



MINISTRY
OF ECONOMY
AND COMPETITIVENESS

SECRETARIAT OF STATE
FOR TRADE

SPANISH STATISTICS
ON THE EXPORT OF
DEFENCE MATERIAL,
OTHER MATERIAL AND
DUAL-USE ITEMS
AND TECHNOLOGIES, 2012

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INTRODUCTION

This report includes the 2012 exports of defence material, other material and dual-use items and technologies authorised and completed in accordance with the terms of Article 16 of Law 53/2007 of 28 December 2007 on the control of external trade in defence and dual-use material.

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

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

This report presents the data concerning operations undertaken, the information having been obtained by the Customs and Excise Department individual review of export licenses issued and checking them against each one of the shipments made. Moreover, the Secretariat of State for Trade collected information regarding export shipments directly from companies

enabling it to correct any discrepancy in the data. This authority is envisaged under Article 9 of Royal Decree 2061/2008 of 12 December approving the control Regulation governing the external trade in defence material, other material and dual-use items and technologies and companies are called on to submit half-yearly reports regarding shipments made.

It should be pointed out that these statistics do not reflect temporary exports (shipments made for the purpose of repair, homologation, testing, fairs, defective goods returned to the manufacturer) which are void of any commercial value.

The 2012 statistics report is divided into two main blocks. The first covers information on Spanish law, Community regulations, data on Spain's export of defence material, other material and dual-use items and technologies and the main progress made at international control fora. The second block is composed of eight annexes containing export figures of these items in 2012, Spain's contribution to the United Nations registers on the international transit of Conventional weapons small arms and light weapons and to the OSCE Document on Small Arms and Light Weapons, the list of defence material embargoes and a list of helpful links in this connection.

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

<http://www.comercio.mineco.es>

**Note.- In the event of doubt or error,
the original version in Spanish pre-
vails over the English translation.**

PART I. LEGISLATIVE FRAMEWORK AND CONTROL BODIES

1. Legislative framework

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

Organic Law 12/1995 was amended in 2011 by Organic Law 6/2011 of 30 June 2011. This amendment was required, inter alia, to reflect the changes which have taken place in the control of external trade in the material which is the subject of this report.

Following is a summary of the changes introduced by Organic Law 6/2011:

1. Replacement of the existing definition of the terms "export" and "dual-use items" with a view to bringing them into line with Regulation (EC) No 428/2009. Introduction of new definitions of the terms "import", "dispatch", "introduction" and "other material" and update of the existing definitions of "precursors" and "biological agents or toxins".
2. Broadening of the classification of crimes concerning the import, technical assistance, intra-community brokering and transfer

of defence material, other material and dual-use items and technologies or for the import/export of items used to enforce the death penalty or to inflict torture.

3. Raising of the minimum threshold amount for the definition of the crime of smuggling. Said amounts are now €150,000 in general terms, €30,000 having regard to manufactured tobacco and €50,000 in the case of items, inter alia, which could affect general security such as defence material, other items and dual-use items and technologies or which could be used to inflict torture or other cruel, inhuman or degrading treatment or punishment.

Having regard to specific legislation controlling the external trade in defence and dual use items, Law 53/2007 entered into force on 29 January 2008, the first time that a regulation of this rank has been enacted to govern these matters in the Spanish legal system. The said law was implemented through Royal Decree 2061/2008 of 12 December 2008 establishing the control Regulation on external trade in defence material, other material and dual-use items and technologies.

In 2011 it was also necessary to amend Royal Decree 2061/2008 to incorporate the updates needed in the regulation of these transfers thus completing and implementing the terms laid down in Community law. The change was reflected in Royal Decree 844/2011 of 17 June 2011 which entered into force on 2 January 2012.

One of the two fundamental elements contained in this amending Royal Decree is the adaptation of Spanish law to Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community. The latter had to be transposed by Member States by 30 June 2011.

The second essential element arose from the fact that the Framework Agreement of 27 July 2000 concerning measures to facilitate the restructuring and integration of the European defence industry (LoI) also mandated adaptation of Spanish legislation to the types of authorisation required for transfers and export procedures applicable to components, subsystems and replacement parts between the six signatory countries of the said agreement.

The Regulation will be replaced in 2013 by a new update that will aim to make the necessary changes in the regulation of these transfers by supplementing and implementing the provisions of Community law. The main change will be the adaptation of Spanish legislation to Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime. This Regulation shall apply from 30 September 2013. This regulation incorporates a new regulation in the field of foreign trade with third countries of firearms for civilian use.

The second change is the incorporation into Spanish law of the European Union's

new general export authorizations for the export of certain dual-use items to certain specific countries.

Future modifications are summarised as follows:

1. Adaptation of Spanish legislation to Regulation (EU) No 258/2012 will include export authorization and import and transit measures for firearms, their parts and components and ammunition, simplified procedures for temporary exports of these weapons, requirement for expressed authorisation from the authorities of the countries of transit and obligation to indicate the marking of firearms on export authorization.
2. The European Union's new general export authorizations for the export of certain dual-use items to certain specific countries will be incorporated into Spanish legislation.
3. References regarding the trade regulatory body made in Royal Decrees 2061/2008 and 844/2012 will be updated in light of the elimination of the Ministry of Industry, Tourism and Trade and the Secretariat of State for Foreign Trade in Royal Decree 1823/2011 of 21 December 2011 restructuring the ministerial departments. Thus, all references to the Ministry of Industry, Tourism and Trade will be replaced by the Ministry of Economy and Competitiveness and the Secretariat of State for Foreign Trade by the Secretariat of State for Trade.
4. The Anti-smuggling Act, Organic Law 12/1995 of 12 December

1995, will be updated through Organic Law 6/2011 of 30 June 2011, and the Criminal Code Act, Organic Law 10/1995 of 23 November 1995 will be updated through Organic Law 5/2010 of 22 June 2010.

5. The provisions of Directives 2010/80/EU of 22 November 2010, 2012/10/EU of 22 March 2012 and 2012/47/EU of 14 December 2012, updating the list of defence-related products, will likewise be incorporated.
6. A new section will be included explaining the procedure applicable to intra-Community transfers of defence material from any Member State of the European Union.
7. A safeguard clause will be introduced in the case of recipients certified in another Member State in accordance with the criteria set out in Article 9 of Directive 2009/43/EC that fail to respect the conditions attached to a General Transfer License or where public order, public safety or essential security interests are at stake.
8. The makeup of the Inter-Ministerial Regulatory Board on External Trade in Defence and Dual-use Material (JIMDDU) will be modified to bring it into line with Royal Decree 1/2012 of 5 January 2012 amending Royal Decree 1823/2011 of 21 December 2011 restructuring ministerial departments.
9. Annexes containing license forms, REOCE inscription re-

quests and the CII form will be updated. Annexes containing export and import licensing forms for civilian firearms will be introduced. Annexes containing the lists of items subject to control (Annexes I, II, and III) will be updated in accordance with the changes made in the international fora control and non-proliferation lists and a list of firearms for civilian use, their parts and essential components and ammunition will be added according to Annex I of EC Regulation No. 258/2012.

In the specific section on the processing of transactions, it is important to note that transfer requests are analysed in accordance with the aforementioned legislation (Law 53/2007 and Royal Decrees 2061/2008 and 844/2011) on a case-by-case basis with due consideration of the mandatory and binding report of the JIMDDU. The main purpose of the said analysis is to prevent the export of defence material to those destinations failing to comply with the eight criteria laid down in Common Position 2008/944/CFSP of 08 December 2008 defining common rules governing control of exports of military technology and equipment and the proliferation of weapons of mass destruction.

To be more precise, the eight criteria laid down in Common Position 2008/944/CFSP applies to export operations involving defence material; moreover, the criteria laid down in the OSCE Document on small arms and light weapons of 24 October 2000 applies to small arms and light weapons.

Resolution 55/255 of the United Nations General Assembly of 8 June 2001 approving the Protocol against the illicit manufacturing of and trafficking in fire-

arms, their parts and components and ammunition, supplementing the United Nations Convention against transnational organized crime; the Programme of Action of the United Nations to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects; and Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the said Protocol, are likewise applicable. In this regard, it is worth mentioning Council Common Position 2003/468/CFSP of 23 June 2003 on the control of arms brokering and the control of technical assistance related to certain military end-uses to which the Council Joint Action of 22 June 2000 refers.

Mention should likewise be made of the Weapons Regulation approved by Royal Decree 137/1993 of 29 January 1993, amended by Royal Decree 976/2011 of 8 July 2011; the Explosives Regulation approved by Royal Decree 230/1998 of 16 February 1998, amended by Royal Decree 248/2010 of 5 March 2010; and Royal Decree 563/2010 of 7 May 2010, establishing the Pyrotechnics and Ammunition Regulation, amended by Royal Decree 1335/2012 of 21 September 2012.

As for dual-use, the Spanish control authorities apply Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of the export, the transfer, brokering and transit of dual-use items amended by Regulations (EU) No 1232/2011 of the European Parliament and of the Council of 16 November 2011 and No 388/2012 of 19 April 2012.

It is important to draw attention to United Nations Resolution 1540 (2004) of 28

April intended to prevent the proliferation of weapons of mass destruction and specifically to prevent non-State agents from acquiring them.

Other international regulations include those contained in the 1980 Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects (particularly Protocol II on prohibitions and restrictions of mines, booby traps and other devices), the 03 December 1997 Convention on the prohibition of the use, stockpiling, production and transfer of anti-personnel mines and on their destruction (Anti-personnel mine Convention), the 03 December 2008 Convention on the Prohibition of Cluster Munitions, the 13 January 1993 Convention prohibiting the development, production, stockpiling and use of chemical weapons and on their destruction; and the 10 April 1972 Convention prohibiting the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction.

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

2. Control bodies

A) Junta Interministerial Reguladora del Comercio Exterior de Material de Defensa y de Doble Uso (the Inter-Ministerial Regulatory Board on External Trade in Defence or Dual-Use Material)

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

constituted for the first time in 1988 as an inter-ministerial administrative body organisationally attached to the Ministry of Economy and Competition. The JIMDDU meets on a monthly basis with the exception of the month of August and has a Working Group responsible for preparing operations and reports.

Its makeup is determined by Article 13 of Law 53/2007 and Article 17 of Royal Decree 2061/2008 amended by Royal Decree 844/2011. Those units of the administration which are directly involved in the control of external trade in defence material, other material and dual-use items and technologies (Ministries of the Presidency, Foreign Affairs and Cooperation, Defence, Economy and Competition, Finance and Public Administration, Interior and Industry, Energy and Tourism) are represented.

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

B) Secretariat of State for Trade

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

PART II. DEFENCE MATERIAL EXPORTS

1. Legislation in force

The following laws were in force during the period covered by these statistics: the Anti-smuggling Act, Organic Law 12/1995 of 10 December 1995 amended by Organic Law 6/2011 of 30 June 2011, Law 53/2007 of 28 December 2007 on the control of external trade in defence and dual-use material and Royal Decree 2061/2008 of 12 December 2008 establishing the Regulation controlling external trade in defence material, other material and dual-use items and technologies amended by Royal Decree 844/2011 of 17 June 2011.

Defence material subject to control under Spanish law is based on the Wassenaar Arrangement Military List and on the Common List of Military Equipment laid down in Common Position 2008/944/CFSP of 8 December defining common rules governing control of exports of military technology and equipment adopted by the Council on 21 February 2011 and also includes categories I and II of the Missile Technology Control Regime.

2. Statistical analysis

A) Exports completed

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

In 2012 there was a 19.6% decline in the export of defence material relative to 2011. The value of exports totalled €1,953.5 million.

Year	Amount (€ millions)
2006	845.1
2007	932.9
2008	934.4
2009	1,346.5
2010	1,128.3
2011	2,431.2
2012	1,953.5

The following table, based on the statistical data from Annex I, shows Spain's principal export markets.

Countries DM	Reading (€ millions)	Percentage
EU NATO countries	736.7	37.7
United Kingdom	184.8	9.5
Greece	152.6	7.8
Germany	129.7	6.6
Italy	102.0	5.2
Poland	81.2	4.2
France	72.0	3.7
Others	14.4	0.7
EU non-NATO countries	9.6	0.5
Sweden	3.8	0.2
Austria	3.5	0.2
Ireland	2.3	0.1
Others	0.0	0.0
NATO (non-EU) countries	128.8	6.6
United States	91.2	4.7
Turkey	31.6	1.6
Others	6.0	0.3
NATO + EU	875.1	44.8
Other countries	932.8	47.7
Australia	505.7	25.9
Venezuela	182.4	9.3
Mexico	84.7	4.3
Indonesia	55.6	2.8
Kazakhstan	54.1	2.8
Egypt	50.3	2.6
Remaining countries	145.6	7.5
TOTAL	1,953.5	100

Deliveries to European Union countries account for 38.2% of the total. These sales were valued at €746.3 million compared to €589.1 million in 2011. The table shows that dispatch to European Union countries was lower in relative terms than in years past accounting, for example, for 59.8% in 2005 and 79.6% in

2004. This is due to the relative importance of transfers to certain countries such as Australia and Venezuela accounting for €688.1 million, i.e. 35.2% of total exports in 2012.

Dispatches were basically distributed between the United Kingdom, Greece, Germany, Italy, Poland and France.

Shipments to the UK valued at €184.8 million and accounting for 9.5%, were for parts for the EF2000 jet fighter and the A400M military transport plane. Other categories of shipments to the United Kingdom included helicopter parts and components (Tiger programme), missiles (Meteor Programme), mortar grenades and small arms (pistols, revolvers, carbines and rifles).

Shipments to Greece amounting to €152.6 million and accounting for 7.8%, consisted entirely of military fuels for aircraft and ships.

In addition to parts and components for the EF2000 jet fighter and the A400M military transport plane, shipments to Germany totalling €129.7 million and accounting for 6.6% percent included fuel, parts and components for helicopters (Tiger programme), tanks and missiles (Iris-T and Meteor), parts for warships, aerial bomb components, gunpowder, explosives and pyrotechnics and small arms (pistols and rifles) and their parts.

Shipments to Italy valued at €102.0 million and accounting for 5.2% were comprised of parts and components of the EF2000 jet fighter, the A400M military transport plane and the NH90 helicopter, radar parts and components (MIDS programme), tank parts, sub-assemblies for anti-aircraft guns and machine gun parts,

military fuels for aircraft and vessels bound for NATO bases, plastic explosives and small arms (pistols and rifles).

Mention should also be made of shipments to Poland for €81.2 million accounting for 4.2% consisting of three transport aircraft for troops and goods and artillery ammunition.

Expeditions to France valued at €72.0 million and accounting for 3.7% were composed of a transport aircraft and parts and components for the A400M military transport plane, helicopter parts and components (Tiger and NH-90 programme), ground equipment for unmanned aircraft, missile parts and components (Meteor, Milan and Mistral), radar parts and components (MIDS programme), artillery ammunition and components, military fuel, gunpowder and small arms (pistols and rifles) with accessories.

NATO countries accounted for 44.3% of consignments/exports valued at €865.5 million. Mention should be made of exports to the United States for €91.2 million accounting for 4.7% comprised of parts and components for aircraft, ships, tanks and missiles, radars and their components, military fuels and small arms with their ammunition, and Turkey for €31.6 million accounting for 1.6% consisting of missile guide units and sub-assemblies, parts and components of the A400M military transport plane, components for the repair and maintenance of diesel engines in military ships, military fuels and NBC equipment.

After deducting dispatches / exports to EU and NATO countries, the remaining sales (€1,078.4 million accounting for 55.2%) were distributed among 42 coun-

tries with special mention of Australia, (€505.7 million, 25.9%) consisting of a warship and communications system components for other warships, aerial bomb components and a bid for a submarine acquisition programme, and Venezuela (€182.4 million, 9.3%) consisting of surveillance patrol vessel, modules for the construction of a coastguard vessel, tool sets, supplies and spare parts for guns installed on patrol vessels in the exclusive economic zone and parts and components of a transport and rescue plane.

Following is a listing in alphabetical order of exports to a number of countries outside of the EU and NATO.

Bahrain: € 21.1 million for air defence ammunition, mortars and mortar shells.

Bangladesh: €184,370 for artillery rounds.

Cameroon: €674,753 for two troop transport trucks and two tactical vehicles.

Colombia: €5.7 million for repair and modernization of military helicopter engines, aircraft parts, artillery shells and shell parts.

Cuba: €63,470 for carbines and rifles and their munitions.

Ecuador: €233,626 for aircraft spare parts and three pistols.

Egypt: €50.3 million for two transport aircraft, various lots of maintenance and repair of aircraft engines, spare parts for troop transport vehicles and tracked vehicles, one set of parachute equipment and pistols.

Gabon: €252,681 for spare parts and repairable equipment for transport aircraft.

Ghana: €27.1 million for a transport plane.

India: €8.9 million for equipment and spare parts for ships and submarines, raw materials, tools and technical documentation for aircraft and ammunition for rifles and pistols.

Indonesia: €55.6 million for two transport aircraft for troops and equipment, anti-tank grenade launchers and submarine data equipment.

Israel: €637,842 for sport gun components for assembly and re-export to the United States, sporting pistols, bullets for approval tests, missile components intended for the Spanish Army, electronic cards for image processing to be incorporated in equipment for aircraft belonging to the Air Forces of EU countries, electro-optical systems for vehicles and chemicals for satellite propulsion.

Jordan: €384,519 for spare parts and components for transport aircraft and training.

Kazakhstan: €54.1 million for two transport aircraft and electronic card components.

Kuwait: € 1.7 million for hand grenades and grenade components.

Malaysia: €10.9 million for mortar grenade components, artillery ammunition, monoculars and night vision goggles.

Mexico: €84.7 million for three transport and surveillance planes, spare parts for aircraft and a rifle and small arm barrel.

Morocco: €2.8 million for the re-export of aircraft engines and components following repair, transport aircraft parts, thermal cameras for perimeter surveillance and rockets with parachute distress signals.

Mozambique: 0 Euro in the form of a donation by the Spanish Navy of a patrol boat with a spare parts.

Oman: €670,068 for spare parts for transport planes, spare parts for anti-aircraft guns and illumination and smoke-producing mortar shells.

Pakistan: €3.5 million for the repair and modernization of aircraft engines, transport aircraft parts, electronic equipment for fighter aircraft and barge spare parts.

Saudi Arabia: €21.3 million for spare parts, technical documentation and technical assistance for in-flight refuelling aircraft, transport planes and artillery ammunition.

Senegal: 0 Euro in the form of a donation by the Spanish Navy of a patrol boat with a spare parts.

Seychelles: €12,080 for parts and components of machine guns installed on Spanish fishing vessels.

Thailand: €7.3 million for transport aircraft spare parts, naval ammunition, mortar shells, detonators, safety fuse, detonating cord, parts for ships and night vision binoculars.

United Arab Emirates: €2.4 million for spare parts, technical documentation and technical assistance for in-flight refuelling aircraft.

Venezuela: €182.4 million for an ocean-going patrol vessel, modules for the construction of a coast guard vessel, tool sets, supplies and spare parts for guns installed on ocean-going patrol vessels and parts and components for a transport and rescue plane.

Focusing on item categories, we would draw attention to the export of "Aircraft" totalling €763.2 million accounting for 39.1% of the total and "Warships" totalling €688.5 million and accounting for 35.2%.

Exports arising from cooperation programmes totalled €387.1 million accounting for 19.8% of the total. Details on the value of programme-related exports and countries of destination can be found in Annex I.

Exports completed (€1,953.5 million) accounted for 25.4 percent of those authorized (€7,694.5 million), because in 2012 a global license was issued for the export of military transport aircraft to various countries valued at €4,602 million, plus a single license for the export of 8 transport aircraft and logistical support to Oman worth €600 million but no transactions relating to those licenses were carried out that year.

B) Operations processed and exempt from the preliminary report and/or control document

This information can be found in Annex IV.

In 2012, a total of 1,181 applications for defence material export licenses were filed as follows: 804 individual licenses, 23 global licenses, 20 global project licenses (arising from cooperation programmes in the field of defence) and 334 temporary licenses. In addition to these,

5 inward processing traffic licenses were processed and rectifications were made to 193 licenses granted previously (rectification refers to an extension of the expiration date, the monetary value or a change in the customs release post).

Of the 804 individual licenses, 680 were approved, 5 denied, 74 were pending authorisation in 2013, 30 expired due to failure to submit the end-use control document associated to the license by the deadline date and 15 were discontinued by the exporter himself. All but one of the 23 global licenses were approved, and the 20 global project licenses were approved. Regarding the 334 temporary licenses, 330 were approved, 2 denied and 2 discontinued. The 193 license rectifications were approved. The 5 traffic licenses were approved.

Also in 2012, 55 preliminary export agreements were approved, 2 of which were discontinued. This is an administrative approval signalling initial conformity regarding future shipments subject to an individual license.

Annex IV offers information concerning the time it takes to process licences and the number of licences exempt from the preliminary report and/or control document.

Exemptions from the JIMDDU report and control document were applied to dispatches of non-sensitive material to allied countries or members of international control and non-proliferation fora within the context of the following operations:

- a) The export-consignment and import-introduction arising from defence cooperation programmes classified as such by the Ministry

of Defence in accordance with Article 25(2) a) of Royal Decree 2061/2008 of 12 December 2008, amended by Royal Decree 844/2011 of 17 June 2011.

- b) The export-consignment and import-introduction of items requested by bodies of the Ministry of Defence and by firms within the sector in compliance with maintenance or repair contracts concluded with the Armed Forces, with a favourable report from the Directorate-General for Armament and Materiel of the Ministry of Defence.
- c) Temporary export-consignment and import-introduction of items for repair, check-up, replacement of faulty material free of charge, returns to place of origin, tests, homologations, fairs or exhibits and, in the case of operations having to do with firearms, in addition to the foregoing, those transactions intended for hunting outings or sport shooting.
- d) Temporary export-consignment under an outward processing procedure and export-consignment arising from previous imports-introductions under an outward processing procedure undertaken by bodies of the Ministry of Defence.
- e) The export-consignments of fuels meeting military specifications sent to countries of the European Union and the North Atlantic Treaty Organisation (NATO).
- f) Rectifications of authorisations having to do with effective term, customs and monetary value.

C) Entries in the Special Register for External Trade Operators in Defence and Dual-use Material (Spanish acronym REOCE)

In 2012, seven entries were made by defence material firms in the REOCE, a further 11 made joint entries for defence and dual-use material and two made joint entries for defence and other material.

D) Licenses denied

The following seven requests for defence material export were denied in 2012:

- a temporary export license to Libya for the demonstration of a military transport aircraft on the basis of criterion 1 (embargo) of Common Position 2008/944/CFSP of 8 December defining common rules governing control of exports of military technology and equipment;
- two permanent licences and one temporary license to Bahrain, consisting of night vision goggles, an observation system and firing systems for mobile turrets, on the basis of criteria 3 (internal situation) and 7 (risk of diversion) of the mentioned common position; and
- three licenses to Costa Rica for pistols and revolvers of various calibres, on the basis of criteria 3 and 7 of the Common Position.

Details of these denials are found in Annex I.

A report was sent concerning an appeal to a higher court filed against a decision refusing the application for a license to import a musket classified as historical

weapon. The decision was reviewed and a subsequent application was approved. Information was likewise furnished in a summary administrative proceeding regarding verification of the possible registration of a legal person and two natural persons in the REOCE.

Prior to informing the operations, the JIMDDU conducted a case-by-case analysis of all 2012 transactions applying the following parameters:

- a) Respect for United Nation, European Union and OSCE embargoes currently in force (Annex VII).
- b) Observance of commitments undertaken at international control and non-proliferation fora to which Spain is party.
- c) Enforcement of the eight criteria laid down in Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment.
- d) Enforcement of the 24 October 2000 OSCE Document and the latter's criteria concerning small arms and light weapons.
- e) Adoption of restrictive principles in approving exports to certain countries immersed in domestic or regional situations of conflict thus preventing the shipment of arms or equipment that, in light of their characteristics, could be used to take life or injure or could be used for the purpose of domestic repression or as anti-riot material.

- f) As concerns transactions involving small arms and light weapons, in 2001 the JIMDDU took the decision to make export authorisation of these arms contingent upon the end recipient/user being a public body (armed forces and law enforcement officials) in the case of particularly sensitive countries or in those where there is a risk of diversion in terms of the end use made of this material.

The requirement of submitting a control document continued throughout all of 2012 specifying this point as a prerequisite for license authorisation.

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

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

- h) As of July 2008, external trade in cluster munitions is prohibited as the result of the unilateral moratorium on the use, development, production, acquisition and external trade in cluster munitions pursuant to the Agreement approved by the Cabinet on 11 July 2008.

Subsequent to this moratorium, Spain deposited its instrument of ratification of the Convention on Cluster Munitions of 17 June 2009. The Convention entered in-

to force on 01 August 2010 once the minimum 30 States ratified it.

The Customs and Excise Department set up 31 control filters regarding trade in defence and dual use items which breakdown is as follows:

- as a result of embargoes against certain countries (Iran, North Korea and Belarus);
- in application of the catch-all clause to certain exports by Spanish firms in compliance with agreements adopted by the JIMDDU;
- arising from the need to control temporary exports, in order to check return within the time limit for the items re-import;
- for specific reasons such as the control items whose export became prohibited or subject to prior authorisation as the result of the amendment of Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

In 2012, the Ministry of Foreign Affairs and Cooperation authorised 354 transits of defence material and denied 7.

3. Principal actions undertaken and exchanges of information in the field of conventional arms in 2012

A) Working Group of the Council on conventional arms exports (COARM)

The duty of the COARM Group is to study those initiatives whose purpose is to strengthen conventional arms trade controls. In addition to that, its main focus is on the discussion of aspects relating to Common Position 2008/944/CFSP of 8 December defining common rules governing control of exports of military technology and equipment. Said Common Position is comprised of eight criteria and a series of operational provisions.

As concerns Community meetings, Spain participated in two different groups.

From among the most important work undertaken in 2012, we would stress the following (XIV Annual Report):

1. *Review of Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment.* Article 15 of the Common Position provides that it must be reviewed three years after its adoption. COARM began preparing this review in 2011 and got the European Parliament and civil society involved.
2. *Update of the Code of Conduct Common List of Military Equipment.* On 27 February 2012, the Council adopted a new version of the Common List based on the changes made to the Wassenaar Arrangement Military Equipment List. This was published in the Official Journal of the European Union on 22 March 2012.
3. *Improvement of the "User's Guide" and the denial database.* Both were compiled in 2003 and became fully operational as of 1 January 2004. The Guide features clarifications on procedures to be applied to the communication of denials and consultations stemming from the latter in addition to guidelines concerning the interpretation of the criteria and requirements for the provision of data for the Annual Report. The database, managed by the General Secretariat of the EU Council, contains all of the denials issued to and consultations made by Member States communicated by means of the *coreu* electronic system. Denials are organised by the country issuing the denial, the country denied and the criterion invoked.
4. *Participation and information dissemination activities.* These activities are the result of applying Joint Action 2008/230/CFSP and Council Decision 2009/1012/CFSP. Through this Decision the German Federal Office of Economic and Export Control (BAFA) was appointed as the organising technical agency.

A seminar was held in Prague (Czech Republic) from 16-20 January 2012. This seminar targeted the Balkan countries (Croatia, the Former Yugoslav Republic of Macedonia and Montenegro).

The two half-yearly presidencies also held several meetings of the *Troika* with Canada, Norway, the Russian Federation, Ukraine the United States and, for the first time, with Serbia, within the framework of the political dialogue

of the EU's Common Foreign and Security Policy (CFSP). The main issues covered were controls on arms exports, enforcement of Common Position 2008/944/CFSP, the future Arms Trade Treaty and the membership of new countries in the international non-proliferation and control fora. A mutual exchange of information on denials was undertaken with Norway. In 2011, the EU had already initiated the development of a mechanism for the exchange of information between the Member States, the EEAS and third countries regarding national policies controlling arms exports.

5. *International Arms Trade Treaty.* The CODUN-COARM Council is exclusively responsible for coordinating Member States for the negotiation of a future treaty. On 3 October 2005, the Council supported the principle of an Arms Trade Treaty, urging the commencement of a formal United Nations process, the only forum capable of enacting a universal instrument.

Council Decision 2010/336/CFSP on EU activities in support of the Arms Trade Treaty was adopted in 2010. At the 64th United Nations General Assembly held on 2 December 2009, the EU Member States backed the approval of Resolution 64/48 creating a Preparatory Committee with four periods of sessions in 2010 and 2011 leading up to the July 2012 United Nations Conference. Member State representatives took part in three regional semi-

nars (Nairobi, Beirut and Belgrade) to disseminate this initiative.

6. *Standardisation of national contributions for the Annual Report.* While differences continue to exist in the way information is presented, significant progress has been made over the last several years in improving the standardisation of procedures used in obtaining statistical data.
7. *Arms brokering.* In 2003, the Council adopted Common Position 2003/468/CFSP of 23 June 2003 on the control of arms brokering. The Common Position contains the criteria, instruments (licenses, written authorisations, records of activity, consultations) and definitions needed for the effective control of these operations. In accordance with Article 5 of the Common Position, Member States must establish special mechanisms (specific databases) for the exchange of information on national legislation and registered intermediaries. At the COARM Group meeting held in April 2008, Member States also agreed to share information on brokering licenses issued while respecting confidentiality.
8. *Directive 2009/43/EC of the European Parliament and of the Council of 06 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community.* Information was exchanged in 2012 through a Committee chaired by the Commission regarding the

way in which each Member State has transposed the Directive and how it plans to enforce it. On 11 January 2011 the Commission adopted a Recommendation concerning the certification process applicable to defence firms pursuant to Article 9 of the Directive.

Priority guidelines of the COARM Group for 2013 may be summarised as follows:

- Complete the review of Common Position 2008/944/CFSP and identify possible areas for improvement.
- Update the User Handbook and the Common List of Military Equipment.
- Adapt the national regulations of those Member States to Common Positions 2003/468/CFSP and 2008/944/CFSP.
- Continue the adoption and harmonisation process of the national reports to foster more homogeneous statistical data thus facilitating their inclusion in the Annual Report of the European Union.
- Maintain the exchange of information regarding export policies towards third countries.
- Contribute to the exchange of information on Directive 2009/43/EC and its transposition into national legislations in a harmonised manner.
- Support the holding of a new conference in March 2013 for the adoption of an Arms Trade Treaty.
- Maintain active outreach work with third countries with a view to promoting the principles and criteria of Common Position 2008/944/CFSP.
- Keep lines of dialogue open with the European Parliament, civil society and industry.

B) Directive 2009/43/EC of the European Parliament and of the Council of 06 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community.

This Directive seeks to harmonise the legal and regulatory provisions of the Member States in order to simplify intra-Community transfers of defence-related items to ensure the proper operation of the internal market while at the same time enhancing competitiveness in the European arms industry and encouraging the participation of small and medium-sized undertakings in the more efficient supply of military material.

The aim of protecting human rights, peace, security and stability laid down in the legal provisions and regulations of Member States which restrict the transfer of defence-related items, require that the transfer of these items within the Community continue to be subject to the authorisation of the Member States of origin and the submission of guarantees in the recipient Member States under different safeguard mechanisms laid down in the Directive.

All transfers of defence-related items within the European Union are subject to prior authorisation, although some specif-

ic exemptions are defined permitting Member States to grant exemptions to the said authorisation such as dispatches to the Armed Forces of a Member State, deliveries made by the EU, NATO or the IAEA and transfers within the framework of a cooperation programme.

To facilitate the transfer of defence-related items, general transfer licenses are published which authorise transfers from Member States to undertakings which comply with the terms and conditions laid down in each general license. General licenses suffice where the recipient is the Armed Forces or a certified undertaking in accordance with the requirements laid down in the Directive, in the case of demonstrations, evaluations and temporary exhibits and in the case of transfers for the purpose of maintenance and repairs. Royal Decree 844/2011 also includes a fifth case of the possible use of general licenses for dispatches to NATO agencies (NAMSA).

Suppliers must inform recipients of the terms and conditions of the general license as concerns the end use or export of these items. They must also inform the authorities of their intention to use a given general license for the first time 30 days prior to the first transfer. Similarly, they must furnish periodical information on the use made of the general licenses and the transfer of items for statistical purposes and keep these records with the required information on file for a minimum of five years so as to ensure the traceability of defence material.

Global transfer licenses are issued at the request of the individual supplier authorising the latter to undertake one or several transfers of defence-related items to one or several recipients in one or sever-

al Member States. They are valid for three years and may be renewed.

Individual transfer licenses are granted on an exceptional basis upon request by a specific supplier for one single transfer where necessary to protect the essential interest of security or public order in a Member State or in the case of a Member State which has serious reason to believe that a supplier will not be able to comply with the terms and conditions required for the issue of a global license.

The Directive provides for the possibility of certifying undertakings which are recipients of defence material to allow them to receive certain defence material in accordance with a general license issued by another Member State, providing that the undertaking meets the reliability criteria laid down in the Directive and the commitment to comply and enforce compliance with all of the specific conditions related to the end use and export of any specific item or component received.

The deadline for the transposition of the Directive for Member States is 30 June 2011. The proposed measures came into force on 30 June 2012.

In 2009 the Commission created a Committee for the transposition of Directive 2009/43/EC composed of experts from the 27 Member States, the Council Secretariat and the European Defence Agency. It also created a working group on certification, in order to define common criteria and guidelines for best practices whose results were published in the Commission Recommendation of 11 January 2011 on the certification of defence undertakings under Article 9 of Directive 2009/43/EC.

On 21 February 2011 the Council adopted an updated version of the EU's Common List of Military Equipment requiring amendment of the Annex to Directive 2009/43/EC. This update was defined in Commission Directives 2012/10/EU of 22 March 2012 and 2012/47 of 14 December 2012.

C) Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime.

On May 31, 2001, the UN General Assembly adopted Resolution 55/255 relating to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, added to the United Nations Convention against Transnational Organized Crime of 15 November 2000. The Firearms Protocol entered into force on 3 July 2005. With the Council's authorisation, the Commission represented the European Community in its negotiation of those articles of the Firearms Protocol that fall under Community competence and eventually signed it on 16 January 2002 on behalf of the European Community. Spain deposited its instrument of ratification of the Protocol on 9 February 2007.

Article 10 of the Protocol sets out the requirements for authorization of these transactions in the sphere of foreign trade. Thus, each State Party must establish or maintain an effective system of export/import licensing or authorisation and other mechanisms relating to transits. Other essential requirements are verification by the exporting country that the

importer has already obtained the import authorisation from its authorities and information regarding transits from the countries through which the weapons in question will be moved. However, States may adopt simplified administrative procedures in specific cases, such as temporary exports and imports and the transit of firearms, their parts and components and ammunition for verifiable lawful purposes such as hunting, sport shooting, testing, exhibitions or repairs.

EU Implementation of the UN Firearms Protocol had been left pending and the publication of Regulation (EU) No 258/2012 of 14 March 14 2012 in the Official Journal of the European Union on 30 May 2012 complies with the international commitment made by the EU. This action is linked to the EU's current policies on measures to combat international crime, intensification of the fight against unlawful trafficking in firearms and measures to reduce the proliferation and dissemination of small arms throughout the world.

It is important to note that the Regulation is applicable exclusively to civilian firearms, their parts and essential components and ammunition and not to firearms intended for specific military purposes. Moreover, it refers to transfers of firearms to third countries and not to intra-Community transfers. The Regulation covers short and long, semi-automatic, repetition and single-shot firearms, but excludes automatic weapons.

It shall apply from 30 September 2013.

Extension of control to firearms for civilian use (sporting and hunting weapons) and ammunition stems from the approval of Law 53/2007 of 28 December 2007 on the control of foreign trade in defence and dual use items. This Law embodies

the obligations undertaken by Spain on 9 February 2007 upon signing and ratifying United Nations General Assembly Resolution 55/255 of 31 May 2001 approving the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

A specific regulation was subsequently drawn up providing sufficient flexibility to enable the rapid and expeditious processing of transactions relating to the civilian use of these weapons. This regulation is implemented by Royal Decree 2061/2008 of 12 December 2008 approving the control Regulation governing foreign trade in defence material, other material and dual-use items and technologies, amended by Royal Decree 844/2011 of 17 June 2011.

According to the Regulation, these weapons may be transferred through individual or global licenses. Also according to Royal Decree 2061/2008, the export licenses for these weapons must be accompanied by a document certifying the issue of import authorisations by the importing State and information regarding the means of transport and transit countries. Temporary shipments of these weapons for repair, checks, replacement of defective material free of charge, returns to origin, testing, approvals, fairs and exhibitions, as well as hunting and sport shooting, are exempt from the prior report from the JIMDDU and control document.

Lastly, the regulation provides for a bi-weekly consultation procedure of JIMDDU members for these operations, which speeds up their processing.

D) Council Regulation (EC) 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or

other cruel, inhuman or degrading treatment or punishment

The Regulation entered into force on 30 July 2006. It contains nineteen Articles and five Annexes.

The Regulation was amended in 2011 through the approval of Commission Implementing Regulation (EU) No 1352/2011 of 20 December 2011 replacing Annexes II and III of Regulation (EC) No 1236/2005 with Annexes I and II of the new Regulation, extending the list of items.

Annex I features a list of items related to the application of the death penalty whose export, import and related technical assistance are prohibited: gallows and guillotines, electric chairs, gas chambers, injection systems designed for the administration of lethal chemical substances and electric-shock belts. New items were added to the Annex list in 2011, i.e. other electric-shock devices such as sleeves and cuffs and spiked batons.

This prohibition does not apply to shipments of this equipment to museums. Technical-health items are excluded as well.

Annex II includes equipment used for torture: restraint chairs and shackle boards, leg-irons, gang chains, shackles, individual cuffs and shackle bracelets (except for handcuffs considered normal) thumb-cuffs, portable anti-riot devices for administering an electric shock, incapacitating chemical substance dispensing devices and two chemical substances used in the manufacture of tear gas. Some short and intermediate acting barbiturate anaesthetic agents including, but not limited to amobarbital, pentobarbital, secobarbital,

and thiopental, (along with their sodium salts), used for lethal injections, have likewise been included. The items listed in this Annex may be exported and imported but their export requires prior authorisation and a control document listing the recipient, use and end users.

This Regulation does not yet cover transit and brokering transactions.

The Regulation mandates an annual activity report and the exchange of denial data among Member States. A denials and consultations procedure similar to the one provided under Common Position 2008/944/CFSP of 8 December has been established, using the dual use database to which this additional function has been added.

No meeting of the Committee entrusted with reviewing Regulation enforcement was held in 2012. However, as a result of work carried out in 2011, a study group was established for future amendment proposals.

E) Letter of intent (LOI) regarding the restructuring and integration of the European Defence industry.

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

The aim of the Letter of Intent is to encourage the creation of a competitive and

flexible European industrial structure in the best possible position to tackle future defence sector challenges. The Framework Agreement sets the stage for the establishment of a political and legal framework within this sector with a three-pronged approach: the industrial restructuring of Europe's defence sector, a boost for the creation of transnational European companies in this field and the promotion of a more robust and competitive technological base.

In 2012 Spain continued to participate in the activities of the aforementioned sub-committees.

Subcommittee No 2 on Export Procedures was transformed in 2012 into an informal working group on export control whose main task revolved around the analysis of the transposition to the legal systems of LoI countries of Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community.

In 2002, Subcommittee No 2 completed its drafting of the Implementing Convention for Global Project Licenses (GPL) applicable to dispatches arising from cooperation programmes in the area of defence, and in 2009 the Convention concerning Components Licenses (CL) applicable to dispatches, outside of the scope of cooperation programmes, of components, subsystems and parts among enterprises of the six countries and those countries included on a list of eligible destinations.

In the case of the former, procedures are specified for the listing and management of the eligible export destinations and the basic information that national GPLs

must contain. As for the latter, a series of procedures similar to those contained in the aforementioned Convention is regulated, in addition to the list of items applicable to the CL. Items classified as more sensitive on the national lists are excluded from this latter list. The operators of the CL can be the governments of the countries in question, the firms registered as beneficiaries of this type of license by the States party to the Framework Agreement and the governments and companies of the remaining countries which are on the list of eligible destinations.

The GPL are regulated under Article 25 of Royal Decree 2061/2008 and the CL under Article 30 of Royal Decree 844/2011 amending the former.

The Informal Working Group met in Paris on 28 February 2012. Also, delegations of the six Lol countries met in Amsterdam on 1 October 2012 with a delegation from the United States composed of representatives from the Departments of State, Defence and Trade. At this meeting, the six aforementioned countries presented the way in which Directive 2009/43/EC was transposed while the United States made its presentation on reform in control of defence exports driven by the Obama Administration.

F) European Union Joint Action on Small Arms and Light Weapons

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

Joint Action 1999/34/CFSP, adopted by the European Union on 18 December

1998 and updated by Joint Action 2002/589/CFSP of 12 July on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons, reinforces other initiatives already existing in the European Union, specifically the so-called Programme for Preventing and Combating Illicit Trafficking in Conventional Arms of 26 June 1997 and Common Position 2008/944/CFSP.

The EU Strategy against the stockpiling and illegal trafficking in small arms and light weapons and their munitions has been in operation since December 2005 as part of its 2003 Security Strategy. Other EU programmes and strategies focusing on anti-personnel mines and the participation of children soldiers in conflicts will round-out the construction of the Security Strategy.

Joint Action 2002/589/CFSP focuses on regions in conflict and its objectives are to prevent the destabilising stockpiling and proliferation of light weapons and also to contribute to the reduction in stocks of these types of arms. The projects developed under the aegis of this Joint Action are mainly financed through the CFSP budget (specific article on "non-proliferation and disarmament").

In 2012 the EU continued to provide technical and financial assistance with funds from different budgets for programmes and projects undertaken by different international and non-governmental organisations in the fight against the proliferation of small arms and light weapons and assistance for victims of armed conflicts. The European Union remains one of the world's top contributors in this area.

The EU participated actively in the Preparatory Committee for the United Nations Conference to review progress made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 19 to 23 March 2012.

In 2012, as part of the Council Decision to support the activities of the United Nations Office for Disarmament Affairs to implement the Programme of Action of the United Nations (Council Decision 2011/428/PESC of 18 July 2011), regional seminars were held on progress made in implementing the Programme of Action of the United Nations in Bali, Kingston and Nairobi to prepare specific regions for the Review Conference.

The EU is also carrying out an initiative to combat unlawful trade in small arms and light weapons through aerial means. To that end, Council Decision 2010/765/CFSP was adopted and the Stockholm International Peace Research Institute (SIPRI) was entrusted with its execution. The aim is to enhance the instruments and techniques targeting national and international players enabling them to identify and trace aircraft suspected of being involved in the unlawful trafficking in small arms and light weapons towards and within conflict areas in Africa and other parts of the world. On 1 and 2 March 2012, a specialized seminar was held in Kiev for national and international officials responsible for investigating arms trafficking, civil aviation, export control and peacekeeping. A manual on aircraft recognition was published and disseminated as part of the preliminary information and awareness raising activities conducted jointly by United Nations

and OSCE institutions. Computer programmes and databases were updated to reflect the threat posed by increasing levels of conflict in Syria and Sudan.

The EU continued with the implementation of programmes to increase regional cooperation in the field of small arms and light weapons through regional economic communities in Africa: the Economic Community of West African States; the East African Community; and the Economic Community of Central African States. In that framework, it made a specific financial contribution to the Regional Centre on Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa and adjoining States (RECSEA) to promote the role of civil society and to support national efforts in the prevention of unlawful trade in small arms and light weapons throughout the region. After extensive consultations, in mid-2011 the parties agreed on a number of regional priorities within the project. It has gained momentum and is especially trying to address long-term needs in strengthening the legislative and institutional capacity of the countries concerned. Negotiations are under way for the maintenance of EU aid to RECSEA beyond 2012, in line with the strategic framework of the organization and the needs of the partner country. The new agreement is expected to be signed by the end of 2012.

Also, within the framework of the Stability Instrument, the EU is supporting other projects such as the application of the Firearms Protocol (appended to the United Nations Convention against Transnational Organised Crime) in Latin America, the Caribbean and West Africa, and the development of an INTERPOL database

on lost and/or stolen weapons as a centralised tool to trace illegal firearms.

Lastly, the EU increased its collaboration in this field with other regional organisations as was the case of the OSCE.

The EU has continued with the preparation of a new Council Decision in support of efforts to reduce the risk of illicit trafficking and excessive stockpiling of small arms and light weapons (SALW) in the OSCE region. The new Council Decision should aim, in particular, to improve the security of SALW arsenals in Belarus and Kyrgyzstan, the destruction of surplus SALW in those two countries to prevent their diversion into the black market and the introduction of an SALW inventory management application in order to improve the storage, logging and tracing of SALW in different OSCE States.

Special mention should be made of Spain's 2012 contribution to the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC) for a total of €20,000. A large number of activities related with the fight against unlawful trade in and proliferation of firearms have been undertaken with this body (workshops, seminars, technical and legislative assistance and capacity-building) in Latin America.

Also, the Spanish Agency for International Development Cooperation (AECID) funded projects focusing on care for victims, their families and communities of which special mention should be made of the reintegration of ex-soldiers with special emphasis on care for children soldiers.

This action is linked to the Union's current policies on measures to combat in-

ternational crime, intensification of the fight against unlawful trafficking in firearms and measures to reduce the proliferation and dissemination of small arms throughout the world.

The Arms and Explosives Intervention Unit of the Directorate-General for the Guardia Civil (Ministry of the Interior) carried out the following activities in 2012: 23,884 inspections of manufacturing and storage plants of these weapons and explosive plants and warehouses; holding on deposit of 267,819 firearms of different types and characteristics; 19,809 weapons pending auction; 37,692 weapons pending scrapping; 1,332 lost weapons of which 417 were recovered; 587 sanction proceedings involving weapons (160 of which were under the Arms Regulation, 27 under the Explosives Regulation and 400 under the Pyrotechnics and Ammunition Regulation) and confiscation at border controls of 131 weapons (111 from Schengen countries and 20 weapons from non-Schengen countries.

Regarding import and export, 251 import authorisations were granted, 399 export authorisation reports were issued and 1,581 prior consents for EU countries and 507 transits of regulated items (201 informed) were granted.

G) United Nations Conference on the Illicit Trafficking of Small Arms and Light Weapons. Action Programme.

Spain places a high priority on international cooperation in combating and eradicating unlawful trafficking in these types of arms. The Spanish Government has lent its support to all of the work conducted in this field within the scope of the United Nations as well as in other ar-

as (OSCE, Wassenaar Arrangement) as evidenced by the different sections of this report. The first Conference was held in New York from 9 to 20 July 2001 for the purpose of combating all aspects of illicit trade in small arms and light weapons including the role played by brokers.

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

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

Part II of the Programme of Action envisages a series of legislative and regulatory measures to be adopted at national

level (inter alia, regulation of the production, export, import, re-export and transit of small arms and light weapons and criminalisation of the production, possession, stockpiling and illegal trade in these arms). Most of these measures are much less stringent than the rules currently in force in Spain.

For example, as concerns control of the export of defence and dual-use material, the Programme of Action calls for the implementation of an authorisation system for the export of these arms which takes stock of "the risk of diversion to illicit trafficking". In authorising or denying exports of defence material, Spain applies Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment. This Common Position features much more strict and precise criteria than those contained in the Programme of Action. Similarly, in other aspects such as the marking, registration and monitoring of these arms, Spanish and European rules are more thorough and ambitious than the Programme of Action provisions or the International Instrument to identify and trace small arms and light weapons (adopted in 2005 within the framework of the UN General Assembly). Marking has been compulsory in Spain since 1929.

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

The Programme of Action also envisages State adoption of administrative measures to facilitate the coordination and transmission of information in the sphere of the small arms and light weapons trade. In this connection, States are urged to designate a “contact point” or are requested to voluntarily remit information regarding arms confiscated or destroyed to international organisations. In December 2003 the Ministry of Foreign Affairs and Cooperation communicated the Spanish contact point.

At EU level, the Joint Action on small arms and light weapons and the Programme for Preventing and Combating Illicit Trafficking in Conventional Arms already address these issues in a broader way than the Programme of Action analysed.

In 2012, Spain continued carrying out a significant number of legislative and executive activities along with multilateral, cooperation and international technical and financial assistance initiatives targeting third countries. Operations were undertaken to control trafficking in and the marking, tracking, registration and destruction of small arms and light weapons, in addition to operations having to do with training and the exchange of information at institutional and international level. All of the activities undertaken by Spain in application of the UN's Programme of Action on small arms and light weapons and the International Instrument on Marking and Tracing are described in detail in the report issued every two years to the United Nations and the extent of national implementation of those two instruments is available on the UN's web page.

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

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

The Protocol was approved by virtue of Resolution 55/255 of 31 May 2001 at the 101st General Assembly plenary session and entered into force on 3 July 2005.

On 9 February 2007 Spain deposited its instrument of accession to the Protocol which entered into force in Spain on 11 March 2007.

The Firearms Protocol and the United Nations Programme of Action are the main reference documents taken into consideration in the reports submitted, inter alia, to the Multidisciplinary Group on Organised Crime (MDG) to introduce changes and amendments to Council Directive 91/477/EEC or EUROPOL's Group of Experts on arms trafficking and Tracing.

Parliamentary Forum on Small Arms and Light Weapons

Since its constitution in Madrid in October 2002, Spain has been taking part in the Parliamentary Forum on Small Arms and Light Weapons with the participation of MPs from Spain, Sweden, Finland, Latin America from some African nations), in addition to government officials and representatives from inter-

governmental bodies and institutions and the civil society.

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

It was constituted in the Spanish Congress of Deputies in October 2002, fruit of an initiative between Spain, Sweden and the countries of Central America. A meeting of representatives is held on a regular basis. To date, its ordinary meetings have been held in Panama (2003), Stockholm and Helsinki (2004), Mexico City (2005), Montevideo (2006), Panama (2007), Nairobi/Arusha (2008), Managua (2009) and Santafé de Bogota in Colombia (2010).

Spain's economic contributions to the upkeep of the Forum have been as follows: in 2007, €30,000 were earmarked; in 2008, €80,000; in 2009, €100,000; in 2010, €30,000; and in 2011, €5,000. The forum is expanding geographically and currently covers countries of Latin America, Africa, Europe, the Balkans and the Mediterranean basin.

H) International Arms Trade Treaty (ATT)

This is an initiative arising from a Committee of Nobel Prize winners in 1997 under the leadership of Costa Rica's Oscar Arias Foundation and with the support of several NGOs including IANSA, Amnesty International, Intermon-Oxfam

and *Saferworld*. These NGOs launched a campaign in November 2003 called "Arms under control" with a view to winning approval for the Treaty.

The Treaty is conceived as a legally binding instrument whereby all signatory countries commit to refrain from exporting arms to destinations where human rights and International Humanitarian Law is not respected.

Spain was one of the 117 co-sponsors of this project passed on 6 December 2006 at the 61st United Nations General Assembly (UNGA). A Group of Governmental Experts was created to study its feasibility, scope and parameters and Spain is among the 28 countries selected.

The Final Provision of Law 53/2007 of 28 December 2007 on the control of external trade in defence and dual use items provided that the Government was going to maintain "an active position both outside and within the European Union in favour of drawing up an effective and legally binding International Arms Trade Treaty establishing global rules on the transfer of arms". This Government statement is the culmination of a series of international commitments undertaken by Spain in the area of non-proliferation.

Spain was also one of the 114 co-sponsors of the Resolution adopted on 17 October 2008 at the 63rd General Assembly agreeing to move forward with the creation of an open-ended Working Group for the possible drafting of a future legally binding instrument laying down common international rules for the import, export and transfer of conventional arms. That group met twice in 2009.

When the UNGA finally approved Resolution 64/48 (the Arms Trade Treaty) on 12 January 2010, "...organise a UN con-

ference on the Arms Trade Treaty to be held in 2012 for four consecutive weeks to elaborate a legally-binding treaty to establish the highest possible common standards on the international trade in conventional arms” -on the basis of consensus-, Spain was among the first and main advocates of this initiative.

Resolution 64/48 established a Preparatory Committee, within which interested States met in four sessions between 2010 and the spring of 2012. The activities of the group and the committee complemented one another during thirteen regional meetings to extend the idea and scope of the draft Treaty.

The decisive step in boosting the initiative came with United Nations Resolution 64/48 of 2 December 2009 approving the convening of a United Nations Conference for processing and approval. The Conference was slated for 2012 and there a legally binding instrument is expected to be set up to define common international standards to regulate the transfer of conventional arms.

After four preparatory meetings held between 2010 and 2012, the Conference took place from 2 to 27 July 2012. A final text was presented on 26 July but was not approved by the Parties. Subsequently, in its resolution 67/234 of 24 December 2012, the General Assembly extended the mandate to continue negotiations at a Final Conference.

The Final Conference was held at United Nations Headquarters in New York from 18 to 28 March 2013.

Three countries failed to support the text (Iran, North Korea and Syria) and so the decision was taken to submit it to the General Assembly of 2 April and to vote on it there (a two-thirds majority being

required for approval). Therefore, a draft resolution was submitted and a negotiated text appended thereto and the Secretary-General of the United Nations, acting as depositary, was asked to open it to signing on 3 June 2013.

On 2 April the UN General Assembly approved the Arms Trade Treaty by majority in a historic vote that ended a long negotiating process that began more than a decade ago.

Entry into force will be ninety days after the date of deposit with the Depositary of the fiftieth instrument of ratification, acceptance or approval.

Article 2 of the Treaty's final text defines its scope and includes the seven categories of conventional weapons laid down in the UN registry, plus an eighth category referring to small arms and light weapons.

Components and ammunition have remained outside of the Treaty's scope. However, explicit references are made to both items and States are obliged to establish and maintain a national system of export control of the components of the eight categories of weapons and their ammunition. It provides that each State Party shall establish and maintain a national list of control that is recommended to be public, which shall include at least the categories included in the UN Register.

The activities covered under this Treaty include exports, imports, brokerage, trans-shipment and transit.

The Treaty incorporates three cases in which conventional arms transfers are banned: where an embargo is in force on the country of destination, violations of obligations under international agree-

ments and the possibility that the weapons could be used in acts of genocide, in crimes against humanity, grave breaches of the 1949 Geneva Conventions, in attacks on civilians or war crimes.

The parameters used by the control authorities to evaluate transactions are in line with International Humanitarian Law and human rights, i.e. arms transfers must not contribute to acts of terrorism or foster transnational organised crime and must not contribute to gender-based violence or violence against children. The possible risk of diversion must likewise be considered.

Finally, the exchange of information and transparency are fundamental tools for effectively exercising controls over these operations. The Treaty does not envisage the publication of the information furnished annually by each State Party to the Secretariat responsible for its enforcement and review. The annual report drafted by the Secretariat shall include the authorisations or the actual import and export of conventional weapons, while data on refusals is not required. This report may contain the same information as that submitted to the Register of Conventional Arms of the United Nations, i.e. the number of complete items exported and imported sorted by country of destination and origin. National reports may exclude commercially sensitive data or those relating to national security.

1) Convention on Cluster Munitions

The precursors of this initiative can be traced back to the Ottawa Anti-personnel Mine Ban Convention. This convention was signed on 3 December 1997. Spain ratified the Convention on 7 March 1999.

Under the agreed text, each State committed to refrain from using, developing,

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

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

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

Both the Convention and Law 33/1998 exclude cluster and fragmentation bombs from the scope of the aforementioned prohibition on manufacture and trade.

Moreover, the requirements laid down in Protocol II of the 10 October 1980 Geneva Convention on the prohibition or restricted use of certain conventional arms considered excessively damaging or indiscriminate (CCW), did not apply either. However, from 2006 to December 2008, two parallel processes have taken place which could pave the way for a prohibition of cluster bombs. The first was within the framework of the CCW.

The second, called the Oslo Process, was more active. Finally, at the Dublin Conference held from 19-30 May 2008 a

draft convention was passed prohibiting cluster bombs with one exception – that they have fewer than 10 sub-munitions, weigh less than 4 kg, come equipped with a sensor or remote control to detect a single target and come equipped with self-destruction or self-deactivation mechanisms.

The Convention was signed on 3 December 2008 in Oslo and entered into force on 01 August 2010 once the minimum 30 States ratified it. The Spanish Parliament ratified it on 18 March 2009 and Spain deposited the corresponding instrument of ratification on 17 June 2009. It was the tenth signatory country of the Convention.

The Spanish Government took the decision to act before the ratification of the Convention and established a unilateral moratorium on the use, development, production, acquisition and external trade in cluster munitions. The Agreement, approved by the Cabinet on 11 July 2008, was tabled jointly by the Ministries of Foreign Affairs and Cooperation, Defence and Industry, Tourism and Trade.

The Ministry of Defence completed the destruction of its arsenal of cluster munitions on 18 March 2009 in compliance with the agreement established in the unilateral moratorium. Spain thus became the first signatory country to destroy its arsenal of cluster munitions.

J) United Nations Register of Conventional Arms

Annex V outlines Spain's contribution in 2012 to the United Nations Conventional Arms Register with a table showing exports of the seven categories of conventional arms and another table showing the exports of small arms and light weapons. This contribution is voluntary in nature.

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

The following categories form part of the "small arms" classification: automatic revolvers and pistols, rifles and carbines, machine guns, assault rifles, light machine guns and others. The "light weapons" category includes: heavy machine guns, portable anti-aircraft weapons, portable anti-tank weapons, recoilless rifles, portable missile and rocket launching systems and under 75 mm calibre mortars.

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

K) OSCE Document on Small Arms and Light Weapons

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

One of this initiative's most important instruments is the exchange of information and increased transparency pursuant to which all countries must file annual reports on the export and import of small arms and light weapons to and from other participating States. The most recent information furnished by Spain to the OSCE refers to exports authorised and undertaken in 2012 which are listed in Annex VI attached to this report.

Included under this classification under "small arms" are automatic revolvers and pistols, rifles and carbines, submachine guns, assault rifles and light machine guns. The following are included under "light weapons": grenade launchers, heavy machine guns, portable anti-aircraft weapons, portable anti-tank weapons, portable missile and rocket launching systems, portable anti-aircraft missile launching systems and mortars under 100 mm calibre.

It should be pointed out that the exchange of information in the OSCE concerning arms recipients and the complete item excluding components and munitions is limited to the armed forces and law enforcement officials while information regarding countries of destination is limited to OSCE countries meaning that Spanish exports included in this annex are a part of the total exports of SALW.

Furthermore, the figures appearing in the tables regarding authorised licenses issued do not necessarily coincide with the figures appearing in the tables on operations undertaken because not all of the licenses give rise to shipments. Moreover, shipments made in one fiscal year could be carried out under a license issued the previous year.

In addition to these actions, in 2012 intense outreach work was done regarding new Spanish legislation in the sphere of defence through the following activities:

- UNDP Seminar, Ministry of Foreign Affairs and Cooperation (Madrid, 7 February).
- Export Control Seminar 2012, BAFA (Berlin, 6-8 June).
- Presentation conference on Directive 2009/43/EC, TEDAE (Madrid, 25 June).
- IV Introductory Course on International Trade, Logistical Academy of Calatayud-Chamber of Commerce and Industry of Zaragoza (Zaragoza, 26 June).
- Defence Exports Conference 2012, SMi (Amsterdam, 1-2 October).
- Forum on Formulas and Procedures to promote Public-Private Partnership, AESMIDE (Madrid, 19 November).
- 1st EADS Export Compliance Team Meeting, EADS (Munich, 28 November).

PART III. EXPORTS OF OTHER MATERIAL

1. Legislation in force

Smooth-bore barrel hunting and sporting arms and their ammunition which, due to their technical specifications, are not apt for military use and are not completely automatic, were not subject to control until the entry into force of Law 53/2007 (29 January 2008). This regulation extended control to all hunting and sporting arms, their parts and components and ammunition pursuant to the commitments undertaken by virtue of United Nations General Assembly Resolution 55/255 of 8 June 2001 approving the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime. Article 2(2) and Annexes II and III.2 of Royal Decree 2061/2008 of 12 December 2008, amended by Royal Decree 844/2011 of 17 June 2011, regulates the said control. Spain's future control regulation, slated for approval in 2013, will adapt Spanish legislation in this field to Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 whereby Article 10 of that Protocol will be enforced.

2. Statistical analysis

A) Exports completed

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

Exports of police and security material totalled €3.5 million, the recipient countries being Peru (€1.9 million accounting for 55.8%), Tunisia (€1.1 million, 30.4%), Venezuela (€0.4 million, 12.7%) and Brazil (€40,500, 1.1%). Exports completed accounted for 22.8% of those authorised during the same period (€15.6 million).

Exports of hunting and sporting arms (hunting shotguns, shells and their parts) totalled €34.5 million. Exports completed accounted for 51.2% of those authorised during the same period (€67.4 million).

The main destination was the United States, with €6.4 million accounting for 18.5%. The rest of the transactions were divided among 60 destinations.

B) Operations processed and exempt from the preliminary report and/or control document

Under the heading "Other Material" 339 individual licenses and 71 rectifications were processed. Of those 339 individual licenses, 293 were approved, 12 denied, 17 were left pending, 7 expired and 10 were discontinued. Of the 71 rectifications, 70 were approved and 1 denied.

C) Entries in the Special Register for External Trade Operators in Defence and Dual-use Material (Spanish acronym REOCE)

In 2012, two entries were made in the REOCE by firms producing other material and a further 2 made joint entries for defence and other material.

D) Licenses denied

In 2012 there were 13 export denials of other material, all of hunting and sporting arms. Details of these denials are found in Annex II.

These denials break down as follows:

- export of hunting shotguns to Canada for lack of a record showing that these weapons had previously been imported;
- a shipment of hunting shotguns to Equatorial Guinea because the operator failed to provide proof of ownership of the weapons;
- export of hunting shells to the region of Kosovo (Serbia) due to the risk of diversion and subsequent improper use;
- export of hunting shells to Belarus due to a European Union embargo dated 20 June 2011;
- four licenses and a correction in the export to Mali of hunting shells, cases, lead balls and shot, due to internal instability in the country of destination;
- a shipment to Argentina of a shotgun because the exporter was not the owner of the weapon and the actual owner lacked the necessary authorizations for the acquisition, possession and use of the weapon;
- two exports to Andorra of hunting shotguns because the owner of the weapons was not properly identified; and
- an export to the United States of hunting shotguns because the name of the exporter on the license was incorrect.

In addition to these denials, the Secretary of State for Trade revoked the two individual export licenses to Mali that were in effect, for hunting shells, lead balls and shot. These licenses were revoked on 11 October 2012 in application of Article 8(1) a) of Law 53/2007 of 28 December 2007 on the control of external trade in defence and dual-use material and Article 7(1) a) of Royal Decree 2061/2008 of 12 December 2008 establishing the Regulation controlling external trade in defence material, other material and dual-use items and technologies amended by Royal Decree 844/2011 of 17 June 2011.

PART IV. EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES

1. Legislation in force

1. Legislation in force

Regulation of external trade in dual-use items and technologies is governed by Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of the export, the transfer, brokering and transit of dual-use items, amended by Regulations (EU) No 1232/2011 of the European Parliament and of the Council of 16 November 2011 and No 388/2012 of 19 April 2012.

The Community Regulation lays down a regime whereby the export of dual-use items and technologies included in Annex I must be controlled (checklist of 10 categories of dual-use items and technologies) along with others not included on this list pursuant to Article 4 (catch-all clause).

Annex IV of the Regulation includes the subset of dual-use items and technologies whose shipments within the European Union are subject to control given their especially sensitive nature.

Mention should also be made of Joint Action 2000/401/CFSP of 22 June on the control of technical assistance concerning certain military aims. Here, special attention is paid to the control of technical assistance (including oral communications that could encourage or provide a basis for the development of weapons of mass destruction. The Joint Action introduces control of technical assistance lent to non-community countries, allowing Member States to choose between an authorisation or prohibition system.

Member States are also urged to consider the possible application of control

when technical assistance has a conventional military end-use and focuses on countries subject to international embargoes.

2. Statistical analysis

A) Exports completed

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

Export of dual use material in 2012 rose significantly by 235.5% vis-à-vis 2011 totalling €234.1 million.

Year	Amount (€ millions)
2006	79.04
2007	114.26
2008	154.24
2009	99.12
2010	97.32
2011	99.40
2012	234.1

The following were the top ten countries of destination:

DU countries	Value (€ millions)	Percentage
Most relevant countries	202.8	86.6
United States	91.4	39.0
Iran	31.0	13.3
P.R. China	19.9	8.5
France	16.9	7.2
Turkey	12.3	5.3
Slovenia	7.5	3.2
Argentina	6.3	2.7
Turkmenistan	6.2	2.6
Venezuela	6.1	2.6
Oman	5.2	2.2
Remaining countries	31.3	13.4
TOTAL	234.1	100

The number one destination of Spanish exports was the United States with €91.4 accounting for 39.1% of the total.

89.4% of the shipments to this destination were two steam generators for a nuclear power plant. The remaining shipments consisted of six machine tools and carbon fibre pre-impregnated with epoxy resin for the aeronautics industry; chemicals; uranium oxide for nuclear power plants; two unmanned helicopters and their control station intended for the Armed Forces; electronic systems for the telecommunications sector and infrared cameras.

Spanish exports to Iran may seem surprising given that this country (€31.0 million accounting for 13.3%) is subject to embargoes from the United Nations and the European Union.

Export operations to Iran were analysed on a case by case basis by the JIMDDU and the Secretariat of State for Trade, taking the UN and EU sanctions against this country into consideration.

Export of dual-use items and technologies to Iran is the result of the application of the so-called catch-all clause (Article 4 of Regulation (EC) No 428/2009).

This clause is used in the case of the export of items not included on the checklists where there is a known risk of diversion to programmes devoted to the manufacture of weapons of mass destruction or where the country of destination is subject to an arms embargo and the items in question may have a military end-use. The operations authorised did not impose any sort of risk of diversion or use in proliferation programmes.

The shipment consisted of stainless steel pipes for the steel sector; valves, with spare parts, for the petrochemical, oil and gas industries; centrifugal pumps for the pumping of sea water intended for the petrochemical sector and a steel alloy furnace for the manufacture of automobile engine cylinder heads.

Apart from the ten main destinations listed in the preceding table, the small remaining percentage (13.4%) was distributed among 46 countries from different areas.

Special mention should be made of the exports to some destinations.

Cuba: €4.3 million in graphite electrodes for electrical furnaces for steel production and chemical substances for leather tanning, pharmaceutical laboratory analyses, human vaccine quality control and water analyses.

Hong Kong (P.R. China) €2.1 million in electronic cards for cryptographic functions in telecommunications equipment; optical sensors and integrated circuits for communications satellites and chemicals for laboratory analyses.

India: €32,090 in chemicals for the manufacture of solar cells and for the medical and pharmaceutical sectors.

Israel: €36,399 in SIM card software for the telecommunications sector and chemicals for laboratory analyses.

P.R. China €19.9 million in numerical control systems for machine tools for the automotive sector and the footwear industry; machine tools for the aeronautics sector and the manufacture of industrial fans; imaging sensors, electronic components and integrated circuits for observation and meteorological satellites in the aerospace sector; high-capacity electrical capacitors for the railway, automotive and power generation sectors; and software for mobile telephony in the telecommunications sector.

Taiwan: €3.6 million in a machine tool for the aeronautics industry; electronic components and integrated circuits for a scientific satellite in the aerospace sector; electronic cards for telecommunications; and chemicals for laboratory analyses.

Turkmenistan: €6.2 million in alloy valves for a gas plant.

Venezuela: €6.1 million in chemicals for the oil and petrochemical industries and the production of copper, aluminium and steel.

Yemen: €253 in chemicals for laboratory analyses.

In 2012, sales were mostly concentrated in the categories of “Nuclear material, facilities and equipment” (€108.7 million, 46.4%) and “Materials processing” (€78.7 million, 33.6%).

Exports completed accounted for 91.1% of those authorised (€256.9 million).

B) Operations processed and exempt from the preliminary report and/or control document

This information can be found in Annex IV.

In 2012, 446 license applications for the export of dual-use goods and technologies were processed corresponding to 425 individual licenses, 2 global licenses and 19 temporary licenses. 44 rectifications of licenses already awarded and 2 preliminary agreements were processed as well. No inward processing traffics were handled. Twelve general authorisations were granted pursuant to Article 9 and Annex II of the Community Regulation on dual-use. Of the 425 individual licenses, 393 were approved, 6 denied, 15 remained pending, 1 expired and 10 were discontinued by the exporter. The 19 temporary licenses were approved. Of the 44 rectifications, 42 were approved and 2 were left pending. Of the 2 preliminary agreements, 1 was approved and 1 denied.

Also, 136 communications regarding exemption from the requirement of an export license were processed. Of these

communications, 4 were for export operations to Syria, 2 to Pakistan, 1 to the P.R. of China, 1 to Egypt and the remaining 128 to Iran as the result of the new restrictive measures imposed on this country. In these cases, a joint technical analysis is conducted by the export firm and the Administration of the items and technologies to be exported to make sure they are not subject to control as per the dual use lists or subject to prohibition pursuant to the sanctions placed on those countries.

Annex IV offers information concerning the time it takes to process licences and the number of licences exempt from the preliminary report and/or control document.

Exemptions from the JIMDDU report and control document were applied to dispatches of non-sensitive material to allied countries or members of international control and non-proliferation fora within the context of the following operations:

- a) Temporary exports-consignments and imports-introductions for repair, check-up, replacement of defective material at no charge, returns to origin, tests, homologations, fairs and exhibits.
- b) The export-consignment of dual-use items and technologies intended for Member Countries of international export control regimes by virtue of which the items intended for export are subject to control with the exception of the items included in Annex II of Regulation (EC) No 428/2009 of 5 May 2009.
- c) Export-consignment of items, equipment and technology which, while included on the List of Defence Material and Other Material under this Regulation and in Annex I of Regulation (EC) No

428/2009 of 5 May 2009 on the control of exports of dual-use items and technology, were eliminated from or are not included on the corresponding international lists.

- d) Introduction from another European Union country of the chemical substances included on Lists 1, 2 and 3 of the 13 January 1993 Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction, with the exception of ricin and saxitoxin.
- e) Rectifications of authorisations having to do with effective term, customs and monetary value.

C) Entries in the Special Register for External Trade Operators in Defence and Dual-use Material (Spanish acronym REOCE)

In 2012, twenty-four entries were made in the REOCE by firms producing dual-use items and a further 11 made joint entries for defence and dual use items.

D) Licenses denied

In the area of dual use, a total of six licenses and a prior agreement were turned down as follows:

- two licenses to Iran covering ring seals and gaskets for carbon steel valve replacement parts and cards for the repair of an EDM machine, due to the risk of proliferation in the first case, and because the end user is included in Annex IX to Council Regulation (EU) No 267/2012 of 23 March 2012 concerning restrictive measures against Iran and repealing Regulation (EU) No 961/2010;

- a validation code export license to India for failure to provide end user information;
- a shipment of chemicals to Lebanon because the end user failed to provide sufficient guarantees;
- export to Pakistan of two sets of steam generator tube inspection equipment for risk of diversion to a program of proliferation;
- a license for chemicals bound for Togo, for lack of an importer; and
- a preliminary agreement to the P.R. of China for a machine tool due to the risk of diversion to military use and due to two denials from another country for essentially identical operations communicated to the Missile Technology Control Regime.

Details of these denials are found in Annex III.

It was decided to apply the *catch-all* clause five times, three of them for potential shipments to Iran of laboratory equipment and stainless steel valves, and two shipments to Pakistan of inspection equipment and a test bench for a nuclear power plant.

The renewal of 14 denials relating to chemicals was reported to the Australia Group and 3 denials to the Nuclear Suppliers Group and the Missile Technology Control Regime. Spain decided not to renew 8 denials within the framework of the Australia Group.

In the area of dual-use operations in 2012, Spain collaborated in two complaints filed with the European Commission on possible exports to Iran by two Spanish companies of a tunnel boring machine and chemicals. It likewise collaborated in an investigation of a Spanish

company for a possible crime of smuggling for the export to Iran via Turkey of EDM machines for the manufacture of turbine blades for power generation plants. A similar operation was denied on 25 September 2009 in application of the catch-all clause provided in Article 4 of Council Regulation (EC) No 428/2009 of 5 May 2009 setting up a Community regime for the control of the export, the transfer, brokering and transit of dual-use items.

A detailed report was provided on the classification of defence or dual-use material and unmanned aerial vehicles in the request for an opinion arising from a preliminary investigation in a summary proceeding.

3. Principal actions undertaken at international control and non-proliferation fora in 2012

A) Council Working Group on the export of dual-use items and technologies and the Commission Coordination Group

The main duty of these groups is to review and implement Community regulations having to do with the control of exports of dual-use items and technologies. Their activities include discussion of new legislative proposals and the update of annexes using the checklists in order to adapt them to the changes agreed at the main control and non-proliferation fora.

Following is a summary of the main subjects addressed and agreements reached by these groups in 2012:

1. *Regulation (EU) No 388/2012 of the European Parliament and of the Council of 19 April 2012, amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.*

Regulation (EU) No 388/2012 of the European Parliament and of the Council, amending Annex I to Council Regulation (EC) No.

428/2009 was published on 16 May 2012 and updated the list of dual-use items in accordance with the changes approved up to 2010 in the different non-proliferation and export control regimes of which most EU countries are members: the Wassenaar Arrangement, the Nuclear Suppliers Group, the Missile Technology Control Regime and the Australia Group.

During 2012, the Working Group continued to work on the Commission's legislative proposal to quickly update the Annexes to Regulation (EC) No 428/2009 in accordance with the commitments made by Member States. During 2013, the Council Working Group is expected continue discussions on this initiative, together with the amendments proposed by the European Parliament.

2. *Commission Coordination Group under Article 23.*

The Coordination Group continued to meet regularly to discuss issues of implementation of European legislation. It continued with the development of a best practices document for consistent interpretation of European legislation in all Member States, and to improve information exchange mechanisms.

In March 2012, the *Joint Research Center* organised a seminar in Ispra (Italy) devoted mainly to the technical review of export license applications and the role of technical specialists in the process. The seminar examined the "end use and end user" analysis process that is used to assess the risk of proliferation and allow the ex-

change of best practices between officials and technical specialists. The program included visits to some nuclear laboratories.

In October 2012, a technical meeting of the European Commission and the Member States was held with representatives of the U.S. Administration on the control of exports of dual-use items and technologies. The different aspects of export control in Europe and the United States were presented at that meeting. Specifically, the American authorities explained the latest reforms of their control system.

The Cyprus Presidency and the Commission held a working meeting in December to review different aspects of the European export control system. In addition to expressing an initial opinion on the Commission document consisting of a summary of the consultation in the form of a green paper done in 2011, issues such as the conditions under which Article 8 of Regulation (EC) No 428/2009 should be applied and intangible transfers were also discussed.

3. *Green Paper on control of the export of dual-use items and technologies.*

In June 2011 the Commission adopted a *Green Paper on the EU's dual-use items and technologies export control system*. The Green Paper launches a broad public consultation on the functioning of the system of export control and consists of three parts: the first refers to the general context of export control, the second focuses on the specific issues under the current dual-use regulation, and the third on the

medium and long-term view of export controls in the EU.

In December 2012, the Commission presented a document summarizing the results of the consultation and its conclusions. This document will be reviewed by the Member States.

4. *On-line database of denials.*

The Commission continued introducing improvements and adding capacities to the on-line database of denials of dual-use items and technologies with a view to facilitating communication between Member States and access to the said database.

5. *Support for requests for accession of candidate countries to international non-proliferation fora.*

Member States supported the entry of those EU countries that are not yet part of some non-proliferation forums.

6. *Outreach activities.*

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

B) *Wassenaar Arrangement (WA)*

The Arrangement, having replaced the Coordination Committee on Multilateral Export Controls (COCOM) on 19 December 1995, is the principal international control and non-proliferation forum. It now has 41 member countries with the January 2012 incorporation of Mexico.

1. *General Working Group.*

Proposals for subsequent adoption by the Arrangement's Plenary regarding possible changes to include in its initial Elements and operation are debated in this Group. It meets twice a year, in May and October.

The General Working Group meetings are normally preceded by a meeting of the *Ad Hoc Security and Intelligence Subgroup of Experts*, but in 2012 the Subgroup met in June to coincide with the LEOM Group. However, a specific meeting on "end-use controls" and another of the group called *Friends of the Chair Group on Membership* with a delegation from Kazakhstan were held, the latter making a presentation on its export control system (Kazakhstan is a WA candidate).

Following are the main aspects addressed by the General Working Group in 2012:

- *Exchange of general and specific information:* As part of the Initial Elements, Arrangement member countries agreed to exchange general information on risks associated with the transfer of conventional arms and dual-use items and technologies. To reach that objective, they also agreed to share information on regions which are important for the purposes of the Arrangement. Contributions were made at the 2012 sessions regarding different regions and areas of concern including Georgia, Syria and the Horn of Africa region, and information on maritime security was shared.

Under the point *Emerging technologies of concert*, Information was also exchanged on Cloud computing and Cyber-tools.

As concerns the exchange of specific information, discussion continued on different proposals to achieve greater transparency regarding notification information:

- *A proposal to increase the exchange of information on arms transfers among Arrangement members.* Debate will continue on this topic since no agreement was reached (today only transfers to countries outside the WA are notified).
- *Notification of conventional arms denials:* No headway whatsoever was made on the proposal to broaden the exchange of information to include denials (currently notification is given on transfers). Best practice guidelines will be prepared in 2013.
- *Artillery systems:* The debate on the proposal for compulsory reporting on transfers of 35-75 mm calibre artillery systems will likewise continue in 2013.
- *Scope of reporting on dual-use refusals:* These proposed best practice guidelines on the establishment of a bilateral notification procedure concerning sensitive and very sensitive lists will also remain under study in 2013.

- *Notification deadlines:* Information was provided concerning deadlines for the notification of transfers and States were urged to comply more strictly.
- *Controls, Licenses and Customs:* Under this heading, information was shared with a view to enhancing the transparency of national export control policies and the development of best practices. Among the findings of the 2011 assessment, it was agreed that members would report on a rotating basis on how they perform information notifications. Some delegations made voluntarily presentations on the subject.

Some delegations reported on important changes that had occurred in their regulations or control practices.
- *Best Practice Guidelines:* There was discussion about the feasibility of developing guidelines on best practices to prevent the destabilising stockpiling of conventional arms. The group acknowledged how difficult it would be to achieve consensus and agreed to continue working on this.
- *Internal Compliance Programmes:* The delegation coordinating the implementation of this proposal, already set out in the form of guidelines, reported on the questionnaires received. Implementation of these guidelines will be assessed in 2013.
- *Other topics:* The remaining topics were control of transits and transshipments, the use of global licensing and control of re-exports. The work done by the

Group of Experts on updating defence material lists and discussions within the LEOM Group and its proposals were also analysed.

Regarding control documents, the enormous amount of time devoted to the debate on International Import Certificates was acknowledged and it was decided to put an end to it. One delegation reported on its regulatory changes in this regard.

The exchange of information on initiatives to intensify the control of man-portable air defence systems (MANPADS) continued.

- *Participation/Outreach:* A report was given on the success of the technical briefing held in June aimed at countries not participating in the Arrangement and on other outreach activities undertaken. As concerns the entry of new members, the EU countries continued to support the application submitted by Cyprus which was blocked by one delegation. Applications from Serbia, Iceland, Kazakhstan, Bosnia and Herzegovina and Armenia were also discussed.

All the proposals of the General Working Group were approved at the 2012 Plenary although no agreement was reached on any of the nominations of new members. Their applications will remain under debate in 2013.

2. *Group of Experts.*

The main objective of the Arrangement's Group of Experts is to analyse the lists of defence and dual use items related with conventional arms and to propose changes to keep them up to date while taking account of techno-

logical advances and the market availability of items with a view to making the control text clear. The group focused on these objectives during two two-week meetings held in April and September 2012 and an informal meeting in June which included representatives from the world of industry and academia which contributed to the technical analysis of the proposed changes to the lists.

This year, the Group of Experts analysed nearly 300 technical papers on 79 different topics related to control list items.

Despite their number and complexity, over 80% of the issues addressed by the Group in 2012 were satisfactorily resolved. The new controls agreed affect important areas such as equipment designed to intercept and process mobile telecommunications or "spacecraft" specially designed or modified for military use. It was also agreed to relax controls in many areas, the most significant being that referring to machine tools for turning and milling. Finally, clarifications were introduced in many areas of the control text to limit possible misinterpretations of the lists and facilitate understanding of the controls.

The Group of Experts also studied several unofficial documents submitted by different delegations. The purpose of most of these was to solicit the opinion of other Member States on specific subjects which could help in the preparation of proposals for the future amendment of the control lists.

The new control list passed at the Wassenaar Arrangement plenary in December 2012 and a summary of the changes made can be found on the Arrangement's official Web page (www.wassenaar.org).

3. *Licensing and Enforcement Officers Meeting (LEOM).*

This Group shared experiences on the processing and management of licenses and customs control. Thanks to those discussions, proposals and recommendation were made to the General Working Group.

In 2012, this group's meeting was preceded by the meeting of the Security Intelligence Subgroup, as agreed at last year's Plenary at the proposal of the General Working Group. The purpose of the proposal was to achieve synergies in the interaction between the two groups.

This experience was widely applauded at the end of the session with the subsequent decision by the 2012 Plenary to unify the discussion in a single group, the LEOM.

Discussions at the 2012 LEOM Group meeting revolved around the following topics:

- sensitive data control at academic institutions;
- use of open source information for the verification of end-users and consignees; and
- challenges in the assessment of export licenses for dual use items.

The Spanish delegation participated with a presentation on these three issues and practices employed at national level.

Contributions were also made on national experiences and practices in relation to the control of re-exports and end users; cyber tools and national security; the interaction between licensing and enforcement au-

thorities; the supply of software via the Internet; transits and transshipments; and dissemination of information to industry, among other topics.

As in previous sessions, real case studies of unlawful export investigations were presented.

C) Nuclear Suppliers Group (NSG)

The aim of the NSG is to prevent the proliferation of nuclear weapons by means of controlling the export of nuclear products and related dual-use items, equipment, software and technology, without hampering international cooperation in the peaceful use of nuclear energy. Export decisions are in accordance with respective national law on export control.

The Group was created in 1975 in the aftermath of the nuclear test conducted by India in 1974 (using transfers of civilian nuclear technology from other countries which had not been subjected to control). Today there are 46 Member Countries. The European Commission and the Zangger Committee Chairman attend meetings as permanent observers. Mexico and Serbia were welcomed as observers at the 2012 Plenary meeting and were approved as new members after completion of the Group's standard formalities.

This forum held its annual plenary session on 21 and 22 June 2012 in Seattle (USA), preceded as usual by the parallel meetings of the Advisory Groups on Information Exchange and Customs Execution and Control which were held from 18 to 20 June.

The meeting took stock of the progress that had taken place since the last plenary meeting in Noordwijk, in June 2011. Participating governments reiterated their strong support for the full, complete and effective implementation of the NPT and

emphasized the many challenges still existing while, exchanging information on current developments, both positive and negative, in the nuclear non-proliferation regime, focusing on specific regions and countries of concern.

As part of the meeting, they shared concerns about the implications of proliferation of nuclear programs in the Democratic People's Republic of Korea (DPRK) and Iran. The NSG reiterated its continued support of diplomatic efforts to reach a solution to the Iranian nuclear issue based on the NPT and full implementation by Iran of the United Nations Security Council resolutions and the Board of Governors of the International Atomic Energy Agency.

In this context of concern, delegations called upon all States to exercise vigilance and make efforts to ensure that none of their exports of items or technologies contribute to nuclear weapons programs.

Within this atmosphere of concern, the NSG continues to be the main forum in the fight against nuclear proliferation through the control of nuclear transfers with a view to preventing their diversion to arms production. The use of increasingly complex transit and transshipment networks and the employment of new and emerging technologies, means that the Group must remain constantly vigilant in adapting the Guidelines and lists of items and technologies subject to control and their application by member countries.

With respect to the review of the Guidelines, the Group approved an amendment to the Guidelines of Part I of the NSG in relation to access to the nuclear material of the Nuclear Fuel Bank for peaceful purposes.

The importance of keeping the lists updated reflecting new technological devel-

opments was also stressed and the Group took stock of the ongoing process of the fundamental revision of the initial and dual-use list, approving the proposals in the areas of reactors and isotope separation, although with no consistent mandate to communicate these changes in a new version of the INFCIRC/254.

The revision of the lists conducted by the Dedicated Meeting of Technical Experts (DMTE) in accordance with the mandate issued at the 2010 Christchurch (New Zealand) Plenary, remained very active throughout the year in order to complete the task at the 2013 Plenary. These lists are reviewed in seven thematic areas of work: 1) nuclear reactors and non-nuclear support material; 2) conversion and manufacturing of fuel; 3) separation of isotopes; 4) reprocessing and treatment of waste; 5) design, development and manufacture of arms; 6) industrial equipment and machine tools; and 7) other technologies considered relevant and not included in the preceding areas.

At the meetings held in January and April 2012 in Vienna, the DMTE continued the study of the four thematic areas started in 2010 (nuclear reactors, isotope separation, reprocessing and reprocessing products and nuclear weapons), reaching final agreements in the first two areas that were submitted and approved at the plenary. The last two areas that were under study at recent meetings were put on the agenda of the October meeting where analysis commenced on the three remaining areas which will remain under study in 2013 and are to be presented at the next Plenary.

On a different note, the Group acknowledged the reports submitted on outreach work with non NSG member states. Delegations reaffirmed the value of promotion activities and agreed to continue contacts with non-member countries and

approved a document serving as a guide for NSG outreach activities.

The Group continued to consider all of the aspects of the application of the September 2008 Declaration on civil nuclear cooperation with India regarding exemption from the restrictions contained in the NSG Guidelines granted to India allowing exports of nuclear and dual-use items related with civilian nuclear facilities included in the safeguard agreement between the IAEA India. The possibility of improving the recognition of the NSG's relationship with India was also discussed.

The usefulness of industry involvement in the fight against proliferation was stressed and further concern was expressed regarding the difficulty of controlling brokering and transit as there are gaps in the Guidelines and these activities are often left uncontrolled. Moreover, there is no legally binding international interpretation of these terms and it was therefore agreed to continue studying these issues. Members were also encouraged to continue improving the exchange of information and best practices on licensing and legal enforcement in order to prevent illegal activities.

Lastly, it was agreed to review and update the NSG's website and its presentation document: INFCIRC/539 "The Nuclear Suppliers Group: Its origin, role and activities".

The NSG's next plenary session will be held in mid June 2013 in Prague (Czech Republic).

D) Missile Technology Control Regime (MTCR)

The Missile Technology Control Regime (MTCR) is a voluntary association of countries which share the aims of non-proliferation of unmanned launching systems capable of transporting weapons of mass destruction, and related equipment and technology, trying to coordinate

national efforts in the control of export licenses to prevent proliferation in this area.

The Regime was originally established by 7 countries in 1987 and therefore 2012 marked its 25th anniversary. Today there are 34 member countries. The commitments made by these countries constitute a noteworthy international standard in terms of the control of exports in the field of non-proliferation of missiles and other unmanned delivery vehicles thus contributing to global peace and security.

The MTCR held its 26th plenary meeting in Berlin from 24 to 26 October 2012 which, as in previous years, was preceded by three other *ad hoc* group sessions: the Technical Experts Meeting (TEM), the Information Exchange Meeting (IEM) and the Licensing and Enforcement Experts Meeting (LEEM). In addition, following the usual custom of the Group, members held consultation meetings between session on a monthly basis in Paris, at the French Ministry of Foreign Affairs, acting as a point of contact to keep the Regime's objectives up to date.

The plenary meeting in Berlin, marking the 25th anniversary of the Regime, approved a special press release reporting on the event.

MTCR members then discussed the proliferation of weapons of mass destruction and their delivery systems and the role this forum, as a mechanism for the control of exports of military and dual-use items and technologies, plays in this regard. The MTCR Guidelines and the list of controlled items set out in the Annex which includes key equipment, materials, *software* and technology needed for missile development, production and operation, are an international benchmark in the control of exports and constitute one of the most effective elements in preventing the proliferation of these unmanned

delivery systems capable of carrying weapons of mass destruction.

Members shared analyses and experiences in the area of missile development related to proliferation throughout the world. They exchanged information regarding concerns arising from missile programmes under way in the Middle East, North-east Asia and South-east Asia, including Iran and North Korea, which could contribute to regional instability and supply activities contributing to missile proliferation in other regions. Members stressed their intention to strengthen export controls, preventing the transmission of items, materials, goods and technology which could contribute to missile proliferation programmes in accordance with their national legislation and as provided by international law. In this context, the immediate relevance of the United Nations Security Council resolutions was stressed, including Resolution 1874 and 1929, in MTCR export controls and the Regime expressed its determination to enforce these resolutions.

At the meeting it was agreed to continue exchanging information on missile development programmes and the work of the three groups of experts assembled the days leading up to the plenary session was acknowledged. The critical importance of the work conducted by these groups was reaffirmed and the evolution of technologies and hiring practices of potential proliferators was duly noted, highlighting the need to develop measures to deal with these events. The decisions taken to amend the Equipment, Software and Technology Annex were approved and the importance of cooperation and information sharing in the context of the regime was reaffirmed, taking into account the usefulness of the information, analysis and experience shared during the meetings.

Swift technological change in proliferation-related areas is actively taken into account through the continuous study of technological advances and the updating of the lists of items and technologies subject to control. The role played by intangible technology transfer, particularly through access to sensitive scientific knowledge, the control of sensitive items whose characteristics keep them under the control threshold, application of the catch-all clause and the control of brokering, transit and trans-shipment, remain challenges that must be addressed to counter the efforts of the proliferators that use these mechanisms to skirt export controls.

Members were self-critical and exchanged views on several key aspects of the internal processes of the MTCR, particularly issues related to the accession of new members. Individual membership applications were again discussed without reaching consensus on the inclusion of new countries.

Taking into account the activities of the outgoing Chair (Argentina), the incoming Chair (Germany) expressed its intention to continue holding outreach meetings with third countries in order to increase the transparency of the Regime and promote its objectives. Moreover, several Group members reported on the outreach activities they had carried out during the year in different areas of the world, informing about licensing processes and the list of items subject to control.

It reaffirmed its will to continue individual and collective efforts to assist interested countries in implementing the missile export controls related to the mandate of Resolution 1540, and to maintain cooperation with the 1540 Committee.

Lastly, the countries welcomed the announcements made by Italy and Norway to organise the next two MTCR plenary meetings in 2013 and 2014, respectively,

and to chair the regime during those two terms.

E) Initiatives against the proliferation of weapons of mass destruction within the sphere of nuclear arms and missiles

In 2012 Spain participated in the following international initiatives within the realm of the fight against the proliferation of weapons of mass destruction and missiles able to deliver those weapons:

Proliferation Security Initiative (PSI)

This initiative dates back to the 9/11/2001 terrorist attacks. The PSI is not an institution with legal personality nor is it a treaty but is rather a collaboration forum for the exchange of information, discussion and debate regarding the different member countries' legal provisions and coordinated simulation exercises of maritime, land and air interception of sensitive items and technologies. These exercises are carried out in accordance with international (maritime and air) and national law when information is received regarding ships or aircraft transporting items related with the proliferation of weapons of mass destruction whose legality is questionable.

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

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

PSI meetings follow two different formats: 1) High-level political meetings and

2) meetings of the Operational Experts Group (OEG) focusing on more operational and practical state agencies and bodies.

OEG meetings revolve around general topics and interception with a special accent on bolstering international legal instruments aimed at combating proliferation. Efforts are now being made to give the PSI a new focus to more specifically target the development of critical skills such as the prohibition of actions and conducts related with proliferation, inspection and identification, confiscation and provision of items, in addition to finding a way to streamline the decision-making process.

Alongside the political plenaries during these eight years, more than 20 meetings and workshops including 17 operational expert meetings have been held.

Moreover, approximately 30 sea, air and land interception exercises have been organised. Spain has led two of these exercises, one on sea interception (San-so 03) and another on air interception (Blue Action 05), in addition to another series of smaller exercises.

International Code of Conduct Against Ballistic Missile Proliferation (ICOC) or the Hague Code (HCOC)

The Code is basically a political commitment whose aim is to prevent the development of missiles able to transport weapons of mass destruction and is intended to supplement the Missile Technology Control Regime (MTCR).

It is based on transparency and trust-building measures (prior notification of test launchings) and compensations to states in exchange for refraining from developing these types of missiles.

Spain is one of the 130 signatory countries.

Global Initiative to Combat Nuclear Terrorism (GICNT)

This is the most recent international initiative developed in the nuclear field which Spain formally joined in April 2007.

The GICNT was launched jointly by the Presidents of the United States and the Russian Federation at the G-8 Summit held in St. Petersburg in July 2006.

The aim of the GICNT is to strengthen global capacity to prevent, detect and respond to nuclear terrorism by means of multilateral activities which strengthen the schemes, policies, procedures and interoperability of the partner States. To that end, this initiative seeks to expand an association to combat nuclear terrorism through the voluntary accession of States to a declaration of eight principles which encompass a wide array of objectives in the sphere of physical nuclear security. These range from combating unlawful trafficking to information exchange.

The GICNT is based on the existing legal frameworks and fora in the international arena (mainly the International Convention for the Suppression of Acts of Nuclear Terrorism, the Convention on the Physical Protection of Nuclear Material, United Nations Security Council Resolutions 1540 and 1373 and the Nuclear Security Summit Process). Its purpose is not to create a new legal framework. One of its main objectives is to mobilise States to comply with their obligations within the framework of the aforementioned international instruments and should therefore be viewed as a complementary tool supporting the enforcement of existing commitments.

Development of the initiative is reviewed at annual plenary meetings and opera-

tional activities organised by Member States.

The 2010 Abu Dhabi Plenary adopted the creation of an operational mechanism, the Implementation and Assessment Group, and designated Spain to coordinate it. Since then the IAG has met on several occasions (Astana in September 2010, Cordoba in February 2011 and Marrakesh in February 2012) and has focused its activities on three priority areas which today constitute three working groups: nuclear detection, forensic analysis and risk response and mitigation.

Since its accession to the GICNT, Spain has organised the Initiative's IV Plenary Meeting held in Madrid on 16 to 18 June 2008 and two exercises in May and October of that same year. Also as part of its IAG coordination duties it has developed, together with the Initiative's co-chairs (United States and Russia) and the leaders of the three IAG working groups (Morocco, the Netherlands and Australia) a specific programme of work which has already produced its first best practices documents. This coordination task has been possible thanks to the involvement and commitment of the Spanish Ministries and Institutions with competences in this area (Foreign Affairs and Cooperation, Interior, Defence, Presidency of the Government, Tax Agency, Industry Energy and Tourism and the Nuclear Security Council).

Container Security Initiative (CSI)

Just like the PSI, this Initiative dates back to the 9/11/2001 terrorist attacks and seeks coordination among participating countries to increase and improve container inspections and confiscate shipments at the world's major mega-ports. To that end, and in response to terrorist action in the logistical chain, it seeks to heighten security against the introduction of weapons of mass destruction in con-

tainers, the establishment of threat alerts allowing for appropriate risk analysis and the use of advanced technologies which do not impact trade flows.

The European Union intends to give a unified response within the framework of this initiative. To that end, and within the parameters of the EU-US Agreement on Cooperation and Mutual Assistance in Customs Matters (which was broadened to cover this initiative), meetings are held with the US Customs Department to establish working methods, hazard rules and procedures.

In 2012 a number of meetings were held amongst Member States to define common hazard rules in matters of security for EU Customs Administrations.

The current deployment of non-intrusive container inspection equipment (scanners) enables systematic checks on this type of transport of goods which, when supported by suitable risk analysis, provides excellent results in the fight against all types of unlawful traffic. Six port facilities now have scanners, allowing for the inspection of over 90% of maritime traffic in Spain.

Among the different types of unlawful traffic, undoubtedly that involving nuclear or radioactive material is one of the most worrisome in the international arena, mainly due to the possible consequences of a terrorist attack using such materials.

The National Tax Administration Agency, through the Department of Customs and Excise Duties, takes part in the MEGA-PORTS Initiative which is promoted by the US Department of Energy. The aim of this initiative is to address the possible threat from terrorist groups trying to use nuclear or radiological materials transported by sea in containers against the United States or its allies.

MEGAPORTS is linked to the US Customs CSI Initiative in which the main international ports with the greatest volume of exports to the US by means of maritime containers participate.

The initiative has led to the deployment of systems to detect radioactive materials in the busiest ports in the world, resulting to date in the discovery of numerous everyday metal items containing radioactive material which were cast from scrap metal to which such radioactive material was added.

These findings trigger international alerts on certain goods making it necessary to perform radiological controls upon their arrival to Spain. That is why the current radioactive materials detection network covers six Spanish ports and major air cargo airports, in this case with manual inspection equipment that can be deployed where needed.

The large-scale controls conducted in the aftermath of the accident at the Fukushima nuclear plant in Japan is an example of this type of action.

F) Australia Group (AG)

The Australia Group was created in June 1985 to curtail the risk that certain exports and transfers have of contributing to the proliferation of chemical and biological weapons. The Group has 41 members. Nine new countries have joined since the last plenary.

The Plenary Assembly was held in Paris from 11 to 15 June 2012.

The following main issues were discussed and agreements taken at the plenary:

- Work continued on improving the licensing system and the implementation of export controls of chemicals, biological material and related dual-use equipment in or-

der to prevent proliferation attempts. To that end, participants shared experiences on measures designed to improve and enhance export controls to tackle current and emerging challenges.

- The Group examined and approved proposed amendments of control lists.
- It was agreed to amend the Australia Group Guidelines to improve controls on brokering.

During the plenary, Australia Group participants pointed to Syria as a country of particular concern, with active biological and chemical weapon programmes. Participants agreed on the importance of increased vigilance with respect to exports of dual-use goods and exports subject to particular scrutiny to Syria.

The Group also continued its review process of proliferation risk associated with new and emerging technologies in order to identify the materials and equipment that can be included in the future on the export control lists. Discussions included recent advances in life sciences and nanotechnology, and advances in chemical and biological production equipment.

The Plenary noted that the Group's control lists are increasingly perceived as the international benchmark for controls of chemicals, biological materials, equipment and intangible dual-use technologies, and the participants agreed to continue with an active programme with a view to wider adoption of these lists. In parallel, delegations stressed the importance of involving the industrial and academic sectors in support of the group's work.

In connection with the changes approved in the control lists of products and technologies, it is worth mentioning that it was agreed to add five new types of fun-

gi to the list of plant pathogens and, regarding the list of biological agents, it was decided to add more *Botulinum* neurotoxin-producing species, both to the checklist and to the watch list, and to introduce changes in the text to clarify the scope of control of the toxins *Staphylococcus aureus* and *Escherichia coli* bacteria.

The Australia Group assessed the results of the Wilton Park Conference: "The Australia Group: challenges and future directions", which took place in the UK from 29 to 31 March 2012. No new members were admitted into the Group in 2012, although formal applications from several countries are still being studied.

G) *Chemical Weapons Convention (CWC)*

The Convention prohibiting the development, production and stockpiling of chemical weapons and their destruction entered into force on 29 April 1997, having been signed on 13 January 1993.

This Convention is considered as the first multilateral disarmament treaty prohibiting the production and use of a whole category of weapons.

The body entrusted with the international enforcement of the CWC is the Organisation for the Prohibition of Chemical Weapons (OPCW) whose mission is to ensure the destruction of chemical weapons and to prevent any form of development or proliferation in the future.

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

The OPCW provides support for all non-party States in joining the Convention and effectively implementing a worldwide prohibition on chemical weapons.

The maximum decision taking body of the OPCW is the Conference of the States Parties which is also entrusted with the Convention's enforcement and outreach.

The Executive Council is the OPCW governing body and answers to the Conference of the States Parties. It has 41 members, elected for a term of two years and in which Spain ceased to be represented with full voting rights in May 2012 when it was replaced by Portugal.

As of the end of 2012, a total of 188 Contracting States had signed and ratified the Convention. There are also two signatory states that have signed but not ratified the Convention and six non-party states. All of the States that have yet to sign as well as signatory states that have not yet submitted their instrument of ratification are subject to Convention external trade restrictions prohibiting trade in the substances listed, except for mixtures which contain 1% or less of the substances on List 2A, 10% or less of the substances on List 2B and 30% or less of those on List 3.

Spain ratified the CWC on 3 August 1994 and was the first State of the European Union to do so and the tenth in the world. The States Party to the CWC today account for approximately 99% of the population and surface area of the planet and 99% of the world's chemical industry.

The OPCW's 67th Executive Council was held at The Hague in February 2012. The main issues discussed at this Executive Council were the destruction of old and abandoned weapons arsenals, the annual budget, increased inspections, the OPCW staff report and international cooperation which, on this occasion, fo-

cused on establishing an international support network for victims.

Executive Councils 68, 69 and 70 were held in May, July and August 2012.

Topics of debate at the 68th Executive Council included the new arsenals discovered in Libya, old Italian weapons, weapons abandoned by Japan in China and the conversion of certain plants for peaceful purposes.

The 69th Executive Council saw the submission of a new budget with a 1.6% reduction due to a decline in destruction verification activity, also giving rise to a staff cut (10 percent over the next three years). That Council also analysed the new agreement with the UN to increase collaboration between the two organisations.

The 70th Executive Council approved the budget that was submitted at the previous one, presented the progress made in destruction (U.S., Russia, Iraq, Libya and PR China) and analysed the worrying situation in Syria, not party to the Convention and which admits to having such weapons. The state of implementation of CWC Articles VII and XI was also studied as was progress made in the implementation of the action plan on the universality of the Convention.

The seventeenth period of sessions of the Conference of the States Parties was held from 26 to 29 November 2012. The Budget for 2013 was approved at that meeting. The OPCW's annual report on the implementation of the CWC during the previous year was submitted as was the Executive Council's annual report on the performance of their activities, especially those related to the destruction of stockpiles, control of non-proliferation, compliance with legal obligations, international cooperation for peaceful purposes in the field of chemical activities, progress towards universality of the

CWC and the OPCW's Africa Programme.

The Spanish authority entrusted with enforcing the CWC and centralising related activities is the National Authority for the Prohibition of Chemical Weapons (ANPAQ) chaired by the Ministry of Foreign Affairs and Cooperation and with a Secretariat-General at the Ministry of Industry, Tourism and Trade.

As for the activities undertaken by ANPAQ in 2012, we would mention the seven company inspections, two that use flame retardants included on List 2 and five manufacturers of organic substances (pharmaceuticals, surfactants, cosmetics, additives, detergents). In all of these cases, the inspections went smoothly and the undertakings inspected collaborated sufficiently and were transparent.

The affected facilities must report to ANPAQ as regards their production, manufacture, consumption, stockpiling and/or external trade as required in the section corresponding to each of the three CWC lists.

Work continued on the National NRBC Protection Plan passed at the end of 2009 and covering up to 2015. This Plan gave rise to the creation of a Working Group with headquarters at the Government Presidency.

The CWC's second Chemical Analysis Course within the framework of the capacity-building initiatives targeting officials of the Latin American and Caribbean Group of countries (GRULAC) was given at the La Marañosa Technological Institute from 21 May to 1 June. The Marañosa chemical weapon verification laboratory (LAVEMA) is still the OPCW's designated laboratory and for the October 2012 tests it evaluated all of the other laboratories (27 in total) that took part in the examination.

H) Biological and Toxin Weapons Convention (BTWC)

The Convention prohibiting the development, production and stockpiling of biological and toxin weapons and on their destruction is a legally binding treaty prohibiting biological weapons. It entered into force on 26 March 1975 having been signed by Spain on 10 April 1972 and ratified on 20 June 1979. This Convention is considered as the first multilateral disarmament treaty prohibiting the production and use of a whole category of weapons.

As of the end of 2012, there were 166 States Parties to the Convention following the accession of the Marshall Islands on 15 November 2012. There are a further 12 signatory states which have yet to ratify the Convention and 18 non-member states.

In 2012, following the completion of the Seventh Review Conference of States Parties in December 2011, there was a meeting of Experts in July and the meeting of States Parties in December, in accordance with the four-year program created by the Seventh Conference Review aimed at strengthening the implementation of the Convention and improving its effectiveness.

The Meeting of Experts was held in Geneva from 16 to 20 July 2012 and was the first meeting between sessions. At this meeting, delegations recognized the importance of developing closer ties for the implementation of the Convention at global level and they shared experiences regarding its application at national level.

Recent advances in science and technology related to the Convention include a wide range of concrete developments with the potential to support the objectives of the Convention on biological weapons, as well as potential uses contrary to the Convention. We should note

the case of two scientific articles published on the highly pathogenic H5N1 bird flu virus which have the potential to significantly benefit public health.

The Meeting of States Parties was held in Geneva from 10 to 14 December 2012. This meeting expanded and consolidated the work of the Meeting of Experts held in July and a common understanding was reached on the following topics:

- international cooperation and assistance regarding how States Parties can work together to develop relevant skills;
- methods and resources to strengthen the implementation of the Convention and how States Parties can work to keep diseases from being used as weapons;
- review progress made in the field of science and technology related to the Convention and how States Parties are kept abreast of the latest developments in the life sciences and their implications for the Convention; and
- greater participation in confidence-building measures and how States Parties can improve the exchange of information to increase transparency and build confidence in compliance with the Convention.

Lastly, in 2012 the Secretariat of the JIMDDU took part in the following instructional activities:

- Bilateral meeting with the department heads responsible for controlling exports of arms and dual-use items in Mexico (Madrid, 7 February).
- Training Course for Authorised Economic Operators, Barcelona Chamber of

Commerce (Barcelona, 23 February).

- Training course on dual-use export control, MITSUBISHI (Barcelona, 23 February).
- Seminar on the Transfer of Strategic Products, European Commission (Ispra, 20-21 March).
- Bilateral meeting with the department heads responsible for controlling dual-use exports in PR China (Madrid, 17 September).
- V Course on Proliferation and Technological Protection, Information Headquarters, Directorate-General of the Police, Ministry of the Interior (Avila 22 October).
- Technical Control of Trade in Dangerous Chemicals FEIQUE (Madrid, 21 November).
- Conference on a Code of Conduct for Scientists in Spain, INCIPE (Madrid, 22 November).

ANNEX I. EXPORT STATISTICS ON DEFENCE MATERIAL, 2012

AUTHORIZED EXPORT OF DEFENCE MATERIAL BY COUNTRY, NUMBER OF LICENSES AND VALUE IN EUROS		
2012		
COUNTRY	NUMBER OF LICENSES	VALUE (€)
ALGERIA	1	0
ANDORRA	12	34,945
ANGOLA	1	0
ARGENTINA	22	2,554,309
AUSTRALIA	10	203,469,356
AUSTRIA	26	19,496,433
BAHREIN	8	41,258,192
BELGIUM	19	3,361,878
BOLIVIA	1	0
BRAZIL	24	9,991,759
BULGARIA	4	1,101,295
BURKINA FASO	1	0
CAMEROON	5	95,914,867
CANADA	11	3,190,120
CHAD	1	0
CHILE	22	6,032,849
COLOMBIA	7	32,810,585
COSTA RICA	2	8,970
CROATIA	1	0
CUBA	2	68,524
CZECH REP.	10	1,109,920
DENMARK	27	6,617,513
DJIBOUTI	1	0
ECUADOR	4	301,475
EGYPT	46	92,725,776
EQUATORIAL GUINEA	1	0
ESTONIA	5	2,371,442
FINLAND	7	1,500,000
FRANCE	142	1,695,933,129
GABON	1	0
GAMBIA	1	0
GERMANY	102	1,311,968,653
GREECE	10	125,746,565
GREENLAND (DENMARK)	1	0
GUINEA BISSAU	1	700
HONDURAS	2	500
HUNGARY	3	1,558,878
ICELAND	1	0
INDIA	18	33,453,836
INDONESIA	8	303,448,085
IRELAND	4	2,325,015
ISRAEL	48	4,318,591
ITALY	68	237,831,078
JAPAN	2	0
JORDAN	1	4,000,000
KAZAKHSTAN	4	66,100,000
KENYA	2	1,352,795
KUWAIT	1	1,703,010
LATVIA	1	0
LESOTHO	1	0
LITHUANIA	2	1,100,000

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

**AUTHORIZED EXPORT OF DEFENCE MATERIAL BY COUNTRY, NUMBER OF
LICENSES AND VALUE IN EUROS**

2012 (Continued)

COUNTRY	NUMBER OF LICENSES	VALUE (€)
LUXEMBOURG	18	325,300
MALAYSIA	11	14,208,406
MALDIVES	1	0
MALTA	1	0
MAURITANIA	1	0
MEXICO	5	3,700
MOROCCO	5	108,291
MYANMAR	1	0
NAMIBIA	4	0
NETHERLANDS	11	1,868,545
NEW ZEALAND	4	3,098,000
NIGER	1	0
NIGERIA	1	0
NORWAY	23	9,742,280
OMAN	13	603,457,883
PAKISTAN	8	16,152,791
PARAGUAY	1	0
PERU	9	991,394
POLAND	5	170,864,650
PORTUGAL	18	23,710
REP. CAPE VERDE	1	0
ROMANIA	12	3,899
RUSSIA	4	53,495
SAUDI ARABIA	13	48,664,797
SENEGAL	1	0
SEYCHELLES	5	66,360
SINGAPORE	7	106,120
SLOVAKIA	2	1,160
SLOVENIA	1	0
SOUTH AFRICA	5	250,000
SOUTH KOREA	2	10,000,000
SWEDEN	8	19,783,209
SWITZERLAND	16	176,215
TANZANIA	2	0
THAILAND	16	3,025,484
TUNISIA	1	0
TURKEY	11	502,993,115
UGANDA	1	0
UNITED ARAB EMIRATES	9	6,000,000
UNITED KINGDOM	79	1,910,275,281
UNITED STATES	99	35,151,230
URUGUAY	3	122,500
VENEZUELA	8	22,278,341
ZAMBIA	1	570
TOTAL	1,153	7,694,557,769

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE											
2012											
COUNTRY	ARTICLE AND VALUE (€)										
	1	2	3	4	5	6	7	8	9	10	11
ALGERIA										0	
ANDORRA	22,590		12,355								
ANGOLA										0	
ARGENTINA	27,971		2,250	1,932,960						0	
AUSTRALIA	10,000			330,000					201,545,162	0	
AUSTRIA	1,122,571		388,537			15,916,536				2,068,789	
BAHREIN		346,222	19,766,625	21,145,345							
BELGIUM	1,101,436		1,281,516	978,926		0				0	
BOLIVIA										0	
BRAZIL	8,868		8,634,250	670,262		203,300		475,079		0	
BULGARIA	1,101,295									0	
BURKINA FASO										0	
CAMEROON						697,420			29,259,745	30,296,043	
CANADA		12,000		0		2,734,170				0	443,950
CHAD										0	
CHILE	48,489			5,240,771		35,363			34,564	0	673,662
COLOMBIA		0		1,810,585						31,000,000	
COSTA RICA	8,970										
CROATIA										0	
CUBA	7,440		61,084								
CZECH REP.	1,100,544		9,376							0	
DENMARK	2,200,000	1,420	0	4,412,093		0		4,000		0	
DJIBOUTI										0	
ECUADOR	1,475									300,000	
EGYPT	47,958					2,576,461				90,101,357	
EQUATORIAL GUINEA										0	
ESTONIA	2,000	2,369,442								0	
FINLAND	1,500,000									0	
FRANCE	160,910	0	3,482,500	3,996,210		0		8,403,028	0	1,665,441,969	10,312,410
GABON										0	
GAMBIA										0	
GERMANY	2,345,220		0	12,922,150		15,186,203		54,000	0	1,265,383,478	1,415,102
GREECE	1,000							125,745,565		0	
GREENLAND (DENMARK)										0	
GUINEA BISSAU	700									0	
HONDURAS	500									0	
HUNGARY				1,558,878						0	
ICELAND										0	
INDIA			30,000						320,345	17,341,373	15,762,118
INDONESIA		2,199,325		76,570						300,000,000	
IRELAND	1,315		350,700	1,973,000						0	
ISRAEL	134,800	0	10,200	934,413		0		98,800	0	0	2,791,040
ITALY	2,227,000	4,970,610		1,552,795		0		5,173,165	0	217,003,958	24,000
JAPAN										0	
JORDAN										4,000,000	
KAZAKHSTAN										65,000,000	1,100,000
KENYA									1,352,795	0	
KUWAIT				1,703,010						0	
LATVIA										0	
LESOTHO										0	
LITHUANIA	1,100,000									0	
LUXEMBOURG		0	323,300	0		2,000				0	0
MALAYSIA			11,570,240	1,166,400		0				0	
MALDIVES										0	
MALTA										0	
MAURITANIA										0	
MEXICO	3,700									0	0
MOROCCO				108,291						0	0
MYANMAR										0	
NAMIBIA	0									0	
NETHERLANDS	1,100,690	151,565				177,390				438,900	0
NEW ZEALAND				3,098,000						0	
NIGER										0	
NIGERIA										0	
NORWAY	2,266,750		1,853,300	1,539,546		56,304		275,516	3,039,140	711,724	
OMAN		1,620		3,456,263						600,000,000	
PAKISTAN			103,262			1,224,437					1,492,592
PARAGUAY										0	
PERU		519,058		121,347			161,860			0	
POLAND			864,650							170,000,000	
PORTUGAL	23,710									0	
REP. CAPE VERDE										0	
ROMANIA	3,899									0	0
RUSSIA	53,495									0	
SAUDI ARABIA			20,976,837	18,416,960						0	
SENEGAL										0	
SEYCHELLES	66,360		0							0	
SINGAPORE						106,120				0	
SLOVAKIA	1,160									0	
SLOVENIA										0	
SOUTH AFRICA						0				250,000	
SOUTH KOREA										10,000,000	
SWEDEN	14,020			405,000		0					18,872,189
SWITZERLAND	0		15,550	20,200		140,465				0	0
TANZANIA										0	
THAILAND				2,878,993				0	126,491	0	
TUNISIA										0	
TURKEY		0		20,400		0		26,430,449	4,542,266	472,000,000	
UGANDA										0	
UNITED ARAB EMIRATES	6,000,000	0				0				0	
UNITED KINGDOM	1,517,381		595,316	49,788,277		60,000,000		0		1,797,423,979	48,328
UNITED STATES	12,825,627	8,500	2,808,446	4,652		800,000			155,508	1,060,000	17,148,397
URUGUAY	122,500									0	
VENEZUELA		17,780,000					1,222,215			3,276,126	
ZAMBIA	570									0	
TOTAL	38,282,914	28,359,762	73,140,294	142,262,297		99,856,169	1,384,075	166,659,602	240,376,016	6,743,097,696	70,083,788

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE												
2012 (Continued)												
COUNTRY	ARTICLE											VALUE (€)
	12	13	14	15	16	17	18	19	20	21	22	
ALGERIA												0
ANDORRA												34,945
ANGOLA												0
ARGENTINA				591,128								2,554,309
AUSTRALIA									1,344,194	240,000		203,469,356
AUSTRIA												19,496,433
BAHREIN												41,258,192
BELGIUM												3,361,878
BOLIVIA												0
BRAZIL			0									9,991,759
BULGARIA												1,101,295
BURKINA FASO												0
CAMEROON				35,661,659								95,914,867
CANADA				0							0	3,190,120
CHAD												0
CHILE												6,032,849
COLOMBIA				0								32,810,585
COSTA RICA												8,970
CROATIA												0
CUBA												68,524
CZECH REP.												1,109,920
DENMARK												6,617,513
DJIBOUTI												0
ECUADOR												301,475
EGYPT												92,725,776
EQUATORIAL GUINEA												0
ESTONIA												2,371,442
FINLAND												1,500,000
FRANCE				3,562,102						574,000		1,695,933,129
GABON												0
GAMBIA												0
GERMANY				13,842,500						820,000		1,311,968,653
GREECE												125,746,565
GREENLAND (DENMARK)												0
GUINEA BISSAU												700
HONDURAS												500
HUNGARY												1,558,878
ICELAND												0
INDIA												33,453,836
INDONESIA				1,172,190								303,448,085
IRELAND												2,325,015
ISRAEL				349,338								4,318,591
ITALY				6,633,550						246,000		237,831,078
JAPAN												0
JORDAN												4,000,000
KAZAKHSTAN												66,100,000
KENYA												1,352,795
KUWAIT												1,703,010
LATVIA												0
LESOTHO												0
LITHUANIA												1,100,000
LUXEMBOURG				0								325,300
MALAYSIA				1,471,766								14,208,406
MALDIVES												0
MALTA												0
MAURITANIA												0
MEXICO												3,700
MOROCCO				0								108,291
Myanmar												0
NAMBIA												0
NETHERLANDS												1,868,545
NEW ZEALAND												3,098,000
NIGER												0
NIGERIA												0
NORWAY												9,742,280
OMAN												603,457,883
PAKISTAN				13,332,500								16,152,791
PARAGUAY												0
PERU		189,129										991,394
POLAND												170,864,650
PORTUGAL												23,710
REP. CAPE VERDE												0
ROMANIA												3,899
RUSSIA				0								53,495
SAUDI ARABIA				9,271,000								48,664,797
SENEGAL												0
SEYCHELLES				0								66,360
SINGAPORE				0								106,120
SLOVAKIA												1,160
SLOVENIA												0
SOUTH AFRICA												250,000
SOUTH KOREA												10,000,000
SWEDEN										492,000		19,783,209
SWITZERLAND										0		176,215
TANZANIA												0
THAILAND				20,000								3,025,484
TUNISIA												0
TURKEY												502,993,115
UGANDA												0
UNITED ARAB EMIRATES										0		6,000,000
UNITED KINGDOM										902,000		1,910,275,281
UNITED STATES			0	340,100								35,151,230
URUGUAY												122,500
VENEZUELA												22,278,341
ZAMBIA												570
TOTAL		189,129	0	86,247,833						4,378,194	240,000	7,694,557,769

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE 2012											
COUNTRY	ARTICLE AND VALUE (€)										
	1	2	3	4	5	6	7	8	9	10	11
ANDORRA	18,219										
ARGENTINA	22,171		2,250	1,932,960							
AUSTRALIA	9,675			330,000					503,425,707		1,039,043
AUSTRIA	35,370		273,483			3,103,181				55,768	
BAHREIN				21,145,345							
BANGLADESH				184,370							
BELGIUM	23,076		1,350,416	99,172						237,000	
BRAZIL	7,792			738,186		2,115		377,958		49,600	
BULGARIA	6,319							5,780			
CAMEROON						674,753					
CANADA		12,000		975,529		201,088					16,066
CHILE	48,470			19,758,026	61,022	35,364			34,564		321,044
COLOMBIA				2,433,857						3,310,242	
COSTA RICA	8,970										
CUBA	7,194		56,276								
CZECH REP.	56,424		3,326,876								
DENMARK	1,000	1,420		3,932,900				0			
ECUADOR	1,475									232,151	
EGYPT	348,717					1,021,833				48,953,036	
ESTONIA	6,600	2,369,442									
FINLAND	3,930										
FRANCE	125,520	0	1,194,000	6,498,690	492,153			22,828,337		29,763,951	9,892,310
GABON										252,681	
GERMANY	257,999			6,284,136		149,441		229,346	0	99,815,705	1,770,620
GHANA										27,080,399	
GREECE								152,559,177			
HUNGARY				1,558,878							
INDIA			8,500						3,169,594	213,018	5,217,981
INDONESIA		2,199,325								52,188,178	
IRELAND			350,700	1,973,000							
ISRAEL	129,117		10,200	86,703				10,430			
ITALY	53,004	2,923,267		287,156	208,535	1,491,600		25,799,494	0	64,467,177	413,570
JORDAN										384,519	
KAZAKHSTAN										52,952,343	1,100,000
KUWAIT				1,703,010							
LATVIA			540,960								
LITHUANIA	6,254										
LUXEMBOURG			323,300								
MALAYSIA			8,424,393	1,003,196							
MEXICO	0									84,726,742	
MOROCCO				70,000		1,968,320				815,895	
MOZAMBIQUE									0		
NAMIBIA	0										
NETHERLANDS	690	151,565				0				424,436	38,850
NORWAY	18,267		1,668,800	1,710,935		56,305		385,766	186,784	750,784	
OMAN		530		645,530						24,008	
PAKISTAN						392,458				1,292,391	1,266,754
PARAGUAY										80,000	
PERU	3,541	519,058									
POLAND			863,750							80,333,946	
PORTUGAL	24,472		3,893								
ROMANIA	3,524										
RUSSIA	14,335										
SAUDI ARABIA			15,641,206							5,622,224	
SENEGAL									0		
SEYCHELLES	12,080										
SINGAPORE						90,041					
SLOVENIA	2,032										
SOUTH AFRICA			17,750								
SOUTH KOREA										3,839,335	
SWEDEN	5,980										3,774,438
SWITZERLAND	4,220	452,402	114,320	20,200		198,204				47,000	
THAILAND				1,341,854				0	126,491	5,809,059	
TURKEY				1,057,900						514,017	3,107,000
UNITED ARAB EMIR.	10,000									2,369,603	
UNITED KINGDOM	17,381		547,327	8,700,128		906,150				160,067,113	4,633,034
UNITED STATES	15,666,955		1,126,690	4,221,146	3,434,191			23,078,197	155,508	36,215,770	3,931,179
URUGUAY	600										
VENEZUELA		1,889,776							180,133,363	341,548	
TOTAL	16,961,373	10,518,785	35,845,090	88,692,807	4,195,901	10,290,853	34,000	250,948,238	688,474,277	763,229,639	36,521,889

Source: Customs and Excise Department (Ministry of Finance and Public Administration) and exporting companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE												
COUNTRY	ARTICLE											VALUE (€)
	12	13	14	15	16	17	18	19	20	21	22	
ANDORRA												18,219
ARGENTINA				544,263								2,501,644
AUSTRALIA										698,981	237,567	505,740,973
AUSTRIA												3,467,802
BAHREIN												21,145,345
BANGLADESH												184,370
BELGIUM												1,709,664
BRAZIL												1,175,651
BULGARIA												12,099
CAMEROON												674,753
CANADA												1,204,683
CHILE				209,643								20,468,133
COLOMBIA												5,744,099
COSTA RICA												8,970
CUBA												63,470
CZECH REP.												3,383,300
DENMARK												3,935,320
ECUADOR												233,626
EGYPT												50,323,586
ESTONIA												2,376,042
FINLAND												3,930
FRANCE				1,174,073						35,000		72,004,034
GABON												252,681
GERMANY				21,170,922						10,052		129,688,221
GHANA												27,080,399
GREECE												152,559,177
HUNGARY												1,558,878
INDIA						359,668						8,968,761
INDONESIA				1,172,790								55,560,293
IRELAND												2,323,700
ISRAEL				401,392								637,842
ITALY				6,347,840								101,991,643
JORDAN												384,519
KAZAKHSTAN												54,052,343
KUWAIT												1,703,010
LATVIA												540,960
LITHUANIA												6,254
LUXEMBOURG												323,300
MALAYSIA				1,451,666								10,879,255
MEXICO												84,726,742
MOROCCO												2,854,215
MOZAMBIQUE												0
NAMIBIA												0
NETHERLANDS												615,541
NORWAY												4,777,641
OMAN												670,068
PAKISTAN				607,114								3,558,717
PARAGUAY												80,000
PERU												522,599
POLAND												81,197,696
PORTUGAL												28,365
ROMANIA												3,524
RUSSIA												14,335
SAUDI ARABIA												21,263,430
SENEGAL												0
SEYCHELLES												12,080
SINGAPORE												90,041
SLOVENIA												2,032
SOUTH AFRICA												17,750
SOUTH KOREA												3,839,335
SWEDEN												3,780,418
SWITZERLAND										520		836,866
THAILAND				20,000								7,297,404
TURKEY												31,628,936
UNITED ARAB EMIR.												2,379,603
UNITED KINGDOM				9,845,546						57,060		184,773,739
UNITED STATES				3,390,983								91,220,619
URUGUAY												600
VENEZUELA												182,364,687
TOTAL				46,336,232		359,668				801,613	237,567	1,953,447,932

Source: Customs and Excise Department (Ministry of Finance and Public Administration) and exporting companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

**EXPORTS OF DEFENCE MATERIAL COMPLETED WITH INDICATION OF THE NATURE OF THE
END USER, FINAL USE MADE AND PERCENTAGE**

2012					
COUNTRY	ARMOURY	PRIVATE COMPANY	PUBLIC COMPANY	ARMED FORCES	PRIVATE PARTY
ANDORRA	98.08%				1.92%
ARGENTINA	0.03%			99.02%	0.95%
AUSTRALIA		0.07%		99.93%	
AUSTRIA	0.32%	11.06%		88.16%	0.46%
BAHREIN				100.00%	
BANGLADESH				100.00%	
BELGIUM	1.35%	52.79%		45.86%	
BRAZIL		0.52%	51.54%	47.28%	0.66%
BULGARIA		89.30%			10.70%
CAMEROON				100.00%	
CANADA		82.31%		17.69%	
CHILE		47.52%		52.47%	0.01%
COLOMBIA				100.00%	
COSTA RICA	78.82%				21.18%
CUBA			100.00%		
CZECH REP.		0.28%		98.05%	1.67%
DENMARK	0.03%	3.03%	44.38%	52.56%	
ECUADOR				99.37%	0.63%
EGYPT				99.91%	0.09%
ESTONIA	0.19%	0.08%		99.73%	
FINLAND		100.00%			
FRANCE	0.04%	70.46%	0.49%	29.00%	0.01%
GABON				100.00%	
GERMANY	0.01%	92.92%		7.07%	0.00%
GHANA				100.00%	
GREECE				100.00%	
HUNGARY		19.76%		80.24%	
INDIA		12.07%		87.93%	
INDONESIA				100.00%	
IRELAND				100.00%	
ISRAEL		11.72%	11.26%	76.52%	0.50%
ITALY		65.40%		34.60%	
JORDAN				100.00%	
KAZAKHSTAN				100.00%	
KUWAIT				100.00%	
LATVIA				100.00%	
LITHUANIA		100.00%			
LUXEMBOURG				100.00%	
MALAYSIA				100.00%	
MEXICO				100.00%	
MOROCCO		68.96%		31.04%	
MOZAMBIQUE				100.00%	
NAMIBIA					100.00%
NETHERLANDS		6.31%		93.58%	0.11%
NORWAY	0.33%	71.23%	5.63%	22.81%	
OMAN				100.00%	
PAKISTAN				100.00%	
PARAGUAY		100.00%			
PERU		0.68%		99.32%	
POLAND		0.65%		99.35%	
PORTUGAL	29.85%	40.19%			29.96%
ROMANIA					100.00%
RUSSIA					100.00%
SAUDI ARABIA				100.00%	
SENEGAL				100.00%	

Note - Armoury, private use; Private Company: Private Company, private use; Public Company: Public Company, public use; Armed Forces: Armed Forces, use of the Armed Forces; Private, private use.
Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF DEFENCE MATERIAL COMPLETED WITH INDICATION OF THE NATURE OF THE END USER, FINAL USE MADE AND PERCENTAGE

2012 (Continued)

COUNTRY	ARMOURY	PRIVATE COMPANY	PUBLIC COMPANY	ARMED FORCES	PRIVATE PARTY
SEYCHELLES		100.00%			
SINGAPORE		85.56%		14.44%	
SLOVENIA		100.00%			
SOUTH AFRICA				100.00%	
SOUTH KOREA				100.00%	
SWEDEN	0.16%			99.84%	
SWITZERLAND	0.50%	93.88%		5.62%	0.00%
THAILAND		0.27%		99.73%	
TURKEY		5.55%		94.45%	
UNITED ARAB EMIR.		0.42%		99.58%	
UNITED KINGDOM		95.43%		4.56%	0.01%
UNITED STATES	0.00%	70.61%		29.39%	0.00%
URUGUAY					100.00%
VENEZUELA			0.19%	99.81%	

Note - Armoury, private use; Private Company: Private Company, private use; Public Company: Public Company, public use; Armed Forces: Armed Forces, use of the Armed Forces; Private, private use.

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF DEFENCE MATERIAL COMPLETED EXCEEDING €10 MILLION

2012

COUNTRY	MATERIAL	VALUE (€)
AUSTRALIA	1 Warship and spare parts	499,943,707
VENEZUELA	One ocean-going patrol vessel and technical documentation	171,493,505
GREECE	Fuel for aircraft and ships	145,446,325
UNITED KINGDOM	Aircraft parts and components	97,986,484
MEXICO	3 aircraft, spare parts and technical documentation	84,586,111
POLAND	3 aircraft, spare parts and technical documentation	80,333,946
GERMANY	Aircraft parts and components	63,199,285
KAZAKHSTAN	2 aircraft, spare parts and technical documentation	52,952,343
INDONESIA	2 aircraft, spare parts and technical documentation	52,188,178
UNITED STATES	Aircraft fuel and aircraft parts and components	47,768,381
EGYPT	2 aircraft, spare parts and technical documentation	45,310,356
GHANA	1 aircraft, spare parts and technical documentation	26,874,245
TURKEY	Aircraft fuel	25,673,753
ITALY	Fuel for ships	21,659,305
FRANCE	1 aircraft, spare parts and technical documentation	19,275,700
BAHREIN	Rounds of various types	13,136,207
TOTAL		1,447,827,831

Source: Customs and Excise Department (Ministry of Finance and Public Administration) and exporting companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

DEFENCE MATERIAL EXPORTS COMPLETED

(LEASING, ASSIGNMENTS, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND PRODUCTION UNDER LICENSE)

2012

COUNTRY	DESCRIPTION	OPERATION	VALUE (€)
MEXICO	1 hunting rifle and replacement barrel	Donation	0
MOZAMBIQUE	One patrol vessel with replacements	Donation	0
NAMIBIA	2 hunting rifles	Donation	0
SENEGAL	One patrol vessel with replacements	Donation	0
TOTAL			0

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS MADE AS PART OF THE MOST NOTEWORTHY DEFENCE MATERIAL PROGRAMMES									
2012									
COUNTRY	PROGRAMME								TOTAL (€)
	A400M	EF-2000	ESSM MISSILE	IRIS-T MISSILE	METEOR MISSILE	MIDS	MRTT	TIGER	
AUSTRIA		55,768							55,768
BELGIUM	237,000								237,000
FRANCE	4,076,624				4,535,750	36,000	89,859	6,355,447	15,093,680
GERMANY	25,994,162	78,138,525		5,129,742	850,454	72,000		4,495,291	114,680,174
INDIA		10,706							10,706
ITALY	0	66,470,300				3,491,035			69,961,335
NORWAY				7,437					7,437
SAUDI ARABIA							5,437,214		5,437,214
SWITZERLAND	47,000								47,000
TURKEY	514,017								514,017
UNITED ARAB EMIR.							2,369,603		2,369,603
UNITED KINGDOM	268,714	157,326,855			6,864,919		9,962,308	166,396	174,589,192
UNITED STATES			4,083,387						4,083,387
TOTAL	31,137,517	302,002,154	4,083,387	5,137,179	12,251,123	3,599,035	17,858,984	11,017,134	387,086,513

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

DEFENCE MATERIAL EXPORTS DENIED AND REVOKED			
2012			
COUNTRY	NUMBER	MATERIAL	CRITERION (Common Position 2008/944/CFSP)
BAHREIN	2	Observation system for mobile turrets	3 The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts
		Firing systems intended for mobile turrets	7 The existence of a risk that the technology or military equipment will be diverted within the buyer country or re-exported under undesirable conditions.
COSTA RICA	3	Pistols and Revolvers	3 The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts
			7 The existence of a risk that the technology or military equipment will be diverted within the buyer country or re-exported under undesirable conditions.
LIBYA	1	Military transport plane (temporary export for demonstration)	1 Respect for the international commitments and obligations of the Member States, in particular the sanctions decreed by the UN Security Council and the European Union, agreements on non-proliferation and other subjects, as well as other international obligations.

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

LICENSE DENIALS DUE TO SUSPENSION OF REGISTRATION IN THE REOCE OF THE DEFENCE MATERIAL EXPORTING COUNTRY

2012		
Country	Number	Item
NONE DURING THIS PERIOD		

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

DESCRIPTION OF THE 22 ITEMS ON THE DEFENCE MATERIAL LIST (ROYAL DECREE 844/2011, OF 17 JUNE)		
ARTICLE	DESCRIPTION	LIST OF ITEMS INCLUDED
1	Smooth-bore weapons with a calibre of less than 20 mm.	Rifles, carbines, revolvers, pistols, machine pistols, machine guns, silencers, clips, sights and flash suppressors
2	Smooth-bore weapons with a calibre of 20 mm or more.	Firearms (including pieces of artillery), rifles, howitzers, cannons, mortars, anti-tank weapons, projectile launchers, flame throwers, recoilless rifles, signature reduction devices, military smoke, gas and pyrotechnic projectors or generators and weapons sights.
3	Ammunition, devices and components	Ammunition for the weapons subject to control under articles 1, 2 or 12. Fuse-setting devices including cases, links, bands, power supplies with high operational output, sensors, sub-munitions.
4	Bombs, torpedoes, rockets, missiles	Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth charges, demolition charges, "pyrotechnic" devices, shells and simulators, smoke grenades, incendiary bombs, missile rocket nozzles and re-entry vehicle nosetips.
5	Fire control systems	Weapon sights, bombing computers, gun laying equipment, weapon control systems, systems for data collection, surveillance or tracking, recognition or identification
6	Ground vehicles	Vehicles especially designed or modified for military use, tanks and other armed military vehicles or equipment for the planting of mines, armoured vehicles, amphibious vehicles, bullet-proof tyres.
7	Chemical or biological toxic agents	Biological agents and radioactive materials, nerve agents, vesicant agents, tear gases, anti-riot agents
8	Energetic materials and related substances	Explosives, propellants, pyrotechnics, fuels and related substances, perchlorates, chlorates and chromates, oxidizers, binders, additives and precursors
9	Warships	Combatant vessels and surface or underwater vessels and components therefor, diesel engines especially designed for submarines, electric motors especially designed for submarines, underwater detection devices, submarine and torpedo nets
10	Aircraft	Combat aircraft, unmanned airborne vehicles, aircraft engines, remotely piloted air vehicles, refuelling equipment, pressurised breathing equipment, parachutes, automatic piloting systems
11	Electronic equipment	Countermeasure and electronic counter-countermeasure equipment, underwater acoustic material, data security equipment, equipment using ciphering processes, guidance, navigation and transmission equipment
12	Kinetic energy weapon systems	Kinetic energy weapon systems, test and evaluation facilities and test models, propulsion systems, homing seeker, guidance or divert propulsion systems for projectiles
13	Armoured equipment and constructions	Armoured plate, constructions of metallic or non-metallic materials, military helmets, body armour and protective garments
14	Military training or simulation equipment	Attack trainers, flight trainers, radar target trainers, anti-submarine warfare trainers, missile launch trainers, image generating trainers
15	Imaging or countermeasure equipment	Recorders and image processing equipment, cameras, photographic equipment, image intensifier equipment, infrared or thermal imaging equipment, imaging radar sensor equipment
16	Forgings, castings and unfinished products	Forgings, castings and unfinished product parts
17	Miscellaneous equipment, materials and libraries	Self-contained diving and underwater swimming apparatus, closed and semi-closed circuit apparatus, robots, ferries
18	Production equipment	Environmental test facilities, continuous nitators, centrifugal testing apparatus or equipment, screw extruders
19	Directed energy weapon systems	Laser systems, particle beam systems, radio-frequency systems, particle accelerators
20	Cryogenic and superconductive equipment	Equipment especially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, superconductive electrical equipment
21	Software	Software designed for modelling, simulation or evaluation of military weapon systems or for the simulation of military operation scenarios, for command, communications, control and intelligence applications
22	Technology	Technology for the development, production or use of items controlled

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

ANNEX II. EXPORT STATISTICS ON OTHER ANTI-RIOT MATERIAL AND HUNTING AND SPORTING ARMS, 2012

EXPORTS AUTHORISED OF OTHER MATERIAL (ANTI-RIOT) BY COUNTRY 2012		
COUNTRY	NUMBER OF LICENSES	VALUE (€)
PERU	4	13,006,898
TUNISIA	7	874,955
VENEZUELA	8	1,698,350
TOTAL	19	15,580,203

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF OTHER MATERIAL COMPLETED (ANTI-RIOT) (BY COUNTRY) 2012		
COUNTRY	MATERIAL	VALUE (€)
BRAZIL	Tear gas devices	40,500
PERU	Tear gas devices, light and sound devices and flares	1,984,230
TUNISIA	Tear gas devices	1,078,804
VENEZUELA	Inert parts for the manufacture of non-lethal pyrotechnic devices and time-delay trigger-operated defence aerosols	449,624
TOTAL		3,553,158

Source: Customs and Excise Department (Ministry of Finance and Public Administration) and exporting companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF OTHER MATERIAL COMPLETED (ANTI-RIOT) WITH INDICATION OF THE NATURE OF THE END USER AND FINAL USE MADE OF THE MATERIAL 2012			
COUNTRY	END USER	END USE	PERCENTAGE
BRAZIL	Armed Forces	Public	100
PERU	Armed Forces	Public	100
TUNISIA	Police	Public	100
VENEZUELA	Armed Forces and Police	Public	100

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF OTHER MATERIAL COMPLETED (ANTI-RIOT) (LEASING, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND PRODUCTION UNDER LICENSE) 2012			
COUNTRY	MATERIAL	OPERATION	VALUE (€)
TUNISIA	Tear gas devices	Donation	0
TOTAL			0

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF OTHER MATERIAL AUTHORISED (HUNTING AND SPORTING ARMS) BY COUNTRY AND NUMBER OF LICENSES		
2012		
COUNTRY	NUMBER OF LICENSES	VALUE (€)
ANDORRA	6	14,773
ANGOLA	1	1,200,000
ARGENTINA	10	1,630,024
ARMENIA	1	60,000
AUSTRALIA	8	3,830,930
BOLIVIA	1	280,000
BOSNIA AND HERZEGOVINA	1	2,000,000
BOTSWANA	1	400
BRAZIL	2	86,364
BURKINA FASO	2	259,000
CAMEROON	6	2,440,000
CANADA	3	109,000
CENTRAL AFRICAN REPUBLIC	1	3,500,000
CHAD	2	65,000
CHILE	13	1,391,129
COLOMBIA	1	630
COSTA RICA	1	150
CUBA	1	500,000
DOMINICAN REP.	3	598,000
ECUADOR	1	60,000
EGYPT	5	206,380
EQUATORIAL GUINEA	6	2,758
GEORGIA	1	350,000
GHANA	11	6,140,600
GUATEMALA	1	400,000
GUINEA BISSAU	9	1,626,800
INDIA	1	200,000
ISRAEL	2	544,000
JAMAICA	1	200,000
JAPAN	7	509,098
KAZAKHSTAN	1	75,000
LEBANON	5	269,425
MALAYSIA	2	485,000
MAURITANIA	5	1,240,000
MEXICO	3	730,000
MOROCCO	6	1,638,774
NAMIBIA	1	1,000,000
NEW CALEDONIA (FRANCE)	1	50,000
NEW ZEALAND	5	599,000
NICARAGUA	1	57,000
NORWAY	1	450,000
P.R. CHINA	1	225,000
PAKISTAN	5	916,000
PARAGUAY	1	690,000
PERU	7	3,022,000
PHILIPPINES	4	600,000
RUSSIA	12	2,513,520
SENEGAL	1	125,000
SOUTH AFRICA	8	3,003,400
SWITZERLAND	5	44,675
TANZANIA	1	20,000
THAILAND	8	475,000
TRINIDAD AND TOBAGO	1	25,000
TUNISIA	13	2,476,188
TURKEY	8	11,090,973
UKRAINE	5	2,466,000
UNITED ARAB EMIRATES	1	750,000
UNITED STATES	50	26,385,969
URUGUAY	4	878,493
VENEZUELA	2	1,223,000
TOTAL	209	67,388,204

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF OTHER MATERIAL COMPLETED (HUNTING AND SPORTING ARMS) BY COUNTRY 2012		
COUNTRY	DESCRIPTION	VALUE (€)
ANDORRA	Shotguns	5 072
ANGOLA	Non-metallic shells and ammunition	479,502
ARGENTINA	Shotguns, shells, cases and smokeless gunpowder	458,878
ARMENIA	Shotguns and shells	52,263
AUSTRALIA	Shotguns and shells	1,673,333
BOLIVIA	Shells	37,670
BOSNIA AND HERZEGOVINA	Shells	80,905
BOTSWANA	Shotguns	400
BRAZIL	Shotguns	1,364
BURKINA FASO	Shells and shot	282,403
CAMEROON	Shells	1,241,649
CANADA	Shotguns	35,119
CENTRAL AFRICAN REPUBLIC	Gunpowder and cases	636,000
CHAD	Shells	27,440
CHILE	Shotguns, shells and smokeless gunpowder	959,101
COLOMBIA	Shotguns and cases	180,797
CUBA	Shells and shot	504,000
DOMINICAN REP.	Shells	306,420
EGYPT	Shotguns	6,380
EQUATORIAL GUINEA	Shotguns	3,158
FRENCH GUYANA (FRANCE)	Shells cases and shot	136,971
GEORGIA	Shells	71,290
GHANA	Shells	2,500,001
GUADALUPE (FRANCE)	Shells	65,709
GUATEMALA	Shells	193,563
GUINEA BISSAU	Shotguns and shells	741,821
HONDURAS	Shells	118,338
INDIA	Metallic butt, plastic wads and plastic pipes	81,500
ISRAEL	Shells	76,601
JAMAICA	Shells	43,824
JAPAN	Shells, smokeless powder and shot	1,463,283
KAZAKHSTAN	Shotguns, cases and gunpowder	46,965
KUWAIT	Shells	5,032
LEBANON	Shotguns, shells, smokeless powder and cases	627,508
MALAYSIA	Shells and shot	392,667
MALI	Lead balls and shot	111,073
MAURITANIA	Shells	362,662
MEXICO	Shells	577,928
MOROCCO	Shotguns and shells	1,053,101
NAMIBIA	Shells	256,189
NEW CALEDONIA (FRANCE)	Shells and shot	46,877
NEW ZEALAND	Shotguns, shells and shot	482,535
NORWAY	Shotguns and shells	647,706
PAKISTAN	Shotguns and smokeless gunpowder	372,900
PARAGUAY	Shells	352,200
PERU	Shells	1,688,785
PHILIPPINES	Shells and cases	150,980
RUSSIA	Shotguns, shells, pistons, gunpowder and cases	963,429
SERBIA	Shells, pistons and cases	37,180
SOUTH AFRICA	Shotguns, shells and cases	1,626,479
SOUTH KOREA	Shells	66,120
SWITZERLAND	Shotguns	52,510
TAIWAN	Shells	134,521
THAILAND	Shotguns, shells and shot	162,249
TUNISIA	Shotguns, shells and shot	1,025,080
TURKEY	Shotguns, shells, gunpowder, pistons and cases	2,229,593
UKRAINE	Shells, gunpowder, shot and cases	1,612,148
UNITED ARAB EMIRATES	Shotguns and shells	118,909
UNITED STATES	Shotguns, shells, smokeless powder and shot	6,388,967
URUGUAY	Shells	334,989
VENEZUELA	Shotguns and shells	118,138
TOTAL		34,510,175

Source: Customs and Excise Department (Ministry of Finance and Public Administration) and exporting companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF OTHER MATERIAL COMPLETED (HUNTING AND SPORTING ARMS) WITH INDICATION OF THE NATURE OF THE END USER, END USE AND PERCENTAGE 2012					
COUNTRY	ARMOURY	PRIVATE COM- PANY	PUBLIC COM- PANY	ARMED- FORCES	PRIVATE PARTY
ANDORRA	85.41%				14.59%
ANGOLA		100.00%			
ARGENTINA	0.21%	98.42%			1.37%
ARMENIA		100.00%			
AUSTRALIA	0.45%	97.61%			1.94%
BOLIVIA		100.00%			
BOSNIA AND HERZEGOVINA		100.00%			
BOTSWANA					100.00%
BRAZIL					100.00%
BURKINA FASO		100.00%			
CAMEROON	41.52%	58.48%			
CANADA	78.89%	21.11%			0.00%
CENTRAL AFRICAN REPUBLIC		100.00%			
CHAD		100.00%			
CHILE	8.32%	91.52%			0.16%
COLOMBIA		100.00%			
CUBA		100.00%			
DOMINICAN REP.	18.49%	81.51%			
EGYPT					100.00%
EQUATORIAL GUINEA					100.00%
FRENCH GUYANA (FRANCE)		100.00%			
GEORGIA		100.00%			
GHANA	41.66%	58.34%			
GUADALUPE (FRANCE)	44.71%	55.29%			
GUATEMALA	51.87%	48.13%			
GUINEA BISSAU		99.76%			0.24%
HONDURAS	100.00%				
INDIA		100.00%			
ISRAEL		100.00%			
JAMAICA		100.00%			
JAPAN		100.00%			
KAZAKHSTAN		100.00%			
KUWAIT	100.00%				
LEBANON	1.55%	98.45%			
MALAYSIA		80.53%	19.47%		
MALI		100.00%			
MAURITANIA		100.00%			
MEXICO		12.85%		87.15%	
MOROCCO	16.68%	83.32%			
NAMIBIA		100.00%			
NEW CALEDONIA (FRANCE)		100.00%			
NEW ZEALAND		100.00%			
NORWAY		100.00%			
PAKISTAN		100.00%			
PARAGUAY		100.00%			
PERU	4.16%	95.84%			
PHILIPPINES		100.00%			
RUSSIA	4.53%	93.67%			1.80%
SERBIA		100.00%			
SOUTH AFRICA		90.59%			9.41%
SOUTH KOREA		100.00%			
SWITZERLAND		60.01%			39.99%
TAIWAN		100.00%			
THAILAND		97.77%			2.23%
TUNISIA		100.00%			
TURKEY		100.00%			
UKRAINE		100.00%			
UNITED ARAB EMIRATES	23.47%	76.53%			
UNITED STATES	7.77%	92.17%			0.06%
URUGUAY	54.75%	45.25%			
VENEZUELA		100.00%			

Note - Armoury, private use; Private Company: Private Company, private use; Public Company: Public Company, public use; Armed Forces: Armed Forces, use of the Armed Forces; Private, private use

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

**EXPORTS COMPLETED OF OTHER MATERIAL (HUNTING AND SPORTING ARMS)
(LEASING, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND
PRODUCTION UNDER LICENSE)
2012**

COUNTRY	MATERIAL	OPERATION	VALUE (€)
ANDORRA	2 shotguns	Second-hand	90
LEBANON	12 shotguns	Second-hand	1,340
TOTAL			1,430

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

**OTHER MATERIAL EXPORTS DENIED AND REVOKED (HUNTING AND SPORTING ARMS)
2012**

COUNTRY	NUMBER	MATERIAL	REASON
ANDORRA	2	Hunting shotguns	Owner of the weapons not properly identified
ARGENTINA	1	Hunting shotguns	The exporter was not the owner of the weapon and the actual owner lacked the necessary authorizations for the acquisition, possession and use of the weapon
BELARUS	1	Hunting shells	EU embargo
CANADA	1	Hunting shotguns	No record of having previously imported the weapons
EQUATORIAL GUINEA	1	Hunting shotguns	No evidence that the operator is the owner of the weapon
KOSOVO (SERBIA)	1	Hunting shells	Risk of diversion to an improper use
MALI	5	Hunting shells, cases, lead balls and shot	Internal instability in the country of destination
MALI	2 Revocations	Hunting shells, cases, lead balls and shot	Internal instability in the country of destination
UNITED STATES	1	Hunting shotguns	Exporter's name does not properly appear on the licence

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

**LIST OF OTHER MATERIAL
(ROYAL DECREE 844/2011, OF 17 JUNE)**

- a. Firearms defined in Article 3 of United Nations General Assembly Resolution 55/255 approving the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition which are not included in Annex I.1, Article 1, 2 and 3 of the Defence Material List.
- b. Visors and sights, telescopic sights and light or image intensification for firearms
- c. Generator devices, projectors, smoke dispensers, gases, "anti-riot agents" or incapacitating substances
- d. Launchers of the elements described in preceding paragraph c.
- g. Light and deafening sound equipment for riot control
- f. Anti-riot vehicles with any of the following characteristics:
 1. systems to produce electric shocks;
 2. systems to dispense incapacitating substances;
 3. systems to dispense anti-riot agents;
 4. water cannons.
- g. standard handcuffs

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

ANNEX III. EXPORT STATISTICS ON DUAL-USE ITEMS AND TECHNOLOGIES 2012

AUTHORIZED EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES BY COUNTRY, NUMBER OF LICENSES
AND VALUE (€)
2012

COUNTRY	NUMBER OF LICENSES	VALUE (€)
ALGERIA	14	756,748
ANDORRA	5	1,463,999
ARGENTINA	10	2,998,214
AUSTRALIA	8	1,729
AZERBAIJAN	1	0
BOLIVIA	1	0
BOSNIA AND HERZEGOVINA	1	1,010
BRAZIL	10	30,161,226
CAMEROON	2	82,500
CHILE	9	1,441,210
COLOMBIA	42	1,007,020
CUBA	14	4,221,162
DOMINICAN REP.	1	2,250
EGYPT	1	318,000
ETHIOPIA	2	300,000
FRANCE	1	16,955,619
GERMANY	1	0
HONG KONG (PR CHINA)	6	1,346,595
INDIA	8	4,815,710
IRAN	35	19,520,674
ISRAEL	5	15,600
ITALY	1	0
IVORY COAST	5	51,960
JORDAN	3	101
KAZAKHSTAN	1	0
KUWAIT	2	365
MALAYSIA	9	458,668
MEXICO	12	4,391,513
MONGOLIA	1	0
MOROCCO	11	4,359,005
NEW ZEALAND	1	96
NICARAGUA	1	17
NIGERIA	7	1,194,000
OMAN	3	7,238,585
P.R. CHINA	53	18,826,246
PARAGUAY	3	42,262
PERU	2	45,196
REP. CAPE VERDE	1	112,996
RUSSIA	20	10,563,161
RWANDA	1	23
SAUDI ARABIA	11	1,725,926
SERBIA	1	0
SINGAPORE	11	268,703
SLOVENIA	1	7,516,419
SOUTH AFRICA	4	761,300
SOUTH KOREA	7	4,792,505
SWITZERLAND	2	300,000
TAIWAN	20	80,833
THAILAND	6	11,975
TURKEY	13	12,414,144
TURKMENISTAN	3	6,664,387
UNITED ARAB EMIRATES	5	6,563,623
UNITED KINGDOM	4	148,452
UNITED STATES	5	82,301,432
VENEZUELA	1	180,000
VIETNAM	3	526,335
YEMEN	1	162
TOTAL	391	256,949,656

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES AUTHORISED BY COUNTRY OF DESTINATION AND CATEGORY											
2012											
COUNTRY	CATEGORY									VALUE (€)	
	0	1	2	3	4	5	6	7	8		9
ALGERIA		756,748									756,748
ANDORRA						1,463,999					1,463,999
ARGENTINA		495,625	0	2,027,589						475,000	2,998,214
AUSTRALIA		1,729									1,729
AZERBAIJAN							0				0
BOLIVIA										0	0
BOSNIA AND HERZEGOVINA		1,010									1,010
BRAZIL		29,662,994		498,232		0					30,161,226
CAMEROON		82,500									82,500
CHILE		1,441,210					0				1,441,210
COLOMBIA	750	1,006,270								0	1,007,020
CUBA	3,393,751	140,907	686,504								4,221,162
DOMINICAN REP.		2,250									2,250
EGYPT		318,000									318,000
ETHIOPIA		300,000									300,000
FRANCE	16,955,619										16,955,619
GERMANY				0							0
HONG KONG (PR CHINA)	12,296	32		81,840			1,252,427				1,346,595
INDIA		632,000	1,183,710			3,000,000					4,815,710
IRAN			18,559,937		960,737						19,520,674
ISRAEL		12,100				3,500				0	15,600
ITALY			0								0
IVORY COAST		1,960				50,000					51,960
JORDAN		101									101
KAZAKHSTAN							0				0
KUWAIT		365									365
MALAYSIA	288	3,294		455,086							458,668
MEXICO		718,000	673,513			3,000,000					4,391,513
MONGOLIA							0				0
MOROCCO		2,267,911					2,091,094				4,359,005
NEW ZEALAND		96									96
NICARAGUA		17									17
NIGERIA		1,194,000					0				1,194,000
OMAN		800	7,237,785								7,238,585
P.R. CHINA			14,053,970	4,486,276			286,000				18,826,246
PARAGUAY		42,262									42,262
PERU		45,196									45,196
REP. CAPE VERDE							112,996				112,996
RUSSIA		5,032,960	5,494,106	36,095			0				10,563,161
RWANDA		23									23
SAUDI ARABIA		1,224,905	501,021				0				1,725,926
SERBIA							0				0
SINGAPORE		4,415		194,193	60,508		9,587				268,703
SLOVENIA	7,516,419										7,516,419
SOUTH AFRICA		761,300					0				761,300
SOUTH KOREA		4,744,960		47,545		0	0				4,792,505
SWITZERLAND	0	300,000									300,000
TAIWAN		5,854		74,979			0				80,833
THAILAND		11,975									11,975
TURKEY		898,457	4,255,000	57,771		7,202,916	0				12,414,144
TURKMENISTAN			6,664,387				0				6,664,387
UNITED ARAB EMIRATES		100,070	6,463,553							0	6,563,623
UNITED KINGDOM						148,452					148,452
UNITED STATES	81,683,209		357,636							260,587	82,301,432
VENEZUELA		180,000									180,000
VIETNAM		510	525,825								526,335
YEMEN		162									162
TOTAL	109,562,332	52,392,968	66,656,947	7,959,606	1,021,245	14,868,867	3,752,104			735,587	256,949,656

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES COMPLETED BY COUNTRY AND CATEGORY 2012											
COUNTRY	CATEGORY									VALUE (€)	
	0	1	2	3	4	5	6	7	8		9
ALGERIA		111,565									111,565
ANDORRA						1,266,805					1,266,805
ARGENTINA		4,643,062		1,637,468							6,280,530
AUSTRALIA	80	6,347									6,427
BOSNIA AND HERZEGOVINA		1,010									1,010
BRAZIL		4,288,850		310,353							4,599,203
CAMEROON		12,438									12,438
CANADA	23,892			984							24,876
CHILE		275,274									275,274
COLOMBIA	876	806,788									807,664
CUBA	2,529,633	92,808	1,682,153								4,304,594
DOMINICAN REP.		2,203									2,203
DUTCH ANT. (NETHERLANDS)		198,932									198,932
EGYPT		96,800									96,800
FRANCE	16,955,619										16,955,619
HONG KONG (PR CHINA)		32		81,840		1,166,066	883,658				2,131,596
INDIA		32,090									32,090
IRAN			31,041,971								31,041,971
ISRAEL		30,529				5,870					36,399
ITALY				0							0
IVORY COAST		1,816				20,418					22,234
JAPAN				62,789		1,606	5,500				69,895
JORDAN		13									13
KUWAIT		365									365
MALAYSIA	288	3,294		64,114							67,696
MEXICO			572,320			87,037					659,357
MOROCCO		604,916					1,968,320				2,573,236
NEW ZEALAND		292									292
NIGERIA		96,546									96,546
NORWAY		663,763									663,763
OMAN			5,127,700								5,127,700
P.R. CHINA			16,384,517	3,287,575		0	286,500				19,958,592
PARAGUAY		210,302									210,302
PERU		18,880									18,880
PHILIPPINES		3,246									3,246
REP. CAPE VERDE							112,996				112,996
RUSSIA		3,871,988	299,450	137,449							4,308,887
SAUDI ARABIA		944,696	501,021								1,445,717
SERBIA		22,862									22,862
SINGAPORE		2,569			16,808	18,937	9,588				47,902
SLOVENIA	7,516,419										7,516,419
SOUTH AFRICA		184,122									184,122
SOUTH KOREA		100		41,299		0					41,399
SWITZERLAND	0	1,749,016		81		1,598					1,750,695
TAIWAN		5,854	3,090,000	534,384		5,223					3,635,461
THAILAND		7,199	528,576								535,775
TURKEY		750,579	4,110,496	190,420		7,202,916					12,254,411
TURKMENISTAN			6,161,002								6,161,002
UKRAINE		141,518									141,518
UNITED ARAB EMIRATES		41,888									41,888
UNITED KINGDOM						175,334					175,334
UNITED STATES	81,683,209	511,085	8,668,139	79,876	15,369	249,231	46,612			162,443	91,415,964
URUGUAY		8,638									8,638
VENEZUELA		6,129,929									6,129,929
VIETNAM		370	525,825								526,195
YEMEN		253									253
TOTAL	108,710,016	26,574,827	78,693,170	6,428,632	32,177	10,201,041	3,313,174			162,443	234,115,480

Source: Customs and Excise Department (Ministry of Finance and Public Administration) and exporting companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES COMPLETED WITH INDICATION OF THE NATURE OF THE END USER, END USE AND PERCENTAGE 2012				
COUNTRY	PRIVATE COM- PANY	PUBLIC COM- PANY	ARMED FORCES	POLICE
ALGERIA	99.94%	0.06%		
ANDORRA	18.31%	81.69%		
ARGENTINA	74.03%	25.97%		
AUSTRALIA	100.00%			
BOSNIA AND HERZEGOVINA	100.00%			
BRAZIL	100.00%			
CAMEROON	100.00%			
CANADA	100.00%			
CHILE	100.00%			
COLOMBIA	100.00%			
CUBA	100.00%			
DOMINICAN REP.	100.00%			
DUTCH ANT. (NETHERLANDS)	72.61%	27.39%		
EGYPT	100.00%			
FRANCE	100.00%			
HONG KONG (PR CHINA)	54.71%	42.95%		2.35%
INDIA	100.00%			
IRAN	99.77%	0.23%		
ISRAEL	91.76%	8.24%		
ITALY	100.00%			
IVORY COAST	100.00%			
JAPAN	100.00%			
JORDAN	100.00%			
KUWAIT	100.00%			
MALAYSIA	100.00%			
MEXICO	14.06%	85.94%		
MOROCCO	100.00%			
NEW ZEALAND	100.00%			
NIGERIA	100.00%			
NORWAY	100.00%			
OMAN	100.00%			
P.R. CHINA	88.86%	11.14%		
PARAGUAY	100.00%			
PERU	100.00%			
PHILIPPINES	100.00%			
REP. CAPE VERDE	100.00%			
RUSSIA	97.31%	2.69%		
SAUDI ARABIA	100.00%			
SERBIA	100.00%			
SINGAPORE	100.00%			
SLOVENIA	100.00%			
SOUTH AFRICA	100.00%			
SOUTH KOREA	88.17%	11.83%		
SWITZERLAND	100.00%			
TAIWAN	85.30%	14.70%		
THAILAND	100.00%			
TURKEY	41.22%	58.78%		
TURKMENISTAN	39.90%	60.10%		
UKRAINE	100.00%			
UNITED ARAB EMIRATES	100.00%			
UNITED KINGDOM	100.00%			
UNITED STATES	98.34%	0.02%	1.64%	
URUGUAY	100.00%			
VENEZUELA	71.62%	28.38%		
VIETNAM	100.00%			
YEMEN	100.00%			

Note - Armoury, private use; Private Company: Private Company, private use; Public Company: Public Company, public use; Armed Forces: use of the Armed Forces; Police: State police and security forces, police use
Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORT AUTHORISATIONS DENIED FOR DUAL USE ITEMS AND TECHNOLOGIES 2012			
COUNTRY	NUMBER	PRODUCT	REASON
INDIA	1	Validation code	No end-user information
IRAN	2	Seals and gaskets for spare carbon steel valve parts	Risk of use for proliferation
		Cards for the repair of EDM machine	End user is included in Annex IX to Council Regulation (EU) No 267/2012 of 23 March 2012 concerning sanctions against Iran
LEBANON	1	Chemicals	End user failed to offer sufficient guarantees
PAKISTAN	1	Two sets of steam generator tube inspection equipment	Risk of diversion to a programme of proliferation
P.R. CHINA	1 PA	A machine tool	Risk of diversion to military use and two essentially identical denials reported to the Missile Technology Control Regime
TOGO	1	Chemicals	No importer

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

APPLICATION OF THE CATCH-ALL CLAUSE IN THE EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES 2012			
COUNTRY	NUMBER	PRODUCT	REASON
IRAN	3	Laboratory equipment and stainless steel valves	Risk of being diverted to nuclear and missile proliferation programmes
PAKISTAN	2	Inspection equipment and a test bench for a nuclear power plant	Risk of being diverted to nuclear and missile proliferation programmes

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES COMPLETED EXCEEDING €10 MILLION 2012		
COUNTRY	DESCRIPTION	VALUE (€)
FRANCE	Three steam generators for a nuclear power plant including manufacturing	16,955,619
UNITED STATES	Two steam generators for a nuclear power plant with all the materials that make up the equipment as well as complete manufacturing	81,683,209
Total		

Source: Customs and Excise Department (Ministry of Finance and Public Administration) and exporting companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

**DESCRIPTION OF THE 10 CATEGORIES OF DUAL-USE ITEMS AND TECHNOLOGIES
(REGULATION EC 428/2009 OF 5 MAY 2009)**

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

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

**EVOLUTION OF EXPORTS OF DEFENCE MATERIAL, OTHER MATERIAL AND DUAL-USE ITEMS AND TECHNOLOGIES
2012**

	DEFENCE MATERIAL AMOUNT (€)	OTHER MATERIAL AMOUNT (€)		DUAL-USE AMOUNT (€)
		Anti-riot	Hunting and sporting arms	
Authorised	7,694,557,769	15,580,203	67,388,204	256,949,656
Completed	1,953,447,932	3,553,158	34,510,175	234,115,480
Percentage	25.4	22.8	51.2	91.1

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

ANNEX IV. LICENSES PROCESSED AND OPERATIONS EXEMPT

NUMBER OF EXPORT LICENSES PROCESSED 2012						
DEFENCE MATERIAL						
TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	680	74	30	5	15	804
GLOBAL	22	1				23
GLOBAL PROJECT	20					20
TEMPORARY	330			2	2	334
RECTIFICATIONS	193					193
PRELIM. AGREEMENTS	55				2	57
INWARD PROCESSING TRAFFIC	5					5
TOTAL	1,305	75	30	7	19	1,436

OTHER MATERIAL						
TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	293	17	7	12	10	339
RECTIFICATIONS	70			1		71
TOTAL	363	17	7	13	10	410

DUAL-USE ITEMS AND TECHNOLOGIES						
TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	393	15	1	6	10	425
GLOBAL	1	1				2
TEMPORARY	19					19
RECTIFICATIONS	42	2				44
PRELIM. AGREEMENTS	1			1		2
GENERAL AUTHORISATIONS	12					12
TOTAL	468	18	1	7	10	504

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

LICENSE PROCESSING TIME FOR DEFENCE MATERIAL, OTHER MATERIAL AND DUAL-USE ITEMS AND TECHNOLOGIES			
2012			
DEFENCE MATERIAL	Preliminary report	= 0 < 30 days	69 %
		> 30 days	31 %
	Exempt from report	= 0 < 5 days	72 %
		> 5 days	28 %
OTHER MATERIAL	Preliminary report	= 0 < 30 days	82 %
		> 30 days	18 %
	Exempt from report	= 0 < 5 days	75 %
		> 5 days	25 %
DUAL-USE ITEMS AND TECHNOLOGIES	Preliminary report	= 0 < 30 days	77 %
		> 30 days	23 %
	Exempt from report	= 0 < 5 days	67 %
		> 5 days	33 %

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

DEFENCE MATERIAL TRANSACTIONS EXEMPT FROM THE JIMDDU PRELIMINARY REPORT AND FROM END USE CONTROL DOCUMENTS 2012											
Art. RMD	Eurofighter	A400M	Tiger Eurocopter	Leopard	Iris-T Missile	Meteor Missile	Military fuel	Repair	Fairs	Tests Demonstration Homologation	Return Origin
1								17	7	2	7
2								1	1	2	1
3								2			2
4			4		11	3		23	5	11	5
5								2			
6				6				16	7	5	8
8							14				
9								7			1
10	25	7	3					52	2	5	10
11	1							25		4	9
14								1	1		1
15		3						4		2	2
21						1				6	
TOTAL	26	10	7	6	11	4	14	150	23	37	46

**DUAL-USE ITEMS AND TECHNOLOGY TRANSACTIONS EXEMPT FROM THE JIMDDU PRELIMINARY
REPORT AND FROM END USE CONTROL DOCUMENTS - 2012**

Category	Exemption from the Board Report
	Member countries of international non-proliferation fora
1	18
2	2
3	17
5	9
6	2
9	2
TOTAL	50

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

ANNEX V. SPANISH STATISTICS AS CONCERNS THE UNITED NATIONS CONVENTIONAL ARMS REGISTER

Information regarding international export of conventional arms, small arms and light weapons.

Exports

Country submitting information: SPAIN

National contact point: Ministry of Defence (DGAM/SDG REIN)

Calendar year: 2012

Conventional arms						
A	B	C	D	E	Observations	
Categories (I-VII)	End importer state(s)	Number of items	Country of origin (if not the exporter)	Location Interim (if applicable)	Description of the item	Comments regarding the transfer
I. Tanks						
II. Armoured combat vehicles						
III. Large calibre artillery systems	Netherlands	1			ATP M-110 Howitzer	IIC
IV. Combat aircraft						
V. Attack helicopters						
VI. Warships	Australia	1			Warship	EUS
	Mozambique	1			Guard patrol ship	EUD
	Senegal	1			Guard patrol ship	EUD
	Venezuela	1			Guard patrol ship	EUD
VII. Missiles and a) missile launcher d b)						

* Control document.

Source: Deputy Directorate-General of International Relations. Directorate-General for Armament and Materiel (Ministry of Defence)

Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

Small arms and light weapons						
A	B	C	D	E	Observations	
Category VIII	End importer state(s)	Number of items	Country of origin (if not the exporter)	Location Interim (if applicable)	Description of the item	Comments regarding the transfer
Small arms						
1. Revolvers and automatic pistols						
2. Rifles and Carabines						
3. Machine guns						
4. Assault rifles						
5. Light machine guns	Chile	74				EUD
6. Other						
Light weapons						
1. Heavy machine guns						
2. Portable grenade launcher with and without support	Estonia	1,756				IIC
	Indonesia	1,101				EUD
	Peru	150				EUD
3. Portable anti-tank cannons						
4. Recoilless rifles						
5. Portable anti-tank missile launchers and rocket systems						
6. Mortars under 75mm calibre	Bahrain	40				EUD
7. Other						

* Control document.

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

ANNEX VI. SPANISH STATISTICS AS CONCERNS THE OSCE DOCUMENT ON SMALL ARMS AND LIGHT WEAPONS

EXPORTS AUTHORISED IN 2012

Annual information regarding the export of small arms and light weapons

Reporting country SPAIN	Reporting year: 2012				
Original language: Spanish	Report date: May 2013				
Category and sub-category	End importing state	Number of items	State of origin (if not the importer)	Intermediate situation (if applicable)	Commentary on the transfer*
A. Small arms					
1. Revolvers and automatic pistols					
2. Rifles and Carabines					
3. Submachine guns					
4. Assault rifles					
5. Light machine guns					
B. Light weapons					
1. Heavy machine guns					
2. Portable grenade launchers with and without support	Estonia	1,756			IIC
3. Portable anti-aircraft cannons					
4. Portable anti-tank cannons					
5. Recoilless cannons					
6. Launchers for portable anti-tank missile and rocket systems					
7. Launchers for portable anti-aircraft missiles					
8. Mortars under 100 mm calibre	Belgium	69			IIC

* Control document.

Note. – Recipients are the Armed Forces and Police and Security Forces of the OSCE countries and the items are complete except for parts and ammunition.

Source: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

EXPORTS COMPLETED in 2012
Annual information regarding the export of small arms and light weapons

Reporting country SPAIN	Reporting year: 2012				
Original language: Spanish	Report date: May 2013				
Category and sub-category	End importing state	Number of items	State of origin (if not the importer)	Intermediate situation (if applicable)	Commentary on the transfer*
C. Small arms					
6. Revolvers and automatic pistols					
7. Rifles and Carabines					
8. Submachine guns					
9. Assault rifles					
10. Light machine guns					
D. Light weapons					
9. Heavy machine guns					
10. Portable grenade launchers with and without support	Estonia	1,756			IIC
11. Portable anti-aircraft cannons					
12. Portable anti-tank cannons					
13. Recoilless cannons					
14. Launchers for portable anti-tank missile and rocket systems					
15. Launchers for portable anti-aircraft missiles					
16. Mortars under 100 mm calibre					

* Control document.

Note. — Recipients are the Armed Forces and Police and Security Forces of the OSCE countries and the items are complete except for parts and ammunition.

Source: Export companies. Drafting: Deputy Directorate-General of External Trade in Defence and Dual-use Material (Ministry of Economy and Competitiveness)

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

DEFENCE MATERIAL AND EQUIPMENT FOR DOMESTIC REPRESSION

Countries	United Nations	European Union	OSCE
Afghanistan (Taliban)	December 1996 January 2002 (Mod.)	December 1996 June 2012 (Mod.)	
Azerbaijan (Nagorno-Karabakh)			February 1992
Belarus		June 2011 October 2012 (Mod.)	
China		June 1989 (v)	
Dem. Rep. Congo	July 2003 March 2008 (Mod.)	April 1993 October 2007 (Mod.)	
Eritrea	December 2009	October 2012	
Ivory Coast	November 2004 April 2012 (Mod.)	December 2004 July 2012 (Mod.)	
Iran	March 2007 (v) June 2010 (Mod.)	April 2007 December 2012 (Mod.)	
Iraq	August 1990 June 2004 (Mod.)	August 1990 July 2004 (Mod.)	
Lebanon	August 2006	September 2006	
Liberia	March 1992 December 2009 (Mod.)	May 2001 June 2006 (Mod.)	
Libya	February 2011 October 2011 (Mod.)	February 2011 April 2013 (Mod.)	
Myanmar		July 1991 April 2013 (Mod.)	
Popular Democratic Republic of Korea	October 2006 June 2010 (Mod.)	November 2006 March 2013 (Mod.)	
Republic of Guinea		October 2009 January 2013 (Mod.)	
Somalia	January 1992 July 2009 (Mod.)	December 2002 October 2012 (Mod.)	
Sudan	July 2004 October 2010 (Mod.)	March 1994 November 2011 (Mod.)	
South Sudan		March 1994 July 2011 (Mod.)	
Syria		May 2011 April 2013 (Mod.)	
Zimbabwe		February 2002 February 2004 (Mod.)	

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

The embargoes reflected in this table exclude prohibitions on the export of non-lethal equipment for humanitarian purposes or for certain International Organisations and United Nations personnel as well as those used for mine removal actions except in the case of China. In the case of the embargoes against Iraq, Lebanon, the Democratic Republic of Congo, Liberia and Somalia, the prohibition of arms shipments to their governments and international peace-keeping forces is excluded. Non-lethal arms for security forces are excluded from the embargoes of the Ivory Coast and South Sudan. In the embargo against Libya, shipments of arms and related material to the Libyan authorities for the purpose of security and disarmament assistance and the temporary dispatch of small arms and light weapons to UN personnel, media representatives and humanitarian personnel are excluded with prior notification in both cases to the United Nations Sanctions Committee.

The embargoes of Myanmar, Ivory Coast, the Republic of Guinea, Iran, Libya and Zimbabwe include a list of items which could potentially be used for domestic repression.

(v) Voluntary embargo. (Mod.) Date of modification.

DUAL-USE

Countries	United Nations	European Union	Restrictive measure
Non-governmental agents	April 2004 (1540) April 2006 (1673)		Prevent all transfer for use in WMD and their delivery vehicles
Democratic Republic of Korea	July 2006 (1695) October 2007 (1718) June 2009 (1874)	November 2006 March 2013	Prevent all transfer of conventional weapons, dual-use items and luxury items
Iran	July 2006 (1696) December 2006 (1737) March 2007 (1747) (v) March 2008 (1803) September 2008 (1835) June 2010 (1929)	February 2007 December 2009 July 2010 October 2010 May 2011 January 2013	Prevent all transfer of arms and equipment for domestic repression and dual-use items and technologies, except for the restricted list, domestic repression equipment and key products and technologies for the oil and gas sector.
Syria		June 2012	Prevent the transfer of equipment which could potentially be used for domestic repression (dual-use)

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

WMD Weapons of mass destruction

(v) Voluntary embargo.

ANNEX VIII. LINKS

International forum web pages

1. United Nations

<http://www.un.org>

2. European Union

<http://europa.eu>

3. Organisation for Security and Co-operation in Europe (OSCE)

<http://www.osce.org>

4. Chemical Weapons Convention (CWC)

<http://www.opcw.org>

<http://www.mityc.es/industria/anpaq>

5. Biological and Toxin Weapons Convention (BTWC)

<http://www.opbw.org>

6. *Australia Group (AG)*

<http://www.australiagroup.net>

7. International Atomic Energy Agency (IAEA)

<http://www.iaea.org>

8. Nuclear Suppliers Group (NSG)

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

9. Wassenaar Arrangement (WA)

<http://www.wassenaar.org>

10. Missile Technology Control Regime (MTCR)

<http://www.mtcr.info>

11. Zangger Committee

<http://www.zanggercommittee.org>

Other links of interest

1. Stockholm International Peace Research Institute

<http://www.sipri.org>

2. Small Arms Survey

<http://www.smallarmssurvey.org>