55 470
	c							30 470
Total per category	a	4	3	2	6	1	1	2
	b	8 347	200 278	199 910	2 352 110	70 247	15 401 000	84 835
	c	481 955	35 361	1 463 587	1 369 875	70 247	0	355 227

OTHER EUROPEAN COUTRIES (2/2)

		ML 13	ML 14	Total per destination
AZERBAIJAN	a			2
	b			71 734
	c			421 640

		ML 13	ML 14	Total per destination
CROATIA	a			1
	b			20 330
	c			58 015
REPUBLIC OF MACEDONIA	a		3	4
	b		5 948 347	5 977 712
	c		0	0
REPUBLIC OF MOLDOVA	a			0
	b			0
	c			287 072
NORWAY	a			5
	b			15 409 347
	c			13 569
SERBIA	a			0
	b			0
	c			757
SWITZERLAND	a			1
	b			70 247
	c			428 821
TURKEY	a	1		9
	b	17 000		2 677 234
	c	0		2 535 908
UKRAINE	a			1
	b			55 470
	c			30 470
Total per category	a	1	3	23
	b	17 000	5 948 347	24 282 074
	c	0	0	3 776 252

MIDDLE EAST (1/2)

		ML 1	ML 3	ML 4	ML 5	ML 6	ML 10	ML 11	ML 13
EGYPT	a	1	1						
	b	9 800	2 808 696						
	c	9 800	503 275						
JORDAN	a						0		
	b						0		
	c						2 308 009		
IRAQ	a								1
	b								5 007
	c								0
ISRAEL	a			3	1	2	3	6	1
	b			425 958	344 846	7 153 076	3 063 775	7 913 335	6 550
	c			39 491	28 650	4 305 528	1 119 098	6 082 522	6 550
LEBANON	a		2				11		
	b		646 036				2 461 147		
	c		117 461				1 650 844		
OMAN	a						5		
	b						45 390		
	c						79 910		
UNITED ARAB EMIRATES	a						1		
	b						543 173		
	c						0		
Total per category	a	1	3	3	1	2	20	6	1
	b	9 800	3 454 732	425 958	344 846	7 153 076	6 113 485	7 913 335	5 007
	c	9 800	620 736	39 491	28 650	4 305 528	5 157 861	6 082 522	0

MIDDLE EAST (2/2)

		ML 14	ML 15	ML 17	ML 18	ML 21	ML 22	Total per destination
EGYPT	a							2
	b							2 818 496
	c							513 075
JORDAN	a							0
	b							0
	c							2 308 009
IRAQ	a							1
	b							5 007
	c							0
ISRAEL	a	1	12	3	1	1		33
	b	6 550	6 478 205	2 036 142	4 442	527 069		27 953 398
	c	6 550	2 293 650	1 431 717	965 189	543 310		16 815 705
LEBANON	a						1	14
	b						6 600	3 113 783
	c						6 600	1 774 905
OMAN	a							5
	b							45 390
	c							79 910
UNITED ARAB EMIRATES	a							1
	b							543 173
	c							0
Total per category	a	1	12	3	1	1	1	56
	b	6 550	6 478 205	2 036 142	4 442	527 069	6 600	34 479 247
	c	6 550	2 293 650	1 431 717	965 189	543 310	6 600	21 491 604

OCEANIA

		ML 1	ML 2	ML 3	Total per destination
AUSTRALIA	a	6	1	1	8
	b	19 016	1 054	8 959	29 029
	c	18 413	1 054	8 959	28 426
Total per category	a	6	1	1	8
	b	19 016	1 054	8 959	29 029
	c	18 413	1 054	8 959	28 426

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 to 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 from 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 organization 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 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 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 Journal 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 Common 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 Organization 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 licensing 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/DEC 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, 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 Journal 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 paragraph (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 paragraph (1) the MFA/DEC issues, if necessary, individual licences, global or general ones of export, import, transfer, transit, brokering activity or transshipment of military goods.

(4) Transfer operations, export, re-export, import, brokering 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 Journal 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 verification 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 verification 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 verification 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 Delivery Verification Certificate 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 Verification Certificate or the equivalent document shall be submitted to MFA/DEC, in original, within the term stipulated under paragraph (1).

(3) After examination and acceptance by the MFA/DEC, the Delivery Verification 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 Journal 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 verification 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 an export, import, transfer or brokering activity licence 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 programs 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) is 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) is 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 Journal 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 Journal 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 Journal 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 Journal 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 Journal of Romania, Part I.

Article III. - This Emergency Ordinance shall come into effect on the date of its publication in The Official Journal 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/CFSP⁶ 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/CFSP⁷ (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 Defence Policy, should be accompanied by cooperation and convergence in the field of military technology and equipment.

⁶ JO L 191, 19.7.2002, p. 1.

⁷ JO L 156, 25.6.2003, p. 79.

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

(16) On 13 June 2000, the Council adopted the Common Military List of the European Union, which is regularly reviewed, taking into account, where appropriate, similar national and international list⁸.

(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 technology⁹.

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;

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

⁸ Last amended 10 March 2008, OJ C 98, 18.4.2008, p. 1.

⁹ JO L 159, 30.6.2000, p. 1.

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 regime¹⁰
(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 identifiable by material composition, geometry or function, and which are specially designed

¹⁰ Adopted by Order of the Minister of Foreign Affairs no. 996/2014 (published in Official Journal of Romania, Part I, no. 328, 17 April 2014)

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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