



**MINISTRY OF  
INDUSTRY,  
TOURISM AND TRADE**

**SECRETARY OF  
STATE FOR TRADE**

**SPANISH STATISTICS ON THE  
EXPORT OF DEFENCE  
MATERIAL, OTHER MATERIAL  
AND DUAL USE ITEMS AND  
TECHNOLOGIES, 2010**

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## INTRODUCTION

This report includes the 2010 exports of defence material, other material and dual-use items and technologies authorised and completed in accordance with the terms of Article 16 of Law 53/2007 of 28 December 2007 on the control of external trade in defence and dual-use material.

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

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

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

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

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

The 2010 statistics report is divided into two main blocks. The first covers information on Spanish law, Community regulations, data on Spain's export of defence material, other material and dual-use items and technologies and the main progress made at international control fora. The second block is composed of eight annexes containing export figures of these items in 2010, Spain's contribution to the United Nations Conventional Arms Register and to the OSCE Document on Small Arms and Light Weapons, the list of defence material embargos and a list of helpful links in this connection.

The main novelty contained in this report is greater detail in the description of anti-riot and police material (Other Material).

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

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

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

## PART I. LEGISLATIVE FRAMEWORK AND CONTROL BODIES

### 1. Legislative framework

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

Law 12/1995 will be updated, the draft amendment currently undergoing Parliamentary formalities. This amendment was required, inter alia, to reflect the changes which have taken place in the control of external trade in the material which is the subject of this report.

The new legislation ensures compliance with the obligations arising from the Chemical Weapons Convention; the Biological and Toxin Weapons Convention; Regulation (EC) 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items; the Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses; Council Common Position 2003/468/CFSP of 23 June 2003 on the control of arms brokering; Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment or torture and Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of

transfers of defence-related products within the Community.

Specific reference will likewise be made to Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment.

The changes introduced by the draft amendment of Law 12/1995 may be summarised as follows:

- Replacement of the existing definition of the terms "export" and "dual-use items" with a view to bringing them into line with Regulation (EC) No 428/2009. Introduction of new definitions of the terms "import", "dispatch", "introduction" and "other material" and update of the existing definitions of "precursors" and "biological agents or toxins".
- Broadening of the classification of crimes concerning the import, technical assistance, intra-community brokering and transfer of defence material, other material and dual-use items and technologies or for the import/export of items used to enforce the death penalty or to inflict torture.
- Raising of the minimum threshold amount for the definition of the crime of smuggling. Said amounts are now €150,000 in general terms, €30,000 having regard to manufactured tobacco and €50,000 in the case of items, inter alia, which could affect general

security such as defence material, other items and dual-use items and technologies or which could be used to inflict torture or other cruel, inhuman or degrading treatment or punishment.

Having regard to specific legislation controlling the external trade in defence and dual use items, Law 53/2007 entered into force on 29 January 2008, the first time that a regulation of this rank has been enacted to govern these matters in the Spanish legal system. The said law was implemented through Royal Decree 2061/2008 of 12 December 2008 establishing the control Regulation on external trade in defence material, other material and dual-use items and technologies. Said Royal Decree entered into force on 07 February 2009 revoking the former regulation (Royal Decree 1782/2004 of 30 July 2004).

In 2010 it was also necessary to amend Royal Decree 2061/2008 to incorporate the updates needed in the regulation of these transfers thus completing and implementing the terms laid down in Community law. This amending Royal Decree is expected to be published in June 2011.

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

The second essential element arises from the fact that the Framework Agreement of 27 July 2000 concerning

measures to facilitate the restructuring and integration of the European defence industry (LoI) also mandates adaptation of Spanish legislation to the types of authorisation required for transfers and export procedures applicable to components, subsystems and replacement parts between the six signatory countries of the said agreement.

This update also served to undertake a series of changes in the processing of operations regarding hunting and sporting arms and in the makeup of one of the bodies regulating this trade, i.e. the Inter-Ministerial Regulatory Board on External Trade in Defence and Dual-use Material (JIMDDU).

Lastly, regulation of external trade in dual-use items and technologies has been adapted, specifically as concerns brokering transactions, on the basis of Council Regulation (EC) No 428/2009 of 05 May 2009 setting up a Community regime for the control of the export, the transfer, brokering and transit of dual-use items.

Also, the Criminal Code Act, Organic Law 5/2010 of 22 June 2010 amending Organic Law 10/1995 of 23 November 1995, entered into force on 23 December 2010, six months after its publication in the Official State Gazette (BOE) on 23 June 2010. The said text consists of a preamble, a single article with 169 paragraphs, 2 additional provisions, 3 transitional provisions and 7 final provisions.

Amendments were made to paragraphs 138 to 141 under the heading of Chapter V on possession, trafficking and deposit of arms, munitions or explosives (Title XXII, Book II).

The headings of Sections One and Two of Chapter V, Title XXII, Book II were deleted, Articles 563 to 570 of said Chapter V were maintained and the rest put in a new Chapter VII on terrorist organisations and groups and crimes of terrorism. It should be noted that biological weapons, anti-personnel mines and cluster munitions are included within the scope of the items which are the object of this report, giving the latter the same consideration as weapons or munitions of war and chemical weapons.

In the specific section on the processing of transactions, it is important to note that transfer requests are analysed in accordance with the aforementioned legislation on a case-by-case basis with due consideration of the mandatory and binding report of the JIMDDU. The main purpose of the said analysis is to prevent the export of defence material to those destinations failing to comply with the eight criteria laid down in Common Position 2008/944/CFSP of 8 December defining common rules governing control of exports of military technology and equipment and the proliferation of weapons of mass destruction.

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

Resolution 55/255 of the United Nations General Assembly of 8 June 2001 approving the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against transnational organized crime; the Programme of

Action of the United Nations to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects; and the Council Common Position 2003/468/CFSP of 23 June 2003 on the Control of Arms Brokering and the Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses, are likewise applicable.

Similarly, mention should be made of the provisions of the Weapons Regulation approved by Royal Decree 137/1993 of 29 January 1993 and the Explosives Regulation approved by Royal Decree 230/1998 of 16 February 1998.

As for dual-use, the Spanish control authorities apply Council Regulation (EC) No 428/2009 of 05 May 2009 setting up a Community regime for the control of the export, the transfer, brokering and transit of dual-use items.

It is important to draw attention to United Nations Resolution 1540 (2004) of 28 April intended to prevent the proliferation of weapons of mass destruction and specifically to prevent non-State agents from acquiring them. Other international regulations include those forming part of the 03 December 1997 Convention on Anti-personnel Mines, the 03 December 2008 Convention on the Prohibition of Cluster Munitions, the 13 January 1993 Convention prohibiting the development, production, stockpiling and use of chemical weapons and on their destruction; and the 10 April 1972 Convention prohibiting the development, production and stockpiling of biological and toxin weapons and on their destruction.

The Convention on the Physical Protection of Nuclear Material of 03

March 1980 whose amendment of 08 July 2005 was ratified by Spain, requires the establishment of control measures, including authorisation for the import and export of nuclear materials from a non-Party State.

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

Lists of items and equipment subject to control under Spanish legislation must be updated each year in accordance with the amendments approved in the international lists. Applicable checklists are those found in Royal Decree 2061/2008.

Lastly, control of the external trade in defence and dual-use material was boosted by the approval of the 20 July 2006 Order issued by the Secretariat of State for Trade. This order established the procedure whereby external trade authorisations are processed in application of Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain items that could be used in the enforcement of the death penalty or to inflict torture.

## **2. Control bodies**

### *A) Inter-Ministerial Regulatory Board on External Trade in Defence or Dual-Use Material*

The Inter-Ministerial Regulatory Board on External Trade in Defence and Dual-use

Material (Spanish acronym JIMDDU) was constituted for the first time in 1988 as an inter-ministerial administrative body organisationally attached to the Ministry of Industry, Tourism and Trade. The JIMDDU meets on a monthly basis with the exception of the month of August and has a Working Group responsible for preparing operations and reports.

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

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

### *B) Secretariat of State for External Trade*

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



## PART II. DEFENCE MATERIAL EXPORTS

### 1. Legislation in force

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

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

### 2. Statistical analysis

#### A) Exports completed

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

In 2010 there was a 16.2% decline in the export of defence material in comparison with 2009. The value of exports totalled €1,128.3 million.

Year	Amount (€ millions)
2004	405.90
2005	419.45
2006	845.07
2007	932.94
2008	934.45
2009	1,346.52
2010	1,128.30

The following table, based on the statistical data from Annex I, shows Spain's principal export markets. It lists countries and groups of countries (NATO and European Union), amount and percentage of exports and the main categories exported in each case.

Countries DM	Amount (€ millions)	%
<b>EU NATO countries</b>	<b>504.97</b>	<b>44.75</b>
United Kingdom	121.62	10.78
Germany	106.01	9.39
Czech Rep.	104.13	9.23
Italy	71.90	6.37
Portugal	43.96	3.90
Others	57.35	5.08
<b>EU non-NATO countries</b>	<b>8.08</b>	<b>0.72</b>
Ireland	4.71	0.42
Austria	3.32	0.29
Others	0.05	0.01
<b>NATO (non-EU) countries</b>	<b>83.12</b>	<b>7.37</b>
United States	75.17	6.66
Norway	5.15	0.46
Others	2.80	0.25
<b>NATO + EU</b>	<b>596.17</b>	<b>52.84</b>
<b>Other countries</b>	<b>447.20</b>	<b>39.63</b>
Venezuela	212.00	18.79
Mexico	132.72	11.76
Colombia	29.13	2.58
Australia	24.61	2.18
Switzerland	24.61	2.18
Chile	24.13	2.14
<b>Remaining countries</b>	<b>84.93</b>	<b>7.53</b>
<b>TOTAL</b>	<b>1,128.30</b>	<b>100</b>

As can be observed, deliveries to European Union countries account for 45.5% of the total.

The value of sales to EU countries totalled €513.0 million. Dispatches were basically distributed between the United Kingdom, Germany and Italy. Most of the exports were parts and components for the EF-2000 fighter jet to Germany, the United Kingdom and Italy and A400M military transport aircraft to the United

Kingdom and Germany. Other important categories of consignments to the United Kingdom were missile parts and components (Meteor) and military fuels (NATO specification aviation kerosene and naval gas-oil). Regarding consignments to Germany, we would also mention fuel sales; parts and components for helicopters (Tiger Programme), tanks (Leopard and Pizarro) and missiles (Iris-T and Meteor), in addition to countermeasure equipment for submarines. Also worthy of mention as destinations of Spanish exports are the Czech Republic with €104.1 million accounting for 9.2% (four transport planes and logistical support) and Portugal with €43.9 million accounting for 3.9% (two transport planes).

NATO countries absorbed 52.1% of consignments/exports. Mention should also be made of exports to the United States (€75.2 million accounting for 6.7% consisting of parts and components for aircraft, ships, tanks and missiles; military fuel and small arms and their munitions).

The rest of the sales (€532.1 million accounting for 47.2%), not counting consignments and exports to EU and NATO countries, were spread among 44 countries the most important being Venezuela with €212.0 accounting for 18.8% (two coast guard vessels) and Mexico with €132.7 million accounting for 11.8% (six transport planes and parts and components to modernise aircraft). Special mention should also be made of the export of a transport plane and logistical support to Colombia and a sea patrol and anti-submarine plane to Chile.

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

Algeria: €3.1 million in replacement parts for transport planes.

Angola: €9,582 in revolvers and their munitions and hunting rifles.

Bahrain: €40,690 in rounds intended for aircraft.

Cameroon: €1,000 in hunting rifles.

Colombia: €29.1 million in a transport plane and logistical support and rounds and aerial bombs.

Cuba: €44,924 in rifle munitions and components.

Dominican Rep. €0.4 million in replacement parts and repair of transport planes.

Ecuador: €0.2 million in replacement parts, repair and modernisation of transport planes and armoured vehicle components.

Egypt: €2.5 million in replacement parts for non-armoured transport vehicles; components, repair and modernisation of aircraft engines and light weapon munitions.

El Salvador: €1.8 million in electrical devices (frequency inhibitors).

Gabon: €0.3 million in replacement parts for transport planes.

Hong Kong (P.R. China): €50,000 in thermal cameras for sea surveillance.

India: €13.7 million in equipment and replacement parts for warships.

Indonesia: €0.5 million in light weapons and technology for the manufacture of transport planes and logistical support.

Israel: €1.4 in components for sporting pistols; 30 x 173 mm calibre rounds for operational tests of a remote control tower by an Israeli manufacturer of the tower intended for Spanish army vehicles; inert aviation bomb shells for technical flight tests; Spanish army missile launching systems for tests in Israel; electronic image processing cards to be incorporated into equipment intended for air force planes of an EU country and structures, parts and components of a communications satellite.

Jordan: €1.6 million in replacement parts for transport planes and logistical support and blank cartridges.

Kenya: €2.0 million in aerial bombs and patrol ship diesel engines.

Libya: €11.2 million in night vision glasses and repair and update of aircraft engines.

Malaysia: €27,354 in parts and components for sporting pistols and holographic sights.

Mauritania: €2,507 in pistols and hunting rifles and their munitions.

Morocco: €2.5 million in replacement parts, repair and modernisation of aircraft and aircraft engines.

Oman: €3.2 million in replacement parts for transport planes, rounds intended for aircraft and replacement parts for an anti-aircraft cannon.

Pakistan: €0.4 million in replacement parts for transport planes and logistical support, shells for aircraft and aerial bomb components.

Philippines: €673 in parts and components for sporting pistols.

Qatar: €1.0 million in replacement parts for tanks and radio frequency equipment.

Saudi Arabia: €5.8 million in replacement parts for transport planes, non-armoured vehicles and replacement parts for tanks.

Serbia: €7,321 in parts and components for sporting pistols and hunting rifles.

South Africa: €9,982 in hunting rifles and sporting pistols and their components.

Sri Lanka: €0.1 million in rounds for intended for aircraft.

Thailand: €0.8 million in replacement parts for transport planes, rounds intended for aircraft and replacement parts for light weapons installed on warships.

Tunisia: €0.8 million in explosives intended for mining and quarrying (the explosives are subject to control as defence material).

Venezuela: €212 million in two coastguard ships and munitions without charge intended for ships.

Exports completed (€1,128.3 million) accounted for 50.4% of those authorised (€2,238.4) mostly due to the authorisation of three individual export licenses for the modernisation of 9 anti-submarine aircraft for a value of €480 million to Brazil, 1 frigate valued at €400 million to Norway and 4 in-flight refuelling aircraft for a value of €305 million to Australia which did not fully materialise in 2010.

Focusing on item categories, we would draw attention to the export of "Aircraft"

totalling €585.7 million accounting for 51.9% of the total and “Warships” totalling €232.8 million and accounting for 20.6%.

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

This information can be found in Annex IV.

In 2010, a total of 956 applications for defence material export licenses were filed as follows: 626 individual licenses, 5 global licenses, 9 global project licenses (arising from cooperation programmes in the field of defence) and 316 temporary licenses. In addition to these, 4 inward processing traffic licenses were processed and rectifications were made to 172 licenses granted previously (rectification refers to an extension of the expiration date, the monetary value or a change in the customs release post).

Of the 626 individual licenses, 507 were approved, 1 denied, 14 were abandoned by the exporter, 15 expired due to failure to submit the end-use control document associated to the license by the deadline date and 89 were left pending authorisation in 2010. The 5 global licenses and 9 global project licenses were approved. Regarding the 316 temporary licenses, 314 were approved, 1 was denied and 1 left pending. All of the license rectifications were approved. The 4 traffic licenses were approved. Also in 2010, 43 preliminary export agreements were approved and 1 was denied. This is an administrative approval signalling initial conformity regarding future shipments.

Annex IV offers information concerning the time it takes to process licences and

the number of licences exempt from the preliminary report and/or control document.

The exemptions determined by the JIMDDU were limited to dispatches of non-sensitive material to allied countries or members of international control and non-proliferation fora.

Specifically, these exemptions were related to the following operations:

- a) The export-consignment and import-introduction arising from defence cooperation programmes classified as such by the Ministry of Defence in accordance with Article 25(2) a) of Royal Decree 2061/2008 of 12 December 2008.
- b) The export-consignment and import-introduction of items requested by bodies of the Ministry of Defence and by companies within the sector in compliance with maintenance or repair contracts concluded with the Armed Forces, with a favourable report from the Directorate-General for Armament and Materiel of the Ministry of Defence.
- c) Temporary export-consignment and import-introduction of items for repair, check-up, replacement of faulty material free of charge, returns to place of origin, tests, homologations, fairs or exhibits and, in the case of operations having to do with firearms, in addition to the foregoing, those transactions intended for hunting outings or sport shooting.
- d) Temporary export-consignment under an outward processing

procedure and export-consignment arising from previous imports-introductions under an outward processing procedure undertaken by bodies of the Ministry of Defence.

- e) The export-consignment and import-introduction of technology relating to defence material by operators with an internal compliance programme having regard to the control of the said transfers.
- f) The export-consignments of fuels meeting military specifications sent to countries of the European Union and the North Atlantic Treaty Organisation (NATO).
- g) Rectifications of authorisations having to do with effective term, customs and monetary value.

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

In 2010, four entries were made by defence material companies in the REOCE, a further nine made joint entries for defence and dual-use material and three entries were made by companies involved in all three areas of activity.

*D) Licenses denied*

In 2010 there was 1 denial of a license for the export of defence material resulting from enforcement of Common Position 2008/944/CFSP of 8 December. Details of this denials are found in Annex I.

We collaborated in an investigation of illicit trafficking in defence material by three Spanish enterprises. As a consequence of this investigation, the registration of one of these enterprises in the REOCE was temporarily suspended, the registration application of a second enterprise was denied and two export licenses and 4 import licenses were denied. We also collaborated in the investigation of a possible crime of smuggling involving the export of defence material without prior authorisation. An appeal to a higher court lodged against the decision denying possible access to data regarding defence material export to three sensitive destinations and police and security data was dismissed.

Prior to informing the operations, the JIMDDU conducted a case-by-case analysis of all 2010 transactions applying the following parameters:

- a) Respect for United Nation, European Union and OSCE embargoes currently in force (Annex VII).
- b) Observance of commitments undertaken at international control and non-proliferation fora to which Spain is party.
- c) Enforcement of the eight criteria laid down in Common Position 2008/944/CFSP of 8 December defining common rules governing control of exports of military technology and equipment.
- d) Enforcement of the 24 October 2000 OSCE Document and the latter's criteria concerning small arms and light weapons.

e) Adoption of restrictive principles in approving exports to certain countries immersed in domestic or regional situations of conflict thus preventing the shipment of arms or equipment that, in light of their characteristics, could be used to take life or injure or could be used for the purpose of domestic repression or as anti-riot material.

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

The requirement of submitting a control document continued throughout all of 2010 specifying this point as a prerequisite for license authorisation.

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

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

h) As of July 2008, external trade in cluster munitions is prohibited as

the result of the unilateral moratorium on the use, development, production, acquisition and external trade in cluster munitions pursuant to the Agreement approved by the Cabinet on 11 July 2008.

In 2010, the Ministry of Foreign Affairs and Cooperation authorised 497 transits of defence material and denied 19.

### **3. Principal actions undertaken and exchanges of information in the field of conventional arms in 2010**

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

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

As regards Community meetings, we participated in two different groups and were especially devoted to these tasks during the Spanish Presidency of the EU Council during the first half of 2010.

During that period, Spain chaired the COARM Group with four meetings each six months.. Nine meetings of the new CODUN-COARM group focusing on the future Arms Trade Treaty were also held. The Spanish Presidency of the COARM Group organised a presentation seminar

at the CESEDEN in Madrid on 14 and 15 January.

From among the most important advances made in 2010, we would stress the following (XII Annual Report on arms exports):

1. Adaptation of the Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment to national legal systems. Common Position 2008/944/CFSP extends controls to arms brokering, transits and the intangible transfer of technology.
2. *Review of the Code of Conduct Common List of Military Equipment.* On 15 February 2010, the Council adopted an updated version of the Common List based on the changes made to the Wassenaar Arrangement Military Equipment List. It was published in the Official Journal C69 on 18 March 2010. This is the list included in the Annex of Directive 2009/43/EC.
3. *Improvement of the Code of Conduct "User's Guide" and the denial database.* Both were compiled in 2003 and became fully operational as of 1 January 2004. The Guide features clarifications on procedures to be applied to the communication of denials and consultations stemming from the latter in addition to guidelines concerning the interpretation of the criteria and requirements for the

provision of data for the Annual Report. The most recent update took place on 19 April 2009. The database, managed by the General Secretariat of the EU Council, contains all of the denials issued to and consultations made by Member States communicated by means of the *coreu* electronic system. Denials are organised by the country issuing the denial, the country denied and the criterion.

4. *Participation and information dissemination activities.* These activities are the result of applying Joint Action 2008/230/CFSP and Council Decision 2009/1012/CFSP. This Decision appointed the German Federal Office of Economic and Export Control (BAFA) as the organising technical agency.

The following seminars were organised during the Spanish Presidency:

- Algiers (Algeria): 23 and 24 March 2010. This seminar targeted the North African countries (Algeria, Egypt, Libya, Morocco and Tunisia).
- Sarajevo (Bosnia and Herzegovina): 14 and 15 June 2010. This seminar targeted the Balkan countries (Albania, Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia).

The following seminars were organised during the Belgian Presidency:

- Kiev (Ukraine): 17 and 18 November. This seminar targeted Armenia, Azerbaijan, Belorussia, Georgia, Moldavia and the Ukraine.

These Presidencies also held several meetings of the Troika with Canada, Norway, the Russian Federation, Ukraine and the United States within the framework of the political dialogue of the EU's Common Foreign and Security Policy (CFSP). The main issues covered were controls on arms exports, enforcement of Common Position 2008/944/CFSP, the future Arms Trade Treaty and the memberships of new countries in the international non-proliferation and control fora. A mutual exchange of information on denials was undertaken with Norway.

5. *International Arms Trade Treaty.* On 3 October 2005, the Council supported the principle of an Arms Trade Treaty, urging the commencement of a formal United Nations process, the only forum capable of enacting a universal instrument. Council Decision 2010/336/CFSP on EU activities in support of the Arms Trade Treaty was adopted in 2010. At the 64th United Nations General Assembly held on 02 December 2009, the EU Member States backed the approval of Resolution 64/48 creating a

Preparatory Committee with four periods of sessions in 2010 and 2011 before the Conference planned for the Summer of 2012 when the Treaty will be presented for its expected approval by consensus. Representatives of the Member States participated in seven seminars, one of which was held during the Spanish Presidency, on the dissemination of a future Arms Trade Treaty organised by the UNIDIR in Vienna on 11 and 12 February. In addition to these informational activities, at different international fora several Member States bilaterally promoted the idea of a legally binding Arms Trade Treaty.

6. *Standardisation of national contributions for the Annual Report.* While differences continue to exist in the way information is presented, significant progress has been made over the last several years in improving the standardisation of procedures used in obtaining statistical data. In 2010, particular attention was paid to the difficulties encountered in gathering information on exports completed.
7. *Arms brokering.* In 2003, the Council adopted Common Position 2003/468/CFSP of 23 June on the control of arms brokering. The Common Position contains the criteria, instruments (licenses, written authorisations, records of activity, consultations) and definitions needed for the effective control of these operations. In accordance with

Article 5 of the Common Position, Member States must establish special mechanisms (specific databases) for the exchange of information on national legislation and registered intermediaries. At the COARM Group meeting held in April 2008, Member States also agreed to share information on brokering licenses issued while respecting confidentiality.

8. *Directive 2009/43/EC of the European Parliament and of the Council of 06 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community.* The exchange of information regarding the way in which each Member State is planning to transpose and enforce the Directive continued in 2010.

The priority guidelines of the COARM Group for 2011 may be summarised as follows:

- Continuation of the adoption and harmonisation process of the national reports to foster more homogeneous statistical data thus facilitating their inclusion in the Annual Report of the European Union.
- Adaptation of Common Positions 2003/468/CFSP and 2008/944/CFSP to national legislations.
- Update of the User Handbook and the Common List of Military Equipment.
- Maintenance of the exchange of information regarding export policies towards third countries.

- Contribution to the exchange of information on Directive 2009/43/EC and its transposition into national legislations in a harmonised manner.
- Promotion of the initiative based on an Arms Trade Treaty and specifically on the Preparatory Committee meeting scheduled for the Spring of 2011. Participation of experts from the COARM Group in dissemination seminars regarding Council Decision 2010/336/CFSP.
- Intensification of dialogue with the European Parliament and cooperation with international NGOs and the defence industry.

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

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

The aim of protecting human rights, peace, security and stability laid down in the legal provisions and regulations of the Member States which restrict the transfer of defence-related items, require that the transfer of these items within the Community continue to be subject to the

authorisation of the Member States of origin and the submission of guarantees in the recipient Member States under different safeguard mechanisms laid down in the Directive.

All transfers of defence-related items within the Community are subject to prior authorisation, although some specific exemptions are defined permitting Member States to grant exemptions to the said authorisation such as dispatches to the Armed Forces of a Member State, deliveries made by the EU, NATO or the IAEA and transfers within the framework of a cooperation programme.

To facilitate the transfer of defence-related products, general transfer licenses will be published which authorise transfers from Member States to undertakings which comply with the terms and conditions laid down in each general license. General licenses will suffice where the recipient is the Armed Forces or a certified undertaking in accordance with the requirements laid down in the Directive, in the case of demonstrations, evaluations and temporary exhibits and in the case of transfers for the purpose of maintenance and repairs. General licenses shall likewise be published for dispatches to NATO (NAMSA).

Suppliers will have to inform recipients of the terms and conditions of the general license as concerns the end use or export of these items. They will also have to inform the authorities of their intention to use a given general license for the first time 30 days prior to the first transfer. They will also have to furnish periodical information on the use made of the general licenses and the transfer of items for statistical purposes and keep these records with the required information on

file for a minimum of five years so as to ensure the traceability of defence material.

Global transfer licenses are issued at the request of the individual supplier and authorise the latter to undertake one or several transfers of defence-related items to one or several recipients in one or several Member States. These will be valid for three years and may be renewed.

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

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

The deadline for the transposition of the Directive for Member States is 30 June 2011. The measures proposed will be enforced as from 30 June 2012 thus allowing a year during which to foster mutual trust in the adoption of the legal, regulatory and administrative provisions adopted to guarantee compliance with

the Directive on the part of the Member States.

In 2009 the Commission created a Committee for the transposition of Directive 2009/43/EC composed of experts from the 27 Member States, the Council Secretariat and the European Defence Agency. The first meeting took place in Brussels on 04 December 2009 and the second on 17 September 2010. A working group on certification was also created for the purpose of defining common criteria and best practice guidelines giving rise to the publication of a set of recommendations based on the harmonisation of the certification process undergone by enterprises that are the receivers of the defence material envisaged in the Directive. The working group on certification met on four occasions in Brussels in 2010: 15 January, 19 February, 25 March and 22 October.

On 15 February 2010 the Council adopted the updated version of the EU's Common List of Military Equipment requiring amendment of the Annex to Directive 2009/43/EC. This update took the form of Commission Directive 2010/80/EU of 22 November 2010.

*C) Council Regulation (EC) 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment*

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

Annex II features a list of items related to the application of the death penalty

whose export, import and related technical assistance are prohibited: gallows and guillotines, electric chairs, gas chambers, injection systems designed for the administration of a lethal chemical substances and electric-shock belts. This prohibition does not apply to shipments of this equipment to museums. Technical-health items are excluded as well.

Annex III includes equipment used for torture: restraint chairs and shackle boards, leg-irons, gang chains, shackles, individual cuffs and shackle bracelets, thumb-cuffs, portable anti-riot devices for administering an electric shock, incapacitating chemical substance dispensing devices and two chemical substances used in the manufacture of tear gas. These items may be exported and imported but they need prior authorisation and a control document listing the recipient, use and end user. Transit and brokering transactions are not included in this Regulation. A denial and consultation procedure similar to the one contained in Common Position 2008/944/CFSP of 8 December has been set up.

The Regulation includes the drafting of an annual activity report and the compulsory communication of denials among Member States.

The second meeting of the Committee entrusted with the review of its enforcement was held on 29 June 2010.

The main points addressed at that meeting were the presentation of the report drawn up by Amnesty International and the Omega Foundation ("Europe: from Words to Deeds, Making the EU ban on the trade in 'tools of torture' a reality") and the review of Regulation

1236/2005 including amendment proposals.

The Amnesty International report again stressed the need for a strict control procedure on trade in certain items which could be used for torture while also recognising that the Regulation is the most forceful response in terms of control and marks an important step forward in the fight against torture and ill treatment. However, it pointed out aspects needing improvement when it comes to enforcement. In this connection it indicated that the regulation has weak points and recommends an update of its annexes and text with the introduction of a catch-all clause on the control of end-use and the consideration of brokering in the Regulation.

Following the presentation of the Amnesty International report, the Commission and the Member States debated the problems encountered in enforcing the Regulation. Proposals were submitted to update the annexes (enlargement of the list of items) as was the creation of a database for the notification of refusals. A review of information obligations was also undertaken. Having regard to the review of the annexes, Spain proposed the need for and importance of properly defining the items for identification purposes and a discussion ensued on the inclusion of a catch-all clause on the control of end-use.

Concerning the exchange of information, the Spanish delegation tabled a proposal calling for the creation of a database similar to the one provided for in Common Position 2008/944/CFSP to notify of refusals. However, the Commission and some of the delegations expressed the opinion that one of the databases already in operation could be

used such as the one to control dual-use items. The problem is that the authorities of some Member States may raise objections to this and therefore the issue was left pending for consultation and debate at the next meeting.

The need to furnish information on the regulation in each Member State as regards sanctions and penalties for infringement was likewise stressed.

#### *D) Letter of intent (LOI) regarding the restructuring and integration of the European Defence industry*

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

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

In 2010 Spain continued to participate in the activities of the aforementioned subcommittees.

As concerns Subcommittee No 2 on Export Procedures, the main task revolved around the analysis of the transposition to the legal systems of LoI countries of Directive 2009/43/EC of the European Parliament and of the Council of 06 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community.

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

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

The GPL are regulated under Royal Decree 2061/2008 (Article 25) while the CL are governed by the Royal Decree amending the aforementioned RD (Article 5(2) and (8)).

Also in 2010, the six LOI countries fostered the use of Global Project Licenses between undertakings involved in cooperation programmes.

#### *E) European Union Joint Action on Small Arms and Light Weapons*

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

Joint Action 1999/34/CFSP, adopted by the European Union on 18 December 1998 and updated by Joint Action 2002/589/CFSP of 12 July on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons, reinforces other initiatives already existing in the European Union, specifically the so-called Programme for Preventing and Combating Illicit Trafficking in Conventional Arms of 26 June 1997 and Common Position 2008/944/CFSP.

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

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

In 2010 the European Union continued to provide technical and financial assistance with funds from different budgets for programmes and projects undertaken by different international and non-governmental organisations in the fight against the proliferation of small arms and light weapons and assistance for victims of armed conflicts. The European Union remains one of the world's top contributors in this area.

In 2010 the EU continued to draw up a new Council Decision (approval expected in 2011) supporting the Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects whose objective will be to promote the region-wide application of the Programme of Action, the International Instrument on Marking and Tracing of small arms and light weapons and the United Nations technical guidelines for the stockpile management of conventional ammunition.

Council Decision 2010/336/CFSP was implemented in 2010 to support the process of the draft International Arms Trade Treaty (ATT) among third countries. This is a project undertaken by the UNIDIR consisting of seven regional seminars held on different continents focused on the political aspects of the ATT and the technical characteristics of

conventional arms export control systems.

In 2010 the EU continued its support of demilitarisation projects in the area of small arms and light weapons, especially through implementation of Council Decision 2010/179/CFSP in support of activities carried out by SEESAC in the Balkans and finalisation of the implementation of another Council Decision from 2005 regarding the destruction of small arms and light weapons in Ukraine. The EU also continued to support a UNDP arms control programme in Bosnia and Herzegovina through the Stability Instrument.

The EU also carried on with an initiative to combat unlawful trade in small arms and light weapons through aerial means. To that end, Council Decision 2010/765/CFSP was adopted to improve the tools and techniques at the disposal of national and international players to identify and trace aircraft suspected of being involved in the unlawful trafficking in small arms and light weapons. SIPRI is entrusted with the enforcement of that Decision.

The EU continued with the implementation of programmes to increase regional cooperation in the field of small arms and light weapons through regional economic communities in Africa: the Economic Community of West African States; the East African Community; and the Economic Community of Central African States. In that framework, it made a specific financial contribution to the Regional Centre on small arms and light weapons in the Great Lakes Region and the Horn of Africa and adjoining States (RECSA) to promote the role of civil society and to

support national efforts in the prevention of unlawful trade in small arms and light weapons throughout the region.

Moreover, the EU continued supporting the completion and adoption of an African Union Strategy against small arms and light weapons planned for implementation during 2011.

Also, within the framework of the Stability Instrument, the EU is supporting other projects such as the application of the Firearms Protocol (appended to the United Nations Convention against Transnational Organised Crime) in Latin America, the Caribbean and West Africa, and the development of an INTERPOL database on lost and/or stolen weapons as a centralised tool to trace illegal firearms.

Lastly, the EU increased its collaboration in this field with other regional organisations such as the OSCE. A clause referring to small arms and light weapons continues to be included in bilateral agreements with third countries (such being the case of the agreements with Russia and Vietnam in 2010).

The Ministry of Foreign Affairs and Cooperation continued organising, as in previous years, seminars to train experts in which civil servants, members of Parliament and representatives of the civil society of the majority of the Latin America countries typically take part. Other bodies, namely the Ministry of the Interior, also collaborate in this task.

Spain has increased its participation as a donor country in the framework of the fight against the illegal trade in and proliferation of firearms both in terms of technical assistance and cooperation

and in voluntary contributions made to international/regional organisations and NGOs.

Special mention should be made of the following activities:

- In 2010, Spain contributed to the funding of projects related to the fight against the unlawful trade and proliferation of firearms and reduction in armed violence through a series of UN bodies: the UNDP Bureau for Crisis Prevention and Recovery, €500,000, and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC), €105,000. Approximately fifteen activities related with the fight against unlawful trade in and proliferation of firearms have been undertaken with these bodies (workshops, seminars, technical and legislative assistance and capacity-building), especially in Latin America.
- Within the framework of the Organisation for Security and Co-operation in Europe (OSCE), Spain continued to donate funds in support of different projects related with the destruction of stockpiles of conventional arms, small arms and light weapons and munitions and explosives. Spain made the following contributions during the period from 2005-2010:

€350,000 for projects related to small arms and light weapons in Belorussia and Tajikistan; and €950,000 for projects related to the destruction of conventional arms and ammunition in Georgia, Moldavia, Montenegro, Tajikistan, Kazakhstan and Ukraine.

- Within the framework of the Organisation of American States (OAS), Spain made a financial contribution of €567,000 in support of action projects against anti-personnel mines and for the destruction of obsolete and excessive firearms and ammunition.
- Within the framework of the Mediterranean Dialogue of the North Atlantic Treaty Organisation (NATO), in 2010 Spain contributed €35,000 for a project in Mauritania to build munitions deposits, destroy obsolete munitions and portable missiles and to supply equipment and training and reintegrate military personnel. From 2005-2010, Spain contributed over €2,000,000 to the funding of projects of this nature within the framework of NATO's Partnership for Peace and the Mediterranean Dialogue in Afghanistan, Bosnia and Herzegovina, Georgia, Jordan, Montenegro and Serbia, among others.

Also, the Spanish Agency for International Development Cooperation (AECID) funded projects focusing on

care for victims, their families and communities of which special mention should be made of the reintegration of ex-soldiers with special emphasis on care for children soldiers.

The Arms and Explosives Intervention Unit of the Directorate-General for the Police and Guardia Civil (Ministry of the Interior) carried out the following activities in 2010: 26,532 inspections of manufacturing and storage plants of these weapons and explosive plants and warehouses; holding on deposit of 291,196 firearms of different types and characteristics; 22,084 weapons pending auction; 40,781 weapons pending scrapping; 974 lost weapons of which 415 were recovered; 139 sanction proceedings involving weapons and 433 involving explosives filed against factories, armouries, individuals and carrier companies; confiscation at border controls of 81 weapons from Schengen countries and of 48 weapons from non-Schengen countries (from: Germany, Italy, Netherlands and Portugal).

Regarding import and export, 1,246 import authorisations, 373 export authorisations and 1,517 Prior Consents and 380 Transfer Permits to the European Union were granted.

Since 1999 the Central Weapons and Explosives Intervention Unit has been periodically attending meetings with other Member States of the European Union related to Directive 2008/51/EC of the European Parliament and of the Council of 21 May 2008 amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons

The European Union's enforcement of the United Nations Firearms Protocol is still pending and constitutes an international commitment for the Union. This action is linked to the Union's current policies on measures to combat international crime, intensification of the fight against unlawful trafficking in firearms and measures to reduce the proliferation and dissemination of small arms throughout the world.

The text of the "EC Regulation of the European Parliament and of the Council implementing Article 10 of the United Nations Firearms Protocol and establishing export authorisation, import and transit measures for firearms, their parts and components and ammunition" is currently under discussion by the Customs Union Working Group (Regulation and Customs Policy). The draft Regulation is applicable exclusively to civilian firearms, their parts and essential components and ammunition and not to firearms intended for specific military purposes. Moreover, it only treats transfers of firearms to third countries and therefore makes no mention of intra-Community transfers.

*F) United Nations Conference on the Illicit Trade in Small Arms and Light Weapons. Action Programme*

Spain places a high priority on international cooperation in combating and eradicating unlawful trafficking in these types of arms. The Spanish Government has lent its support to all of the work conducted in this field within the scope of the United Nations as well as in other areas (OSCE, Wassenaar Arrangement) as evidenced by the different sections of this report.

The first Conference was held in New York from 9 to 20 July 2001 for the purpose of combating all aspects of illicit trade in small arms and light weapons including the role played by brokers.

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

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

Part II of the Programme of Action envisages a series of legislative and regulatory measures to be adopted at national level (inter alia, regulation of the production, export, import, re-export and

transit of small arms and light weapons and criminalisation of the production, possession, stockpiling and illegal trade in these arms). Most of these measures are much less stringent than the rules currently in force in Spain.

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

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

The Programme of Action also envisages State adoption of administrative measures to facilitate the coordination

and transmission of information in the sphere of the small arms and light weapons trade. In this connection, States are urged to designate a "contact point" or are requested to voluntarily remit information regarding arms confiscated or destroyed to international organisations. In December 2003 the Ministry of Foreign Affairs and Cooperation communicated the Spanish contact point.

Lastly, the Programme of Action contains a series of political provisions. These provisions urge States to cooperate in the elimination of illicit trafficking in small arms and light weapons and to provide technical and financial assistance in this connection for States in need and to promote transparency and customs cooperation measures at regional level. At European Union level, the Joint Action on small arms and light weapons and the Programme for Preventing and Combating Illicit Trafficking in Conventional Arms already address these issues in a broader way than the Programme of Action analysed.

In 2010, Spain continued carrying out a significant number of legislative and executive activities along with multilateral, cooperation and international technical and financial assistance initiatives targeting third countries. Operations were undertaken to control trafficking in and the marking, tracking, registration and destruction of small arms and light weapons, as well as operations having to do with training and the exchange of information at institutional and international level. All of the activities undertaken by Spain in application of the UN's Programme of Action on small arms and light weapons and the International Instrument on Marking and Tracing are described in detail in the report issued

every two years to the United Nations and the extent of national implementation of those two instruments is available on the UN's web page.

In close collaboration with the Programme of Action, in 2004 Spain initiated a series of meetings in the form of seminars on the control of the small arms and light weapons trade in Latin America using the training centres which the AECID has established throughout the region. Seven seminars have been organised to date focusing on different facets of the problem surrounding the unlawful trade in and proliferation of small arms and light weapons, the most recent of which was held in October 2010 in Cartagena de Indias (Colombia). Nearly 250 Latin American experts participated in these activities.

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

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

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

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

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

*Parliamentary Forum on Small Arms and Light Weapons*

Since its constitution in Madrid in October 2002, Spain has been taking part in the Parliamentary Forum on Small Arms and Light Weapons with the participation of MPs from Spain, Sweden, Finland, Colombia, Central America and the European Parliament (joined recently by MPs from some African nations), in addition to government officials and representatives from inter-governmental bodies and institutions and the civil society.

The Parliamentary Forum is the only worldwide network of members of parliament devoted exclusively to the control of small arms and light weapons and to combating the proliferation of these arms.

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

development processes in Latin America and the Caribbean.

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

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

#### *Signing of the Geneva Declaration on Armed Violence and Development.*

In March 2007, Spain endorsed the Geneva Declaration on Armed Violence and Development forming part of the United Nations Programme of Action and now forms part of the "hard core" group of countries working together to develop concrete actions in fulfilment of the commitments adopted within the framework of the said Declaration: inter alia, to establish a road map and indicators to measure armed violence, to identify best practices to reduce armed violence and to prevent conflict in national development plans.

Spain drafted and endorsed Resolution 63/L.27 of 12 November 2008 entitled "Promoting development through the reduction and prevention of armed

violence" which draws a parallel between armed violence and development. It points out that the main responsibility for repressing armed violence and promoting the Millennium Development Goals lies with national governments and underscores the need to apply a consistent and comprehensive focus of armed violence prevention with a view to achieving peace and development.

The Ministry of Foreign Affairs and Cooperation organised three seminars, one in La Antigua (Guatemala) in 2008 and 2010 and another in Cartagena de Indias (Colombia) in 2009, targeting Latin American countries and seeking formulae for the enforcement of the Geneva Declaration and its objectives.

In 2010, Spain actively participated in the Oslo Conference on armed violence and development held in Geneva (Switzerland) in May and took on the commitments contained in the Oslo Declaration on armed violence and development - Millennium Development Goals, adopted at the Conference.

#### *G) International Arms Trade Treaty (ATT)*

This is an initiative arising from a Committee of Nobel Prize winners in 1997 under the leadership of Costa Rica's Oscar Arias Foundation and with the support of several NGOs including IANSA, Amnesty International, Intermon-Oxfam and *Saferworld*. These NGOs launched a campaign in November 2003 called "Arms under control" with a view to winning approval for the Treaty.

The Treaty is conceived as a legally binding instrument whereby all signatory countries commit to refrain from exporting arms to destinations where

human rights and International Humanitarian Law is not respected.

This project was presented in July 2005 to the President of the Spanish Government.

Spain was one of the 117 co-sponsors of this project passed on 6 December 2006 at the 61st United Nations General Assembly. A Group of Governmental Experts was created to study its feasibility, scope and parameters and Spain is among the 28 countries selected. Spain was also one of the 114 co-sponsors of the Resolution adopted on 17 October 2008 at the 63rd General Assembly agreeing to move forward with the creation of an open-ended Working Group for the possible drafting of a future legally binding instrument laying down common international rules for the import, export and transfer of conventional arms.

This group met two times in 2009 and was replaced by a Preparatory Committee for the four periods of session in 2010 and 2011 leading up to the United Nations Conference in the summer of 2012 marking the conclusion of the work on the ATT. The activities of the group and the committee have been supplemented by three annual regional seminars for the purpose of disseminating the initiative.

Spain has been co-sponsoring all of the United Nations resolutions which directly or indirectly focus on small arms and light weapons or their ammunition, special mention being made of the following: "Illegal trade in all aspects of SALW" ; "Assistance to States in putting an end to illegal trafficking in SALW and their collection"; "Problems caused by the stockpiling of conventional munitions"; "Transparency in arms matters

(Conventional Weapons Registry)"; "Information regarding measures to foster trust in the area of conventional weapons"; "Control of conventional weapons at regional and sub-regional level" and "Arms trade treaty".

#### *H) Convention on Cluster Munitions*

The precursors of these initiatives are found in the Ottawa Convention on anti-personnel mines. This convention was signed on 3 December 1997 following the preparatory Oslo Conference of 18 September 1997. Spain ratified the Convention on 7 March 1999.

Under the agreed text, each State committed to refrain from using, developing, producing, acquiring, stockpiling, conserving or exporting anti-personnel mines. The signatory countries also committed to destroying their stocks of mines within a period of 4 years except in the case of already existing mine fields (10 years). Another exception allows holding on to or the transfer of a number of mines for the development of detection or destruction techniques. The strength of this legal instrument lies in the verification mechanisms which were approved with a view to checking their effective enforcement and, more specifically, the creation of a United Nations database containing each country's information on existing mines and their eradication programmes.

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

Both the Convention and Law 33/1998 exclude cluster and fragmentation bombs from the scope of the aforementioned prohibition on manufacture and trade. Moreover, the requirements laid down in Protocol V of the 10 October 1980 Geneva Convention on the prohibition or restricted use of certain conventional arms considered excessively damaging or indiscriminate (CCW), did not apply either.

However, from 2006 to December 2008, two parallel processes have taken place which could pave the way for a prohibition of cluster bombs. The first was within the framework of the CCW.

The second, called the Oslo Process, was more active. Spain was one of the 46 signatory countries of a declaration at the Oslo Conference held on 22-23 February 2007 whereby these countries undertook to conclude a process during 2008 to prohibit the manufacture, trade and use of cluster bombs. Discussion on this issue extended into successive conferences (Lima, Vienna, Wellington, Dublin).

Finally, at the Dublin Conference held from 19-30 May 2008 a draft convention was passed prohibiting cluster bombs with one exception – that they have fewer than 10 sub-munitions, weigh less than 4 kg, come equipped with a sensor or remote control to detect a single target and come equipped with self-destruction or self-deactivation mechanisms.

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

2009. It was the tenth signatory country of the Convention.

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

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

#### *1) United Nations Register of Conventional Arms*

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

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

The following categories form part of the "small arms" classification: automatic revolvers and pistols, rifles and carbines, machine guns, assault rifles, light machine guns and others. The "light weapons" category includes: heavy

machine guns, portable anti-aircraft weapons, portable anti-tank weapons, recoilless rifles, portable missile and rocket launching systems and under 75 mm calibre mortars.

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

#### *J) OSCE Document on Small Arms and Light Weapons*

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

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

undertaken in 2010 which are listed in Annex VI attached to this report.

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

It should be pointed out that the exchange of information in the OSCE concerning arms recipients and the complete item excluding components and munitions is limited to the armed forces and law enforcement officials while information regarding countries of destination is limited to OSCE countries meaning that Spanish exports included in this annex are a part of the total exports of SALW. Furthermore, the figures appearing in the tables regarding authorised licenses issued do not necessarily coincide with the figures appearing in the tables on operations undertaken because not all of the licenses give rise to shipments. Moreover, shipments made in one fiscal year could be carried out under a license issued the previous year.

In addition to these actions, in 2010 intense work was done to publicise new Spanish legislation through the following activities:

- Seminar on Cooperation Structures in Europe within the framework of the Arms Programmes, Ministry of

Defence-CESEDEN (Madrid, 16-17 February).

- Seminar on the European Defence Industry's Restructuring Process, Ministry of Defence-CESEDEN (Madrid, 8-9 March).
- Presentation of the initiative based on a future Arms Trade Treaty and Directive 2009/43/EC of the European Parliament and of the Council of 06 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community, TEDAE (Madrid, 24 May).
- Presentation of Spanish law regulating external trade in defence material, other material and dual-use items and technologies, EUROCOPTER (Albacete, 26 May).
- III Course on the Defence Industry's Legal Regime, Business Institute (Madrid 27 May).
- III Introductory Course on International Trade, Logistical Academy of Calatayud-Chamber of Commerce and Industry of Zaragoza (Zaragoza, 17 June).
- Presentation of Spanish law regulating external trade in defence material, other material and dual-use items and technologies, CAUCE ICEX (Madrid, 4 November).



## **PART III. EXPORTS OF OTHER MATERIAL**

### **1. Legislation in force**

Smooth-bore barrel hunting and sporting arms and their ammunition which, due to their technical specifications, are not apt for military use and are not completely automatic, were not subject to control until the entry into force of Law 53/2007 (29 January 2008). This regulation extended control to all hunting and sporting arms, their parts and components and ammunition pursuant to the commitments undertaken by virtue of United Nations General Assembly Resolution 55/255 of 8 June 2001 approving the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. Article 2(2) of Royal Decree 2061/2008 of 12 December regulates the said control.

### **2. Statistical analysis**

#### *A) Exports completed*

Exports of police and security material totalled €1.9 million and was sold to Venezuela (€1.6 million accounting for 82.6%) and Peru (€0.3 million, 17.4%). Exports completed accounted for 13.5% of those authorised during the same period (€14.5 million).

Exports of hunting and sporting arms (hunting shotguns, cartridges and their parts) totalled €30.9 million. Exports completed accounted for 61.1% of those authorised during the same period (€50.7 million).

The main destinations were the United States (€4.1 million, 13.2%) Turkey

(€3.4 million, 11.0%) and Peru (€2.3 million, 7.5%). The rest of the transactions were divided among 59 destinations.

The vast majority of these exports were hunting shells.

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

Under the heading "Other Material" 287 individual licenses, 9 temporary licences and 43 rectifications were processed. Of those 287 individual licenses, 258 were approved, 25 were left pending, 3 discontinued and 1 was denied. All of the temporary licenses and rectifications were approved.

#### *C) Entries in the Special Register for External Trade Operators in Defence and Dual-use Material*

There were 14 entries of undertakings in the REOCE, a further 4 joint entries with defence material and 3 of undertakings with activity in the three areas.

#### *D) Licenses denied*

In 2010, 1 license for the export of other material was denied. Details of this denial can be found in Annex II.



## PART IV. EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES

### 1. Legislation in force

Regulation of external trade in dual-use items and technologies is governed by Regulation (EC) No 428/2009 of 05 May 2009 setting up a Community regime for the control of the export, the transfer, brokering and transit of dual-use items.

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

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

Mention should also be made of Joint Action 2000/401/CFSP of 22 June on the control of technical assistance concerning certain military aims. Here, special attention is paid to the control of technical assistance (including that transmitted verbally) which could foster or serve as the basis for the development of weapons of mass destruction. The Joint Action introduces control of technical assistance lent to non-community countries, allowing

Member States to choose between an authorisation or prohibition system.

Member States are also urged to consider the possible application of control when technical assistance has a conventional military end-use and focuses on countries subject to international embargoes.

### 2. Statistical analysis

#### A) Exports completed

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

Exports of dual use material in 2010 fell by 1.8% vis-à-vis 2009 totalling €97.32 million.

Year	Amount (€millions)
2004	28.05
2005	58.64
2006	79.04
2007	114.26
2008	154.24
2009	99.12
2010	97.32

The following were the top ten countries of destination:

DU countries	Amount (€millions)	Percentage
<b>Most relevant countries</b>	<b>89.81</b>	<b>92.28</b>
Iran	39.22	40.30
P.R. China	18.01	18.51
Brazil	7.86	8.08
Argentina	6.12	6.29
Venezuela	4.87	5.00
United States	4.87	5.00

Russia	3.12	3.21
Cuba	2.80	2.87
Morocco	1.73	1.78
India	1.21	1.24
<b>Remaining countries</b>	<b>7.51</b>	<b>7.72</b>
<b>TOTAL</b>	<b>97.32</b>	<b>100</b>

The number one destination of Spanish exports was Iran with €39.2 accounting for 40.3% of the total.

Shipments consisted of steel pipes, valves and replacement parts for the automobile, oil, gas, petrochemical and steel industries and for energy generation plants, and an electro-erosion machine for the manufacture and repair of cutting tools used to manufacture gas turbines at energy generation plants, transformer replacement parts, motor pump units and heat exchangers for a refinery, water pump impellers for an energy plant and tools, replacement parts and coolants for a machining cell in the automotive sector.

Spanish exports to this destination may seem surprising given that Iran is subject to embargoes from the United Nations and the European Union.

Export operations to Iran have been analysed on a case-by-case basis by the JIMDDU and the Secretariat of State for External Trade of the Ministry of Industry, Tourism and Trade with due consideration of United Nations Resolutions 1696 (2006) of 31 July, 1737 (2007) of 23 December, 1747 (2007) of 24 March 2007, 1803 (2008) of 3 March 2008, 1835 (2008) of 27 September, 1887 (2009) of 24 September and 1929 (2010) of 9 June, in addition to Common Positions 2007/140/CFSP of 27 February, 2007/246/CFSP of 23 April, 2008/652/CFSP of 7 August 2008, and Council Decision 2010/413/CFSP of 26

July 2010 and Regulations (EC) No 423/2007 of 19 April, 618/2007 of 5 June, 116/2008 of 28 January 2008, 1110/2008 of 10 November 2008, 1228/2009 of 15 December 2009 and 961/2010 of 25 October concerning restrictive measures against Iran.

These measures focus on the trade sector, especially dual-use items, and restriction of trade insurance; on the financial sector; on the Iranian transport sector, especially the Islamic Republic of Iran Shipping Line (IRISL) and its subsidiaries and air cargo services; on oil and gas industry sectors including prohibition of new technical assistance investments and transfers of technology, equipment and services related to those sectors and on new visa denials and asset seizures applicable to the Islamic Revolutionary Guard.

The increase in the export of dual-use items and technologies to Iran is the result of the application of the United Nations and European Union sanctions and the so-called catch-all clause (Article 4 of Council Regulation (EC) No 428/2009).

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

The People's Republic of China was the second most important destination with €18.0 million accounting for 18.5% of the total. Exports consisted of tape laying machines, carbon fibre, fibreglass and ultrasound inspection systems for carbon fibre parts used in the aeronautics industry; chemical substances for the production of tin on electro-plated surfaces; drills for watch movements; machine tools for the aeronautics sector, textiles, energy generation and automotive; electrical power capacitors for electricity generation plants, railway sector and laboratories; circuits, microprocessors and memories for telecommunications equipment; in addition to electronic components for a communications satellite.

Apart from the ten main destinations listed in the preceding table, the small remaining percentage (7.7%) was distributed among 49 countries from different areas.

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

Cuba: €2.8 million in graphite electrodes for electrical furnaces for steel production and chemical substances for pharmaceuticals laboratory analyses, human vaccine quality control and water analyses.

Georgia: €98 in chemical substances for a forensic laboratory.

Hong Kong (P.R. China): €0.5 in electronic cards for telecommunications equipment and chemical substances for in-vitro tests.

India: €1.2 million in pre-impregnated carbon fibre with epoxide resin for the aeronautics industry, chemical substances for the manufacture of solar cells and laboratory analyses and a machine-tool for the manufacture of natural gas bottles.

Iraq: €0.1 million in an anti-intrusion surveillance system for a corporate compound.

Israel: €0.2 million in electronic image processing cards for incorporation into systems to subsequently be re-exported for use in aircraft of the Air Force of a third country.

Libya: €88 in chemical substances for laboratory analyses.

Malaysia: €0.5 million in two mini unmanned aircraft for civil air reconnaissance.

Pakistan: €764 in a deuterium compound for laboratory analyses.

Venezuela: €4.9 million in chemical substances for the oil and petrochemical industry.

Exports completed accounted for 37.4% of those authorised (€259.9 million).

In 2010, sales were mostly concentrated in the categories of "Materials processing" (€57.3 million, 58.8%) and "Materials, chemical substances, microorganisms and toxins" (€29.7 million, 30.5%).

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

This information can be found in Annex IV.

In 2010, 441 license applications for the export of dual-use goods and technologies were processed corresponding to 433 individual licenses, 2 global licenses and 6 temporary licenses. 29 rectifications of licenses already awarded and 2 preliminary agreements were processed as well. No inward processing traffics were handled. Two general authorisations were granted pursuant to Article 9 and Annex II of the Community Regulation on dual-use. Of the 433 individual licenses, 405 were approved, 19 denied, 8 remained pending and 1 was discontinued by the exporter himself. All of the temporary licenses were approved as were the rectifications and preliminary agreements.

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

The exemptions determined by the JIMDDU corresponded to the following operations:

- a) Temporary exports-consignments and imports-introductions for repair, check-up, replacement of defective material at no charge, returns to origin, tests, homologations, fairs and exhibits.
- b) The export-consignment and import-introduction of dual-use technology in the case of those operators involved in an Internal Compliance Programme having to do with the control of the said transfers.
- c) The export-consignment of dual-use items and technologies intended for Member Countries of international export control regimes by virtue of which the items intended for export are subject to control with the exception of the items included in Annex II of Council Regulation (EC) No 1183/2007 of 18 September.
- d) Export-consignment of items, equipment and technology which, while included on the List of Defence Material and Other Material under this Regulation and in Annex I of Council Regulation (EC) No 1183/2007 of 18 September 2007 on the control of exports of dual-use items and technology, were eliminated from or are not included on the corresponding international lists.
- e) Introduction from another European Union country of the chemical substances included on Lists 1, 2 and 3 of the 13 January 1993 Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction, with the exception of ricin and saxitoxin.

- f) Rectifications of authorisations having to do with effective term, customs and monetary value.

#### *C) Entries in the Special Register for External Trade Operators in Defence and Dual-use Material*

There were 20 entries of undertakings in the REOCE, a further 9 joint entries with defence material and 3 of undertakings with activity in the three areas.

#### *D) Licenses denied*

There were 19 denials in the sphere of dual-use. Details of these denials are found in Annex III.

Moreover, it was decided to apply the catch-all clause on four occasions which corresponded to possible dispatches of chemical substances, piping, electronic equipment and an aluminium recycling plant. A review was made of ten cases in which the said clause was applied.

Communications were made of two licenses denied under the Wassenaar Arrangement and the effective expiration of 3 further ones, 25 licenses denied under the Australia Group, 10 under the Nuclear Suppliers Group (NSG) and 12 under the Missile Technology Control Regime (MTCR).

Also in 2010 in the area of dual-use operations, collaborative investigative work was undertaken with the Customs and Excise Department regarding possible shipments of machine tools with the risk of diversion to a

proliferation programme in one case and without prior authorisation in the other. Information was furnished to two member countries of international non-proliferation fora in two investigations looking into the possible sale of sheets of aluminium to a suspect recipient and the export of explosives for civilian use to a destination subject to an embargo.

At the request of the Secretariat of the JIMDDU, the Customs and excise Department decided to apply inspection filters in six cases of exports undertaken by Spanish undertakings and in a further two in a general sense with respect to a specific destination.

Two appeals to a higher court against two decisions to deny the export of machine tools and steel tubing to a suspect destination were dismissed.

### **3. Principal actions undertaken at international control and non-proliferation fora in 2010**

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

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

As regards Community meetings, we participated in two different groups and were especially devoted to these tasks

during the Spanish Presidency of the EU Council during the first half of 2010. During this period, Spain chaired the Council Working Group on the Export of Dual-Use Items and Technologies. Four meetings were held each half-year. The main topic of discussion at these meetings was the new draft Regulation for the establishment of the new General Community Authorisations for the export of dual-use items and technologies, the update of the checklists and the application of new sanctions against North Korea and Iran. Two meetings of the Coordination Group on Dual-Use Items and Technologies and two meetings of the *ad hoc* sub-groups were also held in Brussels to study the sanctions levied against the two aforementioned countries.

Following is a summary of the main subjects addressed and agreements reached by these groups in 2010:

1. *Council Regulation setting up a Community regime for the control of exports of dual-use items and technology.*

In 2010 the Council Working Group continued its discussions of the Commission's draft Regulation to amend Council Regulation (EC) No 428/2009 on the control of exports of dual-use items with the introduction of six new General Community Authorisations to supplement the already-existing EU001. The purpose of these new General Community Authorisations is to simplify the current system of General Authorisations and establish a level playing field for all EU exporters facilitating export formalities for certain

items in certain amounts and to certain destinations considered to be less of a threat.

The legislative proposal included six General Community Authorisations specifically for: limited value dispatches, export following repair/replacement, temporary export for exhibits or fairs, computers and analogous equipment, telecommunications and information security and chemical products.

After a number of meetings the Group tabled a proposal, supported by the majority of the Member States, to the Parliamentary Commissions involved and which listed four of the previous General Authorisations (export following repair or replacement, temporary export for an exhibit or fair, telecommunications and chemical products), featuring a number of modifications with respect to the original proposal.

2. *EU Action Plan and strategy against proliferation of weapons of mass destruction.* In December 2008 the Council adopted the document entitled "New lines of action to combat the proliferation of weapons of mass destruction and their delivery vehicles". This programme sets 2010 as the year by which to fulfil the objectives proposed.

In this connection, we continued to make progress in the field of coordination and transparency,

the sharing of information between Member States and the European Commission regarding national legislation and export data of dual-use items and technologies and a boost was given to dissemination and awareness-raising efforts targeting European industry through conferences and the media regarding the importance of export control.

The Commission, with the collaboration of some Member States, organised a series of meetings to share experiences in the exercise of export controls focusing on some especially thorny aspects:

- Seminar on the Use of General Community Authorisations for the Export of Dual-Use Items and Technologies and General National Authorisations (London 16-17 March).
- Seminar on the Application of the Catch-all Clause in the External Trade of Dual-Use Items and Technologies (Copenhagen, 18-19 May).
- Seminar on the Control of Transits and Brokering (Bonn, 8-9 November).

Within this same programme the *Joint Research Centre*, attached to the Commission, organised a working seminar on the Technical Aspects in the Regulation of External Trade in Dual-Use Items

and Technologies (Ispra, Italy, 11-13 October).

Spain actively participated in these discussions.

3. *Reinforcement of sanctions against Iran.* Through Resolution 1929 (2010) of 09 June 2010, the United Nations Security Council approved a new sanction regime against Iran owing to the latter's continued breach of the aforementioned Resolutions. This Resolution broadens the sanctions previously agreed by the UN and includes restrictive measures in several new fields.

Following the adoption of Resolution 1929 (2010), the European Union agreed to apply the measures included in the said Resolution and broaden the said sanctions. These measures took the form of Council Decision 2010/413/CFSP of 26 July revoking Common Position 2007/140/CFSP. The Decision was then implemented by Council Regulation (EU) No 961/2010 of 25 October 2010 revoking Regulation (EC) No 423/2007.

Having regard to trade with Iran, the new measures focus especially on dual-use items and technologies with an embargo on nearly all associated items and services; embargo of items which could be used for domestic repression; restrictions on trade insurance; sanctions against the Iranian financial and transport sectors and sanctions against gas and oil industrial

sectors, including a prohibition against new investment, technical assistance and the transfer of technology, equipment and services related with these sectors.

4. *Strengthening of sanctions against North Korea.* Having regard to sanctions against the Popular Democratic Republic of Korea, the Council adopted Council Regulation (EU) No 567/2010 of 29 June 2010 amending Council Regulation (EC) No 329/2007. This Regulation adds to the list of dual-use items whose trade is prohibited with the Popular Democratic Republic of Korea.
5. *Coordination Group.* Work continued on the establishment of an on-line database of denials of dual-use items and technologies. This is intended to facilitate communication between Member States and as well as access to the said database. This database became operational in January 2011.
6. *Support for requests for accession of candidate countries to international non-proliferation fora.* Member States supported the entry of European Union countries into the fora of which they are not yet members.
7. *Dissemination activities.* Lastly, the European Union maintains an important cooperation and technical assistance programme with third countries (outreach)

regarding the control of dual-use items and technologies.

8. *Update of annexes I and IV of the Regulation on the control of exports of dual-use items and technology.* The Council Working Group continued to focus on the text of a Regulation updating the annexes of items included in Council Regulation (EC) No 428/2009 of 24 October 2008, the most recent changes approved in the Wassenaar Arrangement, the Missile Technology Control Regime and the Australia Group.

#### *B) Wassenaar Arrangement (WA)*

The Arrangement, having replaced the Coordination Committee on Multilateral Export Controls (COCOM) on 19 December 1995, is the principal international control and non-proliferation forum. It is comprised of 40 countries.

In 2010, the WA continued to focus on its overall operations and its contribution to regional and international security and stability.

1. *General Working Group.* Proposals for subsequent adoption by the WA's Plenary regarding possible changes to include in the initial elements of the Arrangement and the operation of the aforementioned international non-proliferation and export control forum and are debated in this Group. It meets twice a year, in May and October. These meetings were

preceded by the meetings of the Security and Intelligence Subgroup of Experts on Terrorism.

Meetings of the new Group on the destabilising stockpiling of conventional arms, created at the 2009 Plenary at the request of Russia, were also held at the same time as the two General Working Group meetings. The issue of the destabilising stockpiling of weapons in Georgia was addressed and the responses to the questionnaire on exports to areas of conflict were discussed.

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

- *Exchange of general and specific information.* As part of the Initial Elements, the member of the WA agree to exchange general information on risks associated with the transfer of conventional arms and dual-use items and technologies to regions of importance to the purpose of the Arrangement. In 2010, interventions focused on Georgia, Myanmar, Malaysia, Yemen and the Horn of Africa region.

Spain submitted a document on the intentions of a country immersed in proliferation activities in producing speed boats for logistical uses or coastal control.

As concerns the exchange of specific information, discussion continued on different proposals to achieve greater transparency regarding information and notifications.

*Geographical scope in conventional arms notifications.* The proposal for the broadening of the exchange of information on arms transfers, also among WA members, did not receive support because it was considered unnecessary.

*Notifications regarding denials:* The proposal to broaden the exchange of information to include denials (currently notification includes the transfer of arms) was not approved either.

*Artillery systems.* This proposal would mean having to furnish information regarding 35-75 mm calibre artillery systems. However, given that these systems are not included in Categories 3 and 8 of the Initial Elements, the debate continued on how this should be done. Moreover, this issue is under discussion at the United Nations Conventional Arms Register where a proposal has been tabled to reduce the calibre notification threshold to 50 mm (it is currently set at 75 mm).

*Dual-use notifications:* A proposal on the establishment of a consultation procedure for the Sensitive and Very Sensitive List was discussed. This

procedure would be applied in cases where a WA Member had to approve an export license in a dual-use operation which had been denied by another Member. Since no agreement was reached and considering the amount of time that this proposal has been under discussion, the proposing country reviewed it and converted it into a voluntary *Best Practices Handbook*.

*Late notifications.* The delegations were urged to make an effort to ensure that notifications are made in accordance with the rules laid down in the Initial Elements. They were likewise reminded of the need to fill out the WAIS certifications before engaging in the WA review exercise in 2011.

- *Terrorism.* The Security and Intelligence Subgroup of Experts commenced its work in 2003 with the study and preparation of a list of items and technologies liable to be used by terrorist groups: These items are not necessarily always included on the Arrangement's checklists. Spain's participation in the Security and Intelligence Subgroup of Experts is the result of the active role Spain has played in the WA in this field through the timely exchange of information.

In 2010, a number of countries submitted reports on the threats posed by emerging technologies. Spain contributed

to the debate by adding to the information furnished by other delegations in this area.

Other reports were also submitted focusing on the supply of small arms and light weapons and munitions by or to embargoed countries and on the risks and mechanisms of access to this material by Pirates in the Indian Ocean.

- *Destabilising stockpiling of conventional arms.* The results of the meetings of the new Group were released and further contributions were requested.

- *Controls, Licenses and Customs.* Under this heading, information was shared with a view to enhancing the transparency of national export control policies and the development of best practices.

- *Development of Best Practices/Guidelines.* Measures were proposed in 2010 regarding improvements which could help in controlling transits and transshipments. The exchange of information continued regarding initiatives to intensify the control of MANPADS (man-portable air defence systems), Internal Compliance Programmes (ICP), transport, re-exports and intermediation.

One of the delegations insisted on the creation of a new category of arms, i.e. those produced under license, claiming that no control is exercised over these

weapons and that they could be used against its country.

- *Participation/Outreach.* The entry of Serbia and Iceland remained under study and Chile submitted its candidacy for which it sought Spain's support. The candidacy of Cyprus, supported by all of the EU countries, Croatia, Norway and Ukraine, remained pending due to the permanent opposition of Turkey.

Outreach work continued through meetings and bilateral visits, including the organisation of a collective meeting (China, Israel, Belorussia, Mexico) and technical information on changes in the Arrangement's checklists.

It also took part in a seminar organised in Vienna by the EU and the UN Institute on Disarmament Research on a future Arms Trade Treaty.

In 2010 preparations got under way for the organisation of the Arrangement review meetings in 2011.

2. *Group of experts.* The main objective of the Wassenaar Arrangement's Group of Experts is to analyse the lists of defence and dual use items related with conventional arms and to propose changes to keep them up to date while taking account of technological advances, commercial changes and the aim of making the control text

clear. With these objectives in mind, the group held two meetings lasting two weeks each in April and September.

At the 2010 meetings the Group of Experts analysed 310 documents including national proposals for changes in the checklists, reports and other proposals referring to over 115 different items. Despite the technical difficulties encountered in some of the proposals, the Group managed to reach and agreement in 80% of the problems addressed. The Group also drew up a list of subjects for 2011, year in which provisions are being made for the fourth review exercise of Arrangement operation. Upcoming tasks include an instruction manual on how to read the lists and a list of "statements of understanding" to facilitate interpretation of the controls.

3. *Licensing and Enforcement Officers Meeting (LEOM).* This Group shared experiences on the processing and management of licenses and customs control. Thanks to those discussions, proposals and recommendation were made to the General Working Group. The subjects addressed in 2010 included national practices regarding the requirement of end-use guarantees in weapon transfers, with a presentation made by Spain. The following other topics were also discussed: international cooperation in police

investigations of export control and legal action, the use of correlation lists which combine the checklists with customs codes, control of used items (machine tools), interpretation problems when classifying dual-use items and internal compliance programmes (ICP).

### *C) Nuclear Suppliers Group (NSG)*

The aim of the NSG is to prevent the proliferation of nuclear weapons by means of controlling the export of nuclear products and related dual-use items, equipment, software and technology, without hampering international cooperation in the peaceful use of nuclear energy. The NSG was created in 1975 in the aftermath of the nuclear test conducted by India in 1974 (using transfers of civilian nuclear technology from other countries which had not been subjected to control).

The NSG has 46 Member Countries. The European Commission attends the meetings as a permanent observer and the Zangger Committee as an observer.

This forum held its annual plenary session on 24 and 25 June 2010 in Christchurch (New Zealand), preceded as usual by the parallel meetings of the Advisory Group of Technical Experts addressing the exchange of information and customs execution and control which were held from 20 to 24 June.

At that meeting the member countries analysed the current nuclear proliferation challenges in a context characterised by the crisis sparked by

proliferation in Iran and North Korea, the development of uncontrolled parallel supply sources (the case of Pakistan and North Korea) and networks of unlawful trafficking in technologies through brokers and triangular operations in countries with deficient control of exports. The increase in technological transfers and industrial equipment figuring on NSG checklists resulting from the growing demand for nuclear energy world-wide and India's signing of cooperation agreements with several countries following the decision taken by the Extraordinary Plenary of 2008, and the recent agreement between China and Pakistan and the latter's consequences for the NSG, were likewise analysed.

In this context, negotiations have been ongoing for four years now at the NSG focusing on a review of the Guidelines regulating the control of exports and the need to update the checklists, tasks undertaken by the Advisory Group and the Technical Group of Experts respectively.

As concerns the review of NSG Guidelines, the most controversial issues were the requirement of the Additional Protocol as a requisite for the supply of energy (paragraph 6 of the Guidelines) and the conditions for the transfer of uranium enrichment and plutonium reprocessing technologies (paragraph 7 of the Guidelines). Well-developed texts widely accepted by the majority of the members were obtained for both paragraphs but no final consensus was reached due to the opposition of one country. We would stress that in the section regarding Supply Conditions of uranium enrichment and plutonium reprocessing

technologies (paragraph 7) the compromise solution reached, in which Spain was a very active participant, makes allowances for meeting the growing future demand for nuclear fuel while also safeguarding the effective control of the most sensitive technologies providing that the destination states comply with an optimum verification standard. The current draft, which managed to overcome the reluctance of the G-8 countries which had unilaterally agreed on more restrictive measures, has the support of all of the NSG members with the exception of one country.

The constant evolution of nuclear technology and the fact that proliferation states are resorting to the use of dual-use technologies for their nuclear programmes as a substitute for the best technologies, over time is giving rise to a lag between reality in the field of proliferation and the list of items and technologies appearing on the two NSG checklists; the first covering nuclear technology and materials and the second dual-use items (published as INFCIRC 254 part 1 and 2 by the IAEA). This gives rise to a series of items and technologies which are in a grey area in the control of exports owing to the suspicion that proliferating states may resort to them if they are lacking access to the technologies figuring on the lists. This situation points to the need to update the technical lists, a decision which was adopted at the Plenary session in Christchurch.

Review of the lists will be a process taking at least two years and will require a concerted technical effort. A working group to focus on seven

thematic areas has been created: 1) nuclear reactors and non-nuclear support material; 2) conversion and manufacturing of fuel; 3) separation of isotopes; 4) reprocessing and treatment of waste; 5) design, development and manufacture of arms; 6) industrial equipment and machine tools; and 7) other technologies considered relevant and not included in the preceding areas.

Moving on to another topic, the participating governments reaffirmed the value of outreach activities and agreed to continue contacting the governments of countries that are not NSG members and international organisations to facilitate their adherence to NSG Guidelines.

Having regard to the enforcement of the Declaration on Civilian Nuclear Cooperation with India, according to the 06 September 2008 statement made by the Group on exemptions from the restrictions laid down in the NSG Guidelines granted to India allowing nuclear and dual-use exports related with civilian nuclear facilities included within the safeguard agreement that India has with the IAEA, information was provided on dialogue and cooperation activities undertaken with that country, bilateral agreements signed and nuclear transfers undertaken.

Lastly, the most important aspects of the issues relating to licenses and the application of controls were covered, including acquisition, trends and international procurement networks. The usefulness of the correlation list of products on the NSG lists with customs codes developed by the European

Commission for use by all Group countries was also stressed.

The next NSG plenary session will take place during the third week of June 2011 in Holland, foreseeably at The Hague.

#### *D) Missile Technology Control Regime (MTCR)*

The MTCR was set up in 1987 in order to control the export of missiles capable of transporting weapons of mass destruction and related equipment and technology. The commitments made by the 34 Member Countries constitute a noteworthy international standard in terms of the control of exports in the field of non-proliferation thus contributing to global peace and security.

The Regime did not hold its annual plenary session in 2010. Nevertheless, the MTCR remained active under the Brazilian presidency in all aspects of outreach activities, technical studies to update the items and technology subject to control and through the meeting organised by the Regime's Reinforced Contact Point in Paris and three specific meetings organised by the Contact Point at the embassies of Brazil, Czech Republic and Spain to coordinate the works of the MTCR and exchange information. At those meetings the Member States reviewed their activities and analysed the challenges posed by missile proliferation over the last several years.

Regarding Regime information and outreach activities in non-member countries, the Presidency organised

meetings with non-member countries in line with the agreements reached at the Rio de Janeiro plenary session with a view to promoting the aims of the MTCR and trying to attract new voluntary adherents to its Guidelines.

In this connection, we would stress the importance of the meeting held on 15 June in Paris for countries which the Regime had approached.

That meeting focused on the principles and aims of the MTCR and experiences were shared regarding the application of export controls related with missile technology, proliferation techniques used to undermine the said controls during the license concession process (phantom companies, false waybill information, etc.) and factors which need to be considered to prevent these negative practices.

The different roles and responsibilities of the different departments involved in the licensing process (External Trade, Defence, Foreign Affairs, Customs, Intelligence, Police and Industry) and the importance of contact with industry as an essential component in the proper application of export controls, were covered at the panel discussion.

Regarding the new technical challenges of missile proliferation, the Regime's Technical Expert Group had their yearly Spring meeting to update the list of items and technologies subject to control which should be supplemented with the results of the next technical meeting before the plenary for submission to and approval of the latter before being incorporated into national legislations.

The next MTCR plenary session will be held during the last week of March 2011 in Buenos Aires.

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

In 2010 Spain participated in the following international initiatives within the realm of the fight against the proliferation of weapons of mass destruction and the missiles able to deliver those weapons:

*Proliferation Security Initiative (PSI)*

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

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

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

PSI meetings follow two different formats: 1) High-level political meetings and 2) meetings of the Operational Experts Group (OEG) focusing on more operational and practical state agencies and bodies.

In 2010 the PSI held an OEG meeting in Tokyo (Japan) on 1-2 November.

OEG meetings revolve around general topics and interception with a special accent on bolstering international legal instruments aimed at combating proliferation.

In addition to the political plenaries during these eight years, more than 20 meetings and workshops including 17 operational expert meetings have been held. Moreover, approximately 30 sea, air and land interception exercises have been organised. Spain has led two of these exercises, one on sea interception ("Sanzo 03") and another on air interception ("Blue Action 05"), in addition to another series of smaller exercises.

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

The Code is basically a political commitment whose aim is to prevent the development of missiles able to

transport weapons of mass destruction and is intended to supplement the Missile Technology Control Regime (MTCR).

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

Spain is one of the 130 signatory countries. The HCOC held its ninth Annual Meeting in Vienna on 31 May and 1 June 2010.

#### *Container Security Initiative (CSI)*

Similar to the PSI, this Initiative dates back to the 9/11/2001 terrorist attacks and seeks coordination among participating countries to increase and improve container inspections and confiscate shipments at the world's major mega-ports.

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

In 2010 a number of meetings were held amongst Member States to define common hazard rules in matters of security for EU Customs Administrations.

Moreover, the National Tax Administration Agency, through the

Department of Customs and Excise Duties, takes part in the MEGAPORTS Initiative under the auspices of the US Department of Energy whose purpose is to address the possible threat from terrorist groups trying to use nuclear or radiological materials transported by sea in containers against the United States or its allies.

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

Detection gates for nuclear and radioactive materials are installed at the ports participating in the MEGAPORTS Initiative to control all exports and imports moving through those ports. As for Spain, the ports of Algeciras, Valencia currently participate and the port of Barcelona will soon sign on.

To that end, a number of meetings were held in 2010 with representatives from the US Department of Energy, visits were made to those ports and coordination meetings were held with the different bodies involved (CSN, Ministry of the Interior and port authorities).

In the month of May in Valencia, the Customs and Excise Department organised an EU seminar on "Customs and Security" for the purpose of exchanging experiences and best practices among customs administrations concerning the exercise of duties in contributing to the achievement of a safe international logistics chain.

### *Global Initiative to Combat Nuclear Terrorism (GICNT)*

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

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

The aim of this Initiative is to expand a partnership to combat nuclear terrorism based on the existing legal frameworks in the international arena (mainly the International Convention for the Suppression of Acts of Nuclear Terrorism, the Convention on the Physical Protection of Nuclear Material and United Nations Security Council Resolutions 1540 and 1373). Its purpose does not include the creation of a new legal framework. One of the main goals of the GICNT is to mobilise States to adhere to the obligations they took on by virtue of the aforementioned international instruments.

Development of the Initiative is reviewed at plenary meetings and operational activities organised by Member States.

Since its accession to the GICNT, Spain organised the Initiative's IV Plenary Conference in Madrid on 16 to 18 June 2008 and two exercises in May and October of that same year. At the plenary held in Abu Dhabi in 2010, Spain took responsibility for the Implementation and Assessment Group (IAG) for the next several years.

### *F) Australia Group (AG)*

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

The Australia Group's Plenary Assembly was held in Paris with the presence of representatives from 41 members from 31 May to 04 June 2010 while Spain held the European Union Presidency.

The following were the main objectives of the Plenary:

- Assessment of the interest by non-member states to form part of the Group.
- Review and development of Group activities taking account of the amendments and clarifications proposed to the chemical and biological checklists.
- Analysis of the current trends with regard to chemical and biological weapons proliferation, including terrorism.
- Presentations on improvements in export control.
- Progress report on preparatory work on a best practices handbook on transfers of intangible technology.

Statements were issued on informative activities undertaken since the 2009 plenary session, including those made to several non-member countries. Since the last plenary, requests for this sort of technical information activity had been received from Malaysia, Singapore, Sri Lanka, Vietnam, Jordan and Panama. Having regard to the admission of new members, the possibilities of Brazil, Kazakhstan, Mexico, Panama and Russia was examined.

The European Union also noted the need to identify new threatening technologies in the bio-chemical sphere while striking a balance between security and trade, particularly at the current time of crisis.

The United States expressed its appreciation for the 25 years of effort and support from the Chairs and Secretariat of the Australia Group, helping the latter to become an effective export control body.

Information was provided regarding progress made in setting up seven CBRN centres, the first three of which will be installed by the end of the year in South-east Asia, the Persian Gulf and the Caucasus Region.

A discussion paper was presented on control of brokering services drawing attention to the fact that the Australia Group had yet to introduce any control over intermediation services. However, the guidelines have been updated and a solution is to be proposed before the end of 2011.

A very important aspect was the analysis of the types of chemical-biological agents which certain terrorist

groups may try to get hold of, the aim being for the Group to stay a step ahead. Examples of this were developments in genetics and synthetic biology and other advanced techniques. Mention was likewise made of the growing need for the Australia Group to raise the awareness of non-member countries as to the threat of terrorism.

Regarding chemical product checklists, a proposal was approved clarifying that the ferrosilicons and fluoropolymers subject to control are those containing between 10% and 18% silicon and 35% or more of fluor by weight.

The following topics were discussed at a meeting held between sessions in Geneva on 15-16 November:

- The inclusion of nitrogen mustard hydrochloride salts; medical use pending further study.
- Clarification regarding the use of the components en tangential filtering and the scope of the definition of “without the propagation of aerosols”.
- Control of single-use disposable bioreactors and the scope of the definition of “all surfaces that come in direct contact with the chemicals”.
- Control of corrosion-resistant valves.
- Inclusion of thermal spray coating equipment and related software as well as pumps fitted with peristaltic and fluoropolymer tubing.

Regarding biological product checklists, an agreement was reached to accept a proposal on the scientific modification of "*Chlamydia psittaci*" given that its denomination has been divided into two species: one already described (affecting parrots) and the other called "*Chamydophila psittaci*" which is seriously pathogenic to humans. This change will be reflected on forthcoming lists.

The Meeting of Experts on New and Evolving Technologies took place at the same time as the plenary, bringing together experts in synthetic biology who concluded that the Group will continue with its work on nuclide acid order sequence indicators, micro-reactors, corrosion-resistant coatings, nanotechnology and production equipment automatisation.

#### *G) Chemical Weapons Convention (CWC)*

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

The Organisation for the Prohibition of Chemical Weapons (OPCW) provides support for all non-party States in joining the Convention and effectively implementing a world-wide prohibition on chemical weapons.

While the main objective of the OPCW is the prohibition of chemical weapons, it also pursues international cooperation

between Contracting States in the use of chemicals for pacific purposes by sponsoring scientific research, providing legal assistance, improving the capacity of laboratories and providing specialised training regarding Convention enforcement and the safe handling of chemical substances.

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

The Executive Council is the OPCW governing body and answers to the Conference of the States Parties. It is comprised of 41 members elected for a period of two years and Spain was a member until 2010.

The Spanish authority entrusted with enforcing the CWC and centralising related activities is the National Authority for the Prohibition of Chemical Weapons (ANPAQ) with its headquarters at the Ministry of Industry, Tourism and Trade.

As of the end of 2010, a total of 188 Contracting States had signed and ratified the Convention. There are also two signatory states that have signed but not ratified the Convention and five non-party states. All of the States that have yet to sign as well as signatory states that have not yet submitted their instrument of ratification are subject to Convention external trade restrictions prohibiting trade in the substances listed, except for mixtures which contain 1% or less of the substances on List 2A, 10% or less of the substances on List 2B and 30% or less of those on List 3.

Spain ratified the CWC on 03 August 1994 and was the first State of the European Union to do so and the tenth in the world. The States Party to the CWC today account for approximately 99% of the population and surface area of the planet and 99% of the world's chemical industry.

The 59th Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW) was held at The Hague in February. This body's mission is to eliminate all types of chemical weapons in the world. The main issues addressed at this Executive Council were the destruction of arsenals, the report on OPCW personnel and international cooperation.

Executive Councils 60, 61 and 62 were held in April, June and October 2010.

The discussion at the 60th Executive Council focused on assistance problems in eliminating the toxic cloud, deferring the decisions regarding the conversion of chemical plants, analytical databases and the makeup of the Technical Secretariat.

At the 61st Executive Council, Russia officially announced that it is not going to be able to destroy its arsenals by the agreed date of 29 April 2012 claiming economic problems, and the United States handed out a document with details about work done and that which is still pending to eliminate 100% of its arsenals. To date, 72% of the US arsenals and 47% of the Russian ones have been destroyed.

The 62nd Executive Council focused on the conversion of chemical weapon

production facilities and it was decided to continue considering this subject at future sessions. Discussions also included the advances made with respect to meeting the revised deadlines for the destruction of chemical weapons, pointing out that as of that date 37.8% of all chemical weapon arsenals are still pending destruction.

A report on the current status of plans for the chemical weapons abandoned by Japan in China was also presented and the degree of application of CWC Articles VII and XI was studied as were the advances made regarding the Action Plan on the Universality of the Convention.

The fifteenth period of sessions of the Conference of the States Parties was held from 29 November to 03 December 2010. The Budget for 2011 was approved at that meeting. The OPCW annual report on the application of the CWC the previous year and the annual report of the Executive Council on the discharge of its activities was also presented.

Other issues addressed included the fostering of international cooperation for pacific purposes within the sphere of chemical activities, achievement of the universality of the CWC and the OPCW's Programme for Africa.

Regarding the activities undertaken by the National Authority for the Prohibition of Chemical Weapons, three inspections were conducted during the first half of 2010: a manufacturer of essential aromas and acids, an undertaking producing List 2 substances and the Technological

Institute of La Marañosa. Five inspections were conducted during the second half of the year: two of undertakings producing List 2 substances and three of producers of Discrete Organic Chemicals (DOC). In all of these cases, the inspections went smoothly and the undertakings inspected collaborated sufficiently and were transparent.

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

Work continued on the National CBRN Protection Plan passed at the end of 2009 and covering up to 2015. This Plan gave rise to the creation of a Working Group attached to the Government Presidency which has already held four national meetings and thirteen international ones.

A Basic Chemical Analysis Course was run by the CWC within the framework of the capacity-building initiatives targeting officials of the GRULAC countries and was given at the La Marañosa Technological Institute in June.

In July an Electronic Declaration Course was given, also targeting GRULAC country officials.

The third Assistance Offering Exercise was run in October in Tunisia (ASSISTEX 3), where Spanish participants presented explosive deactivation and protection equipment.

Spain's economic contribution to the OPCW Voluntary Fund was €100,000.

These resources were used to undertake different activities in the field of cooperation.

#### *H) Biological and Toxin Weapons Convention (BTWC)*

The Convention prohibiting the development, production and stockpiling of biological and toxin weapons and on their destruction entered into force on 26 March 1975, was signed on 10 April 1972 and ratified by Spain on 20 June 1979.

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

As of the end of 2010, a total of 163 Contracting States had signed and ratified the Convention. There are a further 13 signatory states which have yet to ratify the Convention and 19 which are not Member States. Spain signed the BTWC on 10 April 1971 and ratified it on 01 June 1979.

The ratification process of the Convention's Verification Protocol is still pending.

Different Convention-related activities were undertaken in 2010:

In June, an international seminar was held in Madrid regarding the alleged use of biological weapons attended by representatives of several countries and international organisations. This seminar was organised by the International Affairs and Foreign Policy Institute (INCIPE) and addressed assistance and coordination in the

event of bio-terrorist attacks, their prevention and national response to such aggression.

In response to the above-mentioned seminar, a BTWC Experts Meeting was held in August in the city of Geneva to share experiences and information regarding international, national and regional actions being undertaken, the result being the identification of a series of specific measures such as the compiling of “best practices” in the field of cooperation and requests for assistance to obtain suitable mechanisms, including better national surveillance, detection and diagnosis in public health systems. Discussion of each of these issues was analysed from the perspective of a developed country, a developing country and from that of important international organisations.

The annual meeting of the States Parties of the BTWC was held in December in Geneva to prepare the Seventh Review Conference to take place at the end of 2011. The representatives from 92 States Parties who attended that meeting devoted their attention to the prevention of and response to diseases deliberately caused by biological weapons or accidentally by poor handling of biological material. The same mechanisms and coordination among governments, health-care providers and scientists is required in all cases.

The issue of bio-terrorism was likewise addressed and the objectives and challenges discussed included the capacity to swiftly detect and effectively respond to the alleged use of a biological weapon or toxin. It was

concluded that assistance from and coordination with the appropriate organisations involves all States at international, national and regional level.

Lastly, in 2010 the Secretariat of the JIMDDU took part in the following instructional activities:

- Training Course for Authorised Economic Operators, Barcelona Chamber of Commerce (Barcelona, 27 May).
- Training Course for Authorised Economic Operators, Port Authority (Tarragona, 14 June).
- Training Course for Authorised Economic Operators, Port Authority (Barcelona, 14 June).
- III Course on Proliferation and Technological Protection, Information Headquarters, Directorate-General of the Police and Guardia Civil, Ministry of the Interior (Madrid 22 November).
- Presentation of Spanish law regulating external trade in defence material, other material and dual-use items and technologies, ROBERT BOSCH ESPAÑA (Madrid, 24 November).
- Conference on the EU's new lines of action against the proliferation of weapons of mass destruction,

International Affairs and  
Foreign Policy Institute  
(Madrid, 15 December).

## ANNEX I. EXPORT STATISTICS ON DEFENCE MATERIAL 2010

<b>AUTHORISED EXPORTS OF DEFENCE MATERIAL (BY COUNTRY) 2010</b>		
<b>COUNTRY</b>	<b>No OF LICENSES</b>	<b>AMOUNT (€)</b>
ALGERIA	1	0
ANDORRA	16	91,252
ANGOLA	4	9,582
ARGENTINA	11	12,495
AUSTRALIA	10	335,882,924
AUSTRIA	17	2,412,661
BAHRAIN	3	6,369,775
BANGLADESH	1	749,315
BELGIUM	20	2,831,498
BRAZIL	11	483,322,287
BULGARIA	1	3,661
CAMEROON	1	1,000
CANADA	9	1,101,640
CHILE	7	142,286,650
COLOMBIA	5	887,400
CUBA	5	243,782
CZECH REP.	10	2,907
DENMARK	19	5,630,277
ECUADOR	3	6,725,000
EGYPT	21	3,585,200
EL SALVADOR	3	1,875,677
ESTONIA	1	320,471
FINLAND	4	3,430
FRANCE	133	34,331,334
GERMANY	92	20,634,802
GREECE	3	33,001,530
HUNGARY	3	1,432,933
INDIA	7	13,048,097
INDONESIA	4	403,961
IRELAND	10	4,569,370
ISRAEL	18	5,766,600
ITALY	94	17,023,708
JAPAN	2	37,500
JORDAN	2	23,908,884
KENYA	1	110,000
LATVIA	1	2,233,370
LIBYA	2	7,875,975
LUXEMBOURG	15	0
MALAYSIA	5	327,364
MALTA	1	2
MAURITANIA	5	2,361
MEXICO	5	323,258,600

**AUTHORISED EXPORTS OF DEFENCE MATERIAL (BY COUNTRY)  
2010 (Continued)**

<b>COUNTRY</b>	<b>No of LICENSES</b>	<b>AMOUNT (€)</b>
MOROCCO	2	0
MOZAMBIQUE	7	3,474
NETHERLANDS	9	65,280
NEW ZEALAND	5	60,750
NORWAY	15	402,456,020
OMAN	11	1,100,443
PAKISTAN	9	78,125,000
PERU	2	0
PHILIPPINES	3	45,598
POLAND	3	748,340
PORTUGAL	14	1,300,104
QATAR	7	1,038,110
ROMANIA	8	1,503,110
SAUDI ARABIA	3	7,733,111
SERBIA	4	787,105
SINGAPORE	8	3,996,997
SLOVENIA	3	5,570
SOUTH AFRICA	5	343,682
SOUTH KOREA	1	37,500
SWEDEN	7	159,115
SWITZERLAND	17	320,739
TANZANIA	1	1,600
THAILAND	3	126,335
TRINIDAD AND TOBAGO	1	635,430
TUNISIA	12	778,480
TURKEY	2	5,000,000
UNITED ARAB EMIRATES	5	0
UNITED KINGDOM	50	75,954,010
UNITED STATES	104	81,265,251
VENEZUELA	3	92,500,000
<b>TOTAL</b>	<b>910</b>	<b>2,238,406,429</b>

AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE  
2010

COUNTRY	ITEMS										
	1	2	3	4	5	6	7	8	9	10	11
ALGERIA											0
ANDORRA	83,252		8,000								
ANGOLA	9,544		38								
ARGENTINA	11,495		1,000								
AUSTRALIA	6,100							10,800,000	305,037,500	20,039,324	
AUSTRIA	3,770		1,155,000	11,780		148,427			1,093,684		
BAHRAIN				6,369,775							
BANGLADESH				749,315							
BELGIUM	0		813,578	2,017,920						0	0
BRAZIL	12,606			3,117,401		8,600		183,680		480,000,000	
BULGARIA								3,661			
CAMEROON	1,000										
CANADA				1,064,140						37,500	
CHILE		21,010	0	128,140						142,137,500	
COLOMBIA	0			887,400							
CUBA	101,532		142,250								
CZECH REP.	2,907										
DENMARK		474,476		5,155,801				0			0
ECUADOR		0				1,725,000				5,000,000	
EGYPT	0					3,538,254		46,946			
EL SALVADOR				153,176							1,722,501
ESTONIA		320,471									
FINLAND	3,430	0								0	
FRANCE	26,497	0	19,500	9,065,193		0		12,997,249	0	1,209,684	11,013,211
GERMANY	820,400	0	173,250	74,945		47,916		1,752,260		11,581,020	6,181,511
GREECE	1,530							33,000,000		0	
HUNGARY	1,200		1,123,653	308,080							
INDIA									2,462,753		10,585,344
INDONESIA		288,836								115,125	
IRELAND			1,999,370	2,570,000				0		0	
ISRAEL			135,400	7,200		3,000,000				2,600,000	24,000
ITALY	26,904			235,650		250,000		128,130	0	7,000,000	47,924
JAPAN										37,500	
JORDAN										23,908,884	
KENYA				110,000							
LATVIA			2,233,370								
LIBYA											
LUXEMBOURG				0		0				0	
MALAYSIA	4,476		0			0				300,000	
MALTA	2										
MAURITANIA	2,089		272							0	
MEXICO	9,600							249,000		323,000,000	
MOROCCO						0				0	
MOZAMBIQUE	3,474										
NETHERLANDS						0	0			65,280	0
NEW ZEALAND	23,250									37,500	
NORWAY	12,398		2,309,484	34,913		0		99,225	400,000,000	0	
OMAN		331		1,100,112							
PAKISTAN				0							51,000,000
PERU	0		0								
PHILIPPINES	45,598										
POLAND			748,340							0	
PORTUGAL	7,898			599,400		477,946		214,860		0	
QATAR						884,110					154,000
ROMANIA	17,785					1,485,325					
SAUDI ARABIA				3,530,810		4,202,301					
SERBIA	7,322		636,186					143,597			
SINGAPORE				3,978,268		18,729					
SLOVENIA	5,570										
SOUTH AFRICA	306,182									37,500	
SOUTH KOREA										37,500	
SWEDEN				159,115						0	
SWITZERLAND	17,995		50,000			215,244				37,500	
TANZANIA	1,600										
THAILAND	3,485			122,850							
TRINIDAD AND TOBAGO				635,430							
TUNISIA			0	0			0	778,480			0
TURKEY							5,000,000			0	
UNITED ARAB EMIRATES				0		0					
UNITED KINGDOM	32,400	0		9,244,271			0	0		54,058,351	12,618,988
UNITED STATES	22,319,535	8,500	45,454,834	9,277,768		0			0	4,204,614	0
VENEZUELA			0						92,500,000		
TOTAL	23,932,826	1,113,624	57,003,525	60,708,853		16,001,852	5,000,000	49,597,088	505,762,753	1,361,536,642	113,386,803

**AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE  
2010 (Continued)**

COUNTRY	ITEMS											AMOUNT (€)
	12	13	14	15	16	17	18	19	20	21	22	
ALGERIA												0
ANDORRA												91,252
ANGOLA												9,582
ARGENTINA				0								12,495
AUSTRALIA												335,882,924
AUSTRIA												2,412,661
BAHRAIN				0								6,369,775
BANGLADESH												749,315
BELGIUM												2,831,498
BRAZIL												483,322,287
BULGARIA												3,661
CAMEROON												1,000
CANADA												1,101,640
CHILE				0								142,286,650
COLOMBIA				0								887,400
CUBA												243,782
CZECH REP.				0						0		2,907
DENMARK				0								5,630,277
ECUADOR												6,725,000
EGYPT												3,585,200
EL SALVADOR												1,875,677
ESTONIA												320,471
FINLAND												3,430
FRANCE				0						0		34,331,334
GERMANY				0						3,500		20,634,802
GREECE												33,001,530
HUNGARY												1,432,933
INDIA												13,048,097
INDONESIA			0	0								403,961
IRELAND												4,569,370
ISRAEL				0								5,766,600
ITALY				9,335,100								17,023,708
JAPAN												37,500
JORDAN												23,908,884
KENYA												110,000
LATVIA												2,233,370
LIBYA				7,875,975								7,875,975
LUXEMBOURG				0								0
MALAYSIA				22,888								327,364
MALTA												2
MAURITANIA												2,361
MEXICO												323,258,600
MOROCCO												0
MOZAMBIQUE												3,474
NETHERLANDS				0								65,280
NEW ZEALAND												60,750
NORWAY												402,456,020
OMAN				0								1,100,443
PAKISTAN			1,300,000	25,825,000								78,125,000
PERU												0
PHILIPPINES												45,598
POLAND												748,340
PORTUGAL												1,300,104
QATAR												1,038,110
ROMANIA												1,503,110
SAUDI ARABIA			0									7,733,111
SERBIA												787,105
SINGAPORE				0								3,996,997
SLOVENIA												5,570
SOUTH AFRICA												343,682
SOUTH KOREA												37,500
SWEDEN			0	0								159,115
SWITZERLAND				0						0		320,739
TANZANIA												1,600
THAILAND												126,335
TRINIDAD AND TOBAGO												635,430
TUNISIA		0		0								778,480
TURKEY												5,000,000
UNITED ARAB EMIRATES										0		0
UNITED KINGDOM		0		0						0		75,954,010
UNITED STATES				0								81,265,251
VENEZUELA												92,500,000
<b>TOTAL</b>		<b>0</b>	<b>1,300,000</b>	<b>43,058,963</b>						<b>3,500</b>		<b>2,238,406,429</b>

EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE 2010											
COUNTRY	ITEMS										
	1	2	3	4	5	6	7	8	9	10	11
ALGERIA										3,116,626	
ANDORRA	17,753		10,453								
ANGOLA	9,544		38								
ARGENTINA	19,618		1,000	127,500							
AUSTRALIA	6,100							17,860,000		6,744,243	
AUSTRIA	3,770		2,284,951	11,780		169,205				52,739	
BAHRAIN				40,690							
BELGIUM	0		370,595	2,636,076							
BOLIVIA										1,950	
BOTSWANA										1,404,420	
BRAZIL	12,564			3,270,783		84,072		1,165,441		10,334,608	
BULGARIA								3,661			
CAMEROON	1,000										
CANADA				1,439,780	22,900					981,174	
CHILE				654,177					44,040	23,427,082	
COLOMBIA	0			887,400						28,241,486	
CUBA	1,770		43,154								
CZECH REP.	2,907		1,036,728	0						56,979,417	
DENMARK			0	17,208,810				0			
DOMINICAN REP.										418,214	
ECUADOR						49,925				165,450	
EGYPT			103,500			1,955,634		46,946		433,757	
EL SALVADOR				153,176							1,633,964
ESTONIA		641,460									
FINLAND	4,030									49,745	
FRANCE	164,161		0	16,660,220				11,660,985	0	1,261,057	2,511,800
GABON										305,327	
GERMANY	28,472		231,890	24,050,594	1,164,960	218,595		1,538,208		51,988,049	632,000
GREECE	1,530										188,180
HONG KONG (PR CHINA)											
HUNGARY	2,730			1,226,053							
INDIA									1,357,952		11,702,730
INDONESIA		466,036								620	
IRELAND			899,370	3,807,100							
ISRAEL	16,139		135,400	1,255,200						1,496	
ITALY	26,904			474,850		0			0	57,331,422	0
JORDAN				199,000						1,416,339	
KENYA				621,000				1,364,907			
LATVIA			495,475								
LESOTHO										0	
LIBYA										3,399,500	
LUXEMBOURG				0						0	
MALAYSIA	4,466				22,888						
MALTA	0										
MAURITANIA	2,075		432								
MEXICO	9,600							249,000		132,458,054	
MOROCCO										2,511,998	
NETHERLANDS				0						5,040	19,400
NEW ZEALAND	40,481			3,000							
NORWAY	12,398		850,434	3,465,437		0		687,375	130,523		
OMAN		331		3,021,192						173,672	
PAKISTAN				0						390,045	
PARAGUAY										44,022	
PERU	0		0								
PHILIPPINES	673										
POLAND			748,340							378,024	
PORTUGAL	12,077	112,946		634,455		151,062		212,038		42,840,654	
QATAR						876,596					153,888
ROMANIA	22,695					1,059,375					
SAUDI ARABIA						5,439,405				385,526	
SERBIA	7,321										
SINGAPORE				2,322,268		16,382					
SLOVAKIA				57,079				735			
SLOVENIA	7,280										
SOUTH AFRICA	9,982										
SOUTH KOREA										10,591,057	
SRI LANKA				160,000							
SWEDEN				0							
SWITZERLAND	17,995	320,640	49,800	0		794,493			35,572		
TANZANIA	1,600										
THAILAND	3,485			122,850						650,256	
TRINIDAD AND TOBAGO				635,430							
TUNISIA				778,480							
TURKEY				357,000							
UNITED KINGDOM	35,479			8,414,558	172,058			0		95,417,375	1,205,844
UNITED STATES	9,588,976		33,621,383	10,464,057	1,548,565	0		15,307,481		4,563,993	71,475
URUGUAY										84,659	
VENEZUELA			0						212,000,000		
TOTAL	10,095,575	1,541,413	40,882,943	105,159,995	2,931,371	10,814,744		30,871,870	232,792,994	585,703,465	18,119,281

**EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE**  
2010 (Continued)

COUNTRY	ITEMS											AMOUNT (€)
	12	13	14	15	16	17	18	19	20	21	22	
ALGERIA												3,116,626
ANDORRA												28,206
ANGOLA												9,582
ARGENTINA												148,118
AUSTRALIA												24,610,343
AUSTRIA				801,378								3,323,823
BAHRAIN												40,690
BELGIUM												3,006,671
BOLIVIA												1,950
BOTSWANA												1,404,420
BRAZIL												14,867,468
BULGARIA												3,661
CAMEROON												1,000
CANADA												2,443,854
CHILE												24,125,299
COLOMBIA												29,128,886
CUBA												44,924
CZECH REP.												58,019,052
DENMARK												17,208,810
DOMINICAN REP.												418,214
ECUADOR												215,375
EGYPT												2,539,837
EL SALVADOR												1,787,140
ESTONIA												641,460
FINLAND												53,775
FRANCE												32,258,223
GABON												305,327
GERMANY				26,153,070						3,500		106,009,338
GREECE												189,710
HONG KONG (P.R. CHINA)				50,000								50,000
HUNGARY												1,228,783
INDIA						680,673						13,741,355
INDONESIA												466,656
IRELAND												4,706,470
ISRAEL				20,800								1,429,035
ITALY				14,066,621								71,899,797
JORDAN												1,615,339
KENYA												1,985,907
LATVIA												495,475
LESOTHO												0
LIBYA				7,847,598								11,247,098
LUXEMBOURG												0
MALAYSIA												27,354
MALTA												0
MAURITANIA												2,507
MEXICO												132,716,654
MOROCCO												2,511,998
NETHERLANDS												24,440
NEW ZEALAND												43,481
NORWAY												5,146,167
OMAN												3,195,195
PAKISTAN												390,045
PARAGUAY												44,022
PERU												0
PHILIPPINES												673
POLAND												1,126,364
PORTUGAL												43,963,232
QATAR												1,030,484
ROMANIA												1,082,070
SAUDI ARABIA												5,824,931
SERBIA												7,321
SINGAPORE												2,338,650
SLOVAKIA												57,814
SLOVENIA												7,280
SOUTH AFRICA												9,982
SOUTH KOREA												10,591,057
SRI LANKA												160,000
SWEDEN												0
SWITZERLAND										23,387,216		24,605,716
TANZANIA												1,600
THAILAND												776,591
TRINIDAD AND TOBAGO												635,430
TUNISIA												778,480
TURKEY												357,000
UNITED KINGDOM				16,371,274								121,616,588
UNITED STATES				7,000								75,172,930
URUGUAY												84,659
VENEZUELA												212,000,000
<b>TOTAL</b>				<b>65,317,741</b>		<b>680,673</b>				<b>23,390,716</b>		<b>1,128,302,781</b>

**EXPORTS OF DEFENCE MATERIAL COMPLETED WITH INDICATION OF THE NATURE OF THE  
END USER, FINAL USE MADE AND PERCENTAGE  
2010**

COUNTRY	ARMOURY	PRIVATE COMPANY	PUBLIC COMPANY	AIR FORCE	PRIVATE PARTY	POLICE
ALGERIA				100.00%		
ANDORRA	87.86%				12.14%	
ANGOLA					100.00%	
ARGENTINA	2.51%			86.08%	11.41%	
AUSTRALIA		0.02%	23.83%	76.15%		
AUSTRIA	0.08%	27.47%		72.41%	0.04%	
BAHRAIN				100.00%		
BELGIUM	0.00%	34.12%		65.88%		
BOLIVIA				100.00%		
BOTSWANA				100.00%		
BRAZIL		0.08%		99.92%		
BULGARIA		100.00%				
CAMEROON					100.00%	
CANADA		100.00%				
CHILE				100.00%		
COLOMBIA				100.00%	0.00%	
CUBA			28.21%			71.79%
CZECH REP.		0.99%		99.01%		
DENMARK		0.94%		99.06%		
DOMINICAN REP.				100.00%		
ECUADOR				100.00%		
EGYPT		2.86%		97.14%		
EL SALVADOR				100.00%		
ESTONIA				100.00%		
FINLAND		1.12%		92.50%	6.38%	
FRANCE	0.02%	68.68%	0.40%	30.89%	0.01%	
GABON				100.00%		
GERMANY	0.00%	75.75%	0.08%	24.16%	0.01%	
GREECE		99.19%			0.81%	
HONG KONG (P.R. CHINA)				100.00%		
HUNGARY		99.78%			0.22%	
INDIA		22.32%	1.38%	76.30%		
INDONESIA				100.00%		
IRELAND		0.00%		100.00%		
ISRAEL		10.60%	1.96%	87.44%		
ITALY	0.01%	99.96%	0.00%	0.03%		
JORDAN				100.00%		
KENYA				100.00%		
LATVIA				100.00%		
LESOTHO				100.00%		
LIBYA				100.00%		
LUXEMBOURG			50.00%	50.00%		
MALAYSIA	16.33%			83.67%		
MALTA	100.00%					
MAURITANIA					100.00%	
MEXICO				99.99%	0.01%	
MOROCCO				100.00%		
NETHERLANDS		20.62%		79.38%		
NEW ZEALAND	61.82%	38.18%				
NORWAY	0.24%	91.31%		8.45%		
OMAN				100.00%		
PAKISTAN				100.00%		
PARAGUAY				100.00%		

**Note** - Armoury, private use; Private Company, private use; Public company, public use; Armed Forces, use by the Armed Forces; Private party, private use; and Police, police use.

**EXPORTS OF DEFENCE MATERIAL COMPLETED WITH INDICATION OF THE NATURE OF THE END USER, FINAL USE MADE AND PERCENTAGE  
2010 (Continued)**

DESTINATION COUNTRY	ARMOURY	PRIVATE COMPANY	PUBLIC COMPANY	AIR FORCE	PRIVATE PARTY	POLICE
PERU					100.00%	
PHILIPPINES		100.00%				
POLAND		66.44%		33.56%		
PORTUGAL		0.83%		99.15%	0.03%	
QATAR				100.00%		
ROMANIA				97.90%	2.10%	
SAUDI ARABIA				100.00%		
SERBIA	61.00%	39.00%				
SINGAPORE			0.70%	99.30%		
SLOVAKIA		100.00%				
SLOVENIA					100.00%	
SOUTH AFRICA	61.93%	38.07%			0.00%	
SOUTH KOREA				100.00%		
SRI LANKA				100.00%		
SWEDEN		100.00%				
SWITZERLAND	0.07%	4.88%		95.05%	0.00%	0.00%
TANZANIA					100.00%	
THAILAND				100.00%		
TRINIDAD AND TOBAGO				100.00%		
TUNISIA		100.00%				
TURKEY				100.00%		
UNITED KINGDOM		98.25%	0.02%	1.72%	0.01%	
UNITED STATES	0.05%	75.28%	0.12%	24.53%	0.02%	
URUGUAY				100.00%		
VENEZUELA				100.00%		

**Note** - Armoury, private use; Private Company, private use; Public company, public use; Armed Forces, use by the Armed Forces; Private party, private use; and Police, police use.

**DEFENCE MATERIAL EXPORTS COMPLETED  
EXCEEDING €10 MILLION  
2010**

<b>COUNTRY</b>	<b>DESCRIPTION</b>	<b>AMOUNT (€ MILLIONS)</b>	<b>PERCENTAGE</b>
VENEZUELA	2 guard ships	212.00	18.79
MEXICO	6 planes and replacement parts	126.43	11.21
CZECH REP.	4 planes and replacement parts	104.13	9.23
UNITED KINGDOM	Parts and components for the EF-2000 aircraft	82.30	7.29
GERMANY	Parts and components for the EF-2000 aircraft	57.12	5.06
PORTUGAL	2 planes and replacement parts	41.31	3.66
ITALY	Parts and components for the EF-2000 aircraft	31.83	2.82
COLOMBIA	1 plane and replacement parts	26.56	2.35
CHILE	1 plane and replacement parts	21.20	1.87
UNITED STATES	Military fuel	15.31	1.36
<b>TOTAL</b>		<b>718.19</b>	<b>63.65</b>

**DEFENCE MATERIAL EXPORTS COMPLETED  
(LEASING, CESSIONS, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND  
PRODUCTION UNDER LICENSE)  
2010**

<b>COUNTRY</b>	<b>DESCRIPTION</b>	<b>OPERATION</b>	<b>AMOUNT (€)</b>
ANDORRA	1 hunting rifle	Donation	0
ARGENTINA	1 hunting rifle	Donation	0
FRANCE	1 hunting rifle	Donation	0
SOUTH AFRICA	1 hunting rifle and rifle barrels	Donation	0
SWITZERLAND	1 pistol and 3 revolvers	Donation	0
UNITED STATES	2 hunting rifles	Donation	0
<b>TOTAL</b>			<b>0</b>

**EXPORTS MADE AS PART OF THE MOST NOTEWORTHY DEFENCE MATERIAL PROGRAMMES  
2010**

PROGRAMME	COUNTRY								AMOUNT (€)
	GERMANY	AUSTRIA	BRAZIL	UNITED STATES	FRANCE	ITALY	NORWAY	UNITED KINGDOM	
EF-2000	74,759,360	801,378				64,766,938		108,379,473	248,707,149
IRIS-T	24,521,707						1,447,779		25,969,486
METEOR								6,269,794	6,269,794
EUROMIDS						3,060,925			3,060,925
TIGER	472,251				777,925				1,250,176
MISTRAL					1,060,055				1,060,055
A400M	244,396			0	151,619			15,261	411,276
LEOPARD	209,164		6,606						215,770
<b>TOTAL</b>	<b>100,206,878</b>	<b>801,378</b>	<b>6,606</b>	<b>0</b>	<b>1,989,599</b>	<b>67,827,863</b>	<b>1,447,779</b>	<b>114,664,528</b>	<b>286,944,631</b>

**DEFENCE MATERIAL EXPORTS DENIED  
2010**

Country	Number	Item	Criterion (Common Position 2008/944/CFSP)	
Rep. of Guinea	1	Off-road vehicles	1	The existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions for lack of sufficient guarantees offered by the end importer.

**LICENSE DENIALS DUE TO SUSPENSION  
OF REGISTRATION IN THE REOCE OF THE  
DEFENCE MATERIAL EXPORTING  
COUNTRY  
2010**

Country	Number	Item
MOROCCO	1	Sights
SWITZERLAND	1	Sights

<b>DESCRIPTION OF THE 22 ITEMS ON THE DEFENCE MATERIAL LIST (ROYAL DECREE 2061/2008, OF 12 DECEMBER)</b>		
<b>ARTICLE</b>	<b>DESCRIPTION</b>	<b>LIST OF ITEMS INCLUDED</b>
1	Smooth-bore weapons with a calibre of less than 20 mm.	Rifles, carbines, revolvers, pistols, machine pistols, machine guns, silencers, clips, sights and flash suppressors
2	Smooth-bore weapons with a calibre of 20 mm or more.	Firearms (including pieces of artillery), rifles, howitzers, cannons, mortars, anti-tank weapons, projectile launchers, flame throwers, recoilless rifles, signature reduction devices, military smoke, gas and pyrotechnic projectors or generators and weapons sights.
3	Ammunition, devices and components	Ammunition for the weapons subject to control by articles 1, 2 or 12. Fuse-setting devices including cases, links, bands, power supplies with high operational output, sensors, sub-munitions.
4	Bombs, torpedoes, rockets, missiles	Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth charges, demolition charges, "pyrotechnic" devices, cartridges and simulators, smoke grenades, incendiary bombs, missile rocket nozzles and re-entry vehicle nosetips.
5	Fire control systems	Weapon sights, bombing computers, gun laying equipment, weapon control systems, systems for data collection, surveillance or tracking, recognition or identification
6	Ground vehicles	Vehicles especially designed or modified for military use, tanks and other armed military vehicles or equipment for the planting of mines, armoured vehicles, amphibious vehicles, bullet-proof tyres.
7	Chemical or biological toxic agents	Biological agents and radioactive materials, nerve agents, vesicant agents, tear gases, anti-riot agents
8	Energetic materials and related substances	Explosives, propellants, pyrotechnics, fuels and related substances, perchlorates, chlorates and chromates, oxidizers, binders, additives and precursors
9	Warships	Combatant vessels and surface or underwater vessels and components therefor, diesel engines especially designed for submarines, electric motors especially designed for submarines, underwater detection devices, submarine and torpedo nets
10	Aircraft	Combat aircraft, unmanned airborne vehicles, aero-engines, remotely piloted air vehicles, refuelling equipment, pressurised breathing equipment, parachutes, automatic piloting systems
11	Electronic equipment	Countermeasure and electronic counter-countermeasure equipment, underwater acoustic material, data security equipment, equipment using ciphering processes, guidance, navigation and transmission equipment
12	Kinetic energy weapon systems	Kinetic energy weapon systems, test and evaluation facilities and test models, propulsion systems, homing seeker, guidance or divert propulsion systems for projectiles
13	Armoured equipment and constructions	Armoured plate, constructions of metallic or non-metallic materials, military helmets, body armour and protective garments
14	Military training or simulation equipment	Attack trainers, flight trainers, radar target trainers, anti-submarine warfare trainers, missile launch trainers, image generating trainers
15	Imaging or countermeasure equipment	Recorders and image processing equipment, cameras, photographic equipment, image intensifier equipment, infrared or thermal imaging equipment, imaging radar sensor equipment
16	Forgings, castings and unfinished products	Forgings, castings and unfinished product parts
17	Miscellaneous equipment, materials and libraries	Self-contained diving and underwater swimming apparatus, closed and semi-closed circuit apparatus, robots, ferries
18	Production equipment	Environmental test facilities, continuous nitrators, centrifugal testing apparatus or equipment, screw extruders
19	Directed energy weapon systems	Laser systems, particle beam systems, radio-frequency systems, particle accelerators
20	Cryogenic and superconductive equipment	Equipment especially designed or configured to be installed in a vehicle for military ground, marine, airborne or space applications, superconductive electrical equipment
21	Software	Software designed for modelling, simulation or evaluation of military weapon systems or for the simulation of military operation scenarios, for command, communications, control and intelligence applications
22	Technology	Technology for the development, production or use of items controlled



## ANNEX II. EXPORT STATISTICS ON OTHER ANTI-RIOT MATERIAL AND HUNTING AND SPORTING ARMS, 2010

<b>EXPORTS AUTHORISED OF OTHER MATERIAL (ANTI-RIOT) BY COUNTRY, 2010</b>		
COUNTRY	No OF LICENSES	AMOUNT (€)
MEXICO	2	349,500
PERU	7	9,065,687
VENEZUELA	11	5,099,735
<b>TOTAL</b>	<b>20</b>	<b>14,514,922</b>

**Note.-** The number of licenses authorised is lower than the number of licenses actually processed given that the former does not include licences denied by the JIMDDU, discontinued by the company or expired for failure to submit control documents by the stipulated date.

<b>EXPORTS OF OTHER MATERIAL COMPLETED (ANTI-RIOT) (BY COUNTRY) 2010</b>		
COUNTRY	MATERIAL	AMOUNT (€)
PERU	Tear gas devices and tear gas canisters	340,189
VENEZUELA	Tear gas devices and parts and components	1,622,453
<b>TOTAL</b>		<b>1,962,642</b>

<b>EXPORTS OF OTHER MATERIAL COMPLETED (ANTI-RIOT) WITH INDICATION OF THE NATURE OF THE END USER AND FINAL USE MADE OF THE MATERIAL 2010</b>			
COUNTRY	END USER	END USE	PERCENTAGE
PERU	Armed Forces	Public	100
VENEZUELA	Armed Forces	Public	100

<b>EXPORTS OF OTHER MATERIAL COMPLETED (ANTI-RIOT) (LEASING, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND PRODUCTION UNDER LICENSE) 2010</b>			
COUNTRY	MATERIAL	OPERATION	AMOUNT (€)
PERU	Tear gas devices, light and sound devices, smoke and concealment canisters and tear gas	Donation	0
VENEZUELA	Quadruple tear gas devices	Donation	0
<b>TOTAL</b>			<b>0</b>

<b>OTHER MATERIAL EXPORTS DENIED (ANTI-RIOT) 2010</b>		
COUNTRY	NUMBER	MATERIAL
NONE DURING THIS PERIOD		

<b>EXPORTS OF OTHER MATERIAL AUTHORISED (HUNTING AND SPORTING ARMS) BY COUNTRY AND NUMBER OF LICENSES 2010</b>		
<b>COUNTRY</b>	<b>No of LICENSES</b>	<b>AMOUNT (€)</b>
ALBANIA	1	220,200
ANDORRA	5	207,180
ANGOLA	2	106,000
ARGENTINA	8	2,563,950
ARMENIA	2	29,400
AUSTRALIA	2	52,305
BRAZIL	2	8,808
BURKINA FASO	1	300,000
CAMEROON	1	320,000
CANADA	5	33,660
CENTRAL AFRICAN REPUBLIC	3	1,140,000
CHAD	2	110,000
CHILE	12	819,280
COLOMBIA	2	480
COSTA RICA	1	204,000
CUBA	6	530,250
DOMINICAN REP.	2	480,000
ECUADOR	3	132,556
EGYPT	2	465,000
FRENCH GUYANA (FRANCE)	1	0
GABON	2	335,000
GEORGIA	4	866,000
GHANA	1	350,000
GUADALUPE (FRANCE)	1	250,000
GUATEMALA	2	385,000
GUINEA BISSAU	7	2,665,000
HONDURAS	1	70,000
ICELAND	3	101,000
ISRAEL	2	356,000
JAMAICA	1	60,000
JAPAN	1	360,000
KAZAKHSTAN	2	409,500
KUWAIT	1	200,000
LEBANON	10	3,134,700
MALI	3	1,591,000
MAURITANIA	8	237,380
MEXICO	4	1,075,850
MOROCCO	3	1,305,000
MOZAMBIQUE	3	1,068
NAMIBIA	1	250,000
NEW CALEDONIA (FRANCE)	1	33,295
NEW ZEALAND	2	865,420
NORWAY	5	455,000
PAKISTAN	13	2,168,624
PANAMA	2	220,000
PARAGUAY	5	1,066,158
PERU	9	3,062,079
PHILIPPINES	2	347,187
RUSSIA	6	687,139
SENEGAL	1	190,000
SOUTH AFRICA	6	2,386,000
SOUTH KOREA	1	150,000
SURINAM	1	120,000
SWITZERLAND	6	187,575
TAIWAN	2	347,600
THAILAND	7	861,800
TUNISIA	5	425,323
TURKEY	11	6,061,168
UKRAINE	3	764,776
UNITED STATES	32	6,218,085
URUGUAY	2	565,950
VENEZUELA	6	1,770,700
<b>TOTAL</b>	<b>251</b>	<b>50,679,446</b>

**EXPORTS OF OTHER MATERIAL COMPLETED (HUNTING AND SPORTING ARMS) BY COUNTRY  
2010**

<b>COUNTRY</b>	<b>MATERIAL</b>	<b>AMOUNT (€)</b>
ALBANIA	Shotgun shells, pistons and cases	78,610
ANDORRA	Hunting shotguns and shotgun shells	23,398
ANGOLA	Shotgun shells	373,080
ARGENTINA	Hunting shotguns, shotgun shells and cases	639,728
ARMENIA	Hunting shotguns	13,108
AUSTRALIA	Hunting shotguns, shotgun shells and pistons	1,563,650
BRAZIL	Hunting shotguns	8,808
BURKINA FASO	Shotgun shells	157,155
CAMEROON	Shotgun shells	630,557
CANADA	Hunting shotguns and shotgun shells	159,465
CENTRAL AFRICAN REPUBLIC	Shotgun shells, lead and smokeless gunpowder	355,692
CHAD	Shotgun shells	15,750
CHILE	Hunting shotguns and shotgun shells	540,960
COLOMBIA	Hunting shotguns and shotgun shells	208,497
COSTA RICA	Shotgun shells	95,383
CUBA	Hunting shotguns and shotgun shells	92,639
DOMINICAN REP.	Shotgun shells	144,625
ECUADOR	Pistons and cases	76,836
FRANCE	Shotgun shells	133,069
FRENCH GUYANA (FRANCE)	Shotgun shells	44,292
GABON	Shotgun shells	222,000
GEORGIA	Shotgun shells and shotgun barrels	143,683
GHANA	Shotgun shells	1,507,520
GREECE	Hunting shotguns	5,748
GUATEMALA	Shotgun shells	341,897
GUINEA BISSAU	Shotgun shells	1,395,975
HONDURAS	Shotgun shells	50,648
ICELAND	Hunting shotguns and shotgun shells	19,291
ISRAEL	Shotgun shells	72,160
JAMAICA	Shotgun shells	114,314
JAPAN	Hunting shotguns and shotgun shells	869,060
KAZAKHSTAN	Hunting shotguns	35,708
KUWAIT	Hunting shotguns and shotgun shells	95,398
LEBANON	Hunting shotguns and shotgun shells	1,524,032
MALI	Shotgun shells and plastic wads	534,968
MAURITANIA	Hunting shotguns and shotgun shells	208,837
MEXICO	Hunting shotguns and shotgun shells	606,434
MOROCCO	Hunting shotguns and shotgun shells	1,224,187
NAMIBIA	Shotgun shells	245,372
NEW ZEALAND	Shotgun shells	491,664
NORWAY	Hunting shotguns and shotgun shells	824,377
PAKISTAN	Hunting shotguns and shotgun shells	413,813
PANAMA	Shotgun shells	166,887
PARAGUAY	Shotgun shells	334,080
PERU	Shotgun shells	2,320,312
PHILIPPINES	Plastic cases and wads	39,810
ROMANIA	Hunting shotguns	1,500
RUSSIA	Hunting shotguns and shotgun shells	441,177
SENEGAL	Shotgun shells	89,690
SERBIA	Shotgun shells	55,386
SOUTH AFRICA	Hunting shotguns and shotgun shells	1,317,523
SOUTH KOREA	Shotgun shells	61,800
SURINAM	Shotgun shells	34,232
SWITZERLAND	Hunting shotguns and shotgun shells	95,745
TAIWAN	Shotgun shells	123,951
THAILAND	Hunting shotguns and shotgun shells	293,595
TUNISIA	Shotgun shells	293,886
TURKEY	Hunting shotguns and shotgun shells	3,420,840
UKRAINE	Hunting shotguns and shotgun shells	728,543
UNITED STATES	Hunting shotguns and shotgun shells	4,098,804
URUGUAY	Shotgun shells	337,576
VENEZUELA	Shotgun shells	397,088
<b>TOTAL</b>		<b>30,954,813</b>

**EXPORTS OF OTHER MATERIAL COMPLETED (HUNTING AND SPORTING ARMS) WITH INDICATION OF THE NATURE OF THE END USER AND FINAL USE MADE OF THE MATERIAL AND PERCENTAGE 2010**

COUNTRY	ARMOURY	PRIVATE COMPANY	PUBLIC COMPANY	AIR FORCE	PRIVATE PARTY
ALBANIA	100.00%				
ANDORRA	13.30%	80.29%			6.41%
ANGOLA	50.48%	49.52%			
ARGENTINA	24.13%	65.32%			10.55%
ARMENIA		100.00%			
AUSTRALIA	51.32%	48.68%			
BRAZIL					100.00%
BURKINA FASO	49.95%	50.05%			
CAMEROON	70.52%	29.48%			
CANADA	78.89%				21.11%
CENTRAL AFRICAN REPUBLIC	19.45%	80.55%			
CHAD		100.00%			
CHILE	45.19%	52.94%			1.87%
COLOMBIA	43.65%	56.35%			
COSTA RICA	100.00%				
CUBA	89.10%	10.63%			0.27%
DOMINICAN REP.	44.16%	55.84%			
ECUADOR	100.00%				
FRANCE	48.31%	51.69%			
FRENCH GUYANA (FRANCE)	100.00%				
GABON	36.94%	63.06%			
GEORGIA		100.00%			
GHANA	83.42%	16.58%			
GREECE	100.00%				
GUATEMALA	82.51%	17.49%			
GUINEA BISSAU	72.40%	27.60%			
HONDURAS		100.00%			
ICELAND	6.23%	93.77%			
ISRAEL	5.79%	94.21%			
JAMAICA	50.14%	49.86%			
JAPAN	66.63%	33.37%			
KAZAKHSTAN	43.41%	56.59%			
KUWAIT		100.00%			
LEBANON	50.70%	48.38%			0.92%
MALI	15.72%	84.28%			
MAURITANIA	37.37%	61.64%			0.99%
MEXICO	45.03%	16.10%		38.87%	0.00%
MOROCCO	57.11%	42.89%			
NAMIBIA	70.05%	29.95%			
NEW ZEALAND	22.79%	77.21%			

**Note** - Armoury, private use; Private Company, private use; Public company, public use; Armed Forces, use by the Armed Forces; Private party, private use.

**EXPORTS OF OTHER MATERIAL COMPLETED (HUNTING AND SPORTING ARMS) WITH  
INDICATION OF THE NATURE OF THE END USER AND FINAL USE MADE OF THE MATERIAL AND  
PERCENTAGE  
2010 (Continued)**

<b>COUNTRY</b>	<b>ARMOURY</b>	<b>PRIVATE COMPANY</b>	<b>PUBLIC COMPANY</b>	<b>AIR FORCE</b>	<b>PRIVATE PARTY</b>
NORWAY	68.28%	31.21%			0.51%
PAKISTAN	100.00%				
PANAMA	46.07%	53.93%			
PARAGUAY	63.98%	36.02%			
PERU	44.81%	52.45%	2.74%		
PHILIPPINES	93.58%	6.42%			
ROMANIA					100.00%
RUSSIA	12.98%	79.82%			7.20%
SENEGAL		100.00%			
SERBIA		100.00%			
SOUTH AFRICA	79.96%	20.04%			
SOUTH KOREA		100.00%			
SURINAM	100.00%				
SWITZERLAND	61.12%	30.28%			8.60%
TAIWAN	50.54%	49.46%			
THAILAND	20.97%	76.83%			2.20%
TUNISIA	77.62%	22.38%			
TURKEY	58.29%	41.71%			
UKRAINE	52.46%	47.54%			
UNITED STATES	41.47%	53.87%			4.66%
URUGUAY	29.26%	70.74%			
VENEZUELA	55.85%	44.15%			

**Note** - Armoury, private use; Private Company, private use; Public company, public use; Armed Forces, use by the Armed Forces; Private party, private use.

<b>OTHER MATERIAL EXPORTS DENIED (HUNTING AND SPORTING ARMS)</b>			
<b>2010</b>			
<b>COUNTRY</b>	<b>NUMBER</b>	<b>MATERIAL</b>	<b>REASON</b>
GUINEA BISSAU	1	Hunting shells	Risk of diversion

<b>EXPORTS COMPLETED OF OTHER MATERIAL (HUNTING AND SPORTING ARMS)</b>			
<b>(LEASING, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND PRODUCTION UNDER LICENSE)</b>			
<b>2010</b>			
<b>COUNTRY</b>	<b>MATERIAL</b>	<b>OPERATION</b>	<b>AMOUNT (€)</b>
CHILE	Hunting shotguns	Donation	0
GEORGIA	Hunting shotgun barrels	Donation	0
MEXICO	Hunting shotguns	Gift	0
NORWAY	Hunting shotguns	Donation	0
SWITZERLAND	Hunting shotguns	Donation	0
UNITED STATES	Hunting shotguns	Donation	0
<b>TOTAL</b>			<b>0</b>

<b>LIST OF OTHER MATERIAL</b>
<b>(ROYAL DECREE 2061/2008, OF 12 DECEMBER)</b>
a. Firearms defined in Article 3 of United Nations General Assembly Resolution 55/255 approving the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition which are not included in Annex I.1, Article 1, 2 and 3 of the Defence Material List.
b. Visors and sights, telescopic sights and light or image intensification
c. Generator devices, projectors, smoke dispensers, gases, "anti-riot agents" or incapacitating substances
d. Launchers of the elements described in preceding paragraph c.
e. Bombs, grenades and explosive devices and, as the case may be, their launchers and laying equipment.
f. Armoured vehicles and vehicles equipped with metal or non-metal materials providing anti-ballistic protection
g. Light and deafening sound equipment for riot control
h. Anti-riot vehicles with any of the following characteristics: systems to produce electric shocks; systems to dispense incapacitating substances; systems to dispense anti-riot agents; water canons.

## ANNEX III. EXPORT STATISTICS ON DUAL-USE GOODS AND TECHNOLOGIES 2010

BY-COUNTRY AUTHORISED EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES 2010		
COUNTRY	No OF LICENSES	AMOUNT (€)
ALGERIA	3	250,200
ANDORRA	2	536,729
ARGENTINA	23	9,125,557
AUSTRALIA	21	4,373
AUSTRIA	1	0
BOSNIA AND HERZEGOVINA	5	123,444
BRAZIL	25	51,331,574
CHILE	8	342,742
COLOMBIA	28	318,004
CROATIA	2	891
CUBA	17	24,140
ECUADOR	2	228,204
EGYPT	3	1,319,776
ETHIOPIA	2	39,896
FRANCE	1	0
GEORGIA	1	98
GERMANY	1	2,977
GUATEMALA	1	130,000
HONG KONG (P. R. CHINA)	2	5,000,019
INDIA	3	274,502
INDONESIA	1	12,700
IRAN	23	18,829,919
IRAQ	1	121,409
ISRAEL	4	141,500
ITALY	10	12,140
IVORY COAST	4	18,749
JORDAN	7	427
KUWAIT	1	211
LIBYA	3	122
MALAYSIA	3	1,200,257
MALI	2	143
MAURITIUS ISLANDS	2	40
MOROCCO	15	2,377,410
NETHERLANDS	1	664
NEW ZEALAND	2	3,567
NICARAGUA	1	101
NIGERIA	10	1,836,655

**BY-COUNTRY AUTHORISED EXPORT OF DUAL-USE  
ITEMS AND TECHNOLOGIES  
2010 (Continued)**

<b>COUNTRY</b>	<b>No OF LICENSES</b>	<b>AMOUNT (€)</b>
P.R. CHINA	42	76,658,511
PAKISTAN	9	842
PARAGUAY	2	450,000
PERU	2	90,000
POLAND	1	0
PORTUGAL	4	60,047
RUSSIA	12	3,747,904
SAUDI ARABIA	12	1,351,441
SINGAPORE	9	3,858
SOUTH AFRICA	7	2,258,697
SOUTH KOREA	2	52,000
SWITZERLAND	2	472,500
TAIWAN	17	756,546
THAILAND	5	7,696
TUNISIA	1	50,000
TURKEY	20	4,833,273
UNITED ARAB EMIRATES	1	200,000
UNITED KINGDOM	2	15,253
UNITED STATES	3	71,665,578
URUGUAY	4	875,000
VENEZUELA	3	2,800,000
VIETNAM	2	664
<b>TOTAL</b>	<b>403</b>	<b>259,958,950</b>

**Note.-** The number of licenses authorised is lower than the number of licenses actually processed given that the former does not include licences denied by the JIMDDU, discontinued by the company or expired for failure to submit control documents by the stipulated date.

**EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES AUTHORISED BY COUNTRY OF DESTINATION AND CATEGORY**  
**2010**

COUNTRY	CATEGORIES									AMOUNT (€)	
	0	1	2	3	4	5	6	7	8		9
ALGERIA		250,200				0					250,200
ANDORRA						536,729					536,729
ARGENTINA		8,325,410		800,147							9,125,557
AUSTRALIA	165	4,208									4,373
AUSTRIA				0							0
BOSNIA AND HERZEGOVINA		123,444									123,444
BRAZIL		50,232,891	0	1,088,269		10,414					51,331,574
CHILE		110,400	67,400				164,942				342,742
COLOMBIA	479	317,525									318,004
CROATIA		891									891
CUBA		24,140									24,140
ECUADOR		225,000				3,204					228,204
EGYPT		47	1,319,729								1,319,776
ETHIOPIA		39,896									39,896
FRANCE				0							0
GEORGIA		98									98
GERMANY			2,977								2,977
GUATEMALA		130,000									130,000
HONG KONG (P.R. CHINA)		19				5,000,000					5,000,019
INDIA		274,502									274,502
INDONESIA		12,700									12,700
IRAN			18,829,919								18,829,919
IRAQ							121,409				121,409
ISRAEL		81,500		0		60,000					141,500
ITALY		12,140		0							12,140
IVORY COAST		749				18,000					18,749
JORDAN	264	163									427
KUWAIT		211									211
LIBYA		122									122
MALAYSIA		257		0					1,200,000		1,200,257
MALI		143									143
MAURITIUS ISLANDS	26	14									40
MOROCCO		2,377,410				0					2,377,410
NETHERLANDS		664									664
NEW ZEALAND		3,567									3,567
NICARAGUA		101									101
NIGERIA		1,836,655									1,836,655
P.R. CHINA		65,195,022	8,318,000	1,675,448			1,470,041				76,658,511
PAKISTAN	842						0				842
PARAGUAY		450,000									450,000
PERU		90,000									90,000
POLAND		0									0
PORTUGAL		60,047									60,047
RUSSIA	215	45	3,241,803	505,841							3,747,904
SAUDI ARABIA	486	1,340,602	10,353								1,351,441
SINGAPORE		3,858									3,858
SOUTH AFRICA		2,237,000	21,697								2,258,697
SOUTH KOREA		52,000	0								52,000
SWITZERLAND		472,500									472,500
TAIWAN		755,760		786							756,546
THAILAND		7,696									7,696
TUNISIA		50,000									50,000
TURKEY		4,693,273				140,000					4,833,273
UNITED ARAB EMIRATES		200,000									200,000
UNITED KINGDOM						15,253					15,253
UNITED STATES	71,349,578	316,000									71,665,578
URUGUAY		875,000									875,000
VENEZUELA		2,800,000									2,800,000
VIETNAM		664									664
<b>TOTAL</b>	<b>71,352,055</b>	<b>143,984,534</b>	<b>31,811,878</b>	<b>4,070,491</b>		<b>5,783,600</b>	<b>1,756,392</b>			<b>1,200,000</b>	<b>259,958,950</b>

**EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES COMPLETED BY COUNTRY OF DESTINATION AND CATEGORY  
2010**

COUNTRY	CATEGORIES									AMOUNT (€)	
	0	1	2	3	4	5	6	7	8		9
ALGERIA		86,276									86,276
ANDORRA						536,729					536,729
ARGENTINA		5,053,922		1,062,951			4,937				6,121,810
AUSTRALIA	165	6,001									6,166
BOSNIA AND HERZEGOVINA		20,733									20,733
BRAZIL		7,056,096		805,245							7,861,341
BURKINA FASO		7,830									7,830
CANADA			0							1,033,421	1,033,421
CHILE		54,050	67,400				164,942				286,392
COLOMBIA	166	120,720									120,886
CROATIA		891									891
CUBA	2,781,309	17,993									2,799,302
DUTCH ANT. (NETHERLANDS)		61,955									61,955
ECUADOR						3,204					3,204
EGYPT		184	2,809								2,993
ETHIOPIA		43,239									43,239
GEORGIA		98									98
GUATEMALA		2,990									2,990
HONG KONG (P.R. CHINA)		19				472,760					472,779
INDIA		114,604	1,100,000								1,214,604
IRAN			39,222,243								39,222,243
IRAQ				121,409							121,409
ISRAEL		2,495			211,839						214,334
ITALY		17,515									17,515
IVORY COAST		749				1,981					2,730
JAPAN		420,733									420,733
JORDAN	84										84
KUWAIT		1,304									1,304
LIBYA		88									88
MALAYSIA										478,450	478,450
MALI		23,648									23,648
MAURITIUS ISLANDS	26										26
MEXICO			2,977								2,977
MOROCCO		1,731,820									1,731,820
NETHERLANDS		1,530									1,530
NEW ZEALAND		3,567									3,567
NIGERIA		369,088									369,088
NORWAY		319,770									319,770
P.R. CHINA		5,588,328	10,453,110	1,966,807							18,008,245
PAKISTAN	764										764
PARAGUAY		144,576									144,576
PERU		31,348									31,348
POLAND		0									0
PORTUGAL		5,550									5,550
RUSSIA	215		2,675,064	443,707							3,118,986
SAUDI ARABIA	486	125,409	10,353								136,248
SINGAPORE		4,092									4,092
SOUTH AFRICA		298,138									298,138
SWITZERLAND		1,106,255									1,106,255
TAIWAN		171,383		786							172,169
THAILAND		7,156									7,156
TUNISIA		5,782									5,782
TURKEY		888,295									888,295
UN. AR. EMIR.		13,330									13,330
UNITED KINGDOM						9,040					9,040
UNITED STATES	0	917,242	3,723,608	227,190							4,868,040
URUGUAY		14,406									14,406
VENEZUELA		4,872,389									4,872,389
VIETNAM		548									548
<b>TOTAL</b>	<b>2,783,215</b>	<b>29,734,135</b>	<b>57,257,564</b>	<b>4,628,095</b>	<b>211,839</b>	<b>1,023,714</b>	<b>169,879</b>			<b>1,511,871</b>	<b>97,320,312</b>

**EXPORTS OF DUAL USE ITEMS AND TECHNOLOGIES COMPLETED WITH  
INDICATION OF THE NATURE OF THE END USER, FINAL USE AND  
PERCENTAGE**

**2010**

<b>COUNTRY</b>	<b>PRIVATE COMPANY</b>	<b>PUBLIC COMPANY</b>	<b>AIR FORCE</b>
ALGERIA	100.00%		
ANDORRA	1.81%	98.19%	
ARGENTINA	84.50%	15.50%	
AUSTRALIA	100.00%		
BOSNIA AND HERZEGOVINA	100.00%		
BRAZIL	98.40%	1.60%	
BURKINA FASO	100.00%		
CANADA	100.00%		
CHILE	42.41%		57.59%
COLOMBIA	100.00%		
CROATIA	100.00%		
CUBA	100.00%		
DUTCH ANT. (NETHERLANDS)	100.00%		
ECUADOR	100.00%		
EGYPT	100.00%		
ETHIOPIA	100.00%		
GEORGIA	100.00%		
GUATEMALA	100.00%		
HONG KONG (P.R. CHINA)	100.00%		
INDIA	100.00%		
IRAN	0.10%	99.90%	
IRAQ		100.00%	
ISRAEL	1.16%		98.84%
ITALY	100.00%		
IVORY COAST	100.00%		
JAPAN	100.00%		
JORDAN	100.00%		
KUWAIT	100.00%		
LIBYA	100.00%		
MALAYSIA	100.00%		
MALI	100.00%		
MAURITIUS ISLANDS	100.00%		
MEXICO	100.00%		
MOROCCO	99.38%	0.62%	
NETHERLANDS	100.00%		
NEW ZEALAND	100.00%		
NIGERIA	100.00%		
NORWAY	100.00%		
P.R. CHINA	80.19%	19.81%	
PAKISTAN	100.00%		

**Note** - Private Company, private use; Public company, public use; Armed Forces, use by the Armed Forces.

**EXPORTS OF DUAL USE ITEMS AND TECHNOLOGIES COMPLETED WITH  
INDICATION OF THE NATURE OF THE END USER, FINAL USE AND  
PERCENTAGE  
2010 (Continued)**

COUNTRY	PRIVATE COMPANY	PUBLIC COMPANY	AIR FORCE
PARAGUAY	100.00%		
PERU	100.00%		
POLAND	100.00%		
PORTUGAL	100.00%		
RUSSIA	89.86%	10.14%	
SAUDI ARABIA	100.00%		
SINGAPORE	100.00%		
SOUTH AFRICA	100.00%		
SWITZERLAND	100.00%		
TAIWAN	99.54%	0.46%	
THAILAND	100.00%		
TUNISIA	100.00%		
TURKEY	100.00%		
UN. ARAB. EMIR.	100.00%		
UNITED KINGDOM	100.00%		
UNITED STATES	100.00%		
URUGUAY	100.00%		
VENEZUELA	100.00%		
VIETNAM	100.00%		

**Note** - Private Company, private use; Public company, public use; Armed Forces, use by the Armed Forces.

**EXPORT AUTHORISATIONS DENIED FOR DUAL USE ITEMS AND TECHNOLOGIES  
2010**

<b>COUNTRY</b>	<b>NUMBER</b>	<b>PRODUCT</b>	<b>REASON</b>
IRAN	3	Control valves, tools and replacement parts to maintain a rectifier and chemical substances	Risk of diversion for production of weapons of mass destruction
JORDAN	1	Chemical substances	Risk of diversion for production of weapons of mass destruction
PAKISTAN	3	Chemical substances	Risk of diversion for production of weapons of mass destruction
SUDAN	2	Chemical substances	Risk of diversion for production of weapons of mass destruction
SYRIA	6	Chemical substances	Risk of diversion for production of weapons of mass destruction
YEMEN	4	Chemical substances	Risk of diversion for production of weapons of mass destruction

**APPLICATION OF THE CATCH-ALL CLAUSE IN THE EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES  
2010**

<b>COUNTRY</b>	<b>NUMBER</b>	<b>ITEM</b>	<b>REASON</b>
IRAN	4	Stainless steel pipes, aluminium recycling facility, electronic visual units and connectors.	Risk of being diverted to nuclear and missile proliferation programmes

**EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES COMPLETED EXCEEDING €10 MILLION  
2010**

<b>COUNTRY</b>	<b>DESCRIPTION</b>	<b>AMOUNT (€)</b>	<b>PERCENTAGE</b>
IRAN	Pipes for a steel manufacturing plant	17,556,445	18.04
<b>Total</b>		<b>17,556,445</b>	<b>18.04</b>

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

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

**EVOLUTION OF EXPORTS OF DEFENCE MATERIAL, OTHER MATERIAL AND DUAL-USE ITEMS AND TECHNOLOGIES  
2010**

	DEFENCE MATERIAL AMOUNT (€)	OTHER MATERIAL AMOUNT (€)		DUAL-USE AMOUNT (€)
		Anti-riot	Hunting and sporting arms	
Authorised	2,238,406,429	14,514,922	50,679,446	259,958,950
Completed	1,128,302,781	1,962,642	30,954,813	97,320,312
Percentage	50.41	13.52	61.08	37.44

## ANNEX IV. LICENSES PROCESSED AND OPERATIONS EXEMPT

NUMBER OF EXPORT LICENSES PROCESSED 2010						
DEFENCE MATERIAL						
TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	507	89	15	1	14	626
GLOBAL	5					5
GLOBAL PROJECT	9					9
TEMPORARY	314	1			1	316
RECTIFICATIONS	172					172
PRELIM. AGREEMENTS	43				1	44
INWARD PROCESSING TRAFFIC	4					4
OTHER MATERIAL						
TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	258	25		1	3	287
TEMPORARY	9					9
RECTIFICATIONS	43					43
DUAL-USE ITEMS AND TECHNOLOGIES						
TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	405	8		19	1	433
GLOBAL	1	1				2
TEMPORARY	6					6
RECTIFICATIONS	29					29
PRELIM. AGREEMENTS	2					2
GENERAL AUTHORISATIONS	2					2

**LICENSE PROCESSING TIME FOR DEFENCE MATERIAL, OTHER MATERIAL AND  
DUAL-USE ITEMS AND TECHNOLOGIES**

**2010**

DEFENCE MATERIAL	Preliminary report	= 0 < 30 days	59 %
		> 30 days	41 %
	Exempt from report	= 0 < 5 days	63 %
		> 5 days	37 %
OTHER MATERIAL	Preliminary report	= 0 < 30 days	75 %
		> 30 days	25 %
	Exempt from report	= 0 < 5 days	62.5 %
		> 5 days	37.5 %
DUAL-USE ITEMS AND TECHNOLOGIES	Preliminary report	= 0 < 30 days	63.5 %
		> 30 days	38.5 %
	Exempt from report	= 0 < 5 days	71 %
		> 5 days	29 %

DEFENCE MATERIAL TRANSACTIONS EXEMPT FROM THE JIMDDU PRELIMINARY REPORT AND FROM END USE CONTROL DOCUMENTS  
2010

Art. RMD	Eurofighter	A400M	Tiger Eurocopter	Leopard	Iris-T Missile	Military fuel	Repair	Fairs	Tests Demonstration Homologation	Return to origin
1							19	5	7	14
2								1	3	
3										5
4					8		30	4	6	6
6				6			15	10	12	20
7							2		1	
8						6				
9							3	1		2
10	26	32	6				88		11	8
11	1	3					28	2	9	5
13							2		4	
15							11	1	8	1
21								1	1	2
<b>TOTAL</b>	<b>27</b>	<b>35</b>	<b>6</b>	<b>6</b>	<b>8</b>	<b>6</b>	<b>198</b>	<b>25</b>	<b>62</b>	<b>63</b>

**DUAL-USE ITEMS AND TECHNOLOGY TRANSACTIONS EXEMPT FROM THE  
JIMDDU PRELIMINARY REPORT AND FROM END USE CONTROL DOCUMENTS -  
2010**

Category	Exemption from the Board Report
	Member countries of international non-proliferation fora
0	2
1	141
2	5
3	23
<b>TOTAL</b>	<b>171</b>



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

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

### Exports

Country submitting information: Spain

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

Calendar year: 2010

Conventional arms						
A	B	C	D	E	Observations	
Categories (I-VII)	End importer state(s)	Number of items	Country of origin (if not the exporter)	Location Interim (if applicable)	Description of the item	Comments regarding the transfer
I. Tanks						
II. Armoured combat vehicles	ROMANIA	5			GROUND VEHICLES	EUD
III. Large calibre artillery systems	CHILE	4			MORTARS	EUD
IV. Combat aircraft						
V. Attack helicopters						
VI. Warships	VENEZUELA	2			SURVEILLANCE SHIPS	EUD
VII. Missiles and a) missile launcher d) b)						

\* Control document.

Small arms and light weapons						
A	B	C	D	E	Observations	
Category VIII	End importer state(s)	Number of items	Country of origin (if not the exporter)	Location Interim (if applicable)	Description of the item	Comments regarding the transfer
<b>Small arms</b>						
1. Revolvers and automatic pistols						
2. Rifles and Carabines						
3. Machine guns						
4. Assault rifles						
5. Light machine guns						
6. Other						
<b>Light weapons</b>						
1. Heavy machine guns						
2. Portable grenade launcher with and without support	ESTONIA INDONESIA	205 268				EUD *
3. Portable anti-tank cannons						
4. Recoilless rifles						
5. Portable anti-tank missile launchers and rocket systems						
6. Mortars under 75mm calibre						
7. Other						

\* Control document.

**Note.** – Recipients are the Armed Forces and law enforcement officials and the items are complete except for parts and ammunition.



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

### EXPORTS AUTHORISED IN 2010 Annual information regarding the export of small arms and light weapons

Reporting country Spain	Reporting year: 2010				
Original language: Spanish	Report date: May 2011				
Category and sub-category	End importing State	Number of items	State of origin (if not the importer)	Intermediate situation (if applicable)	Commentary on the transfer*
<b>A. Small arms</b>					
1. Revolvers and automatic pistols					
2. Rifles and Carabines					
3. Submachine guns					
4. Assault rifles					
5. Light machine guns					
<b>B. Light weapons</b>					
1. Heavy machine guns					
2. Portable grenade launchers with and without support	ESTONIA	205			EUD
3. Portable anti-aircraft cannons					
4. Portable anti-tank cannons					
5. Recoilless cannons					
6. Launchers for portable anti-tank missile and rocket systems					
7. Launchers for portable anti-aircraft missiles					
8. Mortars under 100 mm calibre					

\* Control document.

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

EXPORTS COMPLETED IN 2010

Annual information regarding the export of small arms and light weapons

Reporting country Spain	Reporting year: 2010				
Original language: Spanish	Report date: May 2011				
Category and sub-category	End importing State	Number of items	State of origin (if not the importer)	Intermediate situation (if applicable)	Commentary on the transfer*
<b>C.. Small arms</b>					
6. Revolvers and automatic pistols					
7. Rifles and Carabines					
8. Submachine guns					
9. Assault rifles					
10. Light machine guns					
<b>D. Light weapons</b>					
9. Heavy machine guns					
10. Portable grenade launchers with and without support	ESTONIA	205			EUD
11. Portable anti-aircraft cannons					
12. Portable anti-tank cannons					
13. Recoilless cannons					
14. Launchers for portable anti-tank missile and rocket systems					
15. Launchers for portable anti-aircraft missiles					
16. Mortars under 100 mm calibre					

\* Control document.

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



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

### DEFENCE MATERIAL AND EQUIPMENT FOR DOMESTIC REPRESSION

Countries	United Nations	European Union	OSCE
Afghanistan (Taliban)	December 1996 January 2002 (Mod.)	December 1996 May 2002 (Mod.)	
Azerbaijan (Nagorno-Karabakh)			February 1992
China		June 1989 (v)	
Dem. Rep. Congo	July 2003 March 2008 (Mod.)	April 1993 October 2007 (Mod.)	
Democratic Rep. of Korea	October 2006	November 2006	
Eritrea	December 2009	March 2010	
Iran	March 2007 (v) June 2010 (Mod.)	April 2007 October 2010 (Mod.)	
Iraq	August 1990 June 2004 (Mod.)	August 1990 July 2004 (Mod.)	
Ivory Coast	November 2004 October 2010 (Mod.)	December 2004	
Lebanon	August 2006	September 2006	
Liberia	March 1992 December 2009 (Mod.)	May 2001 June 2006 (Mod.)	
Libya	February 2011 March 2011 (Mod.)	February 2011 March 2011 (Mod.)	
Myanmar		July 1991 April 2006 (Mod.)	
Republic of Guinea		October 2009	October 2009
Somalia	January 1992 July 2009 (Mod.)	December 2002 February 2009 (Mod.)	
Sudan	July 2004 October 2010 (Mod.)	March 1994 May 2005 (Mod.)	
Zimbabwe		February 2002 February 2004 (Mod.)	

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

The embargoes reflected in this table exclude prohibitions on the export of non-lethal equipment for humanitarian purposes or for certain International Organisations and United Nations personnel as well as those used for mine removal actions except in the case of China. In the case of the embargoes against Iraq, Lebanon, the Democratic Republic of Congo, Liberia and Somalia, the prohibition of arms shipments to their governments and international peace-keeping forces is excluded. Non-lethal arms for security forces are excluded from the embargo of the Ivory Coast.

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

(v) Voluntary embargo.

(Mod.) Date of modification.

## DUAL-USE

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

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

WMD Weapons of mass destruction

(v) Voluntary embargo.

## ANNEX VIII. LINKS

### **International forum web pages**

1. United Nations

<http://www.un.org>

2. European Union

<http://europa.eu>

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

<http://www.osce.org>

4. Chemical Weapons Convention (CWC)

<http://www.opcw.org>

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

5. Biological and Toxin Weapons Convention (BTWC)

<http://www.opbw.org>

6. *Australia Group (AG)*

<http://www.australiagroup.net>

7. International Atomic Energy Agency (IAEA)

<http://www.iaea.org>

8. Nuclear Suppliers Group (NSG)

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

9. Wassenaar Arrangement (WA)

<http://www.wassenaar.org>

10. Missile Technology Control Regime (MTCR)

<http://www.mtcr.info>

11. Zangger Committee

<http://www.zanggercommittee.org>

### **Other links of interest**

1. Stockholm International Peace Research Institute

<http://www.sipri.org>

2. Small Arms Survey

<http://www.smallarmssurvey.org>