



Federal Ministry
for Economic Affairs
and Energy

Military Equipment Export Report

**Interim report by the Government of
the Federal Republic of Germany on its
policy on the export of conventional
military equipment in the first four
months of 2017**

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E-Mail: publikationen@bundesregierung.de
www.bmwi.de

Central procurement service:

Tel.: +49 30 182722721

Fax: +49 30 18102722721

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Interim report by the Government of the Federal Republic of Germany on its policy on the export of conventional military equipment in the first four months of 2017

The Federal Government hereby submits the interim report on exports of military equipment for the period from 1 January 2017 until 30 April 2017. In 2017, an election year, the reference period is reduced to four months in order to permit the interim report to be adopted and its content discussed in parliament before the summer recess. The interim report is the fourth of its kind; the first one was presented on 15 October 2014 with licensing figures for the first half of 2014.

The interim report ensures transparency in the field of the export of military equipment by providing information about the Federal Government's policies in this field before the end of the reference year. The same purpose is served by the commitment – a commitment that has since regularly been put into practice – to disclose final decisions on licences by the Federal Security Council to the Economic Affairs Committee of the Bundestag. In this way, the Bundestag is provided with timely information about significant decisions by the Federal Government in the field of exports of military equipment. Information is provided not only about the nature, number and country of destination, but also about the German firms involved and the total volume of the export project, unless constitutionally protected interests prevent such disclosure.

By doing this, the Federal Government has comprehensively increased the level of transparency. This means that more transparent information is being provided about policy on the export of military equipment and about specific licensing decisions during this legislative term than ever before.

Further to this, an overview (in German) of all inquiries from the parliamentary arena relating to the issue of exports of military equipment has been created at www.bmwi.de.

Government policy on exports of military equipment

The Federal Government is pursuing a restrictive and responsible policy on the export of military equipment. The decision on licences for exports of military equipment is taken by the Federal Government on a case-by-case basis and in the light of the respective situation following careful scrutiny including consideration of foreign and security

policy aspects. This process is based on the statutory requirements of the War Weapons Control Act, the Foreign Trade and Payments Act, the Foreign Trade and Payments Ordinance, and the Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment of 2000 ("Political Principles", Annex 1), the Council Common Position of the EU defining common rules governing control of exports of military technology and equipment of 8 December 2008 ("EU Common Position", Annex 2) and the Arms Trade Treaty (ATT).

Special weight is given to observance of human rights in the country of destination. If there is sufficient suspicion that the military equipment will be misused for internal repression or other ongoing and systematic violations of human rights, a licence is not issued as a matter of principle.

The other criteria of the Political Principles and the EU Common Position are also always included in the scrutiny; these include:

- the compatibility of the export with international obligations, especially on the basis of decisions by the UN and the EU,
- the internal situation in the country of final destination,
- the preservation of regional peace, security and stability,
- the national security of the EU Member States and of friendly and allied countries,
- the behaviour of the recipient country with regard to the international community, as regards in particular its attitude to terrorism,
- the risk that the military technology or equipment will be diverted within the recipient country or re-exported under undesirable conditions, and
- the compatibility of the exports with the technical and economic capacity of the country of destination.

Each individual case is scrutinised giving consideration to all the circumstances, including Germany's foreign and security policy interests. Here, the Federal Government upholds its Alliance commitments and its responsibility for European and international security. Germany and its allies again faced great security policy challenges in the first few months of 2017 in view of terrorist threats and numerous international crises. Exports of military equipment which

serve cooperation with our Alliance partners or help to equip them also uphold Germany's own security policy interests. This is also true of exports to third countries¹ which, for example, can help to secure borders or to tackle international terrorism in these countries.

The Political Principles further stipulate that employment policy must not play a decisive role in the export of war weapons. This is the fundamental premise for all decisions on exports of military equipment by this Federal Government.

Consultation process on the future of export controls for military equipment

By providing comprehensive transparency and engaging in an intensive dialogue, the Federal Government is laying the foundations for a well-informed parliamentary and public debate on exports of military equipment, and is thus helping to make the political debate on the issue more objective. This includes the consultation process initiated by Minister Gabriel and continued by Minister Zypries on the future of policy on exports of military equipment. The consultation process held by the Federal Ministry for Economic Affairs and Energy focused on the overall system of military equipment exports in Germany and provided a forum for a broad-based discussion between various stakeholders on this issue. In five hearings, experts from churches, civil society, industry, trade unions, research establishments and legal sciences had an opportunity to present and discuss in detail possible ways forward. In addition to this, written submissions were made; these have been published on the website of the Federal Ministry for Economic Affairs and Energy (www.bmwi.de) The points, suggestions and options gathered in the hearings are currently being evaluated and considered.

Particularly strict rules for small arms exports

The Federal Government applies particularly strict standards when issuing licences for small-arms exports to third countries.

In internal and regional cross-border conflicts, by far the greatest share of deaths have been caused by the use of

small arms and light weapons ("small arms"), largely due to violent crime. Societies with a high level of violence are particularly susceptible to this. National control mechanisms are mostly underdeveloped in these conflict areas.

In particular, the Principles Adopted by the Government of the Federal Republic of Germany for the Issue of Licences for the Export of Small and Light Weapons, Related Ammunition and Corresponding Manufacturing Equipment to Third Countries (Small Arms Principles, Annex 3) provide the basis for decisions on whether to issue export licences for small arms to third countries. A particularly strict approach is taken to the licensing of small arms exports to third countries. The Small Arms Principles contain three key elements:

- Licences are no longer normally issued for the export of technology and components which could be used for new manufacturing lines for small arms in third countries. This is intended to prevent the relocation abroad of entire production sites, which would undermine controls of small arms production.
- The export of small arms to third countries is normally only licensed in return for declarations by state recipients committing to destroy the old weapons to be replaced ("New for old" principle), or, if meeting a plausible increased need, to destroy the newly supplied weapons when they are subsequently decommissioned ("New, destroy when discarded" principle). The aim is that, where the equipment being used in a country of destination is being modernised, the small arms already there are to be prevented from ending up in the wrong hands.
- The export is made dependent on the declaration of end-use which must – going beyond the existing customary re-export clause – include an explicit commitment that the small arms and light weapons, related ammunition and manufacturing equipment will not be transferred in the country of destination to recipients other than those covered by the export licence without the approval of the Federal Government.

¹ Third countries are all countries which do not belong to the EU, NATO or NATO-equivalent countries.

Controlling end-use (post-shipment controls)

Pursuant to the principles governing export control policy, licences for the export of military equipment are only issued if it has been ensured what the end-use of these goods will be in the country of final destination. Prior to the issuing of a licence, all the available information about end-use is thoroughly checked and assessed by the Federal Government. If there are doubts about whether end-use is as stated, export applications will be rejected.

In addition to this, the Federal Government decided in July 2015 to introduce post-shipment controls for certain German exports of military equipment (Key principles for the introduction of post-shipment controls for German exports of military equipment, Annex 4) on a pilot basis, i.e. controls which can take place on the spot once the military equipment has been dispatched to the respective state recipient. The governmental recipients of small and light weapons and certain firearms (pistols, revolvers, sniper rifles) in third countries must now agree to a subsequent check on the end-use of the military equipment in the country of destination when the export licence is issued.

Corresponding post-shipment controls can be used to determine whether the countries of destination are adhering to their commitments in the end-use certificate, i.e. whether the exported weapons are actually received by and remain with the final recipient cited in it. If a country of destination violates the end-use certificate or refuses to permit on-the-spot controls despite having agreed to them in the end-use certificate, in accordance with Figure IV No. 4 of the Political Principles it will basically be excluded from future exports of war weapons and other military equipment similar to war weapons.

Since the adoption of the principles governing the introduction of post-shipment controls for German exports of military equipment in July 2015, further rules have been put in place for the implementation of on-the-spot controls, and specific preparations have begun for the first on-the-spot controls, e.g. via dialogue with third countries. The first on-the-spot control in another country took place in May 2017. The timing of further controls depends on factors on which the Federal Government has no influence. For example, the firearms licensed for export must have been exported following their manufacture and have reached the end-user before checks can be carried out to see whether

they actually remain in the countries of destination. In many cases, this process can only be completed quite some time after the issuance of the export licence.

By introducing the post-shipment controls on a pilot basis, Germany is a pioneer, alongside just a few other countries, at European and international level. Germany is continuing to advocate the system of post-shipment controls with its partners in the EU and NATO.

Arms Trade Treaty (ATT)

The second Conference of States Parties on the ATT in August 2016 established the conditions for the commencement of the substantive work under the ATT, i.e. the effective implementation of international standards for trade in conventional weapons and the prevention of illicit trade in such weapons. The second Conference of States Parties put the conditions in place for this by setting up working groups on the main challenges facing the ATT (universalisation, implementation, reporting and transparency). In preparation for the third conference, the Federal Government is endeavouring in the working groups to establish a common understanding of the priorities for the work and to make the working groups permanent institutions.

Further to this, the Voluntary Trust Fund, which was largely driven by Germany, has been set up to assist states requiring support with the implementation of the ATT. Most recently, the main focus of Germany's involvement in the ATT has been on enabling the VTF to function and on initiating the first funding cycle. The first call for financial contributions took place at the end of 2016; the first round of applications for funding ran until March 2017. The first grants were approved at the end of May. As the chair of the selection committee, Germany has played a key role in this process.

Current licensing figures

This interim report provides information about decisions on licences in the period from 1 January 2017 until 30 April 2017. It contains an overview of the licences of exports of military equipment, broken down into EU countries, NATO and NATO-equivalent countries (Australia, New Zealand, Japan, Switzerland), and third countries (cf. Annex 5). Annex 6 provides an overview comparing the first four months of

2016 and 2017. A depiction of the 20 countries of destination with the highest values for single-transaction export licences, including the description of goods, is attached as Annex 7.

The government's policy on the export of military equipment is based on careful case-by-case scrutiny. A generalised numbers-based analysis on the basis of the pure licensing values for a reference period is not a useful means of assessing how restrictive the policy on exports of military equipment is. Any such assessment requires a case-based evaluation of licensing decisions in terms of the country of destination, the type of military equipment, and the envisaged use for the equipment. As before, it is necessary to bear in mind that the definition of military equipment embraces a wide range of goods which extends beyond the terms generally used in the public debate such as "weapons" or "tanks". For example, exports of military equipment can include mine-clearing equipment, security glass to protect embassies against terrorist attacks, or supplies to United Nations peace missions. Also, an objective view must bear in mind that large orders regularly result in substantial fluctuations in the licensing figures.

In the reference period, single-transaction export licences for military equipment worth a total of €2.42 billion were issued (same period in 2016: €3.30 billion).

EU, NATO and NATO-equivalent countries

Of this, licences worth approx. €1.10 billion (same period in 2016: approx. €1.38 billion) and thus 45.7% went to EU, NATO and NATO-equivalent countries, i.e. countries to which – according to the Political Principles of the Federal Government – the export of military equipment should not in principle be restricted. Since, against the background of serious global security crisis and terrorist threats, some of the allied countries are stepping up their procurement of and spending on military equipment, high licensing values can also be expected for this group of countries in the coming reference periods.

Of the five countries of destination with the highest licensing values for exports of German military equipment, three are in the group of EU, NATO and NATO-equivalent countries. The highest value of licences in the reference period for this category of countries is accounted for by Lithuania, at around €469 million, a figure which covers almost one-fifth of the value of all individual licences in the reference period.

Third countries

In the reference period, export licences worth a total of €1.31 billion were issued (same period in 2016: €1.91 billion).

Almost two-thirds of the total value of licences for third countries is down to the licence of the export of an appropriately equipped frigate to Algeria. The manufacture of the naval vessel was approved back in 2012. Algeria's coastal protection procurement project to modernise its navy was backed by training for the Algerian crew at a German naval base. This also shows very clearly how large-scale individual projects have a large impact on the licensing figures. The value of the licence for this export accounts for one-third of the total volume of licences in the reference period. It thus also has a major impact on the ratio of licence values for EU/NATO and NATO-equivalent countries against third countries. If this special case is disregarded, alliance partners in the EU, NATO and NATO-equivalent countries account for approx. 69% of the licensing value in the reference period. Also, the export project is the sole reason why Algeria is the country of destination with the highest licence figure in the reference period.

Small arms

The total value of the licences for small arms (Annexes 8 and 9) amounted to €22.1 million in the reference period (same period in 2016: €4.0 million). The year-on-year difference in the figures is largely due (approx. €10.3 million) to higher figures for licences for EU/NATO and NATO-equivalent countries, and takes account of increased security challenges in the partner countries. When considering the year-on-year difference in the licence values for small arms exports to third countries in the reference periods, it should be noted that export projects from the first half of 2016 were held back due to the new more restrictive requirements of the Small Arms Principles and the post-shipment principles. This special effect resulted in a very low figure for the comparable period in 2016, so that the figure for third countries in the current reference period, €7.8 million, is higher than the 2016 figure. The three countries of destination with the highest licence values for small arms exports (including parts and ammunition) were France, India and Lithuania.

Collective export licences

The value of the 5 collective export licences issued in the reference period amounted to €30 million.

Collective export licences are also issued on the basis of case-by-case scrutiny (Section 8 Foreign Trade and Payments Act in conjunction with Section 4 Foreign Trade and Payments Ordinance); these licensing decisions are covered by the same political principles as govern individual licences. Collective licences are mainly issued in connection with defence cooperation between EU and NATO partners. The collective export licences primarily refer to the production phase of an item of military equipment, during which military equipment is frequently imported and exported in the context of the industrial collaboration. Also, movements of equipment relating to maintenance and repair are handled via collective export licences. The licences can be used both for temporary and for final exports. They permit any number of movements of goods up to a certain value based on the likely need to export the goods in the course of the multiple movements. The collective export licences are issued for a maximum value. There are varying degrees of take-up of the approved maximum value; it does not provide any indication of actual shipments of goods – not least because reimports are not discounted. Equating collective export licences with individual export licences or actual exports, or adding up the figures, therefore makes no sense for systemic reasons.

Export licence denials

In the reference period, 23 applications with a total value of €9.4 million were rejected.

The data published in this interim report regarding licences in the period from 1 January 2017 until 30 April 2017 will be included in the Military Equipment Report for 2017, which will appear in the summer of 2018.

Annex 1

Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment

The Government of the Federal Republic of Germany, desiring

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

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

I. General principles

1. The Federal Government's decisions regarding the export of war weapons² and other military equipment³ are made in accordance with the provisions of the War Weapons Control Act and the Foreign Trade and Payments Act as well as the EU Code of Conduct on Arms Exports adopted by the European Council on 8 June 1998⁴ and such arrangements as may be agreed subsequently as well as the Principles Governing Conventional Arms Transfers adopted by the Organisation for Security and Cooperation in Europe (OSCE) on 25 November 1993. The criteria laid down in the EU Code of Conduct

are an integral part of these Political Principles. The standards stipulated in the Code of Conduct will be superseded by any more stringent standards that may be derived from the following principles.

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

II. NATO countries⁵, EU Member States, countries with NATO-equivalent status⁶

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

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

² Weapons (complete weapons as well as components classed separately as weapons) listed in the War Weapons List (Annex to the War Weapons Control Act).

³ Goods specified in Part I, Section A of the Export List (Annex to the Foreign Trade and Payment Ordinance) with the exception of war weapons.

⁴ Attached as Annex 2.

⁵ Area of application of NATO Treaty, Article 6.

⁶ Australia, Japan, New Zealand, Switzerland.

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

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

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

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

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

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

- exports to countries involved in armed conflict, unless such conflict is covered by Article 51 of the UN Charter,
- exports to countries where an outbreak of armed conflict is imminent or where exports may stir up, perpetuate or exacerbate latent tensions and conflicts,
- exports where there are reasonable grounds to suspect they may be used for internal repression as

defined by the EU Code of Conduct on Arms Exports or the sustained and systematic abuse of human rights,

- exports that would impair vital security interests of the Federal Republic of Germany,
- exports that would impose such a strain on relations with third countries that even Germany's own interest in the cooperative venture and in maintaining good relations with its cooperation partner must rank second.

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

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

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

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

III. Other countries

1. A restrictive policy will be pursued regarding exports of war weapons and other military equipment to countries other than those covered by Section II. Notably the development of additional, specifically export-oriented capacities must be avoided. The Federal Government will not take the initiative to privilege any specific country or region.
2. Export licences for war weapons (subject to licensing under the War Weapons Control Act and the Foreign Trade and Payments Act) will not be granted unless in a specific case this is exceptionally warranted on particular foreign and security policy grounds, having due regard to Alliance interests. Labour policy considerations must not be a decisive factor.
3. Export licences for other military equipment (subject to licensing under the Foreign Trade and Payments Act) will be granted only where such exports will not prejudice interests that German law on foreign trade and payments serves to protect, namely, security, peace among the nations and Germany's foreign relations.

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

4. Export licences pursuant to the War Weapons Control Act and/or the Foreign Trade and Payments Act will not be granted where the internal situation in the country concerned precludes such action, e. g. in the case of armed conflict or where there are reasonable grounds for suspecting such exports may be used for internal repression or the sustained and systematic abuse of human rights. In this context the human rights situation in the recipient country is a major factor to be considered.
5. No licences will be granted for the export of war weapons⁷ and other military equipment related to war weapons to countries
 - involved in armed conflict or where armed conflict is imminent,
 - in which there is a risk of an outbreak of armed conflict or existing tensions and conflicts would be triggered, maintained or exacerbated by the export.

- Exports to countries involved in external armed conflicts or where there is a danger such conflicts may erupt are therefore ruled out on principle except in cases covered by Article 51 of the UN Charter.
6. Decisions on whether to grant export licences for war weapons and other military equipment will take into account whether sustainable development in the recipient country is being seriously impeded by excessive arms spending.
 7. Also to be taken into account is the recipient country's conduct in terms of whether it supports and promotes terrorism and international organised crime, complies with international obligations, especially renunciation of the threat or use of force, including obligations under humanitarian law on international or non-international conflicts, has assumed obligations in the area of non-proliferation and other aspects of arms control and disarmament, notably by signing, ratifying and implementing the arms control and disarmament arrangements specified in the EU Code of Conduct on arms exports, supports the UN Arms Register.

IV. Definitive determination of end-use

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

⁷ Plant and documentation for the manufacture of war weapons..

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

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

V. Military Equipment Export Report

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

Annex 2

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

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) Member States intend to build on the Common Criteria agreed at the Luxembourg and Lisbon European Councils in 1991 and 1992, and on the European Union Code of Conduct on Arms Exports adopted by the Council in 1998.
- (2) Member States recognise the special responsibility of military technology and equipment exporting States.
- (3) Member States are determined to set high common standards which shall be regarded as the minimum for the management of, and restraint in, transfers of military technology and equipment by all Member States, and to strengthen the exchange of relevant information with a view to achieving greater transparency.
- (4) Member States are determined to prevent the export of military technology and equipment which might be used for internal repression or international aggression or contribute to regional instability.
- (5) Member States intend to reinforce cooperation and to promote convergence in the field of exports of military technology and equipment within the framework of the Common Foreign and Security Policy (CFSP).
- (6) Complementary measures have been taken against illicit transfers, in the form of the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms.
- (7) The Council adopted on 12 July 2002 Joint Action 2002/589/CFSP⁸ on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons.
- (8) The Council adopted on 23 June 2003 Common Position 2003/468/CFSP⁹ on the control of arms brokering.
- (9) The European Council adopted in December 2003 a strategy against the proliferation of weapons of mass destruction, and in December 2005 a strategy to combat illicit accumulation and trafficking of SALW and their ammunition, which imply an increased common interest of Member States of the European Union in a coordinated approach to the control of exports of military technology and equipment.
- (10) The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was adopted in 2001.
- (11) The United Nations Register of Conventional Arms was established in 1992.
- (12) States have a right to transfer the means of self-defence, consistent with the right of self-defence recognised by the UN Charter.
- (13) The wish of Member States to maintain a defence industry as part of their industrial base as well as their defence effort is acknowledged.
- (14) The strengthening of a European defence technological and industrial base, which contributes to the implementation of the Common Foreign and Security Policy, in particular the Common European Security and Defence Policy, should be accompanied by cooperation and convergence in the field of military technology and equipment.
- (15) Member States intend to strengthen the European Union's export control policy for military technology and equipment through the adoption of this Common Position, which updates and replaces the European Union Code of Conduct on Arms Exports adopted by the Council on 8 June 1998.

⁸ OJ L 191 of 19 July 2002, p. 1.

⁹ OJ L 156 of 25 June 2003, p. 79.

(16) On 13 June 2000, the Council adopted the Common Military List of the European Union, which is regularly reviewed, taking into account, where appropriate, similar national and international lists.¹⁰

(17) The Union must ensure the consistency of its external activities as a whole in the context of its external relations, in accordance with Article 3, second paragraph of the Treaty; in this respect the Council takes note of the Commission proposal to amend Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual use items and technology.¹¹

HAS ADOPTED THIS COMMON POSITION:

Article 1

(1) Each Member State shall assess the export licence applications made to it for items on the EU Common Military List mentioned in Article 12 on a case-by-case basis against the criteria of Article 2.

(2) The export licence applications as mentioned in paragraph 1 shall include:

- applications for licences for physical exports, including those for the purpose of licensed production of military equipment in third countries,
- applications for brokering licences,
- applications for “transit” or “transshipment” licences,
- applications for licences for any intangible transfers of software and technology by means such as electronic media, fax or telephone.

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

Article 2

Criteria

(1) **Criterion 1:** Respect for the international obligations and commitments of Member States, in particular the sanctions adopted by the UN Security Council or the

European Union, agreements on non-proliferation and other subjects, as well as other international obligations.

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

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

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

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

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

¹⁰ Last amended on 10 March 2008, OJ C 98 of 18 April 2008, p. 1.

¹¹ OJ L 159 of 30 June 2000, p. 1.

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

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

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

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

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

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

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

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

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

Member States shall take into account:

- a) the potential effect of the military technology or equipment to be exported on their defence and security interests as well as those of Member State and those of friendly and allied countries, while recognising that this factor cannot affect consideration of the criteria on respect for human rights and on regional peace, security and stability;
- b) the risk of use of the military technology or equipment concerned against their forces or those of Member States and those of friendly and allied countries.

- (6) **Criterion 6:** Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law.

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

- a) its support for or encouragement of terrorism and international organised crime;
- b) its compliance with its international commitments, in particular on the non-use of force, and with international humanitarian law;

- c) its commitment to non-proliferation and other areas of arms control and disarmament, in particular the signature, ratification and implementation of relevant arms control and disarmament conventions referred to in point (b) of Criterion 1.
- (7) **Criterion 7:** Existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions.

In assessing the impact of the military technology or equipment to be exported on the recipient country and the risk that such technology or equipment might be diverted to an undesirable end-user or for an undesirable end use, the following shall be considered:

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

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

Article 3

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

Article 4

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

Article 5

Export licences shall be granted only on the basis of reliable prior knowledge of end use in the country of final destination. This will generally require a thoroughly checked end-user certificate or appropriate documentation and/or some form of official authorisation issued by the country of final destination. When assessing applications for licences to export military technology or equipment for the purposes of production in third countries, Member States shall in particular take account of the potential use of the finished product in the country of production and of the risk that the finished product might be diverted or exported to an undesirable end user.

Article 6

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

Article 7

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

Article 8

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

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

Article 9

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

Article 10

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

Article 11

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

Article 12

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

Article 13

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

Article 14

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

Article 15

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

Article 16

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

Done at Brussels, 8 December 2008.

For the Council

The President

B. KOUCHNER

Annex 3

Principles Adopted by the Government of the Federal Republic of Germany for the Issue of Licences for the Export of Small and Light Weapons, Related Ammunition and Corresponding Manufacturing Equipment to Third Countries¹²

Guided by the principles and considerations expressed in the Arms Trade Treaty, the Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment of 8 December 2008 and the Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment of 19 January 2000, on 18 March 2015 the Federal Government adopted, not least with a view to the general global risk of the dissemination of small arms in particular, the following principles for the issue of licences for the export of small arms and light weapons, related ammunition and corresponding manufacturing equipment to third countries:

1. The principles follow the definition of “small arms and light weapons” used in the annex to the Joint Action of the EU of 12 July 2002 and include sniper rifles and pumpguns.¹³
2. In principle no licences to export components and technology to third countries (e.g. in the context of the granting of licences to manufacture) will be granted where such exports would lead to the establishment of a new manufacturing line for small arms and light weapons or the corresponding ammunition.
3. In the case of spare and wear-and-tear parts, of replacement machinery of the same type and of consumable material for manufacturing lines exported in the past, consideration will be given to the legal principle of legitimate expectations. For this reason, licences will in principle continue to be issued in future. This shall not apply to exports intended to increase capacity or widen the product range (“upgrading”).
4. Licences for the export of sniper rifles and pump guns to private end-users in third countries will not be issued in principle.¹⁴
5. Licences for the export of war weapons to non-state bodies in third countries will not be issued in principle.
6. The principle of “New for old” will in principle be applied to licences for the export of small arms and light weapons.¹⁵ This means that state recipients of small arms and light weapons must in principle issue a declaration committing them to destroy the small arms and light weapons to be replaced by the new purchase. Where the new purchase covers a plausible increased need and old weapons are therefore not destroyed, a commitment will in principle instead be required stating that the new weapons to be exported will be destroyed when they are taken out of service in future (variant: “New, destroy when discarded”). The willingness to make and comply with such a declaration shall help to determine the decision on whether to license the export. The Federal Government will ensure that the implementation of the principle “New for old” and its variant “New, destroy when discarded” will be monitored.
7. The declaration of end-use must also – going beyond the existing customary re-export clause – include a commitment that small arms and light weapons, related ammunition or manufacturing equipment will not be transferred in the country of destination without the approval of the Federal Government.
8. The Federal Government will advocate the widespread use of the principle “New for old” and its variant “New, destroy when discarded” in the international arena.
9. Small arms and light weapons must be labelled in a way that is easily recognisable, legible, permanent and, within the bounds of technical possibilities, restorable. The comprehensive labelling of small arms and light weapons manufactured in Germany will be stipulated in law and will observe international obligations.
10. In this context, the Federal Government confirms that surplus small arms and light weapons within the field of responsibility of the Federal Armed Forces will in principle be destroyed.

¹² “Third countries” means all countries apart from the EU countries, NATO countries and NATO-equivalent countries (Australia, Japan, New Zealand and Switzerland).

¹³ This includes war weapons of nos. 10 and 11 (where these are portable weapons), 29, 30, 31 (where these are portable weapons), 32 (where these are portable weapons), 34, 35 and 37 of the War Weapons List, weapons for caseless ammunition, sniper rifles and pump guns.

¹⁴ This shall not apply to hunting and sporting weapons.

¹⁵ This shall also apply to other military equipment in certain cases.

Annex 4

Key principles for the introduction of post-shipment controls for German exports of military equipment

In addition to the strict application of the Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment from 2000, as cited in the Coalition Agreement, the Federal Government also introduced an instrument to conduct selective post-shipment controls for future deliveries of war weapons and other specific firearms to third countries as of 8 July 2015. The Federal Government has supplemented the Foreign Trade and Payments Ordinance correspondingly to embrace the following principles. The intention is to improve end-use verification for military equipment exported from Germany. The new system of post-shipment controls is based on the following principles:

- Post-shipment controls shall initially be carried out within the framework of pilot checks. A standardised procedure shall then be developed in an interministerial process for the checks to be performed in any given year.
- The controls shall be introduced on the basis of end-use certificates in which the foreign state recipients grant Germany the right to perform on-the-spot checks. Third countries as defined by the Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment shall be required to submit such end-use certificates.
- The goods to be inspected shall comprise all war weapons and specific types of firearms (pistols, revolvers and sniper rifles) that are destined for state recipients. Of the listed war weapons, the only exceptions are components or assemblies that are to be incorporated into weapons systems abroad.
- The purpose of the controls is to inspect whether the weapons supplied are still present in the recipient country and in the possession of the end-user specified by the end-use certificate. A visual inspection is usually sufficient for this purpose. Random checks shall be made for inspections of large quantities of arms.
- If non-compliance with the end-user certificate is ascertained or on-the-spot checks are refused despite consent given in the end-use certificate, the end-user shall face the consequences set out in Section IV (4) of the Political Principles Adopted by the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment in 2000.
- In accordance with the Federal Government's organisation of responsibilities, the Federal Office for Economic Affairs and Export Control and the respective mission abroad shall be tasked with the preparation and performance of post-shipment controls.
- The funds required for preparing and performing the post-shipment controls (expenditure and personnel requirements) shall be provided from the budgets available to the relevant ministries.
- The Federal Foreign Office shall inform the affected third countries as to the introduction of post-shipment controls.
- The competitiveness of German industry and armaments cooperation with third countries must not be compromised by the post-shipment controls system.
- Germany shall address the system of post-shipment controls at the EU level in order to align national arms export guidelines in the EU in accordance with the aims set out in the coalition agreement. Moreover, the Federal Foreign Office shall advocate the introduction of comparable controls on the part of their partners in the EU and NATO.
- The Federal Ministry for Economic Affairs and Energy shall inform the affected German companies about the new system of post-shipment controls and the resulting additional requirements for the end-use certificate.
- The following conditions must first be met in order to ensure the proper functioning of the system of post-shipment controls:
 - Amendment to the Foreign Trade and Payments Ordinance
 - Receipt of export authorisation applications for third countries with an end-use certificate in which the recipient country consents to later on-the-spot checks
 - Information on weapons actually exported to third countries that have consented to an inspection of this nature
 - Determining the third country to be inspected that has received a relevant delivery
 - Performing the inspection
- The instrument shall be evaluated two years after the performance of the first on-the-spot check.

Annex 5

Export licences for military equipment by country groups and countries for the period 1 January 2017 to 30 April 2017

Single-transaction licences for EU countries

Country	No. of licences	Total value in €
Austria	153	41,502,104
Belgium	46	13,953,654
Bulgaria	2	21,864
Czech Republic	41	9,786,375
Denmark	57	12,416,083
Denmark (Greenland)	1	12,973
Estonia	4	51,139
Finland	18	509,948
France	197	30,932,545
France (New Caledonia)	4	11,060
Greece	29	3,272,205
Hungary	14	2,116,395
Ireland	10	520,335
Italy	122	16,942,133
Latvia	5	98,284
Lithuania	16	468,874,701
Luxembourg	24	1,622,740
The Netherlands	162	46,002,171
Poland	65	15,401,132
Portugal	16	1,806,295
Romania	11	67,476
Slovakia	7	446,185
Slovenia	14	125,089
Spain	124	11,923,643
Sweden	87	30,633,874
United Kingdom	247	57,521,307
United Kingdom (St. Helena, Ascension and Tristan Da Cunha)	1	1,730
Total	1,477	766,573,440

Single-transaction licences for NATO and NATO-equivalent countries

Country	No. of licences	Total value in €
Albania	1	546,225
Australia	128	127,362,080
Canada	123	21,200,014
Iceland	3	81,298
Japan	51	6,056,353
New Zealand	36	586,500
Norway	58	3,358,613
Switzerland	331	22,738,968
Turkey	57	21,982,636
United States	454	133,681,092
Total	1,242	337,593,779

Single-transaction licences for third countries

Country	No. of licences	Total value in €
Afghanistan	1	1,210,502
Algeria	8	830,188,554
Andorra	7	53,771
Argentina	12	886,110
Bahrain	2	9,157
Barbados	1	1,151
Botswana	1	302,778
Brazil	37	10,730,231
Brunei Darussalam	2	55,363
Burkina Faso	1	138,950
Burundi	1	150,427
Central African Republic	1	36,500
Chile	27	5,348,565

Single-transaction licences for third countries

Country	No. of licences	Total value in €
Colombia	4	138,932
Ecuador	2	189,942
Egypt	14	128,092,215
Equatorial Guinea	1	915,800
Ghana	1	2,414
India	150	19,056,714
Indonesia	10	5,251,169
Iraq	5	3,446,210
Israel ¹⁶	107	14,997,025
Jordan	6	937,519
Kazakhstan	12	484,100
Kenya	2	25,383
Korea, Republic	178	49,434,842
Kosovo	1	9,000
Kuwait	13	2,269,699
Kyrgyzstan	2	31,874
Lebanon	1	272,060
Macedonia, former Yugoslav Rep.	2	13,300
Malaysia	25	1,388,060
Mali	4	244,350
Mauretania	1	89,505
Mauritius	4	29,942
Mexico	5	397,743
Mongolia	2	8,037
Morocco	11	1,093,132
Namibia	3	51,262
Nigeria	2	2,955,454
Oman	61	3,790,964
Pakistan	14	9,532,713
Peru	4	56,012
Philippines	2	274,136
Qatar	7	504,993
Russian Federation	1	26,145

Country	No. of licences	Total value in €
Saudi Arabia	16	48,205,642
Serbia	13	3,792,697
Singapore	98	66,030,455
Somalia	1	147,000
South Africa	41	5,485,579
Sri Lanka	1	60,536
Syria, Arab Republic	2	340,309
Thailand	4	21,612
Tunisia	3	2,014,490
Uganda	1	932
Ukraine	10	413,723
United Arab Emirates	33	80,044,005
Uruguay	1	238
Viet Nam	1	1,634
Zambia	6	524,240
Taiwan	8	205,974
Total	1,005	1,313,525,968

Collective export licenses

Country	No. of licences	Total value in €
Mainly covers EU, NATO and NATO-equivalent countries	5	30,000,000

16 For reasons of international law, this list of documented exports to Israel can also include exports which were licensed for end-use by the Palestinian Authority or the Palestinian police force.

Annex 6

Overview: Comparison of January to April figures for 2016 and 2017

	No. of licences		Total value in €	
	January to April 2016	January to April 2017	January to April 2016	January to 2017
EU	1,670	1,477	356,995,367	766,573,440
NATO and NATO-equivalent countries	1,332	1,242	1,026,139,459	337,593,779
Third countries	1,290	1,005	1,912,592,072	1,313,525,968
Total	4,292	3,724	3,295,726,898	2,417,693,187

Countries of destination with the highest licence values (January to April 2016 in comparison with the same period in 2017)

January to April 2016			January to April 2017		
Country	No. of licences	Total value in €	Country	No. of licences	Total value in €
1 Algeria	13	980,280,162	Algeria	8	830,188,554
2 United States	479	774,182,242	Lithuania	16	468,874,701
3 Saudi-Arabia	56	471,440,786	United States	454	133,681,092
4 Korea, Republic	186	130,681,610	Egypt	14	128,092,215
5 Switzerland	272	108,183,188	Australia	128	127,362,080
6 The Netherlands	247	87,134,796	United Arab Emirates	33	80,044,005
7 Turkey	115	62,732,002	Singapore	98	66,030,455
8 Thailand	18	57,764,282	United Kingdom	247	57,521,307
9 Malaysia	46	54,114,474	Korea, Republic	178	49,434,842
10 Australia	130	48,334,634	Saudi-Arabia	16	48,205,642
11 United Kingdom	218	48,038,519	The Netherlands	162	46,002,171
12 India	168	46,944,728	Austria	153	41,502,104
13 Spain	127	39,210,547	France	197	30,932,545
14 France	197	33,355,904	Sweden	87	30,633,874
15 Belgium	95	32,150,261	Switzerland	331	22,738,968
16 United Arab Emirates	84	30,002,328	Turkey	57	21,982,636
17 Israel	122	26,262,391	Canada	123	21,200,014
18 Austria	189	21,230,098	India	150	19,056,714
19 Canada	158	17,563,457	Italy	122	16,942,133
20 Italy	133	15,767,823	Poland	65	15,401,132

Annex 7

Countries of destination with the highest licence values in the period 1 January 2017 to 30 April 2017

The 20 countries of destination with the highest values for individual licences issued in the January to April 2017 period were:

Note: The bracketed ranking refers to the January to April 2016 period.

No.	Country	Value in period January to April 2017 (€)	Description of articles
1 (1)	Algeria	830,188,554	Frigate (A0009/67.9%); torpedoes, missiles, underwater grenades, missile warners and parts for torpedoes, missile defence systems (A0004/15.2%)
2 (41)	Lithuania	468,874,701	Armoured wheeled vehicles and parts for armoured vehicles (A0006/92.9%)
3 (2)	United States	133,681,092	Submachine guns, revolvers, pistols, hunting rifles, sporting rifles, sporting revolvers, sporting pistols, smooth-bore guns, silencers, gun mountings, magazines, flash suppressors, weapon sights and parts for rifles with war weapons list number, submachine guns, machine guns, rifles without war weapons list number, sniper rifles, revolvers, pistols, hunting rifles, sporting rifles, sporting revolvers, sporting pistols, self-loading rifles, magazines, flash suppressors, weapon sights (A0001/45.9%); electronic equipment, travelling wave tubes, navigation equipment and parts for electronic equipment, communications equipment, jammer systems, assemblies, positioning equipment, navigation equipment, electricity supplies (A0011/15.3%); ammunition for grenade launchers, automatic grenade launchers, rifles, revolvers, pistols, smooth-bore guns, fuse-setting devices and ammunition parts for grenade launchers, automatic grenade launchers, rifles, decoys, hunting weapons, sporting weapons, revolvers, pistols (A0003/10.1%); engines and parts for combat aircraft, combat helicopters, aircraft, helicopters, unmanned aircraft, engines, ground equipment (A0010/9.9%)
4 (31)	Egypt	128,092,215	Torpedoes, missiles and parts for missiles (A0004/87.9%)
5 (10)	Australia	127,362,080	Tank [museum], trucks and parts for armoured vehicles, trucks, semi-trailers, ground vehicles (A0006/66.9%); forged and unfinished components (A0016/27.5%)
6 (16)	United Arab Emirates	80,044,005	Armoured cross-country vehicles [UN mission], armoured vehicles, armoured engineering vehicles and parts for main battle tanks, armoured self-propelled howitzers, armoured vehicles, mine vehicles (A0006/54.4%); combat training centre (A0014/43.3%)
7 (35)	Singapore	66,030,455	Recovery vehicles, trucks and parts for main battle tanks, armoured vehicles, amphibious vehicles, recovery vehicles, trucks (A0006/73.7%); ammunition parts for howitzers, mortars, grenade launchers and automatic grenade launchers (A0003/15.3%)

No.	Country	Value in period January to April 2017 (€)	Description of articles
8 (11)	United Kingdom	57,521,307	<p>Technology for military equipment (A0022/41.4%);</p> <p>communications equipment, electronic reconnaissance, measuring equipment, testing equipment, assemblies and parts for electronic equipment, communications equipment, electronic reconnaissance, measuring equipment, testing equipment, travelling wave tubes, assemblies, positioning equipment (A0011/18.9%);</p> <p>parts for combat aircraft, combat helicopters, aircraft, helicopters, engines, in-flight refuelling equipment and ground equipment (A0010/13.8%);</p> <p>flight simulators and parts for flight simulators (A0014/6.3%)</p>
9 (4)	Korea, Republic	49,434,842	<p>Underwater detection equipment, ship body conduits and parts for submarines, combat vessels, ships, underwater detection equipment, control devices for positioning equipment, ship body conduits (A0009/42.3%);</p> <p>parts for main battle tanks, armoured vehicles, trucks and ground vehicles (A0006/17.2%);</p> <p>technology for military equipment (A0022/11.6%);</p> <p>electronic equipment, measuring equipment, testing equipment, electron tubes, navigation equipment, electricity supplies and parts for electronic equipment, communications equipment, direction finding systems, travelling wave tubes, navigation equipment, electricity supplies (A0011/9.6%)</p>
10 (3)	Saudi-Arabia	48,205,642	<p>Patrol boats and parts for mine-hunters, patrol boats (A0009/76.7%);</p> <p>observation equipment, testing equipment and parts for fire control systems (A0005/9.2%)</p>
11 (6)	The Netherlands	46,002,171	<p>Armoured vehicle-launched assault bridges, trucks, cross-country vehicles, field kitchens and parts for main battle tanks, armoured vehicles, trucks, ground vehicles (A0006/74.9%);</p> <p>ammunition for grenade launchers, automatic grenade launchers and machine guns (A0003/10.6%)</p>
12 (18)	Austria	41,502,104	<p>Trucks and parts for armoured vehicles, trucks, cross-country vehicles, transport vehicles, ground vehicles, ballistic protection (A0006/89.6%)</p>
13 (14)	France	30,932,545	<p>Rifles with war weapons list number, submachine guns and parts for rifles with war weapons list number (A0001/21.8%);</p> <p>ammunition for submachine guns, machine guns and parts for ammunition for guns, howitzers, cannons, mortars, pyrotechnic launchers, grenade launchers, automatic grenade launchers (A0003/19.9%);</p> <p>forged, cast and unfinished components (A0016/16.9%);</p> <p>smoke hand grenades and parts for rockets, missiles, mine-clearance equipment, torpedoes, firing equipment (A0004/7.0%);</p> <p>training equipment for helicopter maintenance (A0014/6.3%);</p> <p>ground equipment and parts for combat aircraft, combat helicopters, aircraft, helicopters, engines, in-flight refuelling equipment, ground equipment (A0010/5.2%);</p> <p>technology for military equipment (A0022/5.1%)</p>

No.	Country	Value in period January to April 2017 (€)	Description of articles
14 (23)	Sweden	30,633,874	<p>Forged and unfinished components (A0016/49.9%);</p> <p>communications equipment, navigation equipment, electricity supplies and parts for communications equipment, navigation equipment, electricity supplies (A0011/29.0%);</p> <p>technology for military equipment (A0022/8.5%)</p>
15 (5)	Switzerland	22,738,968	<p>Trailers and parts for main battle tanks, armoured self-propelled howitzers, armoured vehicles, cross-country vehicles (A0006/19.4%);</p> <p>ammunition for cannons, grenade launchers, automatic grenade launchers and ammunition parts for the following: cannons, mortars, anti-tank weapons, decoys, grenade launchers, automatic grenade launchers, rifles, machine guns (A0003/15.2%);</p> <p>coating lacquer, camouflage paint, mobile electricity generators and parts for diving apparatus, mobile electricity generators (A0017/14.5%);</p> <p>gun laying equipment, target range-finding systems, testing equipment and parts for fire control systems, weapon sights, gun laying equipment, target range-finding systems, positioning equipment (A0005/12.6%);</p> <p>forged, cast and unfinished components (A0016/6.6%);</p> <p>image enhancement equipment, infrared equipment, thermal imaging equipment and parts for image intensifier equipment, infrared equipment, thermal imaging equipment (A0015/6.4%);</p> <p>technology for military equipment (A0022/6.2%)</p>
16 (7)	Turkey	21,982,636	Explosive ordnance disposal equipment and weapon firing facilities (A0004/81.8%)
17 (19)	Canada	21,200,014	<p>Helicopters, target simulation drones, ground equipment for target simulation drones and parts for combat aircraft, transport aircraft, helicopters, target simulation drones (A0010/52.8%);</p> <p>armoured vehicle and parts for main battle tanks, armoured vehicles, ground vehicles (A0006/19.5%);</p> <p>ammunition for rifles, revolvers, pistols and ammunition parts for howitzers, decoys, hunting weapons and sporting weapons (A0003/8.4%)</p>
18 (12)	India	19,056,714	<p>Submachine guns, revolvers, pistols, hunting rifles, sporting rifles, sporting pistols, sporting revolvers, magazines and parts for submachine guns, revolvers, hunting rifles, sporting pistols (A0001/34.0%);</p> <p>parts for fire control systems, onboard weapon control systems, target acquisition systems and radar systems (A0005/17.6%);</p> <p>ship body conduits and parts for submarines, aircraft carriers, combat vessels, ships, underwater detection equipment (A0009/16.2%);</p> <p>missile defence systems and parts for torpedoes, missile defence systems (A0004/8.9%);</p> <p>image intensifier equipment and parts for infrared equipment, thermal imaging equipment (A0015/6.1%)</p>

No.	Country	Value in period January to April 2017 (€)	Description of articles
19 (20)	Italy	16,942,133	<p>Communications equipment, measuring equipment, testing equipment, components, encryption equipment and parts for communications equipment, electronic warfare, travelling wave tubes, insulating parts, positioning equipment, navigation equipment, encryption equipment (A0011/52.4%);</p> <p>parts for combat aircraft, combat helicopters, aircraft, helicopters and ground equipment (A0010/21.2%);</p> <p>armoured vehicle, trucks, armoured cross-country vehicles [UN mission] and parts for armoured vehicles, trucks, cross-country vehicles, ground vehicles (A0006/8.8%)</p>
20 (24)	Poland	15,401,132	<p>Testing equipment and parts for fire control equipment, on-board weapons-control systems, testing equipment (A0005/47.8%);</p> <p>image intensifier equipment and parts for image intensifier equipment, thermal imaging devices (A0015/22.0%);</p> <p>ammunition for cannons and parts for ammunition for cannons, anti-tank weapons, grenade launchers, automatic grenade launchers (A0003/7.6%);</p> <p>trucks, cross-country vehicles, trailers and parts for main battle tanks, armoured vehicles, trucks, cross-country vehicles, ground vehicles (A0006/6.6%)</p>

Annex 8

I. Overview of licences for small arms in the January to April periods for 2016 and 2017 by country group

“Small arms” comprises: rifles with war weapons list number (semi and fully automatic rifles), submachine guns, machine guns, smooth-bore guns for military purposes, weapons for caseless ammunition and parts for such weapons (Other small arms are excluded: rifles without war weapons list number, revolvers, pistols, sniper rifles, inoperative weapons, hunting rifles, sporting pistols and revolvers, sporting rifles, semi-automatic hunting and sporting rifles and other smooth-bore guns.)

Licences for small arms:

	January to April 2016	January to April 2017
EU-countries (of which parts)	€3,813,425 (€162,702)	€13,430,046 (€2,542,179)
NATO- and NATO-equivalent countries (of which parts)	€ 165,172 (€107,122)	€871,766 (€697,019)
Third countries (of which parts)	€51,597 (€51,597)	€7,831,969 (€1,717,265)
Total (of which parts)	€4,030,194 (€321,421)	€22,133,781 (€4,956,463)

II. Overview of licences for ammunition for small arms in the January to April periods for 2016 and 2017 by country group

“Small arms ammunition” comprises ammunition for: guns, submachine guns, machine guns and parts for such weapons (Not included: ammunition for revolvers, pistols, hunting and sporting weapons and smooth-bore guns)

Licences for ammunition for small arms:

	January to April 2016	January to April 2017
EU-countries (of which parts)	€6,184,568 (€ 414,333)	€5,294,088 (€1,380)
NATO- and NATO-equivalent countries (of which parts)	€224,464,471 (€1,499,620)	€3,435,689 (€1,109,508)
Third countries (of which parts)	€359,006 (0)	€266,871 (0)
Total (of which parts)	€231,008,045 (€1,913,953)	€8,996,648 (€1,110,888)

Annex 9

Licences for small arms for third countries in the January to April 2017 period

“Small arms” comprises: rifles with war weapons list number (semi and fully automatic rifles), submachine guns, machine guns, smooth-bore guns for military purposes, weapons for caseless ammunition and parts for such weapons

(Other small arms are excluded: rifles without war weapons list number, revolvers, pistols, sniper rifles, inoperative weapons, hunting rifles, sporting pistols and revolvers, sporting rifles, semi-automatic hunting and sporting rifles and other smooth-bore guns.)

Country	Licences total	EL position	Value (€)	Description of articles	Unit
Barbados	1	0001A-06	1,151	Parts for machine guns	80
India	1	0001A-05	4,552,130 1,696,919	Submachine guns; parts for submachine guns;	3,253 34,398
Oman	3	0001A-02 0001A-05	859,339 17,271 700,000	Rifles with war weapons list number; parts for rifles with war weapons list number; submachine guns	1,000 60 500
Singapore	2	0001A-02 0001A-05	1,850 1,385 180	Rifles with war weapons list number; submachine guns; parts for submachine guns	1 1 135
United Arab Emirates	1	0001A-02	800	Parts for rifles with war weapons list number	400
Taiwan	2	0001A-02 0001A-05	164 780	Parts for rifles with war weapons list number; parts for submachine guns	201 300
Total	10		7,831,969		

Annex 10

Licences for ammunition for small arms for third countries in the January to April 2017 period

“Small arms ammunition” comprises ammunition for:
guns, submachine guns, machine guns and parts for such
weapons

(Not included: ammunition for revolvers, pistols, hunting
and sporting weapons and smooth-bore guns)

Country	Licences total	EL position	Value (€)	Description of articles	Unit
Algeria	1	0003A-06	57,500	Ammunition for machine guns (war weapons number: 50)	10,000
Andorra	1	0003A-01	4,971	Ammunition for rifles (war weapons number: none)	14,000
Kenya	1	0003A-01	8,400	Ammunition for rifles (war weapons number: none) [UN mission]	20,000
Mali	1	0003A-01	43,600	Ammunition for rifles (war weapons number: none) [UN mission]	80,000
Oman	1	0003A-01	18,500	Ammunition for rifles (war weapons number: none)	50,000
Somalia	1	0003A-01	112,900	Ammunition for rifles (war weapons number: none) [UN mission]	140,000
Central African Republic	1	0003A-01	21,000	Ammunition for rifles (war weapons number: none) [UN mission]	50,000
Total	7		266,871		

