

**Report
of the Government of the
Federal Republic of Germany on
its Policy on Exports of Conventional Military Equipment
in 2000
(2000 Military Equipment Export Report)**

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Summary

With reference to No. V of the “Political Principles of the Government of the Federal Republic of Germany for the Export of War Weapons and Other Military Equipment”² as amended on 19 January 2000, the German Government takes pleasure in submitting hereby its second Report on Military Equipment Exports which relates to the year 2000.³ This report shows that the German Government has continued its restrictive policy on exports of military equipment in the year 2000.

War weapons exports in the year under review amounted to DM 1.330 billion, i.e. 53% less than a year earlier.

¹ The act of exporting military equipment from Germany to another Member State of the European Union is referred to as “transfer” (cf. § 7, sub-§ 2 of the Foreign Trade and Payments Ordinance (AWV)). However, for reasons of simplicity, this report refers to transfers among EU Member States as “exports” as well.

² Cf. Annex I

³ The 1999 Military Equipment Export Report, (cf. BT-Drucksache 14/4179) can be downloaded from the Internet under: <http://www.bmwi.de> (“Politikfelder“ → “Außenwirtschaft & Europa” → “Exportkontrolle”).

There are no statistics on actually exported military equipment of the kind figuring in the internationally harmonised Common List of Military Equipment, which includes – in addition to war weapons – also other diverse items of military equipment as well as pistols and arms for hunting and sporting purposes, for instance; statistics exist only where applications for export licences have been filed. Experience shows that the total value of actually exported military equipment falls usually short of the value of the equipment authorised for export.

In the reporting year, the total value of individual export licences issued for war weapons and other military equipment amounted to DM 5.568 billion, i.e. 6% less than in the preceding year. This drop is to be explained by a considerable reduction (24%) in the licences issued for exports to third countries, i.e. countries other than EU, NATO or NATO-equivalent countries. A clear increase has been observed for collective export licences, i.e. licences issued for exports made within the framework of multilateral projects; this increase is the result primarily of export licences relating to the Eurofighter programme.

A serious comparative evaluation of the official statistics of Germany and other countries as well as of international institutions shows that the data relating to other countries are often not comparable because of differences in definition. Except for its submarine delivery to Israel and its helicopter (without ordnance) delivery to South Korea, Germany is not known to be any major war weapon exporter to destinations outside the EU, NATO and NATO-equivalent countries. Developing countries⁴ did not play a role as destinations of German war weapon exports in 2000.

⁴ Developing countries pursuant to the List of the DAC (= Development Assistance Committee) of the OECD for the year 2000.

I. The German control system for exports of military equipment

1. The German export control system

The military equipment (war weapons and other military equipment) subject to control has been enlisted in Part I Section A of the Schedule of Exports⁵; in addition, war weapons figure in the itemised Schedule of War Weapons⁶. As the 1999 Military Equipment Export Report describes the German control system for exports of military equipment in a comprehensive manner and in the proper context and as no major changes to this control system have occurred in the reporting year, no further explanations have been deemed necessary against this background.

2. Political Principles of 19 January 2000

Relevant for German military equipment exports and, thus, for decision-making by public authorities are the Political Principles of the German Government as amended on 19 January 2000, which – together with the criteria of the EU Code of Conduct⁷ for Arms Exports in force from mid-1998 – have served as decision-making guidance in this field.

The most important elements of the amended Principles are set out below:

- The special importance of the human-rights criterion forbids, as a matter of principle, to authorise military equipment exports where it is to be suspected for sufficient reasons that the respective item of equipment can be abused for purposes of internal repression or other human rights infringement on a continuing and systematic basis. Besides, the human rights situation prevailing in the country of destination plays an important role as well.

⁵ Cf. Annex 2a; the Schedule of Exports represents an Appendix to the Foreign Trade and Payments Ordinance in the version promulgated on 22 November 1993 (Federal Law Gazette I 1934, 2493) as last amended by the 55th Ordinance modifying the Foreign Trade and Payments Ordinance. The enabling legislation of the Foreign Trade and Payments Ordinance is the Foreign Trade and Payment Act in the published streamlined version promulgated in the Federal Law Gazette III, No. 7 400-1 as last amended by the Act dated 26 June 2001 (Federal Law Gazette I p. 1254).

⁶ Cf. Annex 2b; the Schedule of War Weapons represents an Appendix to the War Weapons Control Act (Kriegswaffenkontrollgesetz – KWKG) in the version promulgated on 22 November 1990 (Federal Law Gazette I p. 2506) as last amended by the Act dated 06 July 1998 (Federal Law Gazette I p. 1778).

⁷ Cf. Annex 1 to the 19 January 2000 Political Principles for full text.

- Granting licences for military equipment exports to EU, NATO and NATO-equivalent countries (Australia, Japan, New Zealand and Switzerland) will continue to be the rule, whilst denials will remain exceptions. In relation to third countries a restrictive export authorisation practice will be retained.
- Multilateral military equipment production programmes should be of an Alliance and a European policy interest. Within the framework of production programmes with EU, NATO and NATO-equivalent country participation the Federal Government will – while observing its special interest in the German military equipment producing industry’s capabilities for co-operation – not relinquish the options it has for influencing its partners’ export plans.
- In respect of applications for licences of military equipment exports to third countries, there are also other criteria playing a role, e.g. whether a country’s development may be referred to as sustainable, the way a country behaves towards the community of nations, its internal and external situation.
- In addition, the behaviour the country of destination has shown so far with regard to terrorism and organised international crime will be taken into consideration as well.
- More detailed regulations mean attaching greater weight than so far to ensuring strict compliance with the final destination provisions.
- The EU Code of Conduct forms an “integral part” of the Political Principles.

II. The German military equipment exports control system in a multilateral context

1. Disarmament agreements

In specific areas, the export control policy on conventional military equipment reflects the influence of disarmament arrangements binding under international law. The Federal Government strongly supports corresponding initiatives, advocating strict compliance with the agreed rules. Besides, it welcomes steps of any kind ensuring world-wide recognition of the commitments given under such arrangements.

The Federal Government's activities in this area have been detailed in the Annual Disarmament Report for the year 2000.⁸

2. Arms embargoes

The international community of nations has decided upon a number of arms embargoes transposed in Germany as bans on arms exports or, respectively, non-authorisation of such exports. Such (arms) embargoes as a means of reaching specific political objectives have noticeably increased in importance in the last decade.

Cf. Annex 3 for arms embargoes in force in 2000. Compared with 1999 (cf. Annex 3 of the 1999 Military Equipment Export Report), only a few changes are to be observed: The UN Security Council Resolution 1333 envisages further sanctions against Afghanistan. The validity of the EU Council Common Position (1999/624/CFSP) concerning restrictive measures against Indonesia expired on 17 January 2000. The EU embargo against Croatia was lifted by the EU Council Common Position 2000/722/CFSP.

3. EU Code of Conduct and its further development

Under the Code of Conduct for Arms Exports adopted by the EU Council on 08 June 1998 the signatory states of this Code committed themselves, politically, to ensure that their exports of conventional military equipment and dual-use items designated for military and police purposes will meet certain standards. The EU Code of Conduct includes notably eight criteria governing military equipment exports that are to be applied by Member States when deciding upon individual export cases⁹.

On 13/14 June 2000, the Common List of Military Equipment covered by the European Union Code of Conduct was discussed and adopted by the European Council. Germany's currently valid Schedule of Exports is largely identical with this Common List. Just one item needs to be amended, which will be done when this Schedule of Exports is modified next.

⁸ Downloadable from the Internet under:
http://auswaertiges-amt.de/www./de/aussenpolitik/friedenspolitik/abr_und_r/index.html.

⁹ Cf. 1999 Military Equipment Export Report for details of the EU Code of Conduct, cf. footnote No. 3.

Moreover, agreement has been reached on a list of non-military items that may be abused for violating human rights as well. Items of this kind are subject to the Common trade policy of the EU. The EC Commission is expected to submit a proposal soon.

In 2000, the Federal Government notified 37 denials of export licences in all in compliance with the operative provisions of the Code of Conduct. One EU Member State was consulted with regard to why it had turned down an application for export licence.

The EU Member States continued to develop the Code of Conduct within the framework of EU Common Foreign and Security Policy (CFSP) in the reporting period. Agreement was reached notably on the data to be included in denial notifications, and further progress was made with respect to the consultation mechanism (interpretation of essentially identical transactions according to the spirit of the Code, improving transparency). The EU members continued their efforts for developing common principles governing national provisions to regulate arms brokerage. Besides, the EU co-ordination efforts for preparing the UN Conference on the illicit trade in small arms and light weapons are important (cf. Section II.7 below).

Apart from this, the EU/US declaration adopted at the Nice Summit on 17 December 2000 on national responsibility and transparency of arms exports deserves to be given special importance. In this declaration, the USA and the EU have undertaken to uphold the highest possible behavioural standards and the best possible export control practices including stringent national export control application, thorough examination of buyer countries' internal situation as well as improving transparency of authorisation practice.

4. The Wassenaar Arrangement

The Wassenaar Arrangement (WA)¹⁰ was made in 1996 to help improve international security and stability by harmonising the 33 signatory countries' policies on exports of notably conventional military equipment and dual-use items as widely as possible. The WA thus provides for exchanges of information on export licences issued for large-scale weapon systems to be delivered to non-WA countries. With respect to dual-use items, the WA includes reporting duties about licences issued and applications rejected.

¹⁰ Downloadable from the Internet under: <http://www.wassenaar.org>.

Contrary to the dual use area where notification duties have already led to a large measure of transparency, the year 2000 was another one that did not see any progress in the negotiations about improving transparency in the field of military equipment exports. The only step in advance was an understanding about certain basic elements to be included in the national legislation on export control of portable anti-aircraft systems as well as on how to handle surpluses of military equipment. The Federal Government continues to consider the military equipment situation within the WA to be unsatisfactory.

5. UN Conventional Arms Register

The report to the UN Secretary-General under the UN Conventional Arms Register¹¹ for the year 2000¹² was submitted in May 2001. Member countries are required to report to the UN Conventional Arms Register the number (not the value) of notifiable large-scale weapon systems exported in the period under review¹³.

The Federal Government reported under the UN Conventional Arms Register the relevant exports of military equipment mostly from Bundeswehr stocks. The 199 war weapon exports reported in 2000 went to the following countries:

a) Deliveries from Bundeswehr stocks:

- Greece: 51 battle tanks “Leopard 1” and 50 self-propelled howitzers “M 109”
- Lithuania: 67 troop carriers “M113”
- Rumania: 2 anti-aircraft tanks “Gepard”
- Great Britain: 11 fighter aircraft “Alpha Jet”
- Thailand: 7 fighter aircraft “Alpha Jet”

b) Commercial deliveries:

- Israel: 1 submarine “Dolphin” class
- South Korea: 10 fighter helicopters “BO 105” without ordnance.

¹¹ Information available in the Internet under: <http://www.un.org//Depts/dda/CAB/register.htm>.

¹² Cf. Annex 4

¹³ Weapons of this kind have been classified by the 7 categories given below: Battle tanks, other armoured vehicles, artillery systems with a calibre of 100 mm and over, fighter aircraft, fighter helicopters, warships of 750 tons and over or equipped with ballistic missiles or torpedoes of a range of 25 km and over as well as ballistic missiles or launching systems with a range of 25 km and over.

The share of surplus Bundeswehr stocks in total exports reported under the UN Conventional Arms Register was 94.5% in terms of unit, but very small in terms of value, because the equipment in question consisted of obsolescent second-hand material, for the most part. The Federal Statistical Office records deliveries of this kind as exports of war weapons.

6. Framework agreement about measures to facilitate restructuring and about the activities of the European defence industry

On 27 July 2000, the Framework Agreement between France, Germany, Italy, Spain, Sweden and the UK concerning Measures to facilitate the Restructuring and Operation of the European Defence Industry was signed in Farnborough¹⁴. One of the purposes of this Agreement is to strengthen export co-operation within the framework of multilateral military equipment production programmes and to arrive at a harmonised and ultimately common policy on military equipment exports.

The above-mentioned Framework Agreement stipulates that export licences shall be issued on a comprehensive scale under multilateral military equipment production programmes. Insofar as such programmes provide for exports to destinations other than the programme countries, such destinations are to be agreed upon between the programme countries. Agreement about the countries deemed to represent eligible destinations under such programmes must be reached between the representatives of the sponsoring governments in response to a request from a programme enterprise. Because of the special political implications of such decisions, ministerial meetings may turn out to be necessary. Such eligible-destination agreement must cover the whole programme length. Each programme country shall have the right to demand that deliveries be suspended should the country of destination experience a substantial change in its internal situation or behave in a way that poses a threat to peace, security and stability, either regional or world-wide. If no agreement can be reached on whether or not the country of destination continues to be eligible for deliveries under the programme, further deliveries to the disputed destination shall be deemed illicit¹⁵.

Military equipment producers established in the territories of two or more programme countries may, for reasons of simplicity, request that their cross-border industrial programmes be placed

¹⁴ Federal Law Gazette II 2001,91

¹⁵ Cf. Annex 5 for provisions of the Framework Agreement, Part 3 (transmission or export).

on an equal footing with (intergovernmental) military equipment production programmes. This would enable such cross-border programmes to benefit from the authorisation procedures applicable to military equipment exports under intergovernmental programmes. Streamlining is necessary also with regard to other national authorisation procedures involving military equipment exports to programme countries.

The rules of the Framework Agreement are identical with the tenor of the Political Principles of 19 January 2000 according to which exports of military equipment to EU, NATO and NATO-equivalent countries may, as a matter of principle, not be restricted in the frame of German security interests, although export restrictions may come into effect on account of the need to stop deliveries to disputed destinations.

The Framework Agreement may be presumed to enter into effect for all signatory states at year-end; it has been ratified by Germany, Great Britain, France and Sweden so far and is thus in force between these countries.

7. International discussion on small arms and light weapons

The international discussion on small arms and light weapons continued at all levels (UNO, OSCE, WA and EU) in 2000. It reflects the concerns existing about the destabilising effects of small arm and light weapon accumulations in crisis areas and regions afflicted by civil war. International efforts have been under way for some time to reach agreement on criteria governing exports of small arms and arms brokering, to adopt uniform rules on small arms labelling and traceability as well as to promote reintegration of former combatants in crisis areas.

The year under review witnessed tangible results within the framework of the OSCE: On 24 November 2000, the OSCE Forum for Security Co-operation adopted the OSCE document on small arms and light weapons¹⁶. This document seeks to solve by way of co-operation the problems stemming from the destabilising effects of accumulated small arms and their uncontrolled dissemination.

The OSCE document lays down export control criteria to be taken into account by participating states when authorising exports of small arms including licence production of such arms abroad.

¹⁶ Downloadable from the Internet under: <http://www.osce.org/dos/german/fsc/2000/decisions/fcsgw231.htm>.

Besides, it stipulates compliance with specific authorisation procedure standards for small arms imports, exports and transit operations, especially for end user certificates. The aim is to control more effectively the international trade in arms on the basis of national regulations and to improve international co-operation in criminal prosecution. Moreover, there are plans for exchanging information and for other transparency-enhancing measures.

The OSCE document was adopted as a contribution to the preparations of the UN Conference on the illicit trade in small arms and light weapons in New York in July 2001. This Conference has produced an Action Plan of 85 points adopted by 170 countries politically willing to proceed against illicit weapons trade jointly. This Action Plan includes a general understanding whereby illicit production and dissemination of small arms is to be stopped, but it does not include any contentual requirements or control elements to be transposed nationally. It is not binding under international law.

III. Licences granted for export of military equipment / Export of war weapons

The following information is about military equipment exports in 2000 insofar as its disclosure has not been restricted by law. As mentioned in the 1999 Military Equipment Export Report, it is not possible to release the names of exporters because of the legal protection to be afforded to them in respect of their operational and business secrets under § 30 of the German Administrative Procedure Act (VwVfG).

The Federal Office of Economics and Export Control (BAFA)¹⁷ has been tasked with recording the licences that have been granted for military equipment (war weapons and other military equipment) exports. Cf. 1 below for the year 2000 values and Annex 6 for further details.

The Federal Statistical Office shows only actual exports of war weapons. Cf. 2 below for annual values.

¹⁷ Internet address: <http://www.bafa.de>.

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

Annex 6 gives a survey on the military equipment export licences granted and/or denied in 2000¹⁸ by countries of destination. The first part of this Annex shows the exports to EU Member States, the second the exports to NATO and NATO-equivalent countries (excluding the EU Member States) and the third the exports to third countries. For the sake of greater transparency, the column headed “Remarks” gives a break-down of the exports made to third countries. Cf. the columns headed “No. of Denials” “ML Item” and “Value (DM million)” for the cases in which export licences have been denied. Where denial notifications have been made pursuant to the EU Code of Conduct, the relevant criterion number of the Code of Conduct has been given.

The military equipment figuring in Part I of the Schedule of Exports includes, besides war and other weapons, also a large number of goods classified as military items because of their special use properties, e.g. special trucks, cameras, simulators etc. For example, deliveries of second-hand deep water fording vehicles needed for humanitarian purposes in Africa are subject to licensing as well because of their special technological configuration.

The figures given in columns 2 to 4 relate to the export licences granted. Experience has shown that actual export values are visibly below licence values. This is due to the fact that the licences granted have not been used in full in the year for which have been issued.

Cf. 2 below for information about the statistically recorded actual exports of war weapons.

a) Individual export licences

In 2000 a total of 9,997 individual export licences were granted in Germany for final exports of military equipment¹⁹. The total value of these applications – not that of actual exports - was DM 5,568,213,943, i.e. almost 6% less, year-on-year. This value may be broken down by EU member states (DM 2,510,801,031) and by NATO and NATO-equivalent countries excluding EU member states (DM 1,884,514,037); the aggregate value of the licences granted for exports to the countries mentioned in Section II. of the 19 January 2000 Political Principles amounted to

¹⁸ Goods figuring in Part I, Section A of the Export List, Appendix AL to the Foreign Trade and Payment Ordinance.

¹⁹ Licences of temporary exports for fairs and exhibitions or for demonstration purposes are not included.

DM 4,395,315,968 and has thus stayed at more or less the same level as in 1999. The total value of authorised exports to third countries amounted to DM 1,172,897,975 which represents a 24% decline against the year before.

b) Collective export licences

In addition to individual export licences, collective licences were issued to the tune of DM 3,733,933,026 in all; licences of this kind allow enterprises to make several exports to a single or to several consignees abroad (mainly within the framework of intergovernmental project co-operation). Collective export licences were exclusively issued for exports to NATO and NATO-equivalent countries.

Collective export licences issued under multilateral programmes are valid for two years. This explains the annual fluctuations in terms of value. The application forms reflect the export licence needs applicants expect to arise in the licence period. Authorised values are maximum values not always fully used which means that the total collective export licence value is only to a limited extent a representative indicator of German export policy.

c) Denial of export licences

In 2000, 117 applications for authorisation of exports of military equipment were denied. The total value of the denials came to DM 23,120,245. This figure does not include applications withdrawn by applicants on account of poor chances of success.

The rather small quota of formally denied applications is to be explained by the fact that many applicants planning to export military equipment to sensitive destinations make a formal or a provisional enquiry with the control authorities about their applications' chances of success. Where the response to this enquiry is negative, the cases in which they file a formal application are very small in number. These are the denials that actually figure in the statistics.

d) Most important countries of destination

The most important countries of destination in respect of which individual export licences were granted in 2000:

Country	Value in million DM	Observations ²⁰
USA	895.5	<ul style="list-style-type: none"> - Hand arms and parts thereof (0001/49.4%) - ABC protective devices (0007/16.3%) - Diving equipment, signature suppression articles, bridge components (0017/12.3%) - Electronic equipment (0011/4.6%)
Turkey	510.1	<ul style="list-style-type: none"> - Naval ship components (0009/61.4%) - Production equipment for military items (0018/18.6%) - Aircraft components (0010/9.0%)
Greece	455.4	<ul style="list-style-type: none"> - Fire control and target monitoring systems incl. parts thereof (0005/59.1%) - Electronic equipment (0011/12.5%) - Grenades, torpedo and missile components, mine clearance equipment, military illumination cartridges (0004/11.7%)
Great Britain	454.0	<ul style="list-style-type: none"> - Electronic equipment (0011/50.0%) - Unfinished components of military equipment (0016/21.2%) - Aircraft components (0010/8.4%) - Cannons and parts thereof, grenade pistols and parts thereof (0002/7.6%)
Spain	404.2	<ul style="list-style-type: none"> - Electronic equipment (0011/56.3%) - Cannons and parts thereof (0002/23.1%) - Parts for tanks, armoured and other vehicles (0006/6.6%)
Italy	357.2	<ul style="list-style-type: none"> - Electronic equipment (0011/63.6%) - Parts for tanks, armoured and other vehicles

²⁰ Main types of military equipment per country of destination incl. corresponding Export List item numbers as well as respective percentage share in the total value of authorised military equipment exports.

		(0006/10.3%) - Refuelling equipment, ground-based equipment, aircraft components (0010/8.4%)
Israel	346.4	- Parts for tanks, armoured vehicles and trucks (0006/70.6%) - Torpedoes, ammunition ignitors, smoke canisters, signalling cartridges (0004/24.2%)
Switzerland	312.6	- Simulators, components of weapon and other military training equipment (0014/22.1%) - Munitions for hand arms and other heavy weapons (0003/21.9%) - Parts for tanks, armoured and other vehicles (0006/14.3%) - Hand arms and components (0001/14.2%) - Electronic equipment (0011/10.9%)
Republic of Korea	253.7	- Parts for tanks, armoured vehicles and trucks; mine clearance equipment (0006/43.4%) - Combat helicopters, trainer aircraft components, aero-engine components, aero-engine test bed, refuelling system (0010/32.3%) - Parts of submarines, parts for underwater location equipment, control and navigation equipment (0009/15.2%)
France	225.0	- Armoured plate, body armour, materials (0013/41.5%) - Armoured vehicles, parts for tanks and armoured vehicles, other military vehicles and parts thereof (0006/27.5%) - Electronic equipment (0011/8.0%) - Grenades and parts for torpedoes, rockets and missiles, pyrotechnicals, military illumination cartridges (0004/4.9%)

Sweden	177.0	<ul style="list-style-type: none"> - Tanks incl. parts thereof and armoured and other military vehicles (0006/76.5%) - Unfinished components of military equipment (0016/8.0%)
Denmark	172.0	<ul style="list-style-type: none"> - Ammunition for hand arms and cannons (0003/51.2%) - Armoured vehicles, parts of tanks and armoured vehicles, other military vehicles and parts thereof (0006/42.4%)
Austria	87.6	<ul style="list-style-type: none"> - Parts of tanks and armoured vehicles, other military vehicles and parts thereof (0006/72.6%) - Production equipment for military items (0018/9.2%)
Thailand	76.1	<ul style="list-style-type: none"> - Trainer and fighter aircraft, other military vehicles and parts thereof (0010/95.1%)
Singapore	74.3	<ul style="list-style-type: none"> - Communications equipment and components, military electronic components and parts (0011/58.4%) - Ammunition for howitzers, grenade pistols, revolvers and pistols (0003/21.2%) - Components of diving equipment, bridge components and parts thereof (0017/14.1%)
Saudi Arabia	72.8	<ul style="list-style-type: none"> - Fire control components, weapon targeting equipment and components thereof (005/47.1%) - Parts for combat helicopters (00101/26.2%) - Parts for missiles, pyrotechnics (0004/7.5%)
India	63.4	<ul style="list-style-type: none"> - Parts for submarines and frigates, sonar system and components, sonic depth finder equipment and components (0009/39.4%) - Production equipment for anti-tank guns; ballistic measuring equipment (0018/26.%)

		<ul style="list-style-type: none"> - Parts for magnetic self-protection systems, communications equipment, torpedo simulator, torpedo component test stand (0011/12.4%) - Helicopter parts (00101/12.3%)
Netherlands	62.0	<ul style="list-style-type: none"> - Parts for tanks and armoured vehicles, other military vehicles incl. components (0006/39.3%) - Electronic equipment (0011/13.8%) - Unfinished components of defence items (0016/8.2%) - Fire control, weapon targeting, systems and components (0005/6.2%) - Armoured plate, body armour (0013/5.3%) - Munitions for hand arms and heavy weapons (0003/5.2%) - Submarine, parts for combat ships (0009/5.0%)
Belgium	55.9	<ul style="list-style-type: none"> - Rescue vehicles, bridge layers, parts for tanks and armoured vehicles, other military vehicles and components (0006/65.4%) - Unfinished parts for defence goods (0016/17.3%)

e) Export licences in the period 1996/2000

The following table compares the values of the export licences issued in the period 1996/2000. Again, these values relate to actual exports to final destinations and do therefore not include licences for temporary exports (for exhibition or demonstration purposes). For the sake of clarity, the values have not been broken down by destinations, but by exports to EU Member States, NATO and NATO-equivalent countries as privileged destinations on the one hand and to

third countries on the other. The period 1996/2000 has been chosen because the BAFA started its statistics broken down by groups of countries in 1996²¹.

Year	EU Member States (in DM m)	NATO and NATO-equivalent countries excl. EU (in DM m)	Third countries (in DM m)	Individual export licences (in DM m)	Collective export licences (in DM m) ²²
1996	1 203.3	1 408.6	1 662.4	4 274.3	4 441.7
1997	1 431.3	1 433.1	1 165.8	4 030.2	17 973.5
1998	1 236.6	2 363.6	2 020.3	5 620.5	6 997.5
1999	1 372.6	3 017.4	1 528.7	5 918.7	654.6
2000	2 510.8	1 884.5	1 172.9	5 568.2	3 733.9

f) Export licences for small arms

Owing to the special problems stemming from the destabilising effects of small arm accumulations in crisis areas²³, the Federal Government reports on small arms exports in the year under review as well.

Since small arms do not form any separate statistical category in Germany, they have been subsumed under either military equipment or war weapons. For this reason, the values given in Tables A and B below figure in the tables given in Table 1 and in Annex 6 as well.

There is no legally binding internationally agreed definition of small arms. For the EU, this term has been legally defined in the 17 December 1998 Joint Action of the Council pursuant to Article J.3 of the European Union Treaty on the European Union's contribution to combating the destabilising effects of small arms and light weapons accumulation and their dissemination (1999/34/CFSP)²⁴.

²¹ For reasons of statistical comparability, the values of military equipment production documents (1999: DM 186.4 million); 2000: DM 29.2 million) would have to be added, although they do not represent military equipment within the meaning of the Schedule of Exports.

²² Cf. III.1.b. for limited meaningfulness of strongly fluctuating annual values of collective export licences.

²³ Cf. Chapter II.7

²⁴ Official Journal of the European Communities L 9 dated 15 January 1999. According to this definition, small weapons are machine guns (incl. heavy machine guns), machine pistols (incl. fully automatic pistols), fully automatic guns, semi-automatic guns (if developed and/or introduced as models for use by the armed forces) as well as silencers.

The tables below using definitions analogous with those of the EU include export licence values for sub-machine guns, machine guns, fully and semi-automatic arms, smooth-bore arms for military use, arms using caseless ammunition including parts thereof (Table 1)²⁵ as well as exports of munitions for guns, sub-machine guns and machine guns and parts of such munitions (Table 2)²⁶ in the period 1996/2000.

Table A (Licences for exports of small arms)

Year	EU Member States (in DM m)	NATO and NATO-equivalent countries excl. EU (in DM m)	Third countries (in DM m)	Individual and collective export licences (total value in DM m)
1996	1.75	5.08	3.65	10.48
1997	10.96	8.03	12.21	31.20
1998	4.08	28.71	12.85	45.64
1999	19.83	12.48	9.28	41.59
2000	9.72	7.00	0.53	17.25

Table B (Licences for export of small arms incl. parts of munitions)

Year	EU Member States (in DM m)	NATO and NATO-equivalent countries excl. EU (in DM m)	Third countries (in DM m)	Individual and collective export licences (total value in DM m)
1996	0.59	0.97	0.18	1.75
1997	9.00	9.79	1.45	20.25
1998	9.07	19.74	1.23	30.04
1999	5.53	29.25	0.29	35.07
2000	5.50	5.56	0.08	11.14

The licences granted in this area show that the share of exports of small arms in total German exports is very small. Compared with the total volume of exports in 2000, the percentage shares recorded for **licences** of exports to third countries amounted to 0.01% for military equipment and to 0.0014% for munitions of small arms. Germany does not allow any deliveries of small arms to

²⁵ Excl. hunting and sports weapons

²⁶ Excl. munitions for hunting and sports weapons.

countries where such deliveries might be conducive to the outbreak of armed conflicts, to human rights infringements and to criminal acts.

2. Exports of war weapons

a) Exports of war weapons in the period under review

According to the Federal Statistical Office, goods of a total value of DM 1.330 billion (0.11% of total German exports) accounted for German war weapon exports in 2000. Compared with a year earlier, this means a decline of 53%. In terms of value, 65% of the war weapon exports went to EU, NATO and NATO-equivalent countries not subject to limitations under the Political Principles governing military equipment exports, as a matter of principle. 79% of the remaining exports to third countries consisted of naval ships and parts thereof.

Exports totalling DM 84 million accounted for obsolescent material no longer in use by the federal armed forces. 94% of that material was exported to EU Member States and the balance to Chile, Lithuania, Estonia and Thailand²⁷.

The total value of commercial German exports of military equipment amounted to DM 1.246 billion broken down by DM 794.7 million for the countries mentioned in Section II. of the Political Principles of 19 January 2000 (DM 588.8 million for EU Member States and DM 205.9 million for non-EU NATO and NATO-equivalent countries).

Commercial supplies of war weapons to third countries amounted to DM 451.3 million, i.e. 64% less than in 1999. 80% of these deliveries account for complete naval ships or parts thereof (“material packages”). This includes one submarine worth DM 347 million exported to Israel as well as naval ship components exported to Brazil (about DM 7 million) and South Korea (DM 5 million). The remaining 20% of the supplies to third countries (c. DM 92 million) consist of combat helicopters (without ordnance) worth DM 76 million to South Korea as well as deliveries of spare parts and munitions to a variety of third countries.

²⁷ The two anti-aircraft tanks of the “Gepard” type exported to Romania (cf. Chapter II.6.) figuring in the report to the UN Weapons Register were reported to the Federal Statistical Office only at the end of 2000/ beginning of 2001 and will therefore appear in the war weapon export statistics of the Federal Statistical Office 2001.

The total amount of commercial war weapon exports includes also DM 339 million by way of inbound processing work (e.g. re-exports of such weapons after repair or upgrading in Germany). This heading includes re-exports of 41 Dutch combat helicopters and 22 Dutch anti-aircraft tanks totalling DM 287 million. It ought to be pointed out in this context that, according to the gross value principle of the Federal Statistical Office, the value of re-exports is included in the total export value. But the value of the upgrading work done in Germany is substantially lower than the export value.

The ten most important destinations of German commercial war weapon exports in 2000:

Netherlands	DM 378 million
Israel	DM 347 million
South Korea	DM 84 million
Switzerland	DM 66 million
Spain	DM 51 million
Italy	DM 48 million
Canada	DM 46 million
Norway	DM 40 million
Turkey	DM 36 million
Great Britain	DM 33 million

Developing countries did not play any role as destinations of German war weapon exports.

b) War weapons exports in the period 1996/2000

The table below shows the total value of annual war weapons exports and their percentage value of total German exports in the course of the last five years.

Year	Total value in DM million	%age share in total German exports
1996	1,005.7	0.13
1997	1,383.5	0.16
1998	1,337.5	0.14
1999	2,844.2	0.29
2000	1,330.3	0.11

3. German military equipment exports by international standards

Serious comparisons of real exports of military equipment, world-wide, show that the German share in the world market for military equipment has remained small. This may not always be sufficiently clear from the relevant statistics, because other countries subsume fewer goods under military equipment or because there are not any complete sets of data.

At the EU level, the Member States' annual military equipment exports are covered by the annual report on transposition of the EU Code of Conduct, although it ought to be noted that the statistics are not uniform either.

In spite of the detailed research of Non-Governmental Organisations (NGOs) and specialised institutions²⁸, the meaningfulness of the statistics of such organisations and institutions is extremely limited in terms of international comparability, as a rule. Occasionally, they relate to differential arms categories; the constant prices of fictitious exports of military equipment were converted into US dollar, and second-hand material was occasionally overpriced. And the method applied by the Federal Statistical Office, i.e. to include into its statistics the gross value of entire weapon systems re-exported after upgrading or repair instead of recording just the value that has been added to the system, makes German exports of military equipment appear to be very much on the high side.

For instance, in SIPRI's five-year comparisons (1995/1999 and 1996/2000) Germany ranks fifth (behind the USA, Russia, France and Great Britain). According to the international arms trade statistics of the International Institute for Strategic Studies (IISS)²⁹ for the period 1995/1999 as well as in the year 1999 Germany ranks sixth behind Israel, by contrast. The latest study of the American Congressional Research Service (CRS)³⁰ shows that, as an arms exporter, Germany ranked fifth in 2000 (behind the USA, Great Britain, Russia and France)³¹. Since not all coun-

²⁸ Stockholm International Peace Research Institute (SIPRI), International Institute for Strategic Studies (IISS) and Congressional Research Service (CRS).

²⁹ In: *The Military Balance 2000/2001*, *The International Arms Trade*, pp. 288ff. Internet: <http://www.iiss.org>.

³⁰ CRS Report for Congress: *Conventional Arms Transfers to Developing Nations, 1993-2000*, dated 16 August 2001, p. 80, Table)D.

³¹ According to the CRS Report (op. cit., p. 75, Table 8D), Germany ranked fifth (behind the USA, Russia, France and Spain) in respect of weapon supply contracts concluded world-wide in the year 2000 as well.

tries in the world have reliable export figures for military equipment, it would not be wrong to assume that other states are even larger weapon exporters.

It is interesting to note in this context that the military equipment exports of Germany, France and Great Britain stood at comparable levels in 1999 according to SIPRI statistics, whilst according to IISS statistics for the same year the French and the British military equipment exports were six and ten times up on Germany's, respectively.

IV. Military Assistance

In the past, NATO member states unable for economic reasons to buy military equipment³² in international markets had the benefit of being provided with military equipment free of charge by other NATO partners on the basis of military assistance programmes. Germany participated in such programmes as well. All assistance programmes with Germany as a participant came to an end in the mid-1990s. No military equipment was thus exported within the framework of such assistance programmes in the year under review.

Cf. Section III for separate presentation of military equipment exports against valuable consideration by the Federal Ministry of Defence (release of federal armed forces materials).

³² Such assistance for military equipment procurement must be differentiated from the so-called Ausstattungshilfen deliberately excluding delivery of weapons, munitions and machinery for their production, which are therefore no subject for inclusion into the Military Equipment Export Reports for this reason.

V. Public prosecution statistics

1. Public prosecution statistics

According to the 1999 public prosecution statistics, 86 persons were convicted for violation of the War Weapon Control Act (KWKG) and 47 for violation of the Foreign Trade and Payments Act.

From among the persons found guilty in 1999 for violation of the KWKG, 79 were convicted under the general criminal code and 7 under the criminal law relating to young persons. Forty-six of the persons found guilty under the general criminal code were sentenced to imprisonment, although 40 of the sentences were subsequently suspended. In three of the seven cases in which juvenile persons were convicted under the criminal law relating to young persons the sentences were suspended as well. The other four had to pay a fine or were officially warned by the court or had to satisfy special court requirements.

From among the 47 persons convicted under the general criminal code in 1999 for violation of the Foreign Trade and Payments Act, 20 had to pay fines and 27 were sentenced to imprisonment, although 23 of the sentences were subsequently suspended.

Only some of the aforementioned sentences relate to military equipment exports so that this kind of information is of limited value for the Military Equipment Export Report. The sentences for violation of the KWKG relate to the handling of war weapons, but not necessarily to their exportation. Sentences for violation of the Foreign Trade and Payments Act relate to export transactions, though not necessarily to exports of military equipment.

2. Summary information about investigation proceedings under criminal law

The information given below for the year 2000 on investigations into unauthorised exports of military equipment comes from the Customs Criminal Investigation Office (ZKA). The table below contains the information which the customs investigation offices passed on to the ZKA. Although reporting is mandatory for them, the table below does not claim to be exhaustive.

a) Investigations concluded in the year under review

The ZKA reported the following investigations concluded in the year under review:

...

Country of destination	Outcome of proceedings	Equipment/Materials
Austria	Closed pursuant to § 153 para 1 StPO – Criminal Procedure Act	Armoured plate
Chile	Closed pursuant to § 153a StPO – Criminal Procedure Act	Calibre slide gauges
Croatia	Closed pursuant to § 153a StPO – Criminal Procedure Act	Parts for military truck trailers
Croatia	Closed pursuant to § 170 para 2 StPO – Criminal Procedure Act	Deep loading trucks and trailers
Cyprus	Closed pursuant to § 153 para 1 StPO – Criminal Procedure Act	Ammunition
EU Member States	Closed pursuant to § 153 para 1 StPO – Criminal Procedure Act	Camouflage vehicle coating lacquers
EU Member States, Norway, Switzerland	Closed pursuant to § 153 para 1 StPO – Criminal Procedure Act	Parts for weapons
France	Closed pursuant to § 170 para 2 StPO – Criminal Procedure Act	Parts for missile launchers
France	Closed pursuant to § 153a StPO – Criminal Procedure Act	Missile casings
Great Britain, Indonesia	Closed pursuant to § 153 para 2 StPO – Criminal Procedure Act	Parts for canons and accessories
Israel	Closed pursuant to § 153a StPO – Criminal Procedure Act	Sea water meters
Italy	Closed pursuant to § 170 para 2 StPO – Criminal Procedure Act	Air filters for military vehicles
Pakistan	Closed pursuant to § 153 para 1 StPO – Criminal Procedure Act	Parts for hand apparatuses
Pakistan	Closed pursuant to § 170 para 2 StPO – Criminal Procedure Act	Motors and switch gears for military vehicles
Pakistan and China	Closed pursuant to § 170 para 2 StPO – Criminal Procedure Act	Military processors for guided missiles

Poland	Closed pursuant to § 170 para 2 StPO Criminal Procedure Act	Ammunition
Poland, Indonesia, Malaysia, EU Member States	Closed pursuant to § 153a StPO – Criminal Procedure Act	Ammunition and parts thereof
Poland, Switzerland, Netherlands, Denmark	Closed pursuant to § 153a StPO – Criminal Procedure Act	Antenna supports
Russia	Closed pursuant to § 153a StPO – Criminal Procedure Act	Guns
Saudi Arabia	Closed pursuant to § 153 para 1 StPO – Criminal Procedure Act	Rifles for hunting purposes
South Africa (Mozambique)	Penalty	Guns and ammunition
Switzerland	Closed pursuant to § 153a and/or § 170 para 2 StPO – Criminal Procedure Act	Airborne network adapters

The ZKA reported a total of 22 investigation cases involving 37 defendants (two cases against unknown defendants) that were initiated in the year under review or earlier and concluded in the year under review.

b) Procedures initiated in the year under review, but not concluded:

The ZKA reported the following investigation proceedings not concluded in the year under review:

Country of destination	Items
Austria	Parts for mine layers and machine guns
China	Mine splints
Czech Republic	Military helmets
Czech Republic	Tools for pistol production
Great Britain	Fuel injection devices for tanks
Lebanon	Tank exports (War Weapon Control Act)
Netherlands	Tank propulsion systems
Nicaragua	Military trucks

Singapore	Tan propulsion systems
Slovakia	Truck "Tatra"
Sweden	Parts for tanks
Sweden, Canada	Parts for mine layers and machine guns
Sweden, Netherlands	Parts for tanks
Switzerland	Parts for tanks
Turkey	Airborne radar systems for combat aircraft
Unknown	Aircraft brokering by unknown persons (type SU-27) (War Weapon Control Act)
Unknown	Trade in MIG.21 aero-engines (War Weapon Control Act)
Vietnam	Parts for tanks

The ZKA reported a total of 18 investigation cases against 28 defendants (two cases against unknown defendants) that were initiated in the year under review, but not concluded. This number includes three proceedings against six defendants for violation of the KWKG.

VI. Military equipment co-operation

In the year under review, no new intergovernmental co-operation projects were started with German participation.

VII. Concluding remarks

In compliance with the Political Principles of 19 January 2000, the German Government has pursued a restrictive licence policy in respect of military equipment exports. The share of military equipment in total German exports was again very low. In 2000, the share of actual war weapon exports in total German exports stood at 0.11%.

According to the legislation in force, exports of military equipment of any kind are subject to licence as a matter of principle which permits to control them closely. Exports to EU, NATO and NATO-equivalent countries (Australia, Japan, New Zealand and Switzerland) are unproblematic for the most part; in the remaining cases, the competent authorities issue export licences only after careful review. In many cases this requires the pros and the cons to be carefully weighed. The Government of the Federal Republic of Germany will continue to stick to its restrictive export authorisation policy based on the Political Principles and the EU Code of Conduct with the aim of securing peace and preventing armed conflict.

Annex 1

Political Principles

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

Decision of the Government of the Federal Republic of Germany of January 19, 2000

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 weapons¹ and other military equipment² 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 for Arms Exports adopted by the European Council on 8 June 1998³ and such arrangements as may be agreed subsequently as well as the Principles Governing Conventional Arms Transfers adopted by the Organization 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 Policy 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.

1 Weapons (complete weapons as well as components classed separately as weapons) listed in the Schedule of War Weapons (Annex to the War Weapons Control Act - see Annex 3B)
 2 Goods specified in Part I, Section A of the Schedule of Exports (Annex to the Foreign Trade and Payment Act) with the exception of war weapons (see Annex 4B)
 3 enclosed as annex

3. On principle export licences for war weapons and other military equipment will not be granted where there are reasonable grounds to suspect they may be used for internal repression as defined in the EU Code of Conduct for 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 organizations will also be taken into consideration.
5. The end-use of war weapons and other military equipment must be definitively determined.

II NATO countries⁴, EU member states, countries with NATO-equivalent status⁵

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. 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 intergovernmental agreements with countries referred to in this Section, these arms export principles will be given practical effect as far as possible. While mindful of its special interest in its 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 consultations 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 of Economics 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.

⁴ Area of application of NATO Treaty, Article 6

⁵ Australia, Japan, New Zealand, Switzerland

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 for 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 weapons and other military equipment related to war weapons⁶ to countries
 - involved in armed conflict or where armed conflict is imminent,
 - where the outbreak of armed conflict is imminent or where such exports would stir up, perpetuate or exacerbate latent tensions and conflicts.

Exports to countries involved in external armed conflicts or where there is a danger such conflicts may erupt are therefore ruled out on principle except in cases covered by Article 51 of the UN Charter.

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.

⁶ Plant and documentation for the manufacturer of war weapons

7. Also to be taken into account is the recipient country's conduct in terms of whether it
- supports and promotes terrorism and international organized 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 for 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 authorization. This applies mutatis mutandis to any other military equipment related to war weapons exported in connection with a manufacturing licence. For the export of such equipment used for the manufacture of war weapons definitive end-use certificates must be furnished.

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

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

V Arms exports report

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

ANNEX

EU CODE OF CONDUCT FOR ARMS EXPORTS

adopted by the EU-Council on 8 June 1998

The Council of the European Union,

BUILDING on the Common Criteria agreed at the Luxembourg and Lisbon European Councils in 1991 and 1992,

RECOGNISING the special responsibility of arms exporting states,

DETERMINED to set high common standards which should be regarded as the minimum for the management of, and restraint in, conventional arms transfers by all EU Member States, and to strengthen the exchange of relevant information with a view to achieving greater transparency,

DETERMINED to prevent the export of equipment which might be used for internal repression or international aggression, or contribute to regional instability,

WISHING within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of conventional arms exports,

NOTING complementary measures taken by the EU against illicit transfers, in the form of the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms,

ACKNOWLEDGING the wish of EU Member States to maintain a defence industry as part of their industrial base as well as their defence effort,

RECOGNISING that states have a right to transfer the means of self-defence, consistent with the right of self-defence recognised by the UN Charter,

has adopted the following Code of Conduct and operative provisions:

CRITERION ONE

Respect for the international commitments of EU member states, in particular the sanctions decreed by the UN Security Council and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations.

An export licence should be refused if approval would be inconsistent with, inter alia:

- a) the international obligations of member states and their commitments to enforce UN, OSCE and EU 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) their commitments in the frameworks of the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement;
- their commitment not to export any form of anti-personnel landmine

CRITERION TWO

The respect of human rights in the country of final destination

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

- a) not issue an export licence if there is a clear risk that the proposed export 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 equipment, to countries where serious violations of human rights have been established by the competent bodies of the UN, the Council of Europe or by the EU; For these purposes, equipment which might be used for internal repression will include, inter alia, equipment where there is evidence of the use of this or similar equipment for internal repression by the proposed end-user, or where there is reason to believe that the equipment will

be diverted from its stated end-use or end-user and used for internal repression. In line with operative paragraph 1 of this Code, the nature of the 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.

CRITERION THREE

The internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts

Member States will not allow exports which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

CRITERION FOUR

Preservation of regional peace, security and stability

Member States will not issue an export licence if there is a clear risk that the intended recipient would use the proposed export aggressively against another country or to assert by force a territorial claim.

When considering these risks, EU Member States will 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) whether the equipment would be likely to be 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.

CRITERION FIVE

The 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 will take into account:

- a) the potential effect of the proposed export on their defence and security interests and those of friends, allies and other member states, while recognising that this factor cannot affect consideration of the criteria on respect of human rights and on regional peace, security and stability;
- b) the risk of use of the goods concerned against their forces or those of friends, allies or other member states;
- c) the risk of reverse engineering or unintended technology transfer.

CRITERION SIX

The behaviour of the buyer country with regard to the international community, as regards in particular to its attitude to terrorism, the nature of its alliances and respect for international law

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

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

- 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 sub-para b) of Criterion One.

CRITERION SEVEN

The existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions

In assessing the impact of the proposed export on the importing country and the risk that exported goods might be diverted to an undesirable end-user, the following will be considered:

- a) the legitimate defence and domestic security interests of the recipient country, including any involvement in UN or other peace-keeping activity;
- b) the technical capability of the recipient country to use the equipment;
- c) the capability of the recipient country to exert effective export controls;
- d) the risk of the arms being re-exported or diverted to terrorist organisations (anti-terrorist equipment would need particularly careful consideration in this context).

CRITERION EIGHT

The compatibility of the arms exports with the technical and economic capacity of the recipient country, taking into account the desirability that states should achieve their legitimate needs of security and defence with the least diversion for armaments of human and economic resources

Member States will take into account, in the light of information from relevant sources such as UNDP, World Bank, IMF and OECD reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They will consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid.

OPERATIVE PROVISIONS

1. Each EU Member State will assess export licence applications for military equipment made to it on a case-by-case basis against the provisions of the Code of Conduct.
2. This Code will not infringe on the right of Member States to operate more restrictive national policies.
3. EU Member States will circulate through diplomatic channels details of licences refused in accordance with the Code of Conduct for military equipment together with an explanation of why the licence has been refused. The details to be notified are set out in the form of a draft pro-forma at Annex A. 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 will 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 will notify the Member State or States issuing the denial(s), giving a detailed explanation of its reasoning.

The decision to transfer or deny the transfer of any item of military equipment will 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 physical export of the item of military 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.

4. EU Member States will keep such denials and consultations confidential and not to use them for commercial advantage.
5. EU Member States will work for the early adoption of a common list of military equipment covered by the Code, based on similar national and international lists. Until then, the Code will operate on the basis of national control lists incorporating where appropriate elements from relevant international lists.
6. The criteria in this Code and the consultation procedure provided for by paragraph 2 of the operative provisions will also apply to dual-use goods as specified in Annex 1 of Council Decision 94/942/CFSP as amended, where there are grounds for believing that the end-user of such goods will be the armed forces or internal security forces or similar entities in the recipient country.
7. In order to maximise the efficiency of this Code, EU Member States will work within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of conventional arms exports.
8. Each EU Member State will circulate to other EU Partners in confidence an annual report on its defence exports and on its implementation of the Code. These reports will be discussed at an annual meeting held within the framework of the CFSP. The meeting will also review the operation of the Code, identify any improvements which need to be made and submit to the Council a consolidated report, based on contributions from Member States.
9. EU Member States will, as appropriate, assess jointly through the CFSP framework the situation of potential or actual recipients of arms exports from EU Member States, in the light of the principles and criteria of the Code of Conduct.
10. It is recognised that Member States, where appropriate, may also take into account the effect of proposed exports on their economic, social, commercial and industrial interests, but that these factors will not affect the application of the above criteria.
11. EU Member States will use their best endeavours to encourage other arms exporting states to subscribe to the principles of this Code of Conduct.
12. This Code of Conduct and the operative provisions will replace any previous elaboration of the 1991 and 1992 Common Criteria.

ANNEX A

..... (name of Member State) has the honour to inform partners of the following denial under the EU Code of Conduct:

Destination country:.....

Short description of equipment, including quantity and where appropriate, technical specifications:.....

Proposed consignee:.....

Proposed end-user (if different):.....

Reason for refusal:.....

Date of denial:.....

Annex 2 a

As at 3 July 2000

List of Controlled Export Goods

Part I

A Munitions List

0001 Arms and automatic weapons with a calibre of 12.7 mm (calibre 0.50 inches) or less and accessories, as follows, and specially designed components therefor

a) Rifles, carbines, revolvers, pistols, machine pistols and machine guns;

Note:

Sub-item 0001a does not control the following weapons:

1. Muskets, rifles and carbines manufactured earlier than 1938,
2. reproductions of muskets, rifles and carbines, the originals of which were manufactured earlier than 1890,
3. revolvers, pistols and machine guns manufactured earlier than 1890, and their reproductions.

b) Smooth-bore weapons specially designed for military use;

Technical Note:

Smooth-bore weapons specially designed for military use as specified in sub-item 0001b are those which:

1. are proof tested at pressures above 1,300 bars,
2. operate normally and reliably at pressures above 1,000 bars and
3. are capable of accepting ammunition above 76.2 mm in length (i.e. longer than commercial 12-gauge magnum shotgun shells).

c) Weapons using caseless ammunition;

- d) Silencers, special gun mountings, clips, flash suppressers for the arms controlled by sub-items 0001a, 0001b and 0001c, and weapon sights specially designed for military use;**

Notes regarding sub-items 0001a to 0001d:

1. Sub-items 0001a to 0001d do not control smooth-bore weapons for hunting or sporting purposes. These weapons must not be specially designed for military use or of the fully automatic firing type.
2. Sub-items 0001a to 0001d do not control firearms specially designed for dummy ammunition and which are incapable of firing ammunition controlled by Item 0003.
3. Sub-items 0001a to 0001d does not control weapons using non-centre fire cased ammunition and which are not of the fully automatic firing type.

- e) Arms and automatic weapons of all types and specially designed components therefor – also so far as the weapons and components are not controlled by sub-items 0001a to 0001d –, if purchaser or country of destination is Bosnia and Herzegovina, the Federal Republic of Yugoslavia or Croatia.**

0002 Armament or weapons with a calibre greater than 12.7 mm (calibre 0.50 inches), projectors and accessories, as follows, and specially designed components therefor:

- a) Guns, howitzers, cannon, mortars, anti-tank weapons, projectile and rocket launchers, military flame-throwers, recoilless rifles and signature reduction devices therefor;**

Note:

Sub-item 0002a includes injectors, metering devices, storage tanks and other specially designed components for use with liquid propelling charges for any of the equipment controlled by sub-item 0002a.

- b) military smoke, gas and pyrotechnic projectors or generators;**

Note:

Sub-item 0002b does not control signal pistols.

- c) Weapon sights specially designed for the weapons controlled by sub-item 0002a.**

0003 Ammunition, and specially designed components therefor, for the weapons controlled by Items 0001, 0002 or 0012:

Notes:

1. Specially designed components include:
 - a) Metal or plastic fabrications such as primer anvils, bullet cups, cartridge links, rotating bands and other munitions metal parts,
 - b) safing and arming devices, fuses, sensors and initiation devices,
 - c) power supplies with high one-time operational output,
 - d) combustible cases for charges,
 - e) submunitions including bomblets, minelets and terminally guided projectiles.
2. Item 0003 does not control ammunition crimped without projectile (blank star) and dummy ammunition with a pierced powder chamber, unless the purchasing country or country of destination is Bosnia and Herzegovina, the Federal Republic of Yugoslavia or Croatia.
3. Item 0003 does not control cartridges specially designed for any of the following purposes, unless the purchasing country or country of destination is Bosnia and Herzegovina, the Federal Republic of Yugoslavia or Croatia:
 - a) Signalling,
 - b) bird-scaring or
 - c) lighting of gas flares at oil wells.
4. Item 0003 does not control cal. 22 non-centre fire cased ammunition, unless the purchasing country or country of destination is Bosnia and Herzegovina, the Federal Republic of Yugoslavia or Croatia.

0004 Bombs, torpedoes, rockets, missiles, and related equipment and accessories, as follows, specially designed for military use, and specially designed components therefor:

- a) **Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth charges, demolition charges, demolition devices and demolition kits, military pyrotechnic devices, cartridges and simulators (i.e. equipment simulating the characteristics of any of these items);**

Note:

Sub-item 0004a includes:

1. Smoke grenades, fire bombs, incendiary bombs and explosive devices,
 2. missile rocket nozzles and re-entry vehicle nosetips.
- b) Equipment specially designed for the handling, control, activation, powering with one-time operational output, launching, laying, sweeping, discharging, decoying, jamming, detonation or detection of items controlled by sub-item 0004a.**

Note:

Sub-item 0004b includes:

1. Mobile gas liquefying equipment capable of producing 1,000 kg or more per day of gas in liquid form,
2. buoyant electric conducting cables suitable for sweeping magnetic mines.

0005 Fire control, and related alerting and warning equipment, and related systems, test and alignment and countermeasure equipment, as follows, specially designed for military use, and specially designed components and accessories therefor:

- a) Weapon sights which are not controlled by sub-items 0001d or 0002c, bombing computers, gun laying equipment and weapon control systems;**
- b) target acquisition, designation, range-finding, surveillance and tracking systems, detection, data fusion, recognition or identification equipment and sensor integration equipment;**
- c) countermeasure equipment for equipment controlled by sub-items 0005a and 0005b;**
- d) field test or alignment equipment, specially designed for the maintenance and servicing of equipment controlled by sub-items 0005a or 0005b.**

0006 Ground vehicles and components therefor, specially designed or modified for military use

Technical Note:

For the purposes of Item 0006, the term 'ground vehicles' includes trailers.

Notes:

1. Item 0006 includes:

- a) Tanks and other military armed vehicles and military vehicles fitted with mountings for arms or equipment for mine laying or the launching of munitions controlled by Item 0004,
 - b) armoured vehicles,
 - c) amphibious and deep water fording vehicles,
 - d) recovery vehicles and vehicles for towing or transporting ammunition or weapon systems and associated load handling equipment.
2. Modification of a ground vehicle for military use entails a structural, electrical or mechanical change involving one or more specially designed military components. Such components include:
- a) Pneumatic tyre casings of a kind specially designed to be bullet-proof or to run when deflated,
 - b) tyre inflation pressure control systems, operated from inside a moving vehicle,
 - c) armoured protection of vital parts (e.g., fuel tanks or vehicle cabs),
 - d) special reinforcements for mountings for weapons,
 - e) multicolour camouflage coating of the vehicle.
3. Item 0006 does not control civil automobiles or trucks designed for transporting money or valuables, having armoured protection.
4. Item 0006 does not control the following military components:
- a) Lighting including blackout lighting,
 - b) brackets for rifles or other weapons,
 - c) brackets for camouflage nets,
 - d) NATO-type clutches,
 - e) roof hatches, round, with swivelling or hinged cover.

Supplementary Note:

See also Part I C, Item 9A991.

0007 Chemical or biological toxic agents, tear gases, radioactive materials, related equipment, components, material and technology, as follows:

Note:

CAS numbers are shown as examples. They do not cover all the chemicals and mixtures controlled by Item 0007.

- a) **Biological agents and radioactive material adapted for use in war (to produce casualties in humans or animals, degrade equipment or damage crops or the environment) and chemical warfare (CW) agents;**
- b) **CW binary precursors and key precursors, as follows:**
 1. **Alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) Phosphonyl Difluorides, such as DF: Methyl Phosphyldifluoride (CAS 676-99-3);**
 2. **O-Alkyl (H or equal to or less than C₁₀, including cycloalkyl), O-2-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) aminoethyl alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphonite and corresponding alkylated or protonated salts, such as QL: O-Ethyl-2-di-isopropylaminoethyl methyl phosphonite (CAS 57856-11-8);**
 3. **Chlorosarin: O-Isopropyl methylphosphonochloridate (CAS 1445-76-7);**
 4. **Chlorosoman: O-Pinakolyl methylphosphonochloridate (CAS 7040-57-5);**
- c) **Tear gases and riot control agents including:**
 1. **CA: Bromobenzyl cyanide (CAS 5798-79-8);**
 2. **CS: o-Chlorobenzylidenemalononitrile (CAS 2698-41-1);**
 3. **CN: ? -chloroacetophenone (CAS 532-27-4);**
 4. **CR: Dibenz-(b,f)-1,4-oxazepine (CAS 257-07-8);**
- d) **equipment specially designed or modified for the dissemination of any of the following and specially designed components therefor:**
 1. **materials or agents controlled by sub-items 0007a or 0007c, or**
 2. **CW made up of precursors controlled by sub-item 0007b;**

- e) **equipment specially designed for defence against materials controlled by sub-items 0007a or 0007c, and specially designed components therefor:**

Note:

Sub-item 0007c includes protective clothing.

- f) **Equipment specially designed for the detection or identification of materials controlled by sub-items 0007a or 0007c, and specially designed components therefor:**

Note:

Sub-item 0007f does not control personal radiation monitoring dosimeters.

Supplementary Note:

For civil gas masks and protective equipment see also Part I C, Item 1A004.

- g) **Biopolymers specially designed or processed for the detection or identification of CW agents controlled by sub-item 0007a, and the cultures of specific cells used to produce them;**

- h) **biocatalysts for the decontamination or degradation of CW agents, and biological systems therefor, as follows:**

1. **Biocatalysts specially designed for the decontamination or degradation of CW agents controlled by sub-item 0007a, resulting from directed laboratory selection or genetic manipulation of biological systems;**

2. **biological systems, as follows:**

Expression vectors, viruses or cultures of cells containing the genetic information specific to the production of biocatalysts controlled by sub-item 0007h1;

- i) **technology, as follows:**

1. **Technology for the development, production or use of toxicological agents, related equipment or components controlled by sub-items 0007a to 0007f;**
2. **technology for the development, production or use of biopolymers or cultures of specific cells controlled by sub-item 0007g,**

3. technology exclusively for the incorporation of biocatalysts, controlled by sub-item 0007h1, into military carrier substances or military material.

Notes:

1. Sub-item 0007a includes the following:

a) CW nerve agents:

1. O-Alkyl (equal to or less than C₁₀, including cycloalkyl) alkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphonofluoridates, such as: Sarin (GB): O-Isopropyl methylphosphonofluoridate (CAS 107-44-8) and Soman (GD): O-Pinacolyl methylphosphonofluoridate (CAS 96-64-0);
2. O-Alkyl (equal to or less than C₁₀, including cycloalkyl) N,N-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphoramidocyanidates, such as: Tabun (GA): O-Ethyl N,N-dimethylphosphoramidocyanidate (CAS 77-81-6);
3. O-Alkyl (H or equal to or less than C₁₀, including cycloalkyl), S-2-dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphonothiolates and corresponding alkylated or protonated salts, such as VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate (CAS 50782-69-9);

b) CW vesicant agents:

1. Sulphur mustards, such as: 2-Chloroethylchloromethylsulphide (CAS 2625-76-5), Bis (2-chloroethyl) sulphide (CAS 505-60-2), Bis (2-chloroethylthio) methane (CAS 63869-13-6), 1,2-bis (2-chloroethylthio) ethane (CAS 3563-36-8), 1,3-bis (2-chloroethylthio)-n-propane (CAS 63905-10-2), 1,4-bis (2-chloroethylthio)-n-butane, 1,5-bis (2-chloroethylthio)-n-pentane, Bis (2-chloroethylthiomethyl) ether, Bis (2-chloroethylthioethyl) ether (CAS 63918-89-8);
2. Lewisites, such as: 2-chlorovinylchloroarsine (CAS 541-25-3), Bis (2-chlorovinyl) chloroarsine (CAS 40334-69-8), Tris (2-chlorovinyl) arsine (CAS 40334-70-1);
3. nitrogen mustards, such as: HN1: bis (2-chloroethyl) ethylamine (CAS 538-07-8), HN2: bis (2-chloroethyl) methylamine (CAS 51-75-2), HN3: tris (2-chloroethyl) amine (CAS 555-77-1);

c) CW incapacitating agents, such as:

BZ: 3-Quinuclidinyl benzilate (CAS 6581-06-2);

d) CW defoliants, such as:

1. Butyl (2-chloro-4-fluorophenoxy) acetate (LNF);
2. 2,4,5-trichlorophenoxyacetic acid mixed with 2,4-dichlorophenoxyacetic acid (Agent Orange).

2. Sub-item 0007c includes air conditioning units specially designed or modified for nuclear, biological or chemical filtration.

3. Sub-items 0007a and 0007c do not control:

- a) Cyanogen chloride;
- b) hydrocyanic acid;
- c) chlorine;
- d) carbonyl chloride (phosgene);
- e) trichloromethyl chloroformate (diphosgene);
- f) ethyl bromoacetate;
- g) xylyl bromide;
- h) benzyl bromide;
- i) benzyl iodide;
- j) bromo acetone;
- k) cyanogen bromide;
- l) bromo methylethylketone;
- m) chloro acetone;
- n) ethyl iodoacetate;
- o) iodo acetone;
- p) chloropicrin.

4. The technology, cultures of cells and biological systems listed in sub-items 0007g, 0007h2 and 0007i3 are exclusive and these sub-items do not control technology, cells or biological systems for civil purposes, such as agricultural, pharmaceutical, medical, veterinary, environmental or in the food industry.
5. Sub-item 0007c does not control tear gases or riot control agents individually packaged for personal self defence purposes.
6. Sub-items 0007d, 0007e and 0007f control equipment specially designed or modified for military purposes (i.e. the equipment meets the requirements of military standards).
7. See also Part I C, Item 1A004.
8. For precursors for the preparation of toxicological agents see Part I C, Item 1C350.
9. For related biological agents see Part I C, Items 1C351 to 1C354. The biological agents referred to therein are only controlled by sub-item 0007a, if they correspond to the term 'adapted for use in war'.

The export of these agents is forbidden according to Article 17 or 18 of the War Weapons Control Act, if they have war weapon characteristics.

0008 Military explosives and fuels, including propellants, and related substances, as follows:

Note:

CAS numbers are shown as examples. They do not cover all the chemicals and mixtures controlled by Item 0008.

a) Substances, as follows, and mixtures thereof:

1. **Spherical aluminium powder (CAS 7429-90-5) with a particle size of 60 µm or less, manufactured from material with an aluminium content of 99 percent or more;**
2. **metal fuels in particle form (whether spherical, atomised, flaked or ground), manufactured from material consisting of 99 percent or more of any of the following:**

a) Metals and mixtures thereof:

1. **Beryllium (CAS 7440-41-7) in particle sizes of less than 60 µm;**

2. **iron powder (CAS 7439-89-6) with a particle size of 3 μm or less, produced by the reduction of iron oxide with hydrogen;**
- b) **mixtures, which contain any of the following:**
1. **Zirconium (CAS 7440-67-7), magnesium (CAS 7439-95-4) and alloys of these in particle sizes of less than 60 μm ;**
 2. **boron (CAS 7440-42-8) or boron carbide (CAS 12069-32-8) of 85 percent or higher purity and particle sizes less than 60 μm ;**
3. **perchlorates, chlorates and chromates composited with powdered metal or other high-energy fuel components;**
 4. **for the controlling of nitroguanidine (NQ) (CAS 556-88-7) see Part I C, Item 1C011d;**
 5. **compounds composed of fluorine and any of the following: other halogens, oxygen, nitrogen;**
 6. **carboranes, decaborane (CAS 17702-41-9), pentaborane and derivatives thereof;**
 7. **cyclotetramethylenetetranitramine (HMX) (CAS 2691-41-0);**
 8. **hexanitrostilbene (HNS) (CAS 20062-22-0);**
 9. **diaminotrinitrobenzene (DATB) (CAS 1630-08-6);**
 10. **triaminotrinitrobenzene (TATB) (CAS 3058-38-6);**
 11. **triaminoguanidinenitrate (TAGN) (CAS 4000-16-2);**
 12. **titanium subhydride of stoichiometry $\text{TiH } 0.65\text{-}1.68$;**
 13. **dinitroglycoluril (DNGU, DINGU) (CAS 55510-04-8), tetranitroglycoluril (TNGU, SORGUYL) (CAS 55510-03-7);**
 14. **tetranitrobenzotriazolobenzotriazole (TACOT) (CAS 25243-36-1);**
 15. **diaminohexanitrodiphenyl (DIPAM) (CAS 17215-44-0);**
 16. **picrylaminedinitropyridine (PYX) (CAS 38082-89-2);**
 17. **3-nitro-1,2,4-triazol-5-one (NTO or ONTA) (CAS 932-64-9);**

18. hydrazine (CAS 302-01-2) in concentrations of 70 percent or more, hydrazine nitrate (CAS 37836-27-4), hydrazine perchlorate (CAS 27978-54-7), unsymmetrical dimethyl hydrazine (CAS 57-14-7), monomethyl hydrazine (CAS 60-34-4) and symmetrical dimethyl hydrazine (CAS 540-73-8);
 19. ammonium perchlorate (CAS 7790-98-9);
 20. cyclotrimethylenetrinitramine (RDX) (CAS 121-82-4);
 21. hydroxylammonium nitrate (HAN) (CAS 13465-08-2), hydroxylammonium perchlorate (HAP) (CAS 15588-62-2);
 22. 2-(5-cyanotetrazolato) penta amine-cobalt (III) perchlorate (CP) (CAS 70247-32-4);
 23. cis-bis (5-nitrotetrazolato) tetra amine-cobalt (III) perchlorate (BNCP);
 24. 7-amino-4,6-dinitrobenzofurazane-1-oxide (ADNBF) (CAS 97096-78-1), aminodinitrobenzofuroxane;
 25. 5,7-diamino-4,6-dinitrofurazan-1-oxide (CL-14) (CAS No. 117907-74-1) or amino dinitrobenzofuroxan;
 26. 2,4,6-trinitro-2,4,6-triazacyclohexanone (K-6 or Keto-RDX) (CAS 115029-35-1);
 27. 2,4,6,8-tetranitro-2,4,6,8-tetraazabicyclo [3,3,0]-octanone-3 (CAS 130256-72-3) (tetranitrosemiglycoluril, K-55 or keto-bicyclic HMX);
 28. 1,1,3-trinitroazetidine (TNAZ) (CAS 97645-24-4);
 29. 1,4,5,8-tetranitro-1,4,5,8-tetraazadecalin (TNAD) (CAS 135877-16-6);
 30. hexanitrohexaazaisowurtzitane (CAS 135285-90-4) (CL-20 or HNIW) and clathrates of CL-20;
 31. polynitrocubanes with more than four nitro groups;
 32. ammonium dinitramide (ADN or SR 12) (CAS 140456-78-6);
 33. trinitrophenylmethylnitramine (tetryl) (CAS 479-45-8);
- b) explosives and propellants that meet the following performance parameters:

1. Any explosive with a detonation velocity exceeding 8,700 m/s or a detonation pressure exceeding 34 GPa (340 kbar);
 2. other organic explosives not listed in Item 0008, yielding detonation pressures of 25 GPa (250 kbar) or more that will remain stable at temperatures of 523 K (250 °C) or higher for periods of 5 minutes or longer;
 3. any other United Nations (UN) Class 1.1 solid propellant not listed in Item 0008, with a theoretical specific impulse (under standard conditions) of more than 250 seconds for non-metallised, or more than 270 seconds for aluminised compositions;
 4. any other United Nations (UN) Class 1.3 solid propellants not listed in Item 0008, with a theoretical specific impulse of more than 230 seconds for non-halogenised, 250 seconds for non-metallised and 266 seconds for metallised compositions;
 5. any other gun propellants not listed in Item 0008 having a force constant of more than 1,200 kJ/kg;
 6. any other explosive, propellant or pyrotechnic not listed in Item 0008 that can sustain a steady-state, uniform burning rate of more than 38 mm/s at 6.89 MPa (68.9 bar) pressure and 294 K (21 °C); or
 7. elastomer modified cast double-base propellants with (EMCDB), with extensibility at maximum stress of more than 5 percent at 233 K (-40 °C);
- c) military pyrotechnics;
- d) other substances, as follows:
1. aircraft fuels specially formulated for military purposes;
 2. military materials containing thickeners for hydrocarbon fuels specially formulated for use in flame-throwers or incendiary bombs, such as metal stearates or palmates (also known as octal) (CAS 637-12-7) and M1, M2, M3 thickeners;
 3. liquid oxidisers comprised of or containing inhibited red fuming nitric acid (IRFNA) (CAS 8007-58-7) or oxygen difluoride;
- e) additives and precursors, as follows:
1. Azidomethylmethyloxetane (AMMO) and its polymers;

2. **basic copper salicylate (CAS 62320-94-9), lead salicylate (CAS 15748-73-9);**
3. **bis(2,2-dinitropropyl) formal (CAS 5917-61-3) or bis(2,2-dinitropropyl) acetal (CAS 5108-69-0);**
4. **bis-(2-fluoro-2,2-dinitroethyl) formal (FEFO) (CAS 17003-79-1);**
5. **bis-(2-hydroxyethyl) glycolamide (BHEGA) (CAS 17409-41-5);**
6. **bis(2-methyl aziridiny) methylamino phosphine oxide (Methyl BaPO), (CAS 85068-72-0);**
7. **bisazidomethyloxetane and its polymers (CAS 17607-20-4);**
8. **bischloromethyloxetane (BCMO) (CAS 142173-26-0);**
9. **butadienenitrileoxide (BNO);**
10. **butanetrioltrinitrate (BTTN) (CAS 6659-60-5);**
11. **catocene (CAS 37206-42-1) (2,2-Bis-ethylferrocenyl propane), ferrocene carboxylic acids, N-butyl-ferrocene (CAS 319904-29-7), butacene (CAS 125856-62-4) and other adducted polymer ferrocene derivatives;**
12. **dinitroazetidide-t-butyl salt;**
13. **energetic monomers, plasticisers and polymers containing nitro, azido, nitrate, nitraza or difluoramino groups;**
14. **FPF-1: Poly-2,2,3,3,4,4-hexafluoropentane-1,5-diol formal;**
15. **FPF-3: Poly-2,4,4,5,5,6,6-heptafluoro-2-tri-fluoromethyl-3-oxaheptane-1,7-diol formal;**
16. **glycidylazide polymer (GAP) (CAS 143178-24-9) and its derivatives;**
17. **hexabenzylhexaazaisowurtzitane (HBIW) (CAS 124782-15-6);**
18. **hydroxyl terminated polybutadiene (HTPB) with a hydroxyl functionality equal to or greater than 2.2 and less than or equal to 2.4, a hydroxyl value less than 0.77 meq/g, and a viscosity at 303 K (30 °C) of less than 47 poise (CAS 69102-90-5);**

19. superfine iron oxide (Fe_2O_3 , hematite) with a specific surface area greater than $250 \text{ m}^2/\text{g}$ and an average particle size of $0.003 \mu\text{m}$ or less (CAS 12309-37-1);
20. lead beta-resorcylate (CAS 20936-32-7);
21. lead stannate (CAS 12036-31-6), lead maleate (CAS 19136-34-6), lead citrate (CAS 14450-60-3);
22. lead-copper-chelates of beta-resorcylate and/or salicylate (CAS 68411-07-4);
23. nitratomethylmethyloxetane or poly (3-nitratomethyl, 3-methyl oxetane) (Poly-NIMMO, NMMO) (CAS 84051-81-0);
24. 3-nitrazo-1,5-pentane diisocyanate (CAS 7406-61-9);
25. N-methyl-p-nitroaniline (CAS 100-15-2),
26. organo-metallic coupling reagents, specifically titanium-IV-compounds:
 - a) 2,2-[bis-2-propenolato-methyl, butanolato tris (dioctyl) phosphato] (LICA 12) (CAS 103850-22-2);
 - b) [(2-propenolato-1) methyl, n-propenolatomethyl] butanolato-1, tris(dioctyl)pyrophosphate (KR 3538);
 - c) [(2-propenolato-1) methyl, n-propenolatomethyl] butanolato-1, tris(dioctyl)phosphate;
27. polycyanodifluoroaminoethyleneoxide (PCDE);
28. polyfunctional aziridine amides with isophthalic, trimesic (BITA or butylene imine trimesamide), isocyanuric or trimethyladipic backbone structures and 2-methyl or 2-ethyl substitutions on the aziridine ring;
29. polyglycidylnitrate or poly (nitratomethyl oxirane), (Poly-GLYN, PGN) (CAS 27814-48-8);
30. polynitroorthocarbonates;
31. propyleneimide, 2-methylaziridine (CAS 75-55-8);

32. **tetraacetyldibenzylhexaazaisowurtzitane (TAIW);**
33. **tetraethylenepentaamineacrylonitrile (TEPAN) (CAS 68412-45-3), cyanoethylated polyamines and their salts;**
34. **tetraethylenepentaamineacrylonitrileglycidol (TEPANOL) (CAS 68412-46-4), cyanoethylated polyamines adducted with glycidol and their salts;**
35. **triphenyl bismuth (TPB) (CAS 603-33-8);**
36. **tris-1-(2-methyl)aziridinyl phosphine oxide (MAPO) (CAS 57-39-6), bis(2-methyl aziridinyl) 2-(2-hydroxypropanoxy) propylamino phosphine oxide (BOBBA 8) and other MAPO derivatives;**
37. **1,2,3-tris[(1,2-bis-difluoroamino)ethoxy] propane (TVOPA) (CAS 53159-39-0);**
38. **1,3,5-trichlorobenzene (CAS 108-70-3);**
39. **1,2,4-butanetriol (1,2,4-trihydroxybutane);**
40. **1,3,5,7-tetraacetyl-1-3,5,7-tetraaza cyclo-octane (TAT) (CAS 41378-98-7);**
41. **1,4,5,8-tetraazadecalin (CAS 5409-42-7);**
42. **low (less than 10,000) molecular weight, alcohol-functionalised, poly(epichlorohydrin), poly(epichlorhydrindiol).**

Notes:

1. The military explosives and fuels containing the metals or alloys listed in sub-items 0008a1 and 0008a2 are controlled whether or not the metals or alloys are encapsulated in aluminium, magnesium, zirconium or beryllium. See also Part I C, Item 1C011.
2. Item 0008 does not control boron or boron carbide enriched with boron-10 (20 percent or more of total boron content).
3. Aircraft fuels controlled by sub-item 0008d1 are finished products not their constituents.
4. Item 0008 does not control perforators specially designed for oil well logging.

5. Item 0008 does not control the following substances when not compounded or mixed with military explosives or powdered metals, i.e. they are not controlled if they exist in pure form or as intermixtures:
- a) ammonium picrate;
 - b) black powder;
 - c) hexanitrodiphenylamine;
 - d) difluoramine (HNF₂);
 - e) nitrostarch;
 - f) potassium nitrate;
 - g) tetranitronaphtalene;
 - h) trinitroanisol;
 - i) trinitronaphtalene;
 - j) trinitroxylene;
 - k) fuming nitric acid, non-inhibited and not enriched;
 - l) acetylene;
 - m) propane;
 - n) liquid oxygen;
 - o) hydrogen peroxide in concentrations of less than 85 percent;
 - p) misch metal;
 - q) N-pyrrolidinone, 1-methyl-2-pyrrolidinone;
 - r) dioctylmaleate;
 - s) ethylhexylacrylate;
 - t) triethylaluminium (TEA), trimethylaluminium (TMA), and other pyrophoric metal alkyls and aryls of lithium, sodium, magnesium, zinc and boron;

- u) nitrocellulose;
- v) nitroglycerin (or glycerolnitrate);
- w) 2,4,6-trinitrotoluene (TNT);
- x) ethylenediaminedinitrate;
- y) pentaerythrite tetranitrate;
- aa) lead azide, normal and basic lead styphnate, and primary explosives or priming compositions containing azides or azide complexes;
- bb) triethyleneglycoldinitrate (TEGDN);
- cc) 2,4,6-trinitroresorcinol (styphnic acid);
- dd) diethyldiphenyl urea, dimethyldiphenyl urea, methylethyldiphenyl urea (Centralites);
- ee) N,N-diphenylurea (unsymmetrical diphenylurea);
- ff) methyl-N,N-diphenylurea (methyl unsymmetrical diphenylurea);
- gg) ethyl-N, N-diphenylurea (ethyl unsymmetrical diphenylurea);
- hh) 2-nitrodiphenylamine (2-NDPA);
- ii) 4-nitrodiphenylamine (4-NDPA);
- jj) 2,2-dinitropropanol;
- kk) chlorine trifluoride.

0009 Vessels of war, special naval equipment and accessories, as follows, and components therefor, specially designed for military use:

- a) Combatant vessels and vessels specially designed or specially modified for offensive or defensive action (surface or underwater), whether or not converted to non-military use and regardless of current state of repair or operating condition, and whether or not containing weapon direction systems or armour, and hulls or parts of hulls for such vessels;**
- b) engines, as follows:**

- 1. Diesel engines, specially designed for submarines, having all of the following characteristics:**
 - a) A power output of 1.12 MW (1,500 hp) or more, and**
 - b) a rotary speed of 700 r.p.m. or more;**
 - 2. electric motors, specially designed for submarines, having all of the following characteristics:**
 - a) A power output of more than 0.75 MW (1,000 hp);**
 - b) quick reversing;**
 - c) liquid cooled and**
 - d) totally enclosed;**
 - 3. non-magnetic diesel engines, with a power output of 37.3 kW (50 hp) or more and with a non-magnetic content in excess of 75 percent of total mass;**
- c) underwater detection devices specially designed for military use and controls therefor;**
 - d) submarine and torpedo nets;**
 - e) equipment for guidance and navigation specially designed for military use;**
 - f) hull penetrators and connectors specially designed for military use that enable interaction with equipment external to a vessel;**

Notes:

1. Sub-item 0009f includes connectors for vessels which are of the single-conductor, multi-conductor, coaxial and waveguide type, and hull penetrators for vessels, both of which are capable of remaining impervious to leakage from without and of retaining required characteristics at marine depths exceeding 100 metres; and fibre-optic connectors and optical hull penetrators specially designed for laser beam transmission, regardless of depth.
2. Sub-item 0009f does not include ordinary propulsive shaft and control-rod hull penetrators.

- g) Silent bearings with aerodynamic/aerostatic lubrication or magnetic suspension, active signature or vibration suppression controls, and equipment containing those bearings, specially designed for military use.**

0010 Aircraft, unmanned airborne vehicles, aero-engines and aircraft equipment, related equipment and components, specially designed or modified for military use, as follows:

- a) Combat aircraft and specially designed components therefor;**
- b) other aircraft, specially designed or modified for military use, including military reconnaissance, assault, military training, transporting and airdropping troops or military equipment, logistics support, and specially designed components therefor;**
- c) aero-engines specially designed or modified for military use, and specially designed components therefor;**
- d) unmanned airborne vehicles and related equipment, specially designed or modified for military use, as follows, and specially designed components therefor:**
 - 1. Unmanned airborne vehicles including remotely piloted air vehicles (RPVs) and autonomous programmable vehicles;**
 - 2. associated launchers and ground support equipment;**
 - 3. related equipment for command and control;**
- e) airborne equipment including airborne refuelling equipment, specially designed for use with the aircraft controlled by sub-items 0010a or 0010b or the aero-engines controlled by sub-item 0010c, and specially designed components therefor;**
- f) pressure refuelers, pressure refuelling equipment, equipment specially designed to facilitate operations in confined areas and ground equipment, developed specially for aircraft controlled by sub-items 0010a or 0010b or for aero-engines controlled by sub-item 0010c;**
- g) pressurised breathing equipment and partial pressure suits for use in aircraft, anti-G suits, military crash helmets and protective masks, liquid oxygen converters used for aircraft or missiles and catapults and cartridge-actuated devices for emergency escape of personnel from aircraft;**
- h) parachutes used for combat personnel, cargo dropping or aircraft deceleration, as follows:**

1. **Parachutes for**
 - a) **pin point dropping of rangers;**
 - b) **dropping of paratroopers;**
2. **cargo parachutes;**
3. **paragliders, drag parachutes, drogue parachutes for stabilisation and attitude control of dropping bodies (e.g. recovery capsules, ejection seats, bombs);**
4. **drogue parachutes for use with ejection seat systems for deployment and inflation sequence regulation of emergency parachutes;**
5. **recovery parachutes for guided missiles, drones and space vehicles,**
6. **approach parachutes and landing deceleration parachutes;**
7. **other military parachutes;**
- i) **automatic piloting systems for parachuted loads, equipment specially designed or modified for military use for controlled opening jumps at any height, including oxygen equipment.**

Notes:

1. Sub-item 0010b does not control aircraft or variants of these aircraft specially designed for military use which
 - a) are not configured for military use and are not fitted with equipment or attachments specially designed or modified for military use, and
 - b) have been certified for civil use by a civil aviation authority in a participating state.
2. Sub-item 0010c does not control:
 - a) aero-engines designed or modified for military use which have been certified by a civil aviation authority in a participating state for use in civil aircraft, or specially designed components therefor;
 - b) reciprocating engines or specially designed components therefor.

Supplementary Note:

See also Part I C, Item 9A994.

3. The control in sub-items 0010b and 0010c on specially designed components and related equipment for non-military aircraft or aero-engines modified for military use applies only to those military components and to related military equipment required for the modification to military use.

0011 Electronic equipment, not controlled elsewhere in Part I A, specially designed for military use and specially designed components therefor.

Note:

Item 0011 includes:

- a) Electronic countermeasure and electronic counter-countermeasure equipment (i.e., equipment designed to introduce extraneous or erroneous signals into radar or radio communication receivers or otherwise hinder the reception, operation or effectiveness of adversary electronic receivers including their countermeasure equipment), including jamming and counter-jamming equipment;
- b) frequency agile tubes;
- c) electronic systems or equipment designed either for surveillance and monitoring of the electro-magnetic spectrum for military intelligence or security purposes or for counteracting such surveillance and monitoring;
- d) underwater countermeasures, including acoustic and magnetic jamming and decoy, equipment designed to introduce extraneous or erroneous signals into sonar receivers;
- e) data processing security equipment, data security equipment and transmission and signalling line security equipment, using ciphering processes;
- f) identification, authentication and keyloader equipment and key management, manufacturing and distribution equipment.

0012 High velocity kinetic energy weapon systems and related equipment, as follows, and specially designed components therefor:

- a) **Kinetic energy weapon systems specially designed for destruction or effecting mission-abort of a target;**

b) specially designed test and evaluation facilities and test models, including diagnostic instrumentation targets for dynamic testing of kinetic energy projectiles and systems.

Notes:

1. Item 0006 includes the following when specially designed for kinetic energy weapon systems:
 - a) Launch propulsion systems capable of accelerating masses larger than 0.1 g to velocities in excess of 1.6 km/s, in single or rapid fire modes;
 - b) prime power generation, electric armour, energy storage, thermal management, conditioning, switching or fuel-handling equipment, and electrical interfaces between power supply, gun and other turret electric drive functions;
 - c) target acquisition, tracking, fire control or damage assessment systems;
 - d) homing seeker, guidance or divert propulsion (lateral acceleration) systems for projectiles.
2. Item 0012 controls weapon systems using any of the following methods of propulsion:
 - a) Electromagnetic;
 - b) electrothermal;
 - c) plasma;
 - d) light gas; or
 - e) chemical (when used in combination with any of the above).
3. Item 0012 does not control technology for magnetic induction for continuous propulsion of civil transport devices.
4. For weapon systems using sub-calibre ammunition or employing solely chemical propulsion and ammunition therefor, see Items 0001, 0002, 0003 and 0004.

0013 Special armoured or protective equipment and constructions and components, as follows:

a) armoured plate, as follows:

- 1. manufactured to comply with a military standard or specification; or**

- 2. suitable for military use;**
- b) constructions of metallic or non-metallic materials or combinations thereof specially designed to provide ballistic protection for military systems, and specially designed components therefor;**
- c) military helmets;**
- d) body armour (e.g., armoured vests, armoured suits) manufactured according to military standards or specifications, or equivalent, and specially designed components therefor.**

Notes:

1. Sub-item 0013b includes materials specially designed to form explosive reactive armour or to construct military shelters.
2. Sub-item 0013c does not control conventional steel helmets neither modified or designed to accept, nor equipped with any type of accessory device.
3. Sub-item 0013d does not control individual suits of body armour for personal protection and accessories therefor when accompanying their users.

Supplementary Note:

See also Part I C, Item 1A005.

0014 Specialised equipment for military training or for simulating military scenarios and specially designed components and accessories therefor.

Technical Note:

The term 'specialised equipment for military training' includes military types of the following equipment:

Attack trainers;

operational flight trainers;

radar target trainers;

radar target generators;

gunnery training devices;

anti-submarine warfare trainers,

flight simulators including human-rated centrifuges for pilot and astronaut training;

radar trainers;

instrument flight trainers;

navigation trainers;

missile launch trainers, target equipment;

drone aircraft, armament trainers;

pilotless aircraft trainers;

mobile training units.

Note:

Item 0014 includes image generating and interactive environment systems for simulators when specially designed or modified for military use.

0015 Imaging or countermeasure equipment, as follows, specially designed for military use, and specially designed components and accessories therefor:

- a) Recorders and image processing equipment;**
- b) cameras, photographic equipment and film processing equipment;**
- c) image intensifier equipment;**
- d) infrared or thermal imaging equipment;**
- e) imaging radar sensor equipment;**
- f) countermeasure and counter-countermeasure equipment for the equipment controlled by sub-items 0015a to 0015e.**

Note:

Sub-item 0015f includes equipment designed to degrade the operation or effectiveness of military imaging systems or to minimise such degrading effects.

Notes:

1. The term 'specially designed components' includes the following when specially designed for military use:
 - a) Infrared image converter tubes;
 - b) image intensifier tubes (other than first generation);
 - c) microchannel plates;
 - d) low-light-level television camera tubes;
 - e) detector arrays (including electronic interconnection or read out systems);
 - f) pyroelectric television camera tubes;
 - g) cooling systems for imaging systems;
 - h) electrically triggered shutters of the photochromic or electro-optical type having a shutter speed of less than 100 μ s, except in the case of shutters which are an essential part of a high speed camera;
 - i) fibre optic image converters;
 - j) compound semiconductor photocathodes.
2. Item 0015 does not control first generation image intensifier tubes or equipment specially designed to incorporate first generation image intensifier tubes.

Supplementary Note:

For the status of weapon sights incorporating first generation image intensifier tubes see sub-items 0001d, 0002c and 0005a.

Supplementary Note:

See also Part I C, sub-items 6A002a2 and 6A002b.

0016 Forgings, castings and other unfinished products the use of which in a controlled product is identifiable by material composition, geometry or function, and which are specially designed for any products controlled by Items 0001, 0002, 0003, 0004, 0006, 0009, 0010, 0012 or 0019.

0017 Miscellaneous equipment, materials and libraries, as follows, and specially designed components therefor:

- a) **Self-contained diving and underwater swimming apparatus, as follows:**
1. **Closed or semi-closed circuit (rebreathing) apparatus specially designed for military use (e.g., specially designed to be non-magnetic);**
 2. **specially designed components for use in the conversion of open-circuit apparatus to military use;**
 3. **articles designed exclusively for military use with the equipment controlled by sub-item 0017a;**
- b) **construction equipment specially designed for military use;**
- c) **fittings, coatings and treatments for signature suppression, specially designed for military use;**
- d) **field engineer equipment specially designed for use in a combat zone;**
- e) **robots, robot controllers and robot end-effectors, having any of the following characteristics:**
1. **Specially designed for military use;**
 2. **incorporating means of protecting hydraulic lines against externally induced punctures caused by ballistic fragments (e.g., incorporating self-sealing lines) and designed to use hydraulic fluids with flash points higher than 839 K (566 °C); or**
 3. **specially designed or rated for operating in an electro-magnetic pulse (EMP) environment;**
- f) **libraries (parametric technical databases) specially designed for military use with equipment controlled by Part I A;**
- g) **nuclear power generating equipment or propulsion equipment, including nuclear reactors, specially designed for military use and components therefor specially designed or modified for military use;**
- h) **equipment and material, coated and treated for signature suppression, specially designed for military use, other than those controlled elsewhere in Part I A;**

Note:

Sub-item 0017h does not control individual products manufactured from the above material including clothing, when accompanying their users as personal effects.

- i) simulators specially designed for military nuclear reactors;**
- j) mobile repair shops specially designed to service military equipment;**
- k) field generators specially designed for military use;**
- l) containers specially designed for military use;**

Technical Note:

For the purpose of sub-item 0017l, the term 'specially designed for military use' means that the equipment has any of the following characteristics:

- a) EMP protection;
 - b) NBC protection;
 - c) coating for signature suppression (infrared or radar); or
 - d) ballistic protection;
- m) bridges specially designed for military use.**

Technical Note:

For the purpose of Item 0017, the term 'library' (parametric technical database) means a collection of technical information of a military nature, reference to which may enhance the performance of military equipment or systems.

0018 Equipment and technology for the production of products referred to in Part I A, as follows:

- a) Specially designed or modified production equipment for the production of products controlled by Part I A, and specially designed components therefor;**
- b) specially designed environmental test facilities and specially designed equipment therefor, for the certification, qualification or testing of products controlled by Part I A;**
- c) specific production technology for the production of products controlled by Part I A, even if the equipment with which such technology is used is not controlled;**

- d) technology specific to the design of, the assembly of components into, and the operation, maintenance and repair of complete production installations even if the components themselves are not controlled.**

Notes:

1. Sub-items 0018a and 0018b include the following equipment:
 - a) Continuous nitrators;
 - b) centrifugal testing apparatus or equipment having any of the following characteristics:
 1. Driven by a motor or motors having a total rated horsepower of more than 298 kW (400 hp);
 2. capable of carrying a payload of 113 kg or more; or
 3. capable of exerting a centrifugal acceleration of 8 g or more on a payload of 91 kg or more ($g = 9.81 \text{ m/s}^2$);
 - c) dehydration presses;
 - d) screw extruders specially designed or modified for military explosive extrusion;
 - e) cutting machines for the sizing of extruded propellants;
 - f) sweetie barrels (tumblers) 1.85 m or more in diameter and having over 227 kg product capacity;
 - g) continuous mixers for solid propellants;
 - h) fluid energy mills for grinding or milling the ingredients of military explosives;
 - i) equipment to achieve both sphericity and uniform particle size in metal powder listed in sub-item 0008a1;
 - j) convection current converters for the conversion of materials listed in sub-item 0008a6.
2.
 - a) The term 'products referred to in Part I A' includes:

1. Products not controlled if inferior to specified concentrations as follows:
 - a) hydrazine (see sub-item 0008a18);
 - b) military explosives (see Item 0008);
 2. superconductive materials excluded from control under Part I C, Item 1C005;
superconductive electromagnets excluded from control under Part I C, sub-item 3A001e3;
superconductive electrical equipment excluded from control under Part I C, sub-item 0020b;
 3. metal fuels and oxidants deposited in laminar form from the vapour phase (see sub-item 0008a2);
- b) The term 'products referred to in Part I A' does not include:
1. Signal pistols (see sub-item 0002b);
 2. the substances excluded from control under Note 3 to Item 0007;
 3. personal radiation monitoring dosimeters (see sub-item 0007f) and masks for protection against specific industrial hazards;
 4. acetylene, propane, liquid oxygen, difluoramine (HNF₂), fuming nitric acid and potassium nitrate powder (see Note 5 to Item 0008);
 5. aero-engines excluded from control under Item 0010 with reference to Part I C, Item 9A001;
 6. conventional steel helmets not equipped with, or modified or designed to accept, any type of accessory device (see Note 2 to Item 0013);
 7. equipment fitted with industrial machinery, which is not controlled such as coating machinery not elsewhere specified and equipment for the casting of plastics;
 8. muskets, rifles and carbines dated earlier than 1938, reproductions of muskets, rifles and carbines dated earlier than 1890, revolvers, pistols and machine guns dated earlier than 1890, and their reproductions.

3. Note 2b8 of Item 0018 does not release from controls technology or production equipment for non-antique firearms, even if used to produce reproductions of antique firearms.
4. Sub-item 0018d does not control technology for civil purposes, such as agricultural, pharmaceutical, medical, veterinary, environmental, or in the food industry (see Note 4 to Item 0007).

0019 Directed energy weapon systems (DEW), related or countermeasure equipment and test models, as follows, and specially designed components therefor:

- a) **Laser systems specially designed for destruction or effecting mission-abort of a target;**
- b) **particle beam systems capable of destruction or effecting mission-abort of a target;**
- c) **high power radio-frequency (RF) systems capable of destruction or effecting mission-abort of a target;**
- d) **equipment specially designed for the detection or identification of, or defence against, systems controlled by sub-items 0019a, 0019b or 0019c;**
- e) **physical test models and related test results for the systems, equipment and components controlled by this Item;**
- f) **continuous wave or pulsed laser systems specially designed to cause permanent blindness to unenhanced vision, i.e., to the naked eye or to the eye with corrective eyesight devices.**

Notes:

1. Directed energy weapon systems controlled by Item 0019 include systems whose capability is derived from the controlled application of:
 - a) Lasers of sufficient continuous wave or pulsed power to effect lethality similar to that of conventional ammunition;
 - b) particle accelerators which project a charged or neutral particle beam with destructive power;
 - c) high pulsed power or high average power radio frequency beam transmitters which produce fields sufficiently intense to disable electronic circuitry at a distant target.

2. Item 0019 includes the following when specially designed for direct energy weapon systems:
- a) Prime power generation, energy storage, switching, power conditioning or fuel-handling equipment;
 - b) target acquisition or tracking systems;
 - c) systems capable of assessing target damage, destruction or mission-abort;
 - d) beam-handling, propagation or pointing equipment;
 - e) equipment with rapid beam slew capability for rapid multiple target operations;
 - f) adaptive optics and phase conjugators;
 - g) current injectors for negative hydrogen ion beams;
 - h) space qualified accelerator components;
 - i) negative ion beam funnelling equipment;
 - j) equipment for controlling and slewing a high energy ion beam;
 - k) space qualified foils for neutralising negative hydrogen isotope beams.

0020 Cryogenic and superconductive equipment, as follows, and specially designed components and accessories therefor:

- a) **Equipment specially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, capable of operating while in motion and of producing or maintaining temperatures below 103 K (-170 °C);**

Note:

Sub-item 20a includes mobile systems incorporating or employing accessories or components manufactured from non-metallic or non-conductive materials, such as plastics or epoxy-impregnated materials.

- b) **Superconductive electrical equipment (rotating machinery and transformers) specially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, capable of operating while in motion;**

Note:

Sub-item 0020b does not control direct-current hybrid homopolar generators that have single-pole normal metal armatures which rotate in a magnetic field produced by superconducting windings, provided those windings are the only superconducting component in the generator.

0021 Software, as follows:

- a) **Software specially designed or modified for the development, production or use of equipment and materials controlled by Part I A;**
- b) **specific software, as follows:**
 - 1. **Software specially designed for:**
 - a) **Modelling, simulation or evaluation of military weapon systems;**
 - b) **development, monitoring, maintenance or up-dating of software embedded in military weapon systems;**
 - c) **modelling or simulating military operation scenarios, not controlled by Item 14;**
 - d) **command, communications, control and intelligence (C³I) applications;**
 - 2. **software for determining the effects of conventional, nuclear, chemical or biological warfare weapons;**
 - 3. **software, not controlled by sub-items 0021a, 0021b1 or 0021b2, specially designed or modified to enable equipment not controlled by Part I A to perform the military functions of equipment controlled by Items 0005, 0011, 0014, 0015, or 0018 and sub-items 0007f, 0009c, 0009e, 0010e or 0017i.**

0022 Technology according to the General Technology Note of the Munitions List for the development, production or use of items controlled in Part I A, other than that technology controlled in Items 0007 and 0018.

Note:

Item 0022 does not control technology information the supply of which in the course of quotation processes is absolutely necessary.

Annex 2 b

War Weapons List

(last amended by the Ninth Ordinance amending the War Weapons List dated 26 February 1998, Federal Law Gazette I, p. 385)

Part A

War Weapons the Production of which has been renounced by the Federal Republic of Germany (Nuclear Weapons, Biological and Chemical Weapons)

(Part A of the War Weapons List is not given here)

Part B

Other War Weapons

I. Missiles

7. Guided missiles
8. unguided missiles (rockets)
9. other missiles
10. firing systems (launching systems and launchers) for the weapons listed in Items 7 and 9 including the man-portable firing systems for anti-tank and anti-aircraft guided missiles
11. firing systems for the weapons listed in Item 8 including the man-portable firing systems and the rocket launchers
12. engines for the weapons listed in Items 7 to 9

II. Combat aircraft

13. Combat aircraft having at least one of the following characteristics:
 1. Integrated weapon system specially equipped with target acquisition, fire control equipment and corresponding avionics interfaces;
 2. integrated electronic means;
 3. integrated electronic warfare system

14. Combat helicopters having at least one of the following characteristics:
 1. Integrated weapon system specially equipped with target acquisition, fire control equipment and corresponding avionics interfaces;
 2. integrated electronic means;
 3. integrated electronic warfare system
15. airframes for the weapons listed in Items 13 and 14
16. jet, propjet and rocket engines for the weapons listed in Item 13

III. Vessels of war and floating support vehicles

17. vessels of war including those used for training purposes
18. submarines
19. small craft equipped with assault weapons, with a speed of more than 30 knots
20. minesweepers, minehunters, minelayers, guinea pig vessels and other mine warfare vessels
21. amphibious craft, amphibious assault ships
22. tenders, ammunition ships
23. hulls for the weapons listed in Items 17 to 22

IV. Combat vehicles

24. main battle tanks
25. other armoured combat vehicles including armoured support vehicles
26. all types of special vehicles solely developed for the use of the weapons listed in Items 1 to 6
27. chassis for the weapons listed in Items 24 and 25
28. turrets for main battle tanks

V. Guns

29.

- a) machine guns other than water cooled¹⁾
- b) machine pistols other than those the models of which have been introduced earlier than 1 September 1939 by an armed force¹⁾
- c) rifles of the fully automatic firing type other than those the models of which have been introduced earlier than 2 September 1945 by an armed force¹⁾
- d) semiautomatic rifles other than those the models of which have been introduced earlier than 2 September 1945 by an armed force and other than rifles for hunting and sporting purposes¹⁾

30. grenade machine weapons, grenade launchers, grenade pistols

31. guns, howitzers and mortars of all types

32. automatic guns

33. armoured self-propelled mounts for the weapons listed in Items 31 and 32

34. barrels for the weapons listed in Items 29, 31 and 32

35. breech (bolt) mechanisms for the weapons listed in Items 29, 31 and 32

36. drums for automatic guns

VI. Light anti-tank weapons, flame-throwers, mine-laying and mine-launching equipment

37. recoilless, unguided, man-portable anti-tank weapons

38. flame-throwers

39. mine-laying and mine-launching equipment for land mines

¹⁾ Water cooled machine guns (sub-item a), machine pistols the models of which have been introduced earlier than 1 September 1939 by an armed force (sub-item b), rifles of the fully automatic firing type the models of which have been introduced earlier than 2 September 1945 by an armed force (sub-items c and d) will be controlled by the War Weapons List until the date of entry into force of the Third Act amending the Weapons Act in accordance with Sentence 1 of Article 5.

VII. Torpedoes, mines, bombs, autonomous ammunition

40. torpedoes
41. torpedoes without warhead (section containing high-explosive)
42. torpedo bodies (torpedoes without warhead – section containing high-explosive – and without target seeker)
43. mines of all types
44. bombs of all types including depth charges
45. hand-held single-shot flame-throwers
46. hand grenades
47. engineer explosives, shaped charges and magnetic charges and explosive mine-clearing devices
48. explosive charges for the weapons listed in Item 43

VIII. Other ammunition

49. ammunition for the weapons listed in Items 31 and 32
50. ammunition for the weapons listed in sub-items 29a, 29c and 29d, other than fixed ammunition with full metal jacketed ball projectile, if the projectile does not contain additives, in particular a tracer, incendiary filling or explosive charge, and if fixed ammunition of the same calibre is used for hunting and sporting purposes
51. ammunition for the weapons listed in Item 30
52. ammunition for the weapons listed in Items 37 and 39
53. rifle grenades
54. projectiles for the weapons listed in Items 49 and 52
55. propelling charges for the weapons listed in Items 49 and 52

IX. Other essential components

- 56. warheads for the weapons listed in Items 7 to 9, and 40
- 57. fuses for the weapons listed in Items 7 to 9, 40, 43, 44, 46, 47, 49, 51 to 53, and 59 other than primers
- 58. target seekers for the weapons listed in Items 7, 9, 40, 44, 49, 59 and 60
- 59. submunitions for the weapons listed in Items 7 to 9, 44, 49 and 61
- 60. submunitions without fuses for the weapons listed in Items 7 to 9, 44, 49 and 61

X. Dispensers

- 61. dispensers for the systematic distribution of submunitions

XI. Laser weapons

- 62. laser weapons specially designed to cause permanent blindness

Arms Embargoes in 2000

State	Date	Legal Basis
Ethiopia and Eritrea	10 February 1999	UNSC Resolution 1227
	15 March 1999	Common Position of the Council of the European Union (1999/206/CFSP)
	20 March 2000	Last renewed until 30 September 2000 (2000/230/CFSP)
	29 September 2000	Last renewed until 31 May 2001 (2000/584/CFSP)
Afghanistan	22 October 1996	UNSC Resolution 1076
	17 December 1996	Common Position of the Council of the European Union (96/746/CFSP)
	24 January 2000	Confirmed by Common Position of the Council of the European Union (2000/55/CFSP)
	19 December 2000	UNSC Resolution 1333
Angola	15 September 1993	UNSC Resolution 864
Armenia and Azerbaidzhan	29 July 1993	UNSC Resolution 853
China	27 June 1989	Declaration of the European Council
Democratic Republic of the Congo (Zaire)	07 April 1993	Declaration of the European Council
Indonesia	16 September 1999	Common Position of the Council of the European Union (1999/624/CFSP)

		(end of embargo: 17 January 2000)
Iraq	06 August 1990	UNSC Resolution 661
States of the former Yugoslavia (Bosnia and Herzegovina, Croatia, Federal Republic of Yugoslavia with Serbia and Montenegro)	31 March 1998	UNSC Resolution 1160*
	26 February 1996	Common Position of the Council of the European Union (1996/184/CFSP)
	19 July 1999	Confirmed by Resolution of the Council (1999/481/CFSP)
	20 November 2000	Lifting of the embargo against Croatia by the Common Position of the Council of the European Union (2000/722/GASP)
		UNSC Resolution 788
Liberia	19 November 1992	UNSC Resolution No. 788
Libya	31 March 1992	UNSC Resolutions 748 and 883
	11 November 1993	
	27 August 1998	Suspended by UNSC-Resolution 1192
	16 April 1999	Suspension of embargo, but holding to arms embargo by Common Position of the Council of the European Union (1999/261/CFSP)
Myanmar (Burma)	28 October 1996	Common Position of the Council of the European Union (96/635/CFSP)
	09 October 2000	Last renewed until

* This UN embargo needs not to be transposed by the EU for independently continuing the arms embargo on the basis of UNSC Resolution 713 of 25 September 1991 (which the UN brought to an end in 1996).

29 April 2001
(2000/601/CFSP)

Rwanda	17 May 1994	UNSC Resolution 918
Sierra Leone	05. June 1998	UNSC Resolution 1171
	29 June 1998	Common Position of the Council of the European Union (98/409/GASP)
Somalia	23 January 1992	UNSC Resolution 733
Sudan	15 March 1994	Common Position of the European Union (94/165/CFSP)

EXPORTS

REPORT OF INTERNATIONAL CONVENTIONAL ARMS TRANSFERS

(ACCORDING TO UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 46/36 L OF DECEMBER 9, 1991)

Reporting country: GERMANY

Calendar year: 2000

A	B	C	D	E	REMARKS	
Category I through VII	Final importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location	Description of item	Comments on the transfer
I Battle tanks	Greece	51			Leopard 1	
II Armoured combat vehicles	Romania	2			Gepard	
	Lituania	67			MTW M 113	18 not ready for action
III Large calibre artillery systems	Greece	50			M 105/9	
IV Combat aircraft	United Kingdom	11			Alpha Jet A	
	Thailand	7*			Alpha Jet A	
V Attack helicopters	Republic of Korea	10			BO 105	delivery in unarmed stockpile storage condition
VI Warships	Israel	1			Submarines Dolphin	
VII Missiles and missile launchers		nil				

Background information provided: yes no

* Final importer State may report a different number of items due to a different transfer definition

Annex 5

Excerpt from the

Framework Agreement between the French Republic, the Federal Republic of Germany, the Italian Republic, the Kingdom of Spain, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland concerning Measures to Facilitate the Restructuring and Operation of the European Defence Industry

Part 3 Transfer and export procedures

Article 12

- (1) This article deals with Transfers between Parties of Defence Articles and related Defence Services in the context of a Co-operative Armament Programme.
- (2) Global Project Licences shall be used as the necessary authorisation, if required by the national regulations of each of the Parties, when the Transfer is needed to achieve the programme or when it is intended for national military use by one of the Parties.
- (3) The granting of a Global Project Licence has the effect of removing the need for specific authorisations, for the Transfer of the concerned Defence Articles and related Defence Services to the destinations permitted by the said licence, for the duration of that licence.
- (4) The conditions for granting, withdrawing and cancelling the Global Project Licence shall be determined by each Party, taking into consideration their obligations under this Agreement.

Article 13

- (1) This article deals with Exports to a non-Party of Defence Articles and the related Defence Services developed or produced in the context of a Co-operative Armament Programme carried out according to Article 12.
- (2) Parties undertaking a Co-operative Armament Programme shall agree basic principles governing Exports to non-Parties from that programme and procedures for such Export decisions. In this context, for each programme, the participating Parties shall set out, on the basis of consensus:
 - (a) The characteristics of the equipment concerned. These can cover final specifications or contain restrictive clauses for certain functional purposes. They shall detail, when necessary, the agreed limits to be imposed in terms of function, maintenance or repairs for Exports to different destinations. They shall be updated to take into account technical improvements to the Defence Article produced within the context of the programme.
 - (b) Permitted Export destinations established and revised according to the procedure detailed in paragraph 3 of the present article.

- (c) References to embargoes. These references shall be automatically updated in the light of any additions or changes to relevant United Nations resolutions and/or European Union decisions. Other international embargoes could be included on a consensus basis.
- (3) The establishment and revision of permitted Export destinations shall follow the procedures and principles below:
- (a) Establishment of permitted Export destinations and later additions is the responsibility of the participating Parties in the Co-operative Armament Programme. Those decisions shall be made by consensus following consultations. These consultations will take into account, inter alia, the Parties' national export control policies, the fulfilment of their international commitments including the EU code of conduct criteria, and the protection of the Parties' defence interests, including the preservation of a strong and competitive European defence industrial base. If, later, the addition of a permitted destination is desired by industry, it should, as early as possible, raise this issue with relevant Parties with a view to taking advantage of the procedures set out in this article.
 - (b) A permitted Export destination may only be removed in the event of significant changes in its internal situation, for example full-scale civil war or a serious deterioration of the human rights situation, or if its behaviour becomes a threat to regional or international peace, security and stability, for example as a result of aggression or the threat of aggression against other nations. If the participating Parties in the programme are unable to reach consensus on the removal of a permitted Export destination at the working level, the issue will be referred to Ministers for resolution. This process should not exceed three months from the time removal of the permitted Export destination was first proposed. Any Party involved in the programme may require a moratorium on Exports of the product to the permitted destination in question for the duration of that process. At the end of that period, that destination shall be removed from the permitted destinations unless consensus has been reached on its retention.
- (4) Once agreement has been reached on the Export principles mentioned in paragraph 2, the responsibility for issuing an Export licence for the permitted Export destinations lies with the Party within whose jurisdiction the Export contract falls.
- (5) Parties who are not participants in the Co-operative Armament Programme shall obtain approval from the Parties participating in the said programme before authorising any re-Export to non-Parties of Defence Articles produced under that programme.
- (6) Parties shall undertake to obtain end-user assurances for Exports of Defence Articles to permitted destinations, and to exchange views with the relevant Parties if a re-Export request is received. If the envisaged re-Export destination is not among permitted Export destinations, the procedures defined in paragraph 13.3(a) shall apply to such consultations.
- (7) The Parties shall also undertake to review on a case by case basis existing Co-operative Armament Programme agreements or arrangements and the commitments relating to current Co-operative Armament Programmes. with a view to agreeing, where possible, to apply to these programmes the principles and procedures outlined in Article 12 and the present article.

Article 14

- (1) This article deals with Transfers and Exports relating to a programme which has been carried out in co-operation between manufacturers within the jurisdiction of two or more Parties.
- (2) When TDCs or other defence companies carry out a programme of development or production of Defence Articles on the territory of two or more Parties, which is not conducted pursuant to an inter-governmental programme, they can ask their relevant national authorities to issue an approval that this programme qualifies for the procedures outlined in Articles 12 and 13.
- (3) If approval is obtained from all Parties concerned, the procedures outlined in Article 12 and Article 13 paragraphs 2, 3, 4 and 6 shall be fully applied to the programme in question. The Parties concerned shall inform the other Parties of the status of the programme resulting from this approval. These other Parties shall then be committed to apply the provisions of Article 13, paragraph 5.

Article 15

At early stage of development of an industrial co-operation, Transfers between Parties for the exclusive use of the industries involved can be authorised on the basis of Global Project Licences granted by the respective Parties.

Article 16

- (1) The Parties commit themselves to apply simplified licensing procedures for Transfers, outside the framework of an intergovernmental or an approved industrial co-operation programme, of components or sub-systems produced under sub-contractual relations between industries located in the territories of the Parties.
- (2) Parties shall minimise the use of governmentally issued End-User Certificate and international import certificate requirements on Transfers of components in favour of, where possible, company certificates of use.

Article 17

- (1) This article deals with Transfers between Parties of Defence Articles and related Defence Service that are nationally produced and do not fall within the scope of Article 12 or Articles 13 to 16.
- (2) As a contribution to security of supply, Parties shall make their best efforts to streamline national licensing procedures for such Transfers of Defence Articles and related Defence Services to another Party.

Article 18

The granting of a Global Project Licence shall not exempt related Transfers of Defence Articles between Parties from other relevant regulations, for example transit requirements or customs documentation requirements. Parties agree to examine the possibility of simplifying or reducing administrative requirements for Transfers covered by this Agreement.

EU Member States

State	No. of Permits	ML Item	Value (DM million)	Remarks	Denials Outright Exports	ML Item	Value (DM million)	No. of Denials/ Reasons/ ML Item
Austria	342	0001	87,579,389					
		0002						
		0003						
		0004						
		0005						
		0006						
		0007						
		0008						
		0011						
		0013						
		0014						
		0015						
		0016						
		0017						
		0018						
		0021						
		Belgium						
0002								
0003								
0004								
0005								
0006								
0007								
0008								
0010								
0011								
0013								
0015								
0016								
0017								
0018								
0021								
0022								

Denmark	153	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010 0011 0013 0014 0015 0016 0017 0018 0022	172,029,478					
Finland	52	0001 0002 0003 0004 0006 0007 0008 0009 0011 0013 0015 0016 0017 0018 0021 0022	27,458,577					
France	423	0001 0002 0003 0004	225,012,641					

		0005 0006 0007 0008 0009 0010 0011 0013 0014 0015 0016 0017 0018 0021 0022						
Greece	123	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010 0011 0013 0015 0016 0017 0018 0021 0022	455,440,251					
Ireland	27	0001 0002 0003 0004 0006 0007	14,737,675					

		0011 0013 0014 0018						
Italy	436	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010 0011 0013 0014 0015 0016 0017 0018 0021 0022	357,167,573					
Luxembourg	73	0001 0002 0004 0005 0006 0007 0010 0011 0013 0014 0015 0018	6,431,483					
Netherlands	584	0001 0002 0003 0004	62,005,550					

		0005 0006 0007 0008 0009 0010 0011 0013 0014 0015 0016 0017 0018 0021 0022						
Portugal	61	0001 0002 0003 0004 0007 0009 0010 0011 0013 0016 0017 0018 0021 0022	11,745,597					
Sweden	309	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010	177,031,569					

		0011 0013 0014 0015 0016 0017 0018 0021 0022						
Spain	273	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010 0011 0013 0014 0015 0016 0017 0018 0021 0022	404,198,189					
United Kingdom	562	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010 0011	454,048,206					

		0013 0014 0015 0016 0017 0018 0021 0022						
Total	3,704		2,510,801,031		1		25,000	

NATO and NATO-equivalent countries

State	No. of Permits	ML Item.	Value (DM million)	Remarks	Denials Outright Exports	ML Item	Value (DM million)	No. of Denials/ Reasons/ ML Item
Australia	204	0001	24,695,402					
		0002						
		0003						
		0004						
		0006						
		0007						
		0008						
		0009						
		0010						
		0011						
		0013						
		0016						
		0017						
		0018						
Canada	304	0001	43,956,244					
		0002						
		0003						
		0004						
		0005						
		0006						
		0007						
		0009						
		0010						
		0011						
		0013						
		0014						
		0015						
		0016						
0017								
0018								
0021								
0022								

State	No. of Permits	ML Item.	Value (DM million)	Remarks	Denials Outright Exports	ML Item	Value (DM million)	No. of Denials/ Reasons/ ML Item
Czech Republic	245	0001 0003 0004 0005 0006 0007 0008 0010 0013 0015 0016 0017 0018	9,317,665					
Hungary	128	0001 0003 0006 0007 0008 0011 0013 0015 0016 0017 0018	5,360,286					
Iceland	14	0001 0003 0006	83,029					
Japan	174	0001 0002 0003 0004 0007 0008 0010 0011 0013	23,488,719					

State	No. of Permits	ML Item.	Value (DM million)	Remarks	Denials Outright Exports	ML Item	Value (DM million)	No. of Denials/ Reasons/ ML Item
		0014 0015 0017 0018 0021						
Liechtenstein	32	0001 0013	5,264,093					
New Zealand	38	0001 0002 0003 0004 0007 0009 0010 0011 0021	2,589,692					
Norway	394	0001 0002 0003 0004 0005 0006 0007 0009 0011 0013 0015 0016 0018 0022	33,345,125					
Poland	221	0001 0003 0004 0005 0006 0007	18,197,708					

State	No. of Permits	ML Item.	Value (DM million)	Remarks	Denials Outright Exports	ML Item	Value (DM million)	No. of Denials/ Reasons/ ML Item
		0008 0009 0010 0011 0014 0015 0017 0018 0021						
Switzerland	1114	0001 0002 0003 0004 0005 0006 0007 0008 0010 0011 0013 0014 0015 0016 0017 0018 0021 0022	312,629,693					
Turkey	214	0001 0002 0003 0004 0005 0006 0007 0008 0009	510,099,307		2	0006	12,530	1 Criterion 2, 3 / 0003

State	No. of Permits	ML Item.	Value (DM million)	Remarks	Denials Outright Exports	ML Item	Value (DM million)	No. of Denials/ Reasons/ ML Item
		0010 0011 0013 0014 0016 0017 0018 0021 0022						
USA	836	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010 0011 0013 0014 0015 0016 0017 0018 0021 0022	895,487,974					

State	No. of Permits	ML Item.	Value (DM million)	Remarks	Denials Outright Exports	ML Item	Value (DM million)	No. of Denials/ Reasons/ ML Item
Collective export licences	111	0004	3,733,933,026					
		0005						
		0009						
EU, NATO or NATO- equivalent countries		0010						
		0011						
		0014						
		0015						
		0016						
		0017						
		0018						
		0021						
		0022						
Total	4,029							

Third Countries

State	No. of Permits	ML Item	Value (DM million)	Remarks	Denials Outright Exports	ML Item.	Value (DM million)	No. of denials/ Reasons/ ML Item
Albania	2	0013	269,701	Armoured vests				
Algeria	4	0010 0011	396,074	Communications equipment and parts thereof (0011/98.4%)				
Andorra	26	0001 0003 0018	437,019	Rifles and carbines with and without permission under the War Weapons Control Act, revolvers, pistols, machine pistols, weapons for hunting and sporting purposes (0001/85.7%)				
Argentina	42	0001 0003 0004 0005 0009 0011 0018 0022	2,437,902	Parts for submarines, parts for sonar detection and sonic depth finder systems (0009/57.7%); Rifles and carbines without permission under the War Weapons Control Act, revolvers, pistols, machine pistols, weapons for hunting and sporting purposes, pistols and revolvers for sporting purposes, weapon control devices (0001/23.2%)				
Azerbaijan								1 Criterion 4 / 0018
Bahrain	5	0001 0003 0007 0009 0014 0017	3,591,907	Parts for patrol boats (0009/83.5%)				
Bangladesh	69	0001 0003 0007 0010 0011	1,298,461	Practice ammunition (0014/77.9%); Nuclear/chemical weapons warning system (0007/14.6%)				

State	No. of Permits	ML Item	Value (DM million)	Remarks	Denials Outright Exports	ML Item.	Value (DM million)	No. of denials/ Reasons/ ML Item
		0013 0014						
Belarus	2	0003	14,119	Ammunition for weapons for hunting and sporting purposes				
Bolivia	5	0001 0006	77,266	Trucks (0006/93.2%)				
Botswana	11	0001 0006 0014 0015	544,513	Revolvers, pistols, weapons for sporting and hunting purposes (0001/49.1%); Sub-calibre practice cartridges and practice ammunition (0014/38.2%)				
Brazil	78	0001 0003 0004 0005 0006 0007 0009 0010 0011 0013 0015 0016 0017 0018	46,311,110	Parts for vessels of war, parts for sonar detection and sonic depth finder systems (0009/47.1%); Parts for radar equipment, communications equipment and components, electronic components and parts for military purposes (0011/23.0%); Airborne fire control systems and parts thereof (0005/18.5%)				
Brunei	15	0001 0006 0009 0011 0013 0017 0018 0019 0021	7,237,696	Sonic depth finder systems, gyrocompass systems (0009/74.9%); Parts for armoured vehicles (0006/13.9%)				

State	No. of Permits	ML Item	Value (DM million)	Remarks	Denials Outright Exports	ML Item.	Value (DM million)	No. of denials/ Reasons/ ML Item
Bulgaria	55	0001 0003 0007 0009 0015 0018	2,886,066	Revolvers, pistols, weapons for sporting and hunting purposes, fire control systems (0001/65.2%); Night vision gear (0015/17.8%)	1	0001	16,477	1 Criterion 7 / 0016
Burkina Faso	1	0006	5,160	Trucks				
Chad					1	0001 0003	935	
Chile	61	0001 0002 0003 0004 0005 0006 0009 0011 0013 0014 0017 0018 0021 0022	48,043,252	Parts for submarines and fast patrol boats, sonar detection devices and parts thereof, gyrocompass systems and parts thereof (0009/43.4%); Catalogue of spare parts for tanks; technical documents for frigates (0022/29.1%); Communications equipment and parts thereof, parts for torpedo test stand, electronic components for military purposes and parts thereof (0011/12.7%)				
China	6	0003 0006 0007 0011	2,789,306	Trucks and parts thereof (0006/90.1%)	2	0001 0011 0021	34,097	1 Criterion 1 / 0018
Columbia	7	0001 0004 0005 0009 0011	6,047,383	Parts of submarines (0009/84.1%)	1	0018	1,764	
Congo, Democratic Republic					2	0006 0011	1,076,280	1 Criterion 1a, 3, 7 / 0006

State	No. of Permits	ML Item	Value (DM million)	Remarks	Denials Outright Exports	ML Item.	Value (DM million)	No. of denials/ Reasons/ ML Item
Costa Rica	2	0001	17,344	Revolvers and pistols				
Croatia	7	0001 0006 0008 0015	958,920	Fire truck, mine clearance equipment (0006/92.9%)	3	0001 0016 0018	83,853	1 Criterion 1 / 0018
Cyprus North	1	0001	3,756	Revolvers and pistols				
Cyprus South	2	0006 0013	234,900	Parts of armoured vehicles (0006/99.7%).				
Dominican Republic	3	0001	17,275	Revolvers and pistols				
Ecuador	8	0001 0003 0004 0009 0010 0011	338,609	Transport aircraft (0010/59.1%); Parts of torpedoes (0004/16.5%); Parts for airborne/seaborne network switching devices (0011/11.8%)				
Egypt	78	0001 0003 0004 0006 0007 0008 0010 0011 0014 0016 0017 0021	18,564,056	Parts for armoured vehicles, cranes (0006/42.0); Navigation systems, Communications equipment and parts (0011/38.2%)	4	0001 0003	5,494	
El Salvador	1	0001	3,348	Pistols and revolvers for hunting and sporting purposes	2	0001 0003	20,825	

State	No. of Permits	ML Item	Value (DM million)	Remarks	Denials Outright Exports	ML Item.	Value (DM million)	No. of denials/ Reasons/ ML Item
Estonia	30	0001 0003 0006 0009 0011 0015	1,871,548	Mine sweeping boats, telecommunications experimental vessel (0009/77.7%); Ammunition for cannons, rifles, grenade pistols, revolvers, pistols and weapons for hunting and sporting purposes (0003/8.1%)				
Gabon	2	0001 0003	9,050	Revolvers and pistols (0001/70.7%); Ammunition for revolvers, pistols and weapons for hunting and sporting purposes (0003/29.3%)				
Georgia	5	0001 0003 0018	257,423	Revolvers, pistols, weapons for hunting and sporting purposes, weapon control devices (0001/88.7%)				
Ghana	3	0009 0011	151,981	Communications equipment and parts thereof (0011/68.3%); Parts for fast patrol boats (0009/31.7%)				
Greenland	8	0001 0003	15,120	Rifles and carbines without permission under the War Weapons Control Act, weapons for hunting and sporting purposes (0001/66.1%); Ammunition for revolvers, pistols and weapons for hunting and sporting purposes (0003/33.9%)				
Guatemala					1	0001	1,768	1 Criterion 3 / 0001
Guyana	5	0001	53,908	Revolvers and pistols				

Hong Kong	8	0001 0003 0007 0015 0017	81,829	Ammunition for revolvers, pistols and weapons for hunting and sporting purposes (0003/65.2%); Night vision gear for imaging equipment (0015/15.9%)				
India	58	0001 0003 0004 0005 0006 0007 0008 0009 0010 0011 0016 0018 0021 0022	63,416,755	Parts of submarines and frigates, sonar detection systems and parts, sonic depth finder systems and parts thereof, (0009/39.4%); Production equipment for anti-tank ordnance, ballistic measurement systems (0018/26.9%); Parts for electronic countermeasure equipment, communications equipment, torpedo simulator, torpedo components testing system (0011/12.4%); Helicopter parts (0010/12.3%)	13	0005 0006 0008 0010 0011 0018 0021	11,596,989	2 Criterion 4 / 0018
Indonesia	6	0001 0003 0011	54,972	Weapons for sporting and hunting purposes (0001/75.8%); Parts of communications equipment (0011/13.4%)	1	0018	69,573	2 Criterion 3 / 0018 Criterion 7 / 0014
Israel	155	0001 0003 0004 0005 0006 0007 0008 0009 0010 0011 0013	346,399,399	Tank, armoured vehicle and truck parts (0006/70.6%); Torpedoes, ammunition primers, smoke canisters, signalling cartridges (0004/24.2%)	3	0001 0010 0011 0022	245,002	2 Criterion 4 / 0022 Criterion 4d / 0002

		0014 0016 0017 0018 0022						
Jordan	7	0001 0017	615,124	Diving equipment for underwater divers (0017/92.7%)	6	0001 0003	73,348	1 Criterion 4c / 0003
Kazakhstan	18	0001 0003 0018	304,862	Revolvers, Pistols, rifles for sporting and hunting purposes (0001/84.0%)	2	0001 0003	10,750	
Kenya	12	0001 0003	50,698	Revolvers, pistols, rifles for hunting and sporting purposes (0001/83.2%)	3	0004 0006 0016	1,817,298	3 Criterion 4d / 0014 Criterion 2, 4d / 0014 Criterion 7 / 0016
Korea, Republic	154	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010 0011 0013 0014 0016 0017 0018 0021 0022	253.713.202	Parts of tanks and armoured vehicles, parts of trucks, mine clearance equipment (0006/43.4%); Combat helicopters, parts of trainer aircraft, aero-engine parts, aero-engine test-bed , refuelling system (0010/32.3%); Parts of submarines, parts for underwater location equipment, control and navigation equipment (0009/15.2%)	2	0006 0007	398,000	

Kuwait	23	0001 0003 0006 0011 0013 0021	3,092,339	Parts of communications equipment, electronic intelligence system (0011/90.6%)				
Kyrgystan	1	0013	16,241	Armoured vests				
Latvia	40	0001 0003 0004 0009 0014	1,906,615	Rifles and carbines without permission under the War Weapon Control Act, revolvers, pistols, decorative arms, rifles for hunting and sporting purposes (0001/47.6%); Mine sweeping boats and parts thereof, sonar detection devices (0009/40.6%)	1	0001	295	
Lebanon	1	0001	5,274	Revolvers and pistols	2	0001	38,200	
Libyan Arab Jamahiriya	1	0006	651,604	Tractor and flat-bed trailer				
Lithuania	38	0001 0002 0003 0006 0009 0013 0018	2,728,149	Rifles and carbines without permission under the War Weapons Control Act, revolvers, pistols, Sniper's rifles, rifles for hunting and sporting purposes (0001/39.0%); Armoured troupe transporters (0006/27.1%); Ammunition for canons, revolvers, pistols, weapons for hunting and sporting purposes (0003/22.5%)	1	0006	14,850	
Macao					10	0001 0013	214,316	
Macedonia	3	0001	4,320	Revolvers, pistols, rifles for sporting and hunting purposes				
Madagascar	1	0001	459	Pistols and revolvers for sporting purposes				
Malaysia	39	0001 0003	6,182,268	Communications equipment and parts thereof, electronic components for				

		0004 0006 0007 0009 0010 0011 0014 0017 0022		military purposes (0011/45.4%); Technical documents for weapon use and control systems, production documents for ship radar systems (0022/40.8%)				
Malta	2	0001 0003	171,095	Ammunition for revolvers and pistols (0003/97.7%)				
Mauritius	1	0001	7,000	Rifles for hunting and sporting purposes				
Mexico	8	0001 0016 0018	115,286	Rifles and carbines with permission under the War Weapons Control Act, revolvers, pistols, machine pistols, undercarriages of guns etc. (0001/71.2%); Semis for guns (0016/16.2%)	1	0001	812,025	
Moldavia, Republic	2	0001 0003	3,690	Revolvers and pistols (0001/94.6%)	1	0001	1,250	
Mongolia	2	0001 0003	40,084	Rifles for sporting and hunting purposes (0001/66.0%); Ammunition for weapons for hunting and sporting weapons (0003/34.0%)				
Morocco	8	0001 0006 0008 0010 0011 0013 0017	5,743,779	Parachutes (0010/81.8%)				
Namibia	37	0001 0003	190,183	Ammunition for revolvers, pistols and weapons for hunting and sporting purposes (0003/51.2%); Rifles and carbines without permission	6	0001 0003	152,209	3 Criterion 7 / 0001

				under the War Weapons Control Act, revolvers, pistols, rifles for sporting and hunting purposes (0001/48.8%)				
Nepal	8	0003 0018	725,486	Production installations for small-calibre ammunition, ballistic measurement equipment (0018/99.9%)	1	0016	252,600	
Netherlands Antilles	5	0001 0003	80,220	Revolvers, pistols, pistols and revolvers for sporting purposes (0001/95.9%)				
New Caledonia	6	0001	21,402	Rifles for sporting and hunting purposes, weapon control devices				
Nicaragua	1	0006	501,000	Trucks				
Oman	120	0001 0003 0004 0006 0007 0010 0011	1,811,253	Armoured vehicle and truck components (0006/78.5%); Revolvers, pistols, rifles for sporting and hunting purposes and (0001/8.9%)				
Pakistan	6	0001 0003 0013	14,202	Military helmets and armoured vests (0013/74.8%); Revolvers and pistols (0001/23.6%)	17	0001 0011 0016 0017 0018	3,376,221	5 Criterion 4 / 0006, 0010, 0011, 0018 Criterion 3, 4 / 0018
Panama	2	0001 0003	33,030	Revolvers and pistols (0001/53.5%); Ammunition for weapons for hunting and sporting purposes (0003/46.5%)				
Paraguay	2	0001 0003	3,354	Rifles for sporting and hunting purposes (0001/99.4%)				
Peru	5	0001 0004 0009	3,330,932	Parts of submarines (0009/65.8%); Parts of torpedoes, signalling cartridges (0004/34.2%)				
Philippines	1	0001	400	Revolvers and pistols				

Qatar	9	0001 0002 0003 0006 0007 0021	359,764	User software for radio communications network-managing system (0021/75.6%); Ammunition for revolvers, pistols and weapons for hunting and sporting purposes (0003/17.9%)				
Rumania	68	0001 0003 0006 0008 0010 0011 0014 0022	1,138,956	Cathode ray tubes (0011/45.3%); Parts of combat aircraft (0010/24.6%); Rifles and carbines without permission under the War Weapons Control Act, revolvers, pistols, rifles for sporting and hunting purposes (0001/18.8%)				
Russian Federation	112	0001 0003 0007 0008	3,402,630	Revolvers, pistols, rifles for sporting and hunting purposes, weapon control devices (0001/86.7%)	6	0001 0010 0011	31,793	
San Marino	11	0001 0013	20,967	Rifles and carbines with and without permission under the War Weapons Control Act, revolvers, pistols, machine pistols, rifles for sporting and hunting purposes, undercarriages of guns etc. (0001/99.1%)				
Saudi-Arabia	82	0001 0003 0004 0005 0006 0007 0010 0011 0013 0016 0018	72,757,406	Parts of fire control systems, weapon control devices and parts thereof (0005/47.1%); Parts of combat aircraft (0010/26.2%); Parts for ballistic missiles, military pyrotechnic devices (0004/7.5%)				

Singapore	99	0001 0002 0003 0004 0005 0006 0007 0008 0009 0010 0011 0017 0018 0021 0022	74,342,277	Communications equipment and parts therefor, electronic components and parts for military purposes (0011/58.4%); Ammunition for howitzers, projectile launchers, grenade pistols, revolvers and pistols (0003/21.2%); Parts for diving equipment, bridges and parts thereof for military use (0017/14.1%)	2	0005 0006	399,000	
Slovakia	70	0001 0003 0006 0007 0016 0018 0022	1,299,167	Ammunition for revolvers, pistols and weapons for hunting and sporting purposes (0003/44.3%); Rifles and carbines without permission under the War Weapon Control Act, revolvers, pistols, machine pistols, rifles for sporting and hunting purposes weapon control devices (0001/42.1%)	1	0001	149,430	

Slovenia	71	0001 0003 0006 0008 0013 0015 0018	1,901,656	Revolvers, pistols, sniper's rifle, machine pistols, rifles for hunting and sporting purposes, pistols and revolvers for sporting purposes (0001/44.6%); Control system (0015/43.4%)				
South Africa	75	0001 0003 0004 0006 0007 0008 0009 0010 0011 0013 0014 0016 0017 0018 0022	15,592,111	Parts of tanks and armoured vehicles, trucks, parts for tank tractors , parts for bridge laying machines (0006/41.4%); Production documents for corvettes and submarines, technology documents on optical components (0022/20.0%); Mine sweeping vessels and parts thereof, hydrophone parts (0009/16.7%); Parts of combat helicopters (0010/10.6%)	1	0001	149,650	
Sri Lanka	1	0001	16,198	Pistols and revolvers for sporting purposes	6	0001 0003 0005 0009 0011	245,022	
Sudan					1	0001	3,300	
Syria					1	0005	22,361	
Tanzania, United Republic	133	0001 0003 0006	131,377	Revolvers, pistols, rifles for sporting and hunting purposes (0001/59.0%); Ammunition for revolvers, pistols and weapons for hunting and sporting purposes (0003/37.1%)				1 Criterion 7 / 0018

Thailand	114	0001 0003 0005 0006 0009 0010 0011 0018	76,078,814	Trainer and fighter aircraft, parts for military aircraft (0010/95.1%)	1	0006	4,000	
Trinidad and Tobago	7	0001	20,010	Revolvers and pistols				
Tunisia	5	0003 0008 0009 0011	1,259,712	Patrol boats (0009/95.3%)	1	0003	2,550	
Uganda	1	0006	8,000	Trucks				
Ukraine	56	0001 0003 0008	3,054,597	Rifles for sporting and hunting purposes, pistols and revolvers for sporting purposes (0001/88.5%)	2	0001	32,000	
Uruguay	3	0001	184,706	Revolvers, pistols, rifles for sporting and hunting purposes				
Uzbekistan	2	0004 0013 0018	6,545,135	Mobile defusing devices incl. body armours (0013/55.1%); Production equipment for small-calibre ammunition (0018/44.3%)				
Venezuela	2	0006 0011	1,247,600	IFF secondary radar systems (0011/53.4%); Parts of armoured vehicles (0006/46.6%)	1	0001	23,220	
United Arab Emirates	55	0001 0002 0003 0005 0006 0007 0009 0011	46,335,010	Decontamination vehicles, ABC protective clothing, irradiation measurement equipment (0007/25.7%); Test stands for track-bound vehicle propulsion systems, ballistic measurement system (0018/24.1%);				

		0015 0016 0017 0018		Tank propulsion gear, troop transporters, trucks and parts thereof (0006/22.9%); Parts of patrol and landing boats (0009/11.0%)				
Vietnam	2	0003 0006	342,000	Parts of trucks (0006/96.5%)	2	0006 0009	1,077,000	
Yemen	5	0001 0010	1,250,746	Revolvers, Pistols, weapons for hunting and sporting purposes (0001/89.0%)				
Yugoslavia	2	0013	10,026	Protective helmets and armoured vests				
Zambia	29	0001 0003	177,032	Revolvers, pistols, rifles for sporting and hunting purposes (0001/81.0%)				
Zimbabwe	13	0001 0003	68,852	Revolvers, pistols, rifles for sporting and hunting purposes (0001/97.2%)				1 Criterion 4c, 4d, 6b / 0011
Taiwan	22	0003 0004 0006 0008 0009 0011 0014 0017 0022	28,440,357	Parts for fast floating bridges, trucks (0006/59.8%); Parts for mine sweeping systems, parts for underwater dummies, pyrotechnic cartridges (0004/22.1%)	2	0007 0011	628,970	
Total	2,375		1,172,897,975		114		23,082,715	26

The aforementioned denials include, in addition to rejected applications for export licences, also negatively answered initial enquiries relating to specific export projects. They can be seen from deviations in the column headed „Number of Denials/Reasons/ML Item“ compared with the column headed „Denials Outright Exports. In given cases, a denial is given without the corresponding rejection.