



**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, 2011**

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## INTRODUCTION

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This report includes the 2011 exports of defence material, other material and dual-use items and technologies authorised and completed in accordance with the terms of Article 16 of Law 53/2007 of 28 December 2007 on the control of external trade in defence and dual-use material.

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

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

This report presents the data concerning operations undertaken, the information having been obtained by the Customs and Excise Department individual review of export licenses issued and checking them against each one of the shipments made. Moreover, the Secretariat of State for Trade collected information regarding export shipments directly from companies enabling it to correct any 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 2011 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 2011, Spain's contribution to the United Nations registers on the international transit of Conventional weapons small arms and light weapons and to the OSCE Document on Small Arms and Light Weapons, the list of defence material embargoes and a list of helpful links in this connection.

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

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

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

### 1. Legislative framework

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

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

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 amended by Commission Implementing Regulation (EU) No 1352/2011 of 20 December 2011 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, amended by Directive 2010/80/EU of 22 November.

Specific reference is 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.

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

- 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.

In 2011 it was also necessary to amend Royal Decree 2061/2008 to incorporate the updates needed in the regulation of these transfers thus completing and implementing the terms laid down in Community law. The amendment was set out in Royal Decree 844/2011 of 17 June 2011 which entered into force on 02 January 2012 except for the part updating the makeup of the Inter-Ministerial Regulatory Board on External Trade in Defence and Dual-use Material (JIMDDU) which entered into force on 03 July 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 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.

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 08 December 2008 defining common rules governing control of exports of military technology and equipment and the proliferation of weapons of mass destruction.

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

Resolution 55/255 of the United Nations General Assembly of 8 June 2001 approving the Protocol against the illicit manufacturing of and trafficking in 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, amended by Royal Decree 976/2011 of 08 July 2011 and the Explosives Regulation approved by Royal Decree 230/1998 of 16 February 1998, amended by Royal Decree 248/2010 of 05 March 2010.

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 amended by Regulation (EU) No 1232/2011 of the European Parliament and of the Council of 16 November 2011.

It is important to draw attention to United Nations Resolution 1540 (2004) of 28 April intended to prevent the proliferation of weapons of mass destruction and specifically to prevent non-State agents from acquiring them.

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

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

## **2. Control bodies**

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

The Inter-Ministerial Regulatory Board on External Trade in Defence and Dual-use Material (Spanish acronym JIMDDU) was constituted for the first time in 1988 as an inter-ministerial administrative body organisationally attached to the Ministry of Economy and Competition. The JIMDDU meets on a monthly basis with the exception of the month of August

and has a Working Group responsible for preparing operations and reports.

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

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

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

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





**1. Legislation in force**

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

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

**2. Statistical analysis**

*A) Exports completed*

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

In 2011 there was a significant increase of 115.5% in the export of defence material with respect to 2010. The value of exports totalled €2,431.2 million.

Year	Amount (€ millions)
2005	419.45
2006	845.07
2007	932.94
2008	934.45
2009	1,346.52
2010	1,128.30
2011	2,431.21

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

Countries DM	Reading (€ millions)	Percentage
<b>EU NATO countries</b>	<b>558.68</b>	<b>22.98</b>
United Kingdom	277.92	11.43
Germany	113.57	4.67
Italy	50.67	2.08
France	46.27	1.90
Portugal	41.80	1.72
Others	28.45	1.18
<b>EU non-NATO countries</b>	<b>30.38</b>	<b>1.25</b>
Finland	24.61	1.01
Ireland	4.19	0.17
Others	1.58	0.07
<b>NATO (non-EU) countries</b>	<b>479.70</b>	<b>19.73</b>
Norway	362.96	14.93
United States	115.60	4.75
Others	1.14	0.05
<b>NATO + EU</b>	<b>1,068.76</b>	<b>43.96</b>
<b>Other countries</b>	<b>1,233.73</b>	<b>50.75</b>
Venezuela	567.36	23.34
Australia	424.47	17.46
Mexico	109.60	4.51
Egypt	69.83	2.87
Chile	62.47	2.57
<b>Remaining countries</b>	<b>128.72</b>	<b>5.29</b>
<b>TOTAL</b>	<b>2,431.21</b>	<b>100</b>

Deliveries to European Union countries account for 24.2% of the total.

The value of sales to EU countries totalled €589.1 compared to €513.0 in 2010. The table shows that dispatch to European Union countries was lower in relative terms than in years past accounting, for example, for 59.8% in 2005 and 79.6% in 2004. This is due to the relative importance of transfers to certain countries such as Venezuela, Australia and Norway accounting collectively for €1,354.8 million, i.e. 55.7% of total exports.

Dispatches were mainly distributed between the United Kingdom and Germany. The principal exports were parts and components for the EF-2000 jet fighter and the A400M military transport aircraft to the United Kingdom and Germany plus an in-flight refuelling aircraft to the United Kingdom. Other categories of consignments to the United Kingdom included helicopter parts and components (Tiger programme) and missiles (Meteor Programme), mortar grenades and small arms. Regarding

consignments to Germany, we would also mention fuel shipments, helicopter parts and components (Tiger Programme), tanks (Leopard) and missiles (Iris-T and Meteor), in addition to small arms. Special mention should also be made of the following destinations of Spanish consignments: Portugal with €41.8 million accounting for 1.7% (two transport aircraft), Finland with €24.6 million accounting for 1.0% (one transport aircraft) and Greece with €16.1 million accounting for 0.7% (military fuel).

NATO countries absorbed 42.7% of dispatches/exports with €1,038.4 million. Special mention should be made of exports to Norway for €362.9 million accounting for 14.9% (a frigate) and the United States for €115.6 million accounting for 4.7% (parts and components for aircraft, ships, tanks and missiles; military fuel and small arms and munitions).

The rest of the sales (€1,362.4 million accounting for 56.0%), not counting dispatch/export to EU and NATO countries, are divided among 44 nations of which special mention should be made of Venezuela with €567.4 million accounting for 23.3% (three patrol vessels and a coast guard ship); Australia with €424.5 million accounting for 17.5% (three in-flight refuelling aircraft); Mexico with €109.6 million accounting for 4.5% (five transport planes); Egypt with €69.8 million accounting for 2.9% (three transport planes); Chile with €62.5 million accounting for 2.6% (two transport planes and anti-submarine surveillance); Ghana with €26.9 million accounting for 1.1% (one transport plane); and Colombia with €24.9 million accounting for 1.0% (one transport plane).

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

Algeria: €136,766 in replacement parts for transport planes.

Argentina: €7,674 in pistols, rifles and carbines.

Bahrain: €6.3 million in rounds for intended for aircraft.

Bangladesh: €749,315 in artillery rounds.

Cameroon: €1,200 for a hunting rifle.

Colombia: €24.9 million for a transport plane, spare parts for aircraft, night vision monoculars and goggles, artillery rounds and a pistol.

Cuba: €168,254 in pistols and night vision monoculars and goggles.

Dominican Rep: €7,319 in repair and replacement parts for transport planes.

Ecuador: €345,206 in spare parts for aircraft and armoured vehicle components.

Egypt: €69.8 million for three transport planes, non-armoured transport vehicle engines and spare parts and two pistols.

Ghana: €26.9 million for a transport plane.

Guinea Bissau: €300 for a carbine.

Hong Kong (P.R. China): €50,000 for an electro-optical sensor.

India: €4.9 million in equipment and spare parts for vessels, fuses for artillery munitions and raw materials and tools and technical documentation for the manufacture of aircraft.

Indonesia: €1.0 million in artillery rounds, aerial bombs, grenade launching systems and sporting pistols.

Israel: €472,545 in sporting pistol components; calibre 30 x 173 mm rounds for operational tests of a remote control tower run by the Israeli company which manufactured the tower for Spanish army vehicles; electronic image processing cards for incorporation into systems for use on board air force aircraft from EU countries and chemicals for use in the pharmaceutical industry and for the manufacture of paint and varnish.

Jordan: €2.6 million in replacement parts for transport planes.

Malaysia: €5.2 million in mortar round components, non-armoured transport vehicles and night vision goggles.

Mauritania: €1,845 in small arms ammunition and transport plane components.

Morocco: €1.5 million in replacement parts, repair and modernisation of aircraft and repair of aircraft engines.

Oman: €3.3 million in spare parts for transport planes, rounds and spare parts for artillery and mortar, illumination and smoke grenades.

Pakistan: €12.9 million in flight simulators, a radar system, repair and modernisation of aircraft engines and spare parts for aircraft.

Philippines: €2,750 in parts for sporting pistols.

Qatar: €382,791 in replacement parts for tanks.

Saudi Arabia: €14.0 million in replacement parts for transport planes and illuminating mortars.

Serbia: €650,545 in gunpowder and artillery rounds.

South Africa: €23,400 in hunting rifles and sporting pistols and their components and light weapons.

Thailand: €7.8 million in replacement parts for transport planes, rounds intended for aircraft, replacement parts for guns installed on ships and parts for ships.

Turkey: €66,354 in parts and components for aircraft (A400M programme) and one pistol.

United Arab Emirates: €66,148 in aerial bombs and carbines.

Venezuela: €567.4 million in three patrol vessels, a coast guard ship and ammunition for guns installed on ships.

Focusing on item categories, we would draw attention to the export of "Aircraft" totalling €1,123.9 million accounting for 46.2% of the total and "Warships" totalling €941.5 million and accounting for 38.7%.

Exports arising from cooperation programmes totalled €269.9 million accounting for 11.1% of the total. Details on the value of programme-related exports and countries of destination can be found in one of the tables in Annex I.

Exports completed in this regard (€2,431.2 million) accounted for 84.7% of the amount authorised (€2,871.2 million).

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

This information can be found in Annex IV.

In 2011, a total of 898 applications for defence material export licenses were filed as follows: 629 individual licenses, 10 global licenses, 13 global project licenses (arising from cooperation programmes in the field of defence) and 246 temporary licenses. In addition to these, 7 inward processing traffic licenses were processed and rectifications were made to 217 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 629 individual licenses, 540 were approved, 2 denied, 44 were pending authorisation in 2012, 27 expired due to failure to submit the end-use control document associated to the license by the deadline date and 16 were discontinued by the exporter himself. The 10 global licenses and 13 global project licenses were approved. Regarding the 246 temporary licenses, 241 were approved and 5 discontinued. Of the 217 license rectifications, 215 were approved and 2 discontinued. The 7 traffic licenses were approved.

Also in 2011, 57 preliminary export agreements were approved, 1 was denied and 1 was discontinued. This is an administrative approval signalling initial conformity regarding future shipments subject to an individual license.

Also in 2011 authorisation was given for a brokering transaction where a Spanish firm acted as the broker for the export from Poland to Venezuela of miscellaneous Russian-made components and spare parts for military helicopters.

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

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

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

- a) The export-dispatch 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-dispatch and import-introduction of items requested by bodies of the Ministry of Defence and by firms within the sector in compliance with maintenance or repair contracts concluded with the Armed Forces, with a favourable report from the Directorate-General for Armament and Materiel of the Ministry of Defence.
- c) Temporary export-dispatch 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-dispatch under an outward processing procedure and export-dispatch arising from previous imports-introductions under an outward processing procedure undertaken by bodies of the Ministry of Defence.
- e) The export-dispatch of fuels meeting military specifications sent to countries of the European Union and the North Atlantic Treaty Organisation (NATO).
- f) Rectifications of authorisations having to do with effective term, customs and monetary value.

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

In 2011, 12 entries were made by defence material firms in the REOCE, a further 18 made joint entries for defence and dual-use material, 2 made joint entries for defence and other material and 1 entry was made by a firm involved in all three areas of activity.

*D) Licenses denied*

Two denials were issued in 2011 for export operations of defence material resulting from the enforcement of Common Position 2008/944/CFSP of 8 December 2008 and a further two denials because the exporters did not have manufacturing authorisation and the legal ownership of the weapons was not registered. Details of these denials are found in Annex I.

The first denial was of an export license for 450 pistols intended for Guatemala. In this case, criterion 7 of Common Position 2008/944/CFSP of 8 December was applied defining common rules governing control of exports of military technology and equipment. The denial was based on the risk of diversion, i.e. the declared importer and end user failed to provide sufficient guarantees.

The second denial concerned a preliminary export agreement for 50 sets of spare motor parts for military transport planes and helicopters to Zimbabwe. Criterion 1 was applied in this case owing to an arms export embargo to this country imposed by the European Union in February 2002 (Common Position 2002/145/CFSP of 18 February 2002).

The third denial was of an export application for 33 rifles of different calibres to the United States.

The fourth denial was for the export of a carbine to Venezuela.

Also, the Secretariat of State for External Trade revoked two export licenses to Libya in accordance with Article 8(1) a) of Law 53/2007 of 28 December 2007 and Article 7(1) a) of

Royal Decree 2061/2008 of 12 December 2008. These licenses were for 1,000 night-vision goggles with 301 accessories and 11 night-vision goggles.

Furthermore, export licenses for defence material, other material and dual-use items and technologies authorised since January 2006 until the beginning of the uprising in Tunisia and Egypt in February 2011 were subject to analysis and review in the case of these two countries with special emphasis on those still in force. This review process was extended to all licenses targeting countries which were undergoing similar uprisings.

Similarly, at the outset of the uprisings and in accordance with criterion 2 (respect of human rights in the country of destination) and criterion 3 (the internal situation in the country of destination, specifically the existence of tensions or armed conflicts) of Common Position 2008/944/CFSP, the decision was taken to temporarily suspend the authorisation of all new applications for the export of defence material and other material to those countries of the Near East and North Africa where these uprisings were taking place. This suspension was lifted on 11 May of the same year although new applications for these countries were subject to a special examination process. Processing of applications for the export of dual-use items and technologies to these countries continued as before with the requirement for due guarantee of civilian use and end user.

We collaborated in an investigation of illicit trafficking in defence material by one Spanish firm. We also collaborated in two investigations of possible crimes of smuggling involving the export of defence material without prior authorisation.

An appeal to a higher court lodged against a decision determining that an import license application for a carbine had expired was admitted and therefore the contested decision was annulled. Similarly, information was provided regarding a financial claim related to the Cabinet Decision of 11 July 2008 declaring a unilateral moratorium on the use, development, production, acquisition and external trade in cluster munitions. Information was likewise

furnished within the context of an administrative appeal filed at the National High Court by several human rights and pro Sahrawi people associations and by the Spanish Refugee Aid Commission (CEAR) having to do with the Secretariat of State for Trade's 29 April 2010 denial of the petition formulated by the complainants based on the nullification of all export authorisations to Morocco, the future denial of all applications in this connection and denial of access to the registries and archives of these operations.

Prior to informing the operations, the JIMDDU conducted a case-by-case analysis of all 2011 transactions applying the following parameters:

- a) Respect for United Nation, European Union and OSCE embargoes currently in force (Annex VII).
- b) Observance of commitments undertaken at international control and non-proliferation fora to which Spain is party.
- c) Enforcement of the eight criteria laid down in Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment.
- d) Enforcement of the 24 October 2000 OSCE Document and the latter's criteria concerning small arms and light weapons.
- e) Adoption of restrictive principles in approving exports to certain countries immersed in domestic or regional situations of conflict thus preventing the shipment of arms or equipment that, in light of their characteristics, could be used to take life or injure or could be used for the purpose of domestic repression or as anti-riot material.
- f) As concerns transactions involving small arms and light weapons, in 2001 the JIMDDU took the decision to make export authorisation of these arms contingent upon the end recipient/user being a public body (armed forces and

law enforcement officials) in the case of particularly sensitive countries or in those where there is a risk of diversion in terms of the end use made of this material.

The requirement of submitting a control document continued throughout all of 2011 specifying this point as a prerequisite for license authorisation.

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

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

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

Subsequent to this moratorium, Spain deposited its instrument of ratification of the Convention on Cluster Munitions of 17 June 2009. The Convention entered into force on 01 August 2010 once the minimum 30 States ratified it.

In 2011, the Ministry of Foreign Affairs and Cooperation authorised 526 transits of defence material and denied 17.

### **3. Principal actions undertaken and exchanges of information in the field of conventional arms in 2011**

#### *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 2008 defining

common rules governing control of exports of military technology and equipment. Said Common Position is comprised of eight criteria and a series of operational provisions.

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

From among the most important work undertaken in 2011, we would stress the following (XIII Annual Report):

1. *Review of the Code of Conduct Common List of Military Equipment.* On 21 February 2011, the Council adopted an updated version of the Common List based on the changes made to the Wassenaar Arrangement Military Equipment List. This was published in the Official Journal of the European Union on 18 March 2011.
2. *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 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.
3. *Participation and information dissemination activities.* These activities are the result of applying Joint Action 2008/230/CFSP and Council Decision 2009/1012/CFSP. Through this Decision the German Federal Office of Economic and Export Control (BAFA) was appointed as the organising technical agency.

The following seminars were organised in 2011:

- Podgorica (Montenegro), 4-5 May. This seminar targeted the Balkan countries (Albania, Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia).
- Kiev (Ukraine), 22-23 November. This seminar targeted Eastern European countries and those of the Caucasus region (Armenia, Azerbaijan, Belorussia, Georgia, Moldavia and Ukraine).

The two half-yearly 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 membership of new countries in the international non-proliferation and control fora. A mutual exchange of information on denials was undertaken with Norway. In 2011, the EU initiated the development of a mechanism for the exchange of information between the Member States, the EEAS and third countries regarding national polices controlling arms exports.

4. *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. Member State representatives took part in three regional seminars (Casablanca, Montevideo and Bali) to disseminate this initiative.

5. *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 2011, particular attention was paid to the difficulties encountered in gathering information on exports completed.
6. *Arms brokering*. In 2003, the Council adopted Common Position 2003/468/CFSP of 23 June 2003 on the control of arms brokering. The Common Position contains the criteria, instruments (licenses, written authorisations, records of activity, consultations) and definitions needed for the effective control of these operations. In accordance with Article 5 of the Common Position, Member States must establish special mechanisms (specific databases) for the exchange of information on national legislation and registered intermediaries. At the COARM Group meeting held in April 2008, Member States also agreed to share information on brokering licenses issued while respecting confidentiality.
7. *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 through a Committee chaired by the Commission regarding the way in which each Member State is planning to transpose and enforce the Directive continued in 2011. On 11 January 2011 the Commission adopted a Recommendation concerning the

certification process applicable to defence firms pursuant to Article 9 of the Directive.

Priority guidelines of the COARM Group for 2012 may be summarised as follows:

- Adaptation of Common Positions 2003/468/CFSP and 2008/944/CFSP to national legislations.
- Initiation of the preparatory process for the review of Common Position 2008/944/CFSP.
- 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.
- 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 2012. 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 items, general transfer licenses are published which authorise transfers from Member States to undertakings which comply with the terms and conditions laid down in each general license. General licenses suffice where the recipient is the Armed Forces or a certified undertaking in accordance with the requirements laid down in the Directive, in the case of demonstrations, evaluations and temporary exhibits and in the case of transfers for the purpose of maintenance and repairs. Royal Decree 844/2011 also includes a fifth case of the possible use of general licenses for dispatches to NATO agencies (NAMSA).



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

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

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

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

The deadline for the transposition of the Directive for Member States is 30 June 2011. The proposed measures shall apply as from 30 June 2012.

In 2009 the Commission created a Committee for the transposition of Directive 2009/43/EC composed of experts from the 27 Member States, the Council Secretariat and the

European Defence Agency. The first meeting took place in Brussels on 04 December 2009, the second on 17 September 2010 and the third on 28 November 2011. 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 three times in Brussels in 2011: on 04 April, 24 June and 6 September.

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 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 08 December 2008 has been set up.

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

The third meeting of the Committee entrusted with the review of Regulation enforcement was held on 16 November 2011.

As in previous years, the meeting was preceded by a presentation by the NGO Amnesty International and the *Omega Research Foundation* setting out the arguments advocating improvement of the Regulation based on the report entitled "*No more delays: putting an end to the EU trade in tools of torture*". While the report acknowledges progress made by the Regulation in force, it insists on moving forward and incorporating a series of proposals.

The Commission and the Member States continued their discussion of those proposals which were initiated during the Spanish Presidency of the Council in the first half of 2010. Said proposals call for the transfer of some Annex III items -whose export is subject to control- to Annex II -prohibited exports- and the inclusion of new items in Annex III which, while having a legitimate use, can be used for torture or the death penalty.

In some recent cases, medicines exported to third countries have been used to apply the death penalty by lethal injection.

Discussion also revolved around the need for a catch-all clause to control end use, the inclusion of items in transit and the consideration of brokering in the Regulation. These points will be studied in upcoming amendments to the Regulation.

Regarding information exchange, the Commission informed that the possibility of

using the dual-use database of denials was nearly a reality and that the said database was equipped with a function for the exchange of denial information under Regulation 1236/2005.

Lastly, the need to furnish annual reports was stressed and Member States were encouraged to provide information regarding the scope of sanctions and penalties in their national legislations for breach of this Regulation. Having regard to this last point, Spain reported the approval of Organic Law 6/2011 of 30 June 2011 amending the Anti-smuggling Act, Organic Law 12/1995 of 12 December 1995 and the approval of Organic Law 5/2010 of 22 June 2010 amending the Criminal Code Act, Organic Law 10/1995 of 23 November 1995.

The results of this meeting were incorporated into Commission Implementing Regulation (EU) No 1352/2011 of 20 December 2011 amending Annexes II and III of Council Regulation (EC) No 1236/2005, replacing them with Annexes I and II of the new Regulation.

The approved amendment entails the addition of items to the lists in both annexes and can be summed up as follows:

- Prohibition of the export of "batons with spikes".
- Prohibition of the export of "Electric-shock devices which are intended to be worn on the body by a restrained individual, such as belts, sleeves and cuffs, designed for restraining human beings by the administration of electric shocks having a no-load voltage exceeding 10 000 V" (belts were already prohibited under the previous regulation).
- The export of products which could be used for the execution of human beings by means of lethal injection (short and intermediate acting barbiturate anaesthetic agents including, but not limited to amobarbital, pentobarbital, secobarbital and thiopental and their sodium salts) are now subject to prior authorisation.

*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 08 July 1998 signing of the Letter of Intent (LoI) on the restructuring and integration of the European defence industry by six countries: France, United Kingdom, Germany, Italy, Sweden and Spain.

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

In 2011 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 the terms and conditions of transfers of defence-related products within the Community.

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

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

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

Also, delegations of the six LoI countries met in Vienna on 04 October 2011 with a delegation from the United States composed of representatives from the Departments of State, Trade and Defence. That meeting focused on the exchange of information regarding the changes introduced in the US ITAR regulation (International Traffic in Arms Regulation) and the main aspects concerning the transposition of Directive 2009/43/EC.

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

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

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

Trafficking in Conventional Arms of 26 June 1997 and Common Position 2008/944/CFSP.

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

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

In 2011 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 2011 the EU approved Council Decision 2011/428/CFSP in support of the upcoming Review Conference of 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 to be held in 2012. The aim of the Conference is to promote the global and regional application of the Programme of Action, the International Instrument on the Marking and Tracing of small arms and light weapons and the United Nations technical guidelines for the management of the stockpiling of conventional munitions. €2,150,000 have been allocated to the project for the 2012-2014 period and will be executed by the United Nations Office for Disarmament Affairs (UNODA).

The EU is also carrying out an initiative to combat unlawful trade in small arms and light weapons through aerial means. To that end, Council Decision 2010/765/CFSP was adopted, the Stockholm International Peace Research Institute (SIPRI) being entrusted with its execution. The aim is to enhance the instruments and techniques targeting national and international players enabling them to identify and trace aircraft suspected of being involved in the unlawful trafficking in small arms and light weapons towards and within conflict areas in Africa and other parts of the world. €900,000 were allocated to the project.

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

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).

Spain is an important 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 contributions in 2011:

- €20,000 for the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LiREC). A large number of activities related with the fight against unlawful trade in and proliferation of firearms have been undertaken with this body (workshops, seminars, technical and legislative assistance and capacity-building) in Latin America.
- €25,000 for the Small Arms Control Programme in West Africa (ECOSAP) of the Economic Community of West African States (ECOWAS). This contribution reinforces Spain's position as one of the main bilateral donors supporting ECOWAS.
- €5,000 for the Parliamentary Forum on Small Arms and Light Weapons.
- €15,000 for the International Action Network on Small Arms - IANSA. Spain maintains its commitment to this international NGO coordinator which is supporting the International Arms Trade Treaty project.

Also, the Spanish Agency for International Development Cooperation (Spanish acronym 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 EU'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.

It should also be mentioned that 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" was discussed in 2011 within 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.

The Arms and Explosives Intervention Unit of the Directorate-General for the *Guardia Civil* (Ministry of the Interior) carried out the following activities in 2011: 25,458 inspections of manufacturing and storage plants of these weapons and explosive plants and warehouses; holding on deposit of 260,608 firearms of different types and characteristics; 23,967 weapons pending auction; 39,835 weapons pending scrapping; 1,113 lost weapons of which 338 were recovered; 728 sanction proceedings involving weapons (198 of which were under the Arms Regulation, 81 under the Explosives Regulation and 457 under the Pyrotechnics and Ammunition Regulation) and confiscation at border controls of 178 weapons (137 from Schengen countries and 41 weapons from non-Schengen countries).

Regarding import and export, 1,488 import authorisations, 798 export authorisations and 1,095 Prior Consents and 1,986 Transfer Permits to the European Union were granted.

*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 08 December 2008 defining common rules governing control of exports of military technology and equipment. This Common Position features much more strict and precise criteria than those contained in the Programme of Action. Similarly, in other aspects such as the marking, registration and monitoring of these arms, Spanish and European rules are more thorough and ambitious than the Programme of Action provisions or the International Instrument to identify and trace small arms and light weapons (adopted in 2005 within the framework of the UN General Assembly). Marking has been compulsory in Spain since 1929.

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

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

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

In 2011, 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 101 a) General Assembly plenary session and entered into force on 3 July 2005.

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

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

#### *Parliamentary Forum on Small Arms and Light Weapons*

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

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

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

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

#### *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.

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

The Final Provision of Law 53/2007 of 28 December 2007 on the control of external trade in defence and dual use items provided that the Government was going to maintain "an active position both outside and within the European Union in favour of drawing up an effective and legally binding International Arms Trade Treaty

establishing global rules on the transfer of arms". This Government statement is the culmination of a series of international commitments undertaken by Spain in the area of non-proliferation.

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

When the UNGA finally approved Resolution 64/48 (the Arms Trade Treaty) on 12 January 2010, "...organise a UN conference on the Arms Trade Treaty to be held in 2012 for four consecutive weeks to elaborate a legally-binding treaty to establish the highest possible common standards on the international trade in conventional arms" -on the basis of consensus-, Spain was among the first and main advocates of this initiative.

Resolution 64/48 created a Preparatory Committee of interested States that met during four periods of sessions between 2010 and the Spring of 2012 in preparation for the United Nations Conference in the Summer of 2012 at which the ATT work would be finalised. The activities of the group and the committee complemented one another during thirteen regional meetings to extend the idea and scope of the draft Treaty.

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".

Within the framework of the EU, 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 consisting of seven regional seminars held on different continents from 2010-2012 focused on the political aspects of the ATT and the technical characteristics of conventional arms export control systems. The project has been allocated €1,520,000 and is being executed by the United Nations Institute for Disarmament Research (UNIDIR).

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

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

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

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

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

Both the Convention and Law 33/1998 exclude cluster and fragmentation bombs from the scope of the aforementioned prohibition on manufacture and trade. Moreover, the requirements laid down in Protocol II of the 10 October 1980 Geneva Convention on the prohibition or restricted use of certain

conventional arms considered excessively damaging or indiscriminate (CCW), did not apply either.

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

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

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

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

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

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

Annex V outlines Spain's contribution in 2011 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 2011 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 2011 intense work was done to publicise new Spanish legislation through the following activities:

- Courses on Quasi-Customs systems, School of Public Finance of the Ministry of Economy and Finance (Madrid, 22 February and 10 May).
- III Introductory Course on International Trade, Logistical Academy of Calatayud-Chamber of Commerce and Industry of Zaragoza (Zaragoza, 16 June).
- Conference on public instruments supporting the internationalisation of

the Spanish defence and security industry, *Fundación Círculo de Tecnologías para la Defensa y la Seguridad* (Madrid, 7 July).

- International conference on Legislation and Public Procurement with Multi-national Bodies AESMIDE (Madrid, 14 November).

## **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) and Annexes II and III.2 of Royal Decree 2061/2008 of 12 December 2008, amended by Royal Decree 844/2011 of 17 June 2011 regulates the said control.

## **2. Statistical analysis**

### *A) Exports completed*

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

Exports of police and security material totalled €746,655 and was sold to Peru (€600,832 accounting for 80.5%) and Venezuela (€145,823, 19.5%). Exports completed accounted for 27.6% of those authorised during the same period (€2.7 million).

Exports of hunting and sporting arms (hunting shotguns, cartridges and their parts) totalled €46.9 million. Exports completed accounted for 40.4% of those authorised during the same period (€116.3 million).

The main recipients were Ghana (€7.5 million, 15.9%) and the United States (€6.7 million, 14.3%). The rest of the transactions were divided among 69 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" 380 individual licenses, 4 temporary licences and 52 rectifications were processed. Of those 380 individual licenses, 336 were approved, 1 denied, 12 were left pending, 19 expired and 12 were discontinued. 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 (Spanish acronym REOCE)*

In 2011, 11 entries were made in the REOCE by firms producing other material, a further 2 made joint entries for defence and other material and one entry was made by a firm involved in all three areas of activity.

### *D) Licenses denied*

In 2011 one license was denied for the export of a hunting shotgun to Equatorial Guinea since the applicant failed to show that he was the owner of the weapon.

**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, amended by Regulation (EU) No 1232/2011 of the European Parliament and of the Council of 16 November 2011.

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.

Export of dual use material in 2011 rose slightly (2.1%) vis-à-vis 2010 totalling €99.40 million.

Year	Amount (€ millions)
2005	58.64
2006	79.04
2007	114.26
2008	154.24
2009	99.12
2010	97.32
2011	99.40

The following were the top ten countries of destination:

DU countries	Reading (€ millions)	Percentage
Most relevant countries	84.49	85.00
P.R. China	18.61	18.72
Iran	16.78	16.88
United States	15.26	15.35
Brazil	10.61	10.67
Argentina	6.63	6.67
Turkey	4.84	4.87
Venezuela	3.25	3.27
Russia	3.08	3.10
Cuba	2.72	2.74
Japan	2.71	2.73
Remaining countries	14.91	15.00
TOTAL	99.40	100

The number one destination of Spanish exports was the P.R. of China with €18.6 accounting for 18.7% of the total.

Shipments consisted of carbon fibre pre-impregnated with epoxy resin and machining centres for the aeronautics industry; machine tools for the automotive sector; numerical control systems intended for machine tools in the textile, automotive and teaching sectors; electric power condensers for electric power plants and the railway sector and integrated circuits, microprocessors, infra-red camera module and image sensors for communications satellites in the aeronautics sector.

Spanish exports to Iran may seem surprising given that this country (€16.8 million accounting for 16.9%) is subject to embargoes from the United Nations and the European Union.

Export operations to Iran were analysed on a case-by-case basis by the JIMDDU and the Secretariat of State for Trade of the Ministry of Economy and Competition 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.

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 Regulation (EC) No 428/2009).

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

Dispatches consisted of stainless steel tubes and valves with spare parts for the oil, gas and petrochemical industries, steel production and energy production plants.

Apart from the ten main destinations listed in the preceding table, the small remaining percentage (14.9%) was distributed among 52 countries from different areas.

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

Cuba: €2.7 million in graphite electrodes for electrical furnaces for steel production and chemical substances for leather tanning and pharmaceutical laboratory analyses, human vaccine quality control and water analyses.

Hong Kong (P.R. China): €1.8 million in electronic cards with a cryptographic function for telecommunications equipment and linear infra-red detectors for the railway sector.

India: €1.8 million in a machine tool for the steel sector, machining centres and a validation code for the automotive sector, a thermographic camera to take images in the agricultural sector and chemicals for the manufacture of solar cells and laboratory analysis.

Israel: €99,170 in microprocessor technology, SIM card software and integrated circuits for the telecommunications sector.

Pakistan: €9 in chemicals for laboratory analyses.

Rwanda: €34 in chemicals for laboratory analyses.

Taiwan: €0.6 million in numerical control systems and machine tool validation codes for the automotive and industrial sectors and also for watch parts; electronic cards, electronic components and integrated circuits for observation and meteorological satellites in the aerospace sector and chemicals for laboratory analyses, the chemical sector and the manufacture of semiconductors.

Venezuela: €3.2 million in chemical substances for the oil and petrochemical industry.

In 2011, sales were mostly concentrated in the categories of "Materials processing" (€57.1 million, 57.4%) and "Materials, chemical substances, microorganisms and toxins" (€31.9 million, 32.2%).

Exports completed accounted for 54.4% of those authorised (€182.5 million).

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

This information can be found in Annex IV.

In 2011, 458 license applications for the export of dual-use goods and technologies were processed corresponding to 428 individual licenses, 2 global licenses and 28 temporary licenses. 32 rectifications of licenses already awarded and 3 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 428 individual licenses, 411 were approved, 11 denied, 4 remained pending and 2 were discontinued by the exporter. Of the temporary licenses, 24 were approved and 2 denied. All of the rectifications were approved. Of the 3 preliminary licenses, 2 were approved and one was left pending.

Also, 243 communications regarding exemption from the requirement of an export license were processed. Of these communications, 3 were for operations in Syria, 1 in Afghanistan and the remaining 239 in Iran as the result of the new restrictive measures imposed on this country. In these cases, a joint technical analysis is conducted by the export firm and the Administration of the items and technologies to be exported to make sure they are not subject to control as per the dual use lists or subject to prohibition pursuant to the sanctions placed on those countries.

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

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

- a) Temporary exports-dispatches 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-dispatch 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-dispatch of dual-use items and technologies intended for Member Countries of international export control regimes by virtue of which the items intended for export are subject to control with the exception of the items included in Annex II of Regulation (EC) No 428/2009 of 5 May 2009.
- d) Export-dispatch of items, equipment and technology which, while included on the List of Defence Material and Other Material under this Regulation and in Annex I of Regulation (EC) No 428/2009 of 5 May 2009 on the control of exports of dual-use items and technology, were eliminated from or are not included on the corresponding international lists.
- 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 (Spanish acronym REOCE)*

In 2011, 24 entries were made in the REOCE by dual use firms, a further 18 made joint entries for defence and dual-use material and one entry was made by a firm engaged in all three areas of activity.

#### D) Licenses denied

There were 13 denials in the sphere of dual-use. Details of these denials are found in Annex III.

The 13 denials break down as follows: 3 to the P.R. of China consisting of a machining centre for milling and drilling, a machine for the placement of strips in compound materials and carbon fibre (essentially identical denials for risk of diversion to military use); 3 to Georgia for unmanned aerial vehicles and their land-based control unit (regional instability); 3 to Pakistan for chemicals and a validation code (essentially identical denials for risk of diversion to proliferation programmes and insufficient information about end users); 2 to Iran for control valves, flow meters and filters (risk of diversion to proliferation programmes); 1 to Sudan for chemicals (risk of diversion and inappropriate use owing to lack of end user guarantees); and one to Lesotho for unmanned aerial vehicles and their land based control unit (large number of items with regard to that country's needs). The decision was taken to dismiss a request for the nullification of a denial to Iran for control valves. The aforementioned denial regarding a machining centre to the P.R. of China was finally revoked.

It was likewise decided to apply the catch-all clause on 7 occasions relating to possible shipments of equipment for the steel industry, stainless steel tubing, stainless steel valves, a head and a divider to Iran. In March 2011 it was decided to revoke the application of the clause to steel industry equipment.

The renewal of 10 denials was reported to the Australia Group and 2 denials to the Missile Technology Control Regime (MTCR). Spain decided not to renew 4 denials within the framework of the Australia Group.

In light of Resolution GOV/2011/41 by the Board of Governors of the IAEA on Syria's breach as concerns safeguards, the decision was taken to suspend the transfer of technologies from the Trigger List to that country in accordance with paragraph 16 of the NSG guidelines (INFCIRC/254/rev9/part1).

Also in 2011 within the sphere of dual-use operations, Spain collaborated in four investigations carried out by member countries of control and non-proliferation fora. Information was requested from the authorities of two European Union countries regarding the possible diversion of a transaction previously denied by Spain.

The Customs and Excise Department set up 20 control filters regarding trade in defence and dual use items broken down as follows:

- as the result of embargoes against certain countries;
- through application of the catch-all clause to certain exports by Spanish firms in compliance with agreements adopted by the JIMDDU;
- filters intended to control temporary exports by certain Spanish firms in order to verify return within the period established for re-import;
- for specific reasons such as control of trade in telescopic scopes or items whose export became prohibited or subject to prior authorisation as the result of the amendment of Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

An administrative appeal lodged against a decision which dismissed a claim of financial liability and subsidiarily against a decision denying the export of a nitric acid production plant to a destination of concern was dismissed. Also, the Under-Secretariat of Industry, Tourism and Trade ruled that the aim of an appeal to a higher court lodged against a decision denying the export of a machining centre for milling and drilling to the P.R. of China ceased to exist.

### 3. Principal actions undertaken at international control and non-proliferation fora in 2011

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.

Following is a summary of the main subjects addressed and agreements reached by these groups in 2011:

1. *General EU Export Authorisations.* In 08 December 2011, after more than two months of discussion within the Council Working Group, Regulation (EU) No 1232/2011 of the European Parliament and of the Council was published amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. This Regulation introduces five new European Union General Export Authorisations (EU-GEA) within the framework of the European control system of exports of dual-use items and technologies. These new general authorisations supplement authorisation EU001 currently in force raising the total number of EU-GEAs to six:
  1. EU 001: exports to Australia, Canada, Japan, New Zealand, Norway, Switzerland (including Liechtenstein) and the United States.
  2. EU 002: export of certain dual-use items to certain destinations.
  3. EU 003: export for repair/replacement.
  4. EU 004: temporary export for exhibits or fairs.
  5. EU 005: telecommunications and information security equipment.
  6. EU 006: chemical products.
2. *Update of the annexes of Regulation (EC) No 428/2009 on the control of exports of dual-use items.* The Working Group continued to update Annexes I and IV of the Regulation on the basis of the most recent changes approved by the Wassenaar Arrangement,

the Missile Technology Control Regime and the Australia Group. At the end of 2011, the Commission tabled a proposal to delegate the update of the annexes of this Regulation. The Council Working Group is expected to discuss these proposals at its 2012 meetings.

3. *EU Action Plan and strategy against proliferation of weapons of mass destruction.* On 12 December 2003 the European Council adopted the *EU Strategy against the proliferation of weapons of mass destruction.* In December 2008 the Foreign Affairs Council adopted the latest conclusions on this initiative which urge the competent EU institutions and Member States to adopt new measures for the complete implementation of the action plan by the end of 2012 and stress the importance of preventing proliferation through coordinated and focused action not only within the context of foreign and security policy but in all policies.

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 as to the importance of export controls through conferences and the media.

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:

- The first visit was devoted to the control of transfers within the EU and was organised by Hungary on 5-6 May 2011 in Budapest. The Member States shared their experiences with these types of controls and analysed several examples of problem cases.
- The programme's second and last visit in 2011 was organised by Poland on 6-7 October 2011 in Warsaw. This meeting was devoted to the *Green Paper on export control of dual-use items in the EU.* It was stressed that the

aim of the review process was to duly note the positive and negative aspects of the current export control system in order to concentrate efforts on the most thorny issues. A great many ideas were proposed to achieve an effective export control system with the least administrative burden put on industry and the authorities and without compromising security criteria.

The second joint meeting was held on 21-22 September 2011 in Brussels between the Article 23 Coordination Group for control of the export of dual-use items and the 2013 Customs Group Project on security risk standards. The meeting addressed shared issues regarding export control in the European Union with special mention of the difficulty in applying the *catch-all* clause, the status of the Authorised Economic Operator (AEO) and enforcement of the law in the territory of the Union in the case of General Authorisations. Mention was made of the need to share and make better use of information already available in the different Member States.

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. The seminar was devoted to determining the need for an export license by first of all identifying the goods followed by a detailed technical analysis of the specifications. The seminar was held in Ispra, Italy on 15-16 June 2011.

4. *Green Paper on control of the export of dual-use items.* On 30 June 2011 the Commission adopted a *Green Paper on the EU dual-use export control system*. The Green Paper opens a broad-based public consultation process on the operation of the export control system and is divided into three parts: 1) General context of export control, 2) specific issues within the framework of the current dual-use regulation and 3) medium and long-term vision of export controls in the EU.

8. *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. Subsequently, following release of reports by the International Atomic Energy Agency (IAEA) on 1 December 2011, the Foreign Affairs Council of the EU concluded that sanctions against the Iranian regime should be stepped up. These conclusions were later seconded by the Council. The dual-use working group was entrusted with proposing the lists of dual-use items to be included in the trade restrictions against Iran.
9. *On-line database of denials.* In January 2011 the Commission implemented the on-line database of denials of dual-use items and technologies designed to facilitate communications between Member States and access to that information.
10. *Support for requests for accession of candidate countries to international non-proliferation fora.* Member States supported the entry of those European Union countries into the fora of which they are not yet members.
11. *Outreach activities.* The European Union maintains an important cooperation and technical assistance programme with third countries (outreach) regarding the control of dual-use items and technologies.

#### B) Wassenaar Arrangement (WA)

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

In 2011 work revolved around the review of the Arrangement's operability and to that end specific meetings were held in February, May and October, the latter two coinciding with the General Working Group.

1. *Review of the Wassenaar Arrangement*

This review or evaluation has been conducted every four years since its creation. In 2011, in accordance with the instructions of the Plenary held in December 2010, an operational review of all aspects of the Arrangement was conducted. The meetings were organised in four task forces: a) Strategic Issues, b) Best Practice guidelines and rules concerning export control, c) Control lists and d) Outreach, Membership and Industry.

In general terms, the Arrangement is considered to be operating satisfactorily since the last review in 2007, particularly in the technical arena where it has managed to adapt to the pace of progress made in new technologies and market trends although it did recognise the need to continue advancing in order to address new challenges.

The Group of Experts has continued its work to make the control lists easier for authorities and exporters to understand and use and to ensure the detection and rejection of undesirable exports.

A commitment has also been made to promote the Arrangement and to foster its application in non-participating countries. Best practices guidelines have been adopted for Internal Compliance Programmes of dual-use items and technologies and for the re-export of conventional arms. The initial elements of the Arrangement were reviewed insofar as the potentially destabilising stockpiling of conventional arms as well as elements for control of the transport of conventional weapons to third countries.

The Wassenaar Arrangement will continue to carry out outreach activities to further its objectives in the form of information meetings, interaction with industry and bilateral dialogue with non-member countries. The 2011 Plenary reiterated the fact that the Arrangement is open to admit

any State which adheres to the agreed criteria.

Lastly, the proposal tabled by several Member Countries to lengthen the Arrangement's review cycle by two years (i.e. from four to six years) remains under study and a decision will be taken before 2014.

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

The General Working Group meetings are preceded by meetings of the ad-hoc Security and Intelligence Subgroup of Experts and, since 2010, by those of the new ad-hoc Group on the destabilising stockpiling of conventional arms created at the 2009 Plenary. In 2011 the first Group did not meet in October.

The FOC-M (Friends of the Chair on Membership) met on 9 September to review its mandate and deliberate on the membership applications under way. Mexico, Iceland and Serbia presented their candidacies in October. Argentina, the United States, Canada and Spain supported Mexico's candidacy which was accepted in January 2012.

Following are the main aspects addressed by the General Working Group in 2011:

- *Exchange of general and specific information:* As part of the Initial Elements, Arrangement member countries agreed to exchange general information on risks associated with the transfer of conventional arms and dual-use items and technologies. To reach that objective, they also agreed to share information on regions which are important for the purposes of the Arrangement. Contributions were made at the 2011 sessions regarding different regions and areas of concern including Georgia, the South China Sea and Libya.

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:* A proposal to increase the exchange of information on arms transfers was also studied among Arrangement members. However, the proposal was considered unnecessary and did not have sufficient support.
- *Notification of conventional arms denials:* The proposal to broaden the exchange of information to include denials was analysed (currently notification includes the transfer of arms). No progress was made on this proposal either and the intention is now to include this in best practice guidelines.
- *Artillery systems:* One of the Member Countries tabled this proposal consisting in furnishing information on transfers of 35-75 mm 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 organised. Moreover, a similar issue is under discussion at the United Nations Conventional Arms Register where they are debating a reduction of the calibre notification threshold to 50 mm (it is currently set at 75 mm).
- *Dual-use notifications:* A proposal regarding the establishment of a bilateral notification procedure for Sensitive and Very Sensitive Lists when a country intends to authorise an operation which was previously denied by another, gave rise to an extensive debate and is still under study in the new best practice guidelines.
- *Notification deadlines:* Information was provided concerning deadlines for the notification of transfers and States were urged to comply more strictly.
- *Controls, Licenses and Customs:* Under this heading, information was shared with a view to enhancing the transparency of national export control policies and the development of best practices. One of the Arrangement Member Countries coordinated the dual-use questionnaire information serving as the basis for discussion within the LEOM Group.
- *Best Practice Guidelines:* Having regard to export control documents, the efforts made by a Member Country to maintain the library which furnishes other Member States with updated information on end-use certificates with the signatures of non-participating States and information on transits and transshipments were recognised. The exchange of information on initiatives to intensify the control of man-portable air defence systems (MANPADS) continued. One member country compiled the information gleaned from the questionnaires distributed for the elaboration of a handbook on the control of these systems.
- *Internal Compliance Programmes:* A proposal was studied based on the need for these internal controls at firms. One delegation argued that the audit on arms export control puts an excessive burden on firms. The debate will continue in 2012.
- *Transport:* A proposal to control transport was studied. This will continue under study in 2012.
- *Participation/Outreach:* In 2011 outreach activities were conducted with Macedonia, the P.R. of China and India by the Arrangement's Secretariat and a technical briefing was given to non-participating states. As concerns the entry of new members, the EU countries continued to support the application submitted by Cyprus which was blocked

by one delegation. Applications from Serbia, Iceland and Mexico were also discussed.

3. *Group of experts.* The main objective of the Arrangement's Group of Experts is to analyse the lists of defence and dual use items related with conventional arms and to propose changes to keep them up to date while taking account of technological advances, market availability of items with a view to making the control text clear. The group focused on these objectives during two two-week meetings held in April and September 2011 and an informal meeting in June which included representatives from the world of industry and academia which contributed to the technical analysis of the proposed changes to the lists.

At the 2011 meetings the Group of Experts analysed 225 documents including national proposals for changes in the checklists, reports and other proposals referring to over 70 different technical issues.

Despite their number and complexity, over 70% of the issues addressed by the Group in 2011 were satisfactorily resolved. Changes were made to the control lists and new controls were agreed in such important areas as "equipment designed to intercept and process mobile telecommunications" or "unmanned aircraft". The control text in many areas was clarified to eliminate multiple interpretations and to facilitate comprehension.

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

The new control list passed at the Wassenaar Arrangement plenary in December 2011 and a summary of the changes made can be found on the

Arrangement's official Web page ([www.wassenaar.org](http://www.wassenaar.org)).

4. *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.

Different issues were discussed in 2011 relating to, inter alia, destination, control documents (international import certificates), case studies on unlawful exports, electronic licenses and difficulties in classifying items.

Contributions were made concerning problems with exports to certain destinations such as Iran or the P.R of China. Real cases of unlawful exports were also presented for study.

It is important to note that the debate initiated years ago concerning international import certificates came to an end with a proposal from the General Working Group making them unnecessary for the export of dual-use items.

Some contributions were also made regarding national experiences with electronic licenses and sources of information available from Customs.

Information regarding the classification of items and technical assistance without technical data transfer was also exchanged.

And finally, thanks to a great deal of interaction and collaboration between this Group and the Subgroup on Security and Intelligence, the proposal to the General Working Group regarding the holding of both groups' meetings on the same or similar dates to facilitate interaction between them was concluded.

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

The aim of the NSG is to prevent the proliferation of nuclear weapons by means of controlling the export of nuclear products and

related dual-use items, equipment, software and technology, without hampering international cooperation in the peaceful use of nuclear energy. Export decisions are taken at national level in accordance with each country's export control legislation.

The Group was created in 1975 in the aftermath of the nuclear test conducted by India in 1974 (using transfers of civilian nuclear technology from other countries which had not been subjected to control). Today there are 46 Member Countries. The European Commission attends the meetings as a permanent observer and the chair of the Zangger Committee as an observer.

This forum held its annual plenary session on 23 and 24 June 2011 in Noordwijk (Netherlands), preceded as usual by the parallel meetings of the Advisory Groups on Information Exchange and Customs Execution and Control which were held from 20 to 22 June.

There was an atmosphere of concern at the meeting due to the threat of nuclear proliferation from three main fronts - the discovery of a new enrichment plant in North Korea and that country's decision to cease its cooperation with the IAEA; the difficulties encountered in getting an accurate idea of the threat of Iran's nuclear programme, a country which still refuses to comply with its obligation to the IAEA; and the IAEA report on Syria's infringement of the safeguards. All members were urged to be especially vigilant with their exports and financial transactions with those countries.

Within this atmosphere of concern, the GSN continues to be the main forum in the fight against nuclear proliferation through the control of nuclear transfers with a view to preventing their diversion to arms production. The use of increasingly complex transit and trans-shipment networks and the employment of new and emerging technologies represents an important challenge to the Group's control capacity and it therefore must be constantly adapting the Guidelines and lists of items and technologies subject to control and their application by member countries.

Regarding review of the Guidelines under discussion for several years now, a consensus text was reached on two controversial issues, i.e. the Additional Protocol requirement as a dispatch prerequisite (paragraph 6 of the Guidelines) and the requirements for the transfer of sensitive technologies for enrichment, reprocessing and heavy water (paragraph 7 of the Guidelines), which allows for the effective control of sensitive technologies while safeguarding the interests of the countries complying with an optimal standard of verification. The incorporation of the new version of the Guidelines approved at the Plenary was communicated to the IAEA on 12 July 2011 as a new commitment assumed by member countries in their transfers of nuclear material and was published by that Organisation as information circular INFCIRC/254/Rev.10/Part 1 on 26 July 2011.

The controls lists are under review by the Dedicated Meeting of Technical Experts (DMTE) which is cooperating and working very actively with the intention of finalising the review in 2013 in accordance with the mandate from the 2010 Plenary held in Christchurch (New Zealand). This mandate established seven areas of work: 1) nuclear reactors and non-nuclear support material; 2) conversion and manufacturing of fuel; 3) separation of isotopes; 4) reprocessing and treatment of waste; 5) design, development and manufacture of arms; 6) industrial equipment and machine tools; and 7) other technologies considered relevant and not included in the preceding areas.

The DMTE has met four times in Vienna, once in 2010 and the following three times in 2011, and is also reviewing the list of nuclear items (INFCIRC 254/Part1) and that of dual-use items (INFCIRC 254/Part 2). The group commenced work on four of the areas (nuclear reactors, isotope separation, reprocessing and nuclear arms). Work is well advanced in the first two areas and final agreements are expected at the upcoming 2012 meetings for presentation and approval at the June 2012 Plenary. Work on the last two areas began at the last meetings and is not as advanced.

At these meetings special emphasis was placed on two sensitive items frequently used by industry, i.e. frequency converters and pressure transducers. The control texts are quite advanced.

In a more positive environment, an analysis was also made of the world's growing energy needs which will imply an increase in the trade of nuclear items and technologies and the need to strengthen procedures to make sure that these transfers do not contribute to the proliferation of weapons of mass destruction.

The participating governments also reaffirmed the value of outreach activities and agreed to continue contacting non-member countries. The drafting of standard documents on subjects to be covered at those contact meetings such as information to be exchanged, technical discussions and regional approaches is under study, the idea being to facilitate accession to the GSN's Guidelines.

The importance of the Group's Public Declaration as a mechanism to ensure that non-participating governments, industry and teaching and research bodies are aware of the concerns and progress made by the Group was also stressed, while always safeguarding the confidentiality of member country declarations.

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, continues within established limits. The possibility of the Group's more positive recognition of that country is under study.

Lastly, issues related to brokering and transit added to the climate of concern since the Guidelines are believed to contain lacunae in terms of their enforcement and the fact that there is no international interpretation of the said terms which is legally binding. Control mechanisms are being pursued in these areas to prevent unlawful activities.

The NSG's next plenary session will be held in mid June 2012 in Seattle (USA).

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

The MTCR is an informal and voluntary association of countries which share the aims of non-proliferation of unmanned launching systems capable of transporting weapons of mass destruction and related equipment and technology, trying to coordinate national efforts in the control of export licenses to prevent proliferation in this area.

The Regime was founded in 1987 by 7 countries. Today there are 34 Member Countries. The commitments made by these countries constitute a noteworthy international standard in terms of the control of exports in the field of missile non-proliferation thus contributing to global peace and security.

The MTCR did not hold its customary plenary meeting in 2010 but did hold one in 2011 in Buenos Aires (Argentina) from 11-15 April which was preceded, as in previous years, by three other sessions of ad hoc groups: the Technical Experts Meeting (TEM), the Information Exchange Meeting (IEM) and the Enforcement Experts Meeting (EEM). The members also held monthly between-session consultations and in December a reinforced meeting through the Point of Contact in France where the objectives of the Regime were analysed in greater detail.

The meetings in 2011 were marked by the growing threat of missile proliferation mainly from North Korea and Iran. In this regard the MTCR, as a control mechanism for the export of military and dual use items and technologies, is one of the most effective elements in the prevention of this type of proliferation.

The MTCR is active in all areas related to proliferation through the ongoing study of technological advances enabling the update of the lists of items and technologies subject to control; the exchange of information on proliferation activities to prevent proliferating countries or groups from acquiring sensitive items, including those under the control threshold through the members' enforcement of the catch-all phrase and the development of



outreach activities. In this connection, a proposal is under study to improve the separation of activities to facilitate the incorporation of new members into outreach activities in general.

Regarding review of the lists, the Regime adopted four technical modifications proposed by the Technical Experts Meeting (TEM). These modifications are related to propellant materials and tanks. A large number of proposals made to update these lists are still under study.

Another aspect of concern for the MTCR is the current trend to acquire items and technologies, especially materials, under the control threshold and the growing sophistication of supply networks and the proliferation of missiles under the MTCR's control thresholds. With a view to preventing unlawful transfers, the MTCR urged countries to share information in this regard, to apply the catch-all clause to transfers liable to be diverted to proliferation programmes and to control visas to prevent intangible transfers of technology.

Having regard to promotion activities, contacts with the United Nations Application Committee of Resolution 1540 for technical cooperation were intensified and positive responses were received to carry out outreach visits to the main countries with missile capacity. Moreover, several Group members have engaged in outreach activities in different areas of the world informing about licensing processes and the list of items subject to control. In this connection, a study is under way to improve outreach activities by separating activities with those countries which are likely to become future members from general outreach activities with third countries designed to promote common understanding and enhance dialogue and cooperation.

Membership has remained the same as in previous years since no agreement was reached concerning the incorporation of new countries.

Lastly, since no candidacy was presented to chair the Regime, the date and place of the 2012 Plenary has yet to be determined.

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

In 2011 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 organiser of the first multilateral (founding) meeting held in Madrid on 12 June 2003.

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

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

In 2011 the PSI held meetings of the OEG in the Hawaiian Islands (USA) from 7 to 10 June and in Berlin (Germany) on 8-9 November.

OEG meetings revolve around general topics and interception with a special accent on



bolstering international legal instruments aimed at combating proliferation. Efforts are now being made to give the initiative a new focus to more specifically target the development of critical skills such as the prohibition of actions and conducts related with proliferation, inspection and identification, confiscation and provision of items and the taking of swift decisions.

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 (Sanso 03) and another on air interception (Blue Action 05), in addition to another series of smaller exercises.

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

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

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

Spain is one of the 130 signatory countries.

*Global Initiative to Combat Nuclear Terrorism (GICNT)*

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

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

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

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

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

Since its accession to the GICNT, Spain has organised the Initiative's IV Plenary Meeting held in Madrid on 16 to 18 June 2008 and two exercises in May and October of that same year. Also as part of its IAG coordination duties it has developed, together with the Initiative's co-chairs (United States and Russia) and the leaders of the three IAG working groups (Morocco, the Netherlands and Australia) a specific, flexible and effective programme of

work which has already produced its first best practices documents. This coordination task has been possible thanks to the involvement and commitment of the Spanish Ministries and Institutions with competences in this area (Foreign Affairs and Cooperation, Interior, Defence, Presidency of the Government, Tax Agency, Industry Energy and Tourism and the Nuclear Security Council).

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

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 2011 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 and Barcelona currently participate.

To that end, a number of meetings were held in 2011 with representatives from the US Department of Energy, visits were made to those ports and coordination meetings were held with the different bodies involved. On 15 June 2011 an Action Protocol was signed by the Ministry of the Interior, Ministry of Infrastructure, Ministry of Industry, Tourism and Trade, the CSN, ENRESA and the Tax Administration for cases where radioactive material is detected in general interest ports.

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

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

The Plenary Assembly was held in Paris from 6 to 10 June 2011.

Following are the main topics discussed at the Plenary:

- Assessment of the interest by non-member countries 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.

At the plenary meeting the participants of the Australia Group worked to enhance best practices and measures allowing for the detection and prevention of proliferation attempts by means of chemicals, biological material and dual-use equipment.

The Group shared experiences on measures to improve and enhance export controls to tackle current and emerging challenges. In this connection, many of the participants mentioned Syria as a country of particular concern.

The Group acknowledged that prevention of the unauthorised transfer of technological intangibles continues to be a priority for the prevention of the proliferation of weapons of mass destruction and examined the measures taken by several states to improve measures of this type. As a practical contribution, the Australia Group approved a new manual for use by participants in tackling the challenges of controlling intangible transfers of technology.

Special attention was given to the current importance of getting industrial and academic sectors involved in supporting the Group's work and experiences were shared in this regard.

The Australia Group adopted a series of changes in the makeup of the control lists of chemical and biological items and equipment. At the same time the Group continued with its work of continuously reviewing the lists of items in accordance with proliferation risk criteria associated with new technologies with a view to identifying materials and equipment which should be included on the lists.

Among the changes, special mention should be made of the following:

On the "biological agents subject to export control" list it was decided to eliminate the *Rickettsias* section and the two agents *Bartonella quintana* and *Rickettsia rickettsii*. The other two agents, *Coxiella burnetii* and *Rickettsia prowazekii* remained under the "Bacteria" chapter.

It was decided to include the fungi *Fusarium sporotrichioides* and *Fusarium langsethiae* on the "surveillance" list.

A technical note was added to the list of "equipment and facilities for the manufacture of chemicals".

### G) Chemical Weapons Convention (CWC)

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.

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. 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.

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

The body entrusted with the international enforcement of the 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 in which Spain is currently represented until May 2012.

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

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.

Four ordinary sessions and one extraordinary session of the Executive Council and a Conference of the State Party were held in 2011,

Following are the principal issues discussed:

- Infringement by some countries of the deadline for the destruction of arsenals (finalising on 29 April 2012).
- Conversion of chemical weapons production facilities.
- The destruction of arms abandoned in certain countries.
- Progress made by countries in complying with the Convention.
- Increase in the number and distribution of inspections.
- Makeup of the Technical Secretariat.
- Analytical databases for the analysis of substances.

- Assistance and cooperation activities in the event of the unlawful use of chemical weapons.
- International cooperation for the development of chemistry for peaceful purposes.

As regards the activities undertaken by the National Authority for the Prohibition of Chemical Weapons (Spanish Acronym ANPAQ), we would note that communication of activities completed and planned was made. The OPCW conducted six inspections in 2011:

- The Marañosa Technological Institute List 1 facility belonging to the Ministry of Defence. This was the ninth time that laboratory was inspected.
- A textile company which uses List 2 substances.
- A manufacturer of phosgene (List 3 substance). This was the second time that the two latter companies were inspected.
- Four preliminary inspections of manufacturers of organic chemicals. In all of these cases, the inspections went smoothly and the undertakings inspected collaborated sufficiently and were transparent.

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 with headquarters at the Government Presidency.

A two-week course was held in October at the Centre for Advanced Defence Studies on Assistance and Protection from Chemical Weapons targeting personnel from GRULAC countries and members of state police and security forces. Thirty people from 20 countries took part.

*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.

The most noteworthy event in 2011 was the 7th Review Conference of the States Parties at the Convention held in Geneva from 5 to 22 December 2011. The Conference was preceded by a meeting of the Preparatory Committee held in Geneva on 13 and 14 April 2011.

In its declaration the European Union highlighted the following priorities: a) general trust in conformity with the BTWC; b) support for its national application; and c) fostering of its universality (Council Decision 2011/429/CFSP of 18 July 2011 relating to the position of the European Union for the Seventh Review Conference of the States Parties to the BTWC). In this Decision the European Union acknowledged that there is still no agreement on verification, an essential element for a full and effective disarmament and non-proliferation regime, and that it was willing to search for options allowing for the achievement of similar objectives.

Following is a summary of the main agreements reached at the Review Conference:

*Promotion of universalisation:* The Conference agreed that a greater effort was needed on the part of the States Parties to convince non-party states to join the Convention.

*Trust building measures:* The Conference noted that review of Convention Article V demonstrated the need for greater participation of the States Parties in enhancing trust building measures. The Conference decided to approve the revised forms for all the presentations of these measures by the States Parties and urged those who had not yet done so to designate a national contact point responsible for preparing the presentation of conformity with the decision of the 6th Review Conference.

*Inter-session process:* the Conference decided to put the following subjects on the programme:

- Cooperation and assistance with a particular focus on strengthening cooperation and assistance within the meaning of Article X.
- Examination of new scientific and technological developments related to the Convention.
- Stricter enforcement at national level.

Lastly, in 2011 the Secretariat of the JIMDDU took part in the following instructional activities:

- Training Course for Authorised Economic Operators, Barcelona Chamber of Commerce (Barcelona, 10 February).
- Conference on the Biological and Toxin Weapons Convention, INCIPE (Madrid, 4 April).
- Conference on the Chemical Weapons Convention, FEDEQUIM (Barcelona, 20 June).
- IV Course on Assistance and Protection from Chemical Weapons, ANPAQ (Madrid, 25 October).
- Conference on new lines of action in the EU to combat proliferation, WMD, INCIPE (Madrid 15 November).
- Course on dual-use export control, ITER (Barcelona, 24 November).
- IV Course on Proliferation and Technological Protection, Information Headquarters, Directorate-General of the Police and Guardia Civil, Ministry of the Interior (Madrid 28 November).

## ANNEX I. EXPORT STATISTICS ON DEFENCE MATERIAL, 2011

AUTHORISED EXPORTS OF DEFENCE MATERIAL (BY COUNTRY)		
2011		
COUNTRY	No OF LICENSES	AMOUNT (€)
ANDORRA	12	198,894
ARGENTINA	10	9,674
AUSTRALIA	5	2,632,117
AUSTRIA	29	47,239,534
BANGLADESH	1	184,370
BELGIUM	11	25,723,895
BRAZIL	11	14,200,198
BULGARIA	2	7,330
CAMEROON	1	800
CANADA	11	11,663,415
CHILE	11	8,837,788
COLOMBIA	10	13,568,802
COSTA RICA	2	0
CUBA	2	168,175
CZECH REP.	10	5,910,559
DENMARK	9	420,060
DOMINICAN REP.	2	1,200
EGYPT	20	79,620,853
ESTONIA	1	18,400
FINLAND	4	25,975,717
FRANCE	119	328,630,584
GERMANY	86	267,515,931
GHANA	1	60,034,363
GREECE	4	48,019,437
GUINEA BISSAU	1	300
HONG KONG (P.R. CHINA)	1	97,200
HUNGARY	2	1,100,000
INDIA	14	18,338,199
INDONESIA	5	1,027,100
IRELAND	5	2,397,000
ISRAEL	38	11,955,201
ITALY	36	173,614,261
LUXEMBOURG	16	0
MALAYSIA	9	8,935,554
MALTA	1	8,900
MEXICO	11	182,694,429
MOROCCO	3	226,950
MOZAMBIQUE	1	0
NETHERLANDS	6	1,135
NEW ZEALAND	3	1,283,148
NORWAY	11	1,848,044
OMAN	3	1,522
PAKISTAN	4	10,200,845
PANAMA	1	450
PARAGUAY	1	400,000
PERU	3	4,000
PHILIPPINES	1	5,000
POLAND	7	3,144,967
PORTUGAL	25	676,923
QATAR	1	15,762
ROMANIA	13	2,824,994
RUSSIA	1	0
RWANDA	1	278,000
SAUDI ARABIA	13	30,211,268
SENEGAL	1	0
SEYCHELLES	4	0
SINGAPORE	7	295,594
SLOVAKIA	2	171,600
SLOVENIA	3	603,750
SOUTH AFRICA	5	28,250
SOUTH KOREA	2	0

AUTHORISED EXPORTS OF DEFENCE MATERIAL (BY COUNTRY) 2011 (Continued)		
COUNTRY	No OF LICENSES	AMOUNT (€)
SWEDEN	7	71,690
SWITZERLAND	17	37,798,158
THAILAND	6	788,877
TURKEY	5	14,728,856
UNITED ARAB EMIRATES	6	761,958,353
UNITED KINGDOM	67	485,121,317
UNITED STATES	116	177,720,856
URUGUAY	2	18,000
VENEZUELA	1	23,726
VIETNAM	1	0
<b>TOTAL</b>	<b>863</b>	<b>2,871,202,275</b>

AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE  
2011

COUNTRY	ARTICLE										
	1	2	3	4	5	6	7	8	9	10	11
ANDORRA	191,511		7,383								
ARGENTINA	9,674										
AUSTRALIA	0			1,155,500					1,476,617		
AUSTRIA	47,080		29,055			4,785,604				42,105,000	
BANGLADESH				184,370							
BELGIUM	70,500		14,775	578,620						25,060,000	
BRAZIL	1,200			197,498				21,500		0	
BULGARIA								7,330			
CAMEROON	800										
CANADA	76,734	0		1,319,992					132,876	10,000,000	
CHILE	1,000		0	8,744,064		65,442			12,304		14,978
COLOMBIA	5,952		2,006,460	1,541,130		0				10,000,000	
COSTA RICA	0		0								
CUBA	168,175										
CZECH REP.	1,681,074		3,317,500	11,400		585				900,000	
DENMARK	51,000	7,995		361,065		0					
DOMINICAN REP.	1,200										
EGYPT	1,900			66,786		975,245			56,374	78,520,548	
ESTONIA	18,400										
FINLAND	1,365,000	110,717								24,500,000	
FRANCE	4,149,436	0		7,979,565				22,903,649	0	276,539,933	13,662,856
GERMANY	1,271,900			36,453,827		0		45,750		148,711,718	6,800,000
GHANA										60,034,363	
GREECE	44,500							47,974,937			
GUINEA BISSAU	300										
HONG KONG (P.R. CHINA)											
HUNGARY	1,100,000			0							
INDIA				0					16,714,974	0	1,083,724
INDONESIA	8,500	394,900		623,700						0	
IRELAND			1,959,500	437,500							
ISRAEL	131,000		290,550	0		1,374,209		38,000		10,000,000	121,442
ITALY	21,672	4,970,610		0		1,491,600		6,659,433	0	143,120,000	0
LUXEMBOURG				0		0				0	
MALAYSIA			6,055,810			1,741,180					
MALTA	8,900										
MEXICO	17,490		0	60,000				89,150		182,527,789	
MOROCCO				226,950		0					
MOZAMBIQUE									0		
NETHERLANDS	1,135					0					
NEW ZEALAND	11,310		1,268,838	3,000							
NORWAY	126,400		1,391,364	33,520				110,250	186,510		0
OMAN		1,522		0							
PAKISTAN	845		0							0	
PANAMA	450										
PARAGUAY										400,000	
PERU	4,000	0								0	
PHILIPPINES	5,000										
POLAND	1,502,111		1,642,856								
PORTUGAL	23,882	791	239,175	279,525		11,000		122,550			
QATAR						15,762					
ROMANIA	15,818					2,809,176					
RUSSIA											0
RWANDA											278,000
SAUDI ARABIA			577,368	7,633,900		0				22,000,000	
SENEGAL									0		
SEYCHELLES	0			0							
SINGAPORE						295,594				0	
SLOVAKIA	171,600										
SLOVENIA	603,750										
SOUTH AFRICA	10,500		17,750							0	
SOUTH KOREA										0	
SWEDEN	48,690			23,000	0					0	
SWITZERLAND	20,000	130,058	48,100	0		0				20,000,000	0
THAILAND				563,706					117,391	0	
TURKEY	888			906,273						13,000,000	821,695
UNITED ARAB EMIRATES	11,720			1,530,000						712,048,548	3,494
UNITED KINGDOM	2,210,732	0	771,269	37,456,605		0			0	308,120,585	0
UNITED STATES	58,067,159	291,428	24,052	5,025,987	0	0		55,819,575	0	50,831,847	4,161,100
URUGUAY	18,000									0	
VENEZUELA							23,726				
VIETNAM										0	
TOTAL	73,298,888	5,908,021	19,661,805	113,397,483	0	13,565,397	23,726	133,792,124	18,697,046	2,138,420,331	26,947,289



AUTHORISED EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE 2011 (Continued)												
COUNTRY	ARTICLE											AMOUNT (€)
	12	13	14	15	16	17	18	19	20	21	22	
ANDORRA												198,894
ARGENTINA												9,674
AUSTRALIA											0	2,632,117
AUSTRIA					272,795							47,239,534
BANGLADESH												184,370
BELGIUM												25,723,895
BRAZIL			13,980,000									14,200,198
BULGARIA												7,330
CAMEROON												800
CANADA				0	133,813							11,663,415
CHILE				0								8,837,788
COLOMBIA				15,260								13,568,802
COSTA RICA												0
CUBA												168,175
CZECH REP.												5,910,559
DENMARK												420,060
DOMINICAN REP.												1,200
EGYPT				0								79,620,853
ESTONIA												18,400
FINLAND												25,975,717
FRANCE				3,333,295	26,850					35,000		328,630,584
GERMANY				74,232,736								267,515,931
GHANA												60,034,363
GREECE												48,019,437
GUINEA BISSAU												300
HONG KONG (P.R. CHINA)				97,200								97,200
HUNGARY												1,100,000
INDIA						539,501						18,338,199
INDONESIA												1,027,100
IRELAND												2,397,000
ISRAEL				0								11,955,201
ITALY				17,350,946								173,614,261
LUXEMBOURG				0								0
MALAYSIA				1,138,564								8,935,554
MALTA												8,900
MEXICO												182,694,429
MOROCCO												226,950
MOZAMBIQUE												0
NETHERLANDS				0								1,135
NEW ZEALAND												1,283,148
NORWAY												1,848,044
OMAN												1,522
PAKISTAN			10,200,000									10,200,845
PANAMA												450
PARAGUAY												400,000
PERU												4,000
PHILIPPINES												5,000
POLAND												3,144,967
PORTUGAL												676,923
QATAR												15,762
ROMANIA												2,824,994
RUSSIA												0
RWANDA												278,000
SAUDI ARABIA				0								30,211,268
SENEGAL												0
SEYCHELLES												0
SINGAPORE				0								295,594
SLOVAKIA												171,600
SLOVENIA												603,750
SOUTH AFRICA												28,250
SOUTH KOREA												0
SWEDEN				0								71,690
SWITZERLAND										17,600,000		37,798,158
THAILAND					107,780							788,877
TURKEY												14,728,856
UNITED ARAB EMIRATES										48,364,591		761,958,353
UNITED KINGDOM		0		61,696,469						0	74,865,657	485,121,317
UNITED STATES			0	3,427,079	72,629							177,720,856
URUGUAY												18,000
VENEZUELA												23,726
VIETNAM												0
TOTAL		0	24,180,000	161,291,549	613,867	539,501				65,999,591	74,865,657	2,871,202,275

EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE  
2011

COUNTRY	ARTICLE										
	1	2	3	4	5	6	7	8	9	10	11
ALGERIA										136,766	
ANDORRA	6,466		6,433								
ARGENTINA	7,674										
AUSTRALIA	0								16,249,511	406,637,796	39,324
AUSTRIA	13,040					952,961				15,887	
BAHRAIN			6,350,515								
BANGLADESH				749,315							
BELGIUM	18,240		322,758	578,620						698,510	
BOTSWANA										124,888	
BRAZIL	1,200			1,187,482				21,500		967,306	
BULGARIA								6,832			
CAMEROON	1,200										
CANADA				800,531					132,876		
CHILE	9,761		0	710,000		65,442			12,304	61,654,338	14,978
COLOMBIA	452		2,006,460	1,338,576						21,626,517	
COSTA RICA	0		0								
CUBA	168,254										
CZECH REP.	25,354		155,848	11,400		585				795,268	
DENMARK	17,230	23,471		4,003,475							
DOMINICAN REP.	1,136									6,183	
ECUADOR						245,026				100,180	
EGYPT	1,800					1,472,720				68,360,002	
ESTONIA	4,600										
FINLAND	3,440	110,717								24,500,000	
FRANCE	16,576	0		7,811,964				28,301,976		6,354,824	3,376,178
GERMANY	51,648			20,685,141	837,315	108,841		3,076,236		40,602,437	1,577,933
GHANA										26,958,864	
GREECE	5,340							16,055,852			
GUINEA BISSAU	300										
HONG KONG (P.R. CHINA)											
HUNGARY	0			308,080							
INDIA				0					534,381	200	4,456,239
INDONESIA	8,500	394,900		623,700							
IRELAND			3,749,500	437,500							
ISRAEL	22,139		290,550					36,768			123,088
ITALY	21,672	1,347,662		64,080		250,000	0	4,181,819	0	37,070,934	47,924
JORDAN										2,584,935	
LATVIA			518,880								
LUXEMBOURG				0							
MALAYSIA			2,427,010			1,741,180					
MALTA	3,560										
MAURITANIA	1,614		231							0	
MEXICO	17,580		0	60,000				89,150		109,435,227	
MOROCCO										1,529,901	
NETHERLANDS	1,135										
NEW ZEALAND			1,268,838	150,000							
NORWAY	35,600		2,353,764	2,559,472				66,150	357,948,614		
OMAN		1,408	440,000	2,571,420						297,561	
PAKISTAN										1,093,313	302,600
PANAMA	450										
PARAGUAY										65,183	
PHILIPPINES	2,750										
POLAND	2,412		1,642,856					3,205			
PORTUGAL	13,810	791	185,273	279,525				122,550		41,195,075	
QATAR						382,791					
ROMANIA	8,439					3,235,126					
SAUDI ARABIA			3,530,810	3,053,560						7,422,055	
SERBIA			506,948					143,597			
SINGAPORE				1,656,000		170,716				41,353	
SLOVENIA	10,250										
SOUTH AFRICA	23,400									6,823,167	
SOUTH KOREA											
SWEDEN	7,210			23,000							
SWITZERLAND	11,200	64,574				648,001					
THAILAND				563,706					117,391	7,000,289	
TURKEY	888									65,466	
UNITED ARAB EMIRATES	2,500			63,648							
UNITED KINGDOM	65,472		67,900	4,611,158						231,331,310	5,509,884
UNITED STATES	13,378,388	291,428	9,438,178	1,839,954				70,173,707		18,428,442	1,979,526
URUGUAY	18,000									22,188	
VENEZUELA			857,984						566,500,000		
TOTAL	14,010,680	2,234,951	36,120,736	56,741,307	837,315	9,273,389	0	122,279,342	941,495,077	1,123,946,365	17,427,674

EXPORTS OF DEFENCE MATERIAL BY COUNTRY AND ARTICLE 2011 (Continued)												
COUNTRY	ARTICLE											AMOUNT (€)
	12	13	14	15	16	17	18	19	20	21	22	
ALGERIA												136,766
ANDORRA												12,899
ARGENTINA												7,674
AUSTRALIA							1,545,619					424,472,250
AUSTRIA				274,010	297,995							1,553,893
BAHRAIN												6,350,515
BANGLADESH												749,315
BELGIUM												1,618,128
BOTSWANA												124,888
BRAZIL			744,720									2,922,208
BULGARIA												6,832
CAMEROON												1,200
CANADA						133,813						1,067,220
CHILE												62,466,823
COLOMBIA				15,260								24,987,265
COSTA RICA												0
CUBA												168,254
CZECH REP.												988,455
DENMARK												4,044,176
DOMINICAN REP.												7,319
ECUADOR												345,206
EGYPT												69,834,522
ESTONIA												4,600
FINLAND												24,614,157
FRANCE				360,002	26,850					17,500		46,265,870
GERMANY				46,628,614								113,568,165
GHANA												26,958,864
GREECE												16,061,192
GUINEA BISSAU												300
HONG KONG (P.R. CHINA)				50,000								50,000
HUNGARY												308,080
INDIA												4,990,820
INDONESIA												1,027,100
IRELAND												4,187,000
ISRAEL												472,545
ITALY				7,686,225								50,670,316
JORDAN												2,584,935
LATVIA												518,880
LUXEMBOURG												0
MALAYSIA				1,046,248								5,214,438
MALTA												3,560
MAURITANIA												1,845
MEXICO												109,601,957
MOROCCO												1,529,901
NETHERLANDS												1,135
NEW ZEALAND												1,418,838
NORWAY												362,963,600
OMAN												3,310,389
PAKISTAN			11,500,000									12,895,913
PANAMA												450
PARAGUAY												65,183
PHILIPPINES												2,750
POLAND												1,648,473
PORTUGAL												41,797,024
QATAR												382,791
ROMANIA												3,243,565
SAUDI ARABIA												14,006,425
SERBIA												650,545
SINGAPORE												1,868,069
SLOVENIA												10,250
SOUTH AFRICA												23,400
SOUTH KOREA												6,823,167
SWEDEN				0								30,210
SWITZERLAND										1,000		724,775
THAILAND						107,780						7,789,166
TURKEY												66,354
UNITED ARAB EMIRATES												66,148
UNITED KINGDOM				36,337,517							0	277,923,241
UNITED STATES				0	72,629							115,602,252
URUGUAY												40,188
VENEZUELA												567,357,984
<b>TOTAL</b>			<b>12,244,720</b>	<b>92,397,876</b>	<b>639,067</b>		<b>1,545,619</b>			<b>18,500</b>	<b>0</b>	<b>2,431,212,618</b>

EXPORTS OF DEFENCE MATERIAL COMPLETED WITH INDICATION OF THE NATURE OF THE END USER,  
FINAL USE MADE AND PERCENTAGE  
2011

COUNTRY	ARMOURY	PRIVATE COMPANY	PUBLIC COMPANY	ARMED FORCES	PRIVATE PARTY	POLICE
ALGERIA				100.00%		
ANDORRA	37.94%	61.28%			0.78%	
ARGENTINA					100.00%	
AUSTRALIA		67.80%	0.01%	32.19%	0.00%	
AUSTRIA	0.84%	41.26%		57.90%		
BAHRAIN				100.00%		
BANGLADESH				100.00%		
BELGIUM	1.13%	79.84%		19.03%	0.00%	
BOTSWANA				100.00%		
BRAZIL		0.74%	19.56%	79.66%	0.04%	
BULGARIA		100.00%				
CAMEROON					100.00%	
CANADA		75.01%		24.99%		
CHILE			1.14%	98.84%	0.02%	
COLOMBIA				100.00%	0.00%	
COSTA RICA					100.00%	
CUBA						100.00%
CZECH REP.		1.15%		97.10%	1.75%	
DENMARK	0.43%	98.99%		0.58%		
DOMINICAN REP.				84.48%	15.52%	
ECUADOR				100.00%		
EGYPT				100.00%	0.00%	
ESTONIA	100.00%					
FINLAND		0.01%		99.99%		
FRANCE		96.04%		3.93%	0.03%	
GERMANY	0.02%	69.68%		30.30%	0.00%	
GHANA				100.00%		
GREECE	0.03%			99.97%		
GUINEA BISSAU					100.00%	
HONG KONG (P.R. CHINA)				100.00%		
HUNGARY		100.00%				
INDIA		0.00%	2.12%	97.88%		
INDONESIA				100.00%		
IRELAND				100.00%		
ISRAEL		73.95%	6.71%	19.34%		
ITALY	0.00%	77.13%		22.87%		
JORDAN				100.00%		
LATVIA				100.00%		
LUXEMBOURG				100.00%		
MALAYSIA				95.87%		4.13%
MALTA	100.00%					
MAURITANIA				0.00%	100.00%	
MEXICO				99.98%	0.02%	
MOROCCO				100.00%		
NETHERLANDS					100.00%	
NEW ZEALAND		0.21%		99.79%		
NORWAY	0.01%	1.04%		98.95%		
OMAN				100.00%		
PAKISTAN				100.00%		
PANAMA					100.00%	
PARAGUAY				99.99%		0.01%
PHILIPPINES	100.00%					
POLAND		99.88%			0.12%	
PORTUGAL	0.12%	0.35%	0.03%	99.48%	0.02%	
QATAR				100.00%		
ROMANIA				99.74%	0.26%	
SAUDI ARABIA				100.00%		
SERBIA		100.00%				

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

**EXPORTS OF DEFENCE MATERIAL COMPLETED WITH INDICATION OF THE NATURE OF THE END USER,  
FINAL USE MADE AND PERCENTAGE  
2011 (Continued)**

COUNTRY	ARMOURY	PRIVATE COMPANY	PUBLIC COMPANY	ARMED FORCES	PRIVATE PARTY	POLICE
SINGAPORE		5.87%	5.48%	88.65%		
SLOVENIA	100.00%					
SOUTH AFRICA		55.13%		44.87%	0.00%	
SOUTH KOREA				100.00%		
SWEDEN	18.27%	76.14%			5.59%	
SWITZERLAND	1.55%	98.31%		0.14%	0.00%	
THAILAND				100.00%		
TURKEY		98.66%			1.34%	
UNITED ARAB EMIRATES		3.78%		96.22%		
UNITED KINGDOM	0.02%	97.08%		2.90%	0.00%	
UNITED STATES	0.01%	38.99%		60.94%	0.06%	
URUGUAY	44.79%			55.21%		
VENEZUELA				100.00%		

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

**EXPORTS OF DEFENCE MATERIAL COMPLETED EXCEEDING €10 MILLION  
2011**

COUNTRY	DESCRIPTION	AMOUNT (€ MILLIONS)	PERCENTAGE
VENEZUELA	3 patrol vessels and 1 coast guard ship	566.50	23.30
AUSTRALIA	3 in-flight refuelling aircraft and aircraft parts	391.43	16.10
NORWAY	1 Warship (frigate type)	357.76	14.72
UNITED KINGDOM	1 in-flight refuelling aircraft and aircraft parts	226.10	9.30
MEXICO	5 planes and parts	109.07	4.49
UNITED STATES	Military fuel and aircraft parts and components	70.07	2.88
EGYPT	3 planes and parts	68.36	2.81
CHILE	2 planes and parts	61.45	2.53
PORTUGAL	2 planes and parts	41.20	1.69
GHANA	1 plane and parts	26.96	1.11
FINLAND	1 plane and parts	24.50	1.01
COLOMBIA	1 plane and parts	20.36	0.84
GREECE	Military fuel	16.06	0.66
GERMANY	Aircraft parts and components and missile control sections	12.51	0.51
PAKISTAN	Flight simulators	10.20	0.42
<b>TOTAL</b>		<b>2,002.53</b>	<b>82.37</b>

**DEFENCE MATERIAL EXPORTS COMPLETED  
(LEASING, CESSIONS, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND PRODUCTION UNDER  
LICENSE)  
2011**

COUNTRY	DESCRIPTION	OPERATION	AMOUNT (€)
AUSTRALIA	1 hunting rifle	Second-hand	0
FRANCE	1 hunting rifle	Donation	0
GREECE	Clips for sport pistols	Donation	0
MAURITANIA	Aircraft parts and components	Donation	0
DOMINICAN REPUBLIC	2 hunting rifles	Donation	0
SOUTH AFRICA	1 hunting rifle and 2 hunting rifle barrels	Donation	0
SWITZERLAND	1 revolver and 1 sport pistol	Donation	0
<b>TOTAL</b>			<b>0</b>

EXPORTS MADE AS PART OF THE MOST NOTEWORTHY DEFENCE MATERIAL PROGRAMMES										
2011										
DESTINATION COUNTRY	PROGRAMME									AMOUNT (€)
	A400M	EF-2000	EUROMIDS	IRIS-T	LEOPARD	METEOR	MILAN	MISTRAL	TIGER	
AUSTRIA		289,897								289,897
BELGIUM	698,510									698,510
FRANCE	1,379,799						0	643,830	3,010,729	5,034,358
GERMANY	7,913,190	68,368,445		19,390,919	108,841	96,222			1,923,699	97,801,316
INDIA		200								200
ITALY	630,000	40,426,714	3,101,079							44,157,793
TURKEY	65,466									65,466
UNITED KINGDOM	57,327	117,408,329				2,869,045			240,350	120,575,051
UNITED STATES	15,532	1,300,417								1,315,949
<b>TOTAL</b>	<b>10,759,824</b>	<b>227,794,002</b>	<b>3,101,079</b>	<b>19,390,919</b>	<b>108,841</b>	<b>2,965,267</b>	<b>0</b>	<b>643,830</b>	<b>5,174,778</b>	<b>269,938,540</b>

DEFENCE MATERIAL EXPORTS DENIED AND REVOKED				
2011				
Country	Number	Item	Criterion (Common Position 2008/944/CFSP)	
GUATEMALA	1	Pistols	7	The existence of a risk that the technology or military equipment will be diverted within the buyer country or re-exported under undesirable conditions
LIBYA	2	Night vision goggles	Licenses revoked due to armed conflict	
UNITED STATES	1	Rifles	No evidence that the operator has authorisation to manufacture the item	
VENEZUELA	1	Carbine and trigger system	No evidence that the operator is the owner of the weapon	
ZIMBABWE	1 PA	Aircraft replacement motors	1	EU Embargo (Common Position 2002/145/CFSP of 18 February)

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

2011		
Country	Number	Item
NONE DURING THIS PERIOD		

DESCRIPTION OF THE 22 ITEMS ON THE DEFENCE MATERIAL LIST (ROYAL DECREE 844/2011, OF 17 JUNE)		
ARTICLE	DESCRIPTION	LIST OF ITEMS INCLUDED
1	Smooth-bore weapons with a calibre of less than 20 mm.	Rifles, carbines, revolvers, pistols, machine pistols, machine guns, silencers, clips, sights and flash suppressors
2	Smooth-bore weapons with a calibre of 20 mm or more.	Firearms (including pieces of artillery), rifles, howitzers, cannons, mortars, anti-tank weapons, projectile launchers, flame throwers, recoilless rifles, signature reduction devices, military smoke, gas and pyrotechnic projectors or generators and weapons sights.
3	Ammunition, devices and components	Ammunition for the weapons subject to control under articles 1, 2 or 12. Fuse-setting devices including cases, links, bands, power supplies with high operational output, sensors, sub-munitions.
4	Bombs, torpedoes, rockets, missiles	Bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, depth charges, demolition charges, "pyrotechnic" devices, 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, aircraft engines, remotely piloted air vehicles, refuelling equipment, pressurised breathing equipment, parachutes, automatic piloting systems
11	Electronic equipment	Countermeasure and electronic counter-countermeasure equipment, underwater acoustic material, data security equipment, equipment using ciphering processes, guidance, navigation and transmission equipment
12	Kinetic energy weapon systems	Kinetic energy weapon systems, test and evaluation facilities and test models, propulsion systems, homing seeker, guidance or divert propulsion systems for projectiles
13	Armoured equipment and constructions	Armoured plate, constructions of metallic or non-metallic materials, military helmets, body armour and protective garments
14	Military training or simulation equipment	Attack trainers, flight trainers, radar target trainers, anti-submarine warfare trainers, missile launch trainers, image generating trainers
15	Imaging or countermeasure equipment	Recorders and image processing equipment, cameras, photographic equipment, image intensifier equipment, infrared or thermal imaging equipment, imaging radar sensor equipment
16	Forgings, castings and unfinished products	Forgings, castings and unfinished product parts
17	Miscellaneous equipment, materials and libraries	Self-contained diving and underwater swimming apparatus, closed and semi-closed circuit apparatus, robots, ferries
18	Production equipment	Environmental test facilities, continuous 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, 2011**

EXPORTS AUTHORISED OF OTHER MATERIAL (ANTI-RIOT) BY COUNTRY, 2011		
COUNTRY	No OF LICENSES	AMOUNT (€)
BRAZIL	1	40,500
PERU	1	1,087,974
SINGAPORE	2	0
TUNISIA	2	162,810
VENEZUELA	4	1,410,595
<b>TOTAL</b>	<b>10</b>	<b>2,701,879</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 OTHER MATERIAL COMPLETED (ANTI-RIOT) (BY COUNTRY) 2011		
COUNTRY	MATERIAL	AMOUNT (€)
PERU	Tear gas devices and light and sound devices	600,832
VENEZUELA	Inert parts for the manufacture of non-lethal pyrotechnic devices and trigger operated defence aerosols	145,823
<b>TOTAL</b>		<b>746,655</b>

EXPORTS OF OTHER MATERIAL COMPLETED (ANTI-RIOT) WITH INDICATION OF THE NATURE OF THE END USER AND FINAL USE MADE OF THE MATERIAL 2011			
COUNTRY	END USER	END USE	PERCENTAGE
PERU	Armed Forces and Police	Public	100
VENEZUELA	Armed Forces and Police	Public	100

EXPORTS OF OTHER MATERIAL COMPLETED (ANTI-RIOT) (LEASING, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND PRODUCTION UNDER LICENSE) 2011			
COUNTRY	MATERIAL	OPERATION	AMOUNT (€)
VENEZUELA	Trigger operated defence aerosols	Donation	0
<b>TOTAL</b>			<b>0</b>

OTHER MATERIAL EXPORTS DENIED (ANTI-RIOT) 2011			
COUNTRY	NUMBER	MATERIAL	REASON
		NONE DURING THIS PERIOD	



EXPORTS OF OTHER MATERIAL AUTHORISED (HUNTING AND SPORTING ARMS) BY COUNTRY AND NUMBER OF LICENSES 2011		
COUNTRY	No LICENSES	AMOUNT (€)
ANDORRA	12	233,006
ANGOLA	3	695,000
ARGENTINA	13	1,905,200
ARMENIA	1	4,600
AUSTRALIA	11	5,380,427
BOLIVIA	2	190,150
BOTSWANA	1	0
BRAZIL	1	800
BURKINA FASO	1	30,000
CAMEROON	5	1,153,050
CANADA	5	133,500
CENTRAL AFRICAN REPUBLIC	2	1,218,500
CHILE	10	1,570,980
COLOMBIA	11	735,439
COSTA RICA	1	7,410
CROATIA	2	5,000
CUBA	1	140,000
CYPRUS	1	3,196
EGYPT	5	1,216,000
EQUATORIAL GUINEA	2	600
FRENCH GUYANA (FRANCE)	1	400,000
GABON	1	250,000
GHANA	17	10,254,000
GUATEMALA	2	451,000
GUINEA BISSAU	8	738,950
HONDURAS	1	250,000
INDIA	3	460,000
ISRAEL	1	6,000
JAMAICA	1	80,000
JAPAN	9	10,140,014
KAZAKHSTAN	4	415,000
KUWAIT	3	411,830
LEBANON	7	2,659,441
MALAYSIA	3	645,950
MALI	3	1,952,800
MAURITANIA	1	400,000
MEXICO	9	4,436,300
MOROCCO	6	2,730,625
NEW ZEALAND	2	18,000,000
NICARAGUA	1	170,000
NORWAY	5	3,417,415
P.R. CHINA	1	160,000
PAKISTAN	4	52,290
PARAGUAY	3	1,140,000
PERU	7	2,813,500
PHILIPPINES	6	807,400
RUSSIA	10	2,885,995
SAUDI ARABIA	1	1,800
SENEGAL	1	120,000
SERBIA	1	205,000
SOUTH AFRICA	6	2,385,000
SOUTH KOREA	1	280,000
SURINAM	1	75,000
SWITZERLAND	5	62,550
TAIWAN	1	300,000
TANZANIA	2	390,000
THAILAND	10	757,050
TUNISIA	11	1,749,233
TURKEY	5	10,050,760
UKRAINE	5	4,710,000
UNITED ARAB EMIRATES	1	150,000
UNITED STATES	57	7,282,625
URUGUAY	5	3,091,800
UZBEKISTAN	1	500,000
VENEZUELA	10	3,469,500
<b>TOTAL</b>	<b>333</b>	<b>116,331,686</b>

**EXPORTS OF OTHER MATERIAL COMPLETED (HUNTING AND SPORTING ARMS) BY COUNTRY  
2011**

COUNTRY	DESCRIPTION	AMOUNT (€)
ANDORRA	Shotguns, shotgun shells and gunpowder	13,887
ANGOLA	Shotgun shells	368,550
ARGENTINA	Shot guns, shot gun shells and cases with piston	573,212
AUSTRALIA	Shotguns and shotgun shells	2,434,728
BOLIVIA	Shotgun shells	80,150
BOSNIA AND HERZEGOVINA	Shotgun shells	85,668
BOTSWANA	Shotguns	0
BRAZIL	Pistons, shells and cases with piston	200
BURKINA FASO	Shotgun shells	172,212
CAMEROON	Shotguns and shotgun shells	1,108,994
CANADA	Shotguns and shotgun shells	104,902
CENTRAL AFRICAN REPUBLIC	Gunpowder and cases with piston	297,592
CHAD	Shotgun shells	20,820
CHILE	Shotguns, shotgun shells and gunpowder	1,433,729
COLOMBIA	Shotguns and cases with piston	254,635
COSTA RICA	Shotguns	7,410
CROATIA	Shotguns	4,392
CUBA	Cases with piston and smokeless gunpowder	113,000
CYPRUS	Shotguns	3,197
DOMINICAN REP.	Shotgun shells	131,790
ECUADOR	Pistons and cases with piston	47,890
EGYPT	Shotgun shells	336,475
EQUATORIAL GUINEA	Shotguns	600
FRANCE	Shotgun shells	71,530
GABON	Shotgun shells	93,522
GEORGIA	Shotgun shells	80,379
GHANA	Shotgun shells	7,504,706
GUATEMALA	Shotgun shells	148,499
GUINEA BISSAU	Shotguns and shotgun shells	1,015,644
HONDURAS	Shotgun shells	57,330
ICELAND	Shotgun shells	36,400
INDIA	Wads and plastic tubes	40,005
ISRAEL	Shotgun shells	2,600
JAMAICA	Shotgun shells	47,460
JAPAN	Shotguns and shotgun shells	1,250,863
KAZAKHSTAN	Shotguns	42,434
KUWAIT	Shotguns and shotgun shells	20,315
LEBANON	Shotguns, shotgun shells and gunpowder	643,261
MALAYSIA	Shotguns and shotgun shells	109,713
MALI	Shotgun shells, lead balls and shot	3,143,784
MAURITANIA	Shotguns and shotgun shells	69,861
MEXICO	Shotguns and shotgun shells	847,557
MOROCCO	Shotgun shells and parts	1,925,109
NAMIBIA	Shotgun shells and parts	161,907
NEW ZEALAND	Shotgun shells	754,960
NICARAGUA	Shotgun shells	29,080
NORWAY	Shotguns and shotgun shells	2,965,393
P.R. CHINA	Shotgun shells	140,800
PAKISTAN	Hunting shotguns, gunpowder and pistons	675,376
PANAMA	Shotgun shells	155,451
PARAGUAY	Shotguns and shotgun shells	349,143
PERU	Shotgun shells	1,468,366
PHILIPPINES	Shot gun shells, plastic wads and cases with piston	131,726
RUSSIA	Shot guns, shot gun shells and cases with piston	1,085,306
SAUDI ARABIA	Shotgun shells	1,152
SENEGAL	Shotgun shells	76,926
SERBIA	Shotgun shells	40,299
SOUTH AFRICA	Shotguns, shotgun shells and pistons	1,281,506
SOUTH KOREA	Shotgun shells	216,158
SURINAM	Shotgun shells	57,500
SWITZERLAND	Shotguns	51,758
TAIWAN	Shotgun shells	53,944
TANZANIA	Cases with piston, gunpowder and plastic wads	184,000

EXPORTS OF OTHER MATERIAL COMPLETED (HUNTING AND SPORTING ARMS) BY COUNTRY 2011 (continued)		
COUNTRY	DESCRIPTION	AMOUNT (€)
THAILAND	Shot guns, shot gun shells and cases with piston	559,286
TUNISIA	Shotguns and shotgun shells	602,070
TURKEY	Shot gun shells, gunpowder and cases with and without piston	1,881,704
UKRAINE	Shot gun shells, gunpowder and cases with piston	1,056,151
UNITED ARAB EMIRATES	Shotguns	4,110
UNITED STATES	Shotguns, shot, buckshot, shotgun shells and parts	6,718,279
URUGUAY	Shotguns and shotgun shells	734,196
VENEZUELA	Shotguns, shotgun shells, shot and primers	810,840
<b>TOTAL</b>		<b>46,992,392</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 2011				
COUNTRY	ARMOURY	PRIVATE COMPANY	ARMED FORCES	PRIVATE PARTY
ANDORRA	85.81%	3.24%		10.95%
ANGOLA		100.00%		
ARGENTINA	4.89%	94.81%		0.031%
AUSTRALIA	8.06%	91.66%		0.28%
BOLIVIA		100.00%		
BOSNIA AND HERZEGOVINA		100.00%		
BOTSWANA		100.00%		
BRAZIL		100.00%		
BURKINA FASO		100.00%		
CAMEROON	17.342%	82.29%		0.28%
CANADA	34.95%	55.32%		9.73%
CENTRAL AFRICAN REPUBLIC		100.00%		
CHAD		100.00%		
CHILE	41.77%	53.57%		4.66%
COLOMBIA	4.00%	94.03%		1.97%
COSTA RICA		100.00%		
CROATIA	100.00%			
CUBA		100.00%		
CYPRUS				100.00%
DOMINICAN REP.		39.03%		60.97%
ECUADOR				100.00%
EGYPT	17.83%	75.09%		7.08%
EQUATORIAL GUINEA		50.00%		50.00%
FRANCE		100.00%		
GABON		100.00%		
GEORGIA		100.00%		
GHANA	20.52%	79.48%		
GUATEMALA	51.72%	48.28%		
GUINEA BISSAU		70.27%		29.73%
HONDURAS	100.00%			
ICELAND		100.00%		
INDIA		100.00%		
ISRAEL		100.00%		
JAMAICA		100.00%		
JAPAN	5.29%	94.71%		
KAZAKHSTAN	35.71%	64.29%		
KUWAIT		100.00%		
LEBANON	16.08%	83.92%		
MALAYSIA	2.75%	97.25%		
MALI		39.78%		60.22%
MAURITANIA				100.00%
MEXICO			99.53%	0.47%
MOROCCO	3.92%	96.05%		0.03%
NAMIBIA		100.00%		
NEW ZEALAND	7.57%	92.43%		
NICARAGUA		100.00%		
NORWAY	16.83%	81.59%		1.58%
P.R. CHINA		100.00%		
PAKISTAN	0.47%	99.53%		
PANAMA		100.00%		
PARAGUAY		100.00%		0.00%
PERU	17.78%	82.22%		
PHILIPPINES		100.00%		
RUSSIA	3.00%	96.27%		0.73%
SAUDI ARABIA		100.00%		
SENEGAL		100.00%		
SERBIA		100.00%		
SOUTH AFRICA	0.68%	60.47%		38.85%
SOUTH KOREA	29.52%	70.48%		
SURINAM	40.47%	59.53%		
SWITZERLAND	7.73%	17.79%		74.48%
TAIWAN		100.00%		
TANZANIA		100.00%		

Note - Armoury, private use; Private Company: Private Company, private use; Armed Forces: Armed Forces, use of 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**  
2011 (continued)

COUNTRY	ARMOURY	PRIVATE COMPANY	AIR FORCE	PRIVATE PARTY
THAILAND	9.19%	87.17%		3.64%
TUNISIA	43.72%	56.28%		
TURKEY		74.12%		25.88%
UKRAINE	6.39%	93.61%		
UNITED ARAB EMIRATES	100.00%			
UNITED STATES	15.73%	80.67%		3.60%
URUGUAY	28.78%	71.22%		
VENEZUELA	9.87%	90.13%		0.00%

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

**EXPORTS COMPLETED OF OTHER MATERIAL (HUNTING AND SPORTING ARMS)  
(LEASING, DONATIONS, SECOND-HAND, TECHNICAL ASSISTANCE AND  
PRODUCTION UNDER LICENSE)**  
2011

COUNTRY	MATERIAL	OPERATION	AMOUNT (€)
ANDORRA	13 shotguns	Second-hand	1,790
ARGENTINA	3 shotguns	2 second-hand and 1 as a gift	600
<b>TOTAL</b>			<b>2,390</b>

**OTHER MATERIAL EXPORTS DENIED (HUNTING AND SPORTING ARMS)**  
2011

COUNTRY	NUMBER	MATERIAL	REASON
EQUATORIAL GUINEA	1	Hunting shotguns	No evidence that the operator is the owner of the weapon

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

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

## ANNEX III. EXPORT STATISTICS ON DUAL-USE ITEMS AND TECHNOLOGIES 2011

BY-COUNTRY AUTHORISED EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES 2011		
COUNTRY	No OF LICENSES	AMOUNT (€)
ALBANIA	2	30,004
ALGERIA	14	509,662
ANDORRA	3	1,558,400
ARGENTINA	22	10,466,401
AUSTRALIA	22	6,764
BAHRAIN	1	498,750
BOSNIA AND HERZEGOVINA	2	70,284
BRAZIL	14	33,884,853
BURKINA FASO	1	38
CANADA	1	80,000
CHILE	4	159,050
COLOMBIA	39	964,840
CROATIA	3	251
CUBA	12	3,790,317
DUTCH ANT. (NETHERLANDS)	1	1,501,800
ECUADOR	2	8,417
EGYPT	3	472,788
FRANCE	2	43,074
GERMANY	2	4,000,000
GUATEMALA	1	10,200
HONG KONG (P.R. CHINA)	4	20,197,100
INDIA	7	2,724,123
IRAN	27	30,024,011
ISRAEL	13	161,490
IVORY COAST	1	12,000
KUWAIT	3	2,951
MAURITIUS ISLANDS	1	7
MEXICO	4	354,492
MOROCCO	8	2,125,494
NEW ZEALAND	9	6,031
NICARAGUA	1	105
NIGERIA	6	1,807,220
P.R. CHINA	45	30,515,124
PAKISTAN	1	9
PANAMA	1	14,800
PARAGUAY	2	503,100
PERU	6	208,727
PHILIPPINES	5	5,399
PORTUGAL	2	30,028
RUSSIA	10	3,188,969
RWANDA	1	34
SAUDI ARABIA	10	245,361
SENEGAL	1	300,000
SERBIA	7	285,680
SINGAPORE	2	80,135
SOUTH AFRICA	5	2,163,250
SOUTH KOREA	2	117,193
SWITZERLAND	5	1,915,000
TAIWAN	38	4,516,616
THAILAND	4	532,129
TUNISIA	7	949
TURKEY	20	9,388,729
UKRAINE	2	600,000
UNITED ARAB EMIRATES	7	1,349
UNITED KINGDOM	6	150,294
UNITED STATES	1	980,000
URUGUAY	2	32,000
VENEZUELA	4	11,297,500
YEMEN	3	231
<b>TOTAL</b>	<b>434</b>	<b>182,543,523</b>

EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES AUTHORISED BY COUNTRY OF DESTINATION AND CATEGORY  
2011

COUNTRY	CATEGORY									AMOUNT (€)	
	0	1	2	3	4	5	6	7	8		9
ALBANIA		30,004									30,004
ALGERIA		509,662									509,662
ANDORRA						1,558,400					1,558,400
ARGENTINA		10,132,121		334,280							10,466,401
AUSTRALIA	160	6,604									6,764
BAHRAIN		498,750									498,750
BOSNIA AND HERZEGOVINA		70,284									70,284
BRAZIL		33,656,973		227,880							33,884,853
BURKINA FASO		38									38
CANADA	80,000										80,000
CHILE		159,050									159,050
COLOMBIA	1,079	933,761						30,000			964,840
CROATIA		251									251
CUBA	2,678,400	116,268	995,649								3,790,317
DUTCH ANT. (NETHERLANDS)		1,501,800									1,501,800
ECUADOR		417				8,000					8,417
EGYPT		468,000	4,788								472,788
FRANCE		43,074									43,074
GERMANY				0		4,000,000					4,000,000
GUATEMALA		10,200									10,200
HONG KONG (P.R. CHINA)						20,000,000	197,100				20,197,100
INDIA		950,000	1,745,820	13,094	15,209						2,724,123
IRAN			30,024,011								30,024,011
ISRAEL		117,446		5,544		6,000	32,500				161,490
IVORY COAST						12,000					12,000
KUWAIT		2,951					0				2,951
MAURITIUS ISLANDS		7									7
MEXICO			4,492			350,000			0		354,492
MOROCCO		2,125,494					0				2,125,494
NEW ZEALAND		6,031									6,031
NICARAGUA		105									105
NIGERIA		1,807,220									1,807,220
P.R. CHINA			28,023,407	1,839,322		80,135	572,260				30,515,124
PAKISTAN		9									9
PANAMA		14,800									14,800
PARAGUAY		503,100									503,100
PERU		208,727									208,727
PHILIPPINES		5,399									5,399
PORTUGAL		30,028									30,028
RUSSIA		410	3,181,467	7,092			0				3,188,969
RWANDA		34									34
SAUDI ARABIA		245,361									245,361
SENEGAL		300,000									300,000
SERBIA		285,680					0				285,680
SINGAPORE						80,135					80,135
SOUTH AFRICA		2,163,250					0				2,163,250
SOUTH KOREA		117,193									117,193
SWITZERLAND		1,915,000									1,915,000
TAIWAN		752,664	3,100,072	583,745		80,135					4,516,616
THAILAND		3,553	528,576								532,129
TUNISIA		949					0				949
TURKEY		3,942,813	5,255,496	190,420			0				9,388,729
UKRAINE		600,000									600,000
UNITED ARAB EMIRATES		1,349					0		0		1,349
UNITED KINGDOM						150,294					150,294
UNITED STATES		980,000									980,000
URUGUAY		32,000									32,000
VENEZUELA		11,297,500									11,297,500
YEMEN		231									231
<b>TOTAL</b>	<b>2,759,639</b>	<b>76,546,561</b>	<b>72,863,778</b>	<b>3,201,377</b>	<b>15,209</b>	<b>26,325,099</b>	<b>801,860</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>182,543,523</b>

EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES COMPLETED BY COUNTRY OF DESTINATION AND CATEGORY  
2011

COUNTRY	CATEGORY									AMOUNT (€)	
	0	1	2	3	4	5	6	7	8		9
ALBANIA		52,064									52,064
ALGERIA		261,439									261,439
ANDORRA						48,400					48,400
ARGENTINA		6,385,754		242,966							6,628,720
AUSTRALIA	80	6,466									6,546
BAHRAIN		29,848									29,848
BOSNIA AND HERZEGOVINA		105,827									105,827
BRAZIL		9,999,624	0	597,439		10,414					10,607,477
BURKINA FASO		38									38
CHILE		48,032									48,032
COLOMBIA	423	351,698						30,000			382,121
CROATIA		251									251
CUBA	2,639,745	77,283									2,717,028
DUTCH ANT. (NETHERLANDS)		462,997									462,997
ECUADOR		417				8,000					8,417
EGYPT		160,654	1,321,708								1,482,362
FRANCE		43,074		0							43,074
GERMANY						898,026					898,026
GUATEMALA		3,400									3,400
HONG KONG (P.R. CHINA)						1,826,038	4,830				1,830,868
INDIA		18,334	1,745,820		15,209						1,779,363
INDONESIA		12,389									12,389
IRAN			16,775,938								16,775,938
ISRAEL		64,575		31,595		3,000					99,170
ITALY		0									0
IVORY COAST						15,496					15,496
JAPAN		194,866	2,509,048			8,000					2,711,914
KUWAIT		2,951									2,951
MALAYSIA		257								0	257
MEXICO			4,492			700,000					704,492
MOROCCO		1,580,858									1,580,858
NEW ZEALAND		6,007									6,007
NICARAGUA		207									207
NIGERIA		533,265									533,265
NORWAY		1,305,040									1,305,040
P.R. CHINA		0	16,126,888	1,684,468			801,175				18,612,531
PAKISTAN		9									9
PANAMA		20,507									20,507
PARAGUAY		241,006									241,006
PERU		25,216									25,216
PHILIPPINES		866									866
PORTUGAL		127,131									127,131
RUSSIA		108	2,790,715	293,433							3,084,256
RWANDA		34									34
SAUDI ARABIA		309,215									309,215
SENEGAL		38,000									38,000
SERBIA		24,739									24,739
SINGAPORE		21				10,033					10,054
SOUTH AFRICA		130,971	6,750								137,721
SOUTH KOREA		25,835	0								25,835
SWITZERLAND		1,314,796									1,314,796
TAIWAN		407,200	10,072	140,999		1,048					559,319
THAILAND		3,553									3,553
TUNISIA		78									78
TURKEY		994,744	3,850,000								4,844,744
UKRAINE		4,370									4,370
UNITED ARAB EMIRATES		9,979									9,979
UNITED KINGDOM						102,443					102,443
UNITED STATES		3,104,315	11,943,562	176,584		34,737					15,259,198
URUGUAY		251,485									251,485
VENEZUELA		3,249,574									3,249,574
VIETNAM		157									157
<b>TOTAL</b>	<b>2,640,248</b>	<b>31,991,524</b>	<b>57,084,993</b>	<b>3,167,484</b>	<b>15,209</b>	<b>3,665,635</b>	<b>806,005</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>99,401,098</b>



EXPORTS OF DUAL USE ITEMS AND TECHNOLOGIES COMPLETED WITH INDICATION OF THE NATURE OF THE END USER, FINAL USE AND PERCENTAGE 2011			
COUNTRY	PRIVATE COMPANY	PUBLIC COMPANY	AIR FORCE
ALBANIA	100.00%		
ALGERIA	100.00%		
ANDORRA		100.00%	
ARGENTINA	96.39%	3.61%	
AUSTRALIA	100.00%		
BAHRAIN	100.00%		
BOSNIA AND HERZEGOVINA	100.00%		
BRAZIL	98.88%	1.12%	
BURKINA FASO	100.00%		
CHILE	100.00%		
COLOMBIA	92.15%		7.85%
CROATIA	100.00%		
CUBA	57.28%	42.72%	
DUTCH ANT. (NETHERLANDS)	100.00%		
ECUADOR	100.00%		
EGYPT	100.00%		
FRANCE	100.00%		
GERMANY	100.00%		
GUATEMALA	100.00%		
HONG KONG (P.R. CHINA)	100.00%		
INDIA	99.15%	0.85%	
INDONESIA	100.00%		
IRAN	8.10%	91.90%	
ISRAEL	92.72%	7.28%	
ITALY	100.00%		
IVORY COAST	100.00%		
JAPAN	100.00%		
KUWAIT	100.00%		
MALAYSIA	100.00%		
MEXICO	100.00%		
MOROCCO	98.61%	1.39%	
NEW ZEALAND	100.00%		
NICARAGUA	100.00%		
NIGERIA	100.00%		
NORWAY	100.00%		
P.R. CHINA	62.09%	37.91%	
PAKISTAN	100.00%		
PANAMA	100.00%		
PARAGUAY	100.00%		
PERU	100.00%		
PHILIPPINES	100.00%		
PORTUGAL	100.00%		
RUSSIA	90.49%	9.51%	
RWANDA	100.00%		
SAUDI ARABIA	100.00%		
SENEGAL	100.00%		
SERBIA	100.00%		
SINGAPORE	100.00%		
SOUTH AFRICA	100.00%		
SOUTH KOREA	100.00%		
SWITZERLAND	100.00%		
TAIWAN	74.79%	25.21%	
THAILAND	100.00%		
TUNISIA	100.00%		
TURKEY	100.00%		
UKRAINE	100.00%		
UNITED ARAB EMIRATES	100.00%		
UNITED KINGDOM	100.00%		
UNITED STATES	91.25%	8.75%	
URUGUAY	100.00%		
VENEZUELA	100.00%		
VIETNAM	100.00%		

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

**EXPORT AUTHORISATIONS DENIED FOR DUAL USE ITEMS AND TECHNOLOGIES**  
2011

COUNTRY	NUMBER	PRODUCT	REASON
GEORGIA	3	Unmanned aerial vehicle	Regional situation
IRAN	2	Control valves	Risk of diversion for production of weapons of mass destruction
LESOTHO	1	Unmanned aerial vehicle	Large number
PAKISTAN	3	Chemical substances and validation code	Risk of diversion for production of weapons of mass destruction
P.R. CHINA	3 (1 revoked)	Machining centre (lifted), compound material tape laying machine and carbon fibre	Risk of diversion for production of weapons of mass destruction
SUDAN	1	Chemical substances	Risk of diversion to military use

**APPLICATION OF THE CATCH-ALL CLAUSE IN THE EXPORT OF DUAL-USE ITEMS AND TECHNOLOGIES**  
2011

COUNTRY	NUMBER	PRODUCT	REASON
IRAN	7 (1 lifted)	Steel industry equipment (lifted) valves, stainless steel tubing, a head and a divider	Risk of being diverted to nuclear and missile proliferation programmes

**EXPORTS OF DUAL-USE ITEMS AND TECHNOLOGIES COMPLETED**  
**EXCEEDING €10 MILLION**  
2011

COUNTRY	DESCRIPTION	AMOUNT (€)	PERCENTAGE
	NONE DURING THIS PERIOD		
	Total		

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 fly-by-wire 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**  
2011

	DEFENCE MATERIAL AMOUNT (€)	OTHER MATERIAL AMOUNT (€)		DUAL-USE AMOUNT (€)
		Anti-riot	Hunting and sporting arms	
Authorised	2,871,202,275	2,701,879	116,331,686	182,543,523
Completed	2,431,212,618	746,655	46,992,392	99,401,098
Percentage	84.68	27.63	40.40	54.45

## ANNEX IV. LICENSES PROCESSED AND OPERATIONS EXEMPT

### NUMBER OF EXPORT LICENSES PROCESSED 2011

#### DEFENCE MATERIAL

TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	540	44	27	2	16	629
GLOBAL	10					10
GLOBAL PROJECT	13					13
TEMPORARY	241				5	246
RECTIFICATIONS	215				2	217
PRELIM. AGREEMENTS	55			1	1	57
INWARD PROCESSING TRAFFIC	7					7
<b>TOTAL</b>	<b>1,081</b>	<b>44</b>	<b>27</b>	<b>3</b>	<b>24</b>	<b>1,179</b>

#### OTHER MATERIAL

TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	336	12	19	1	12	380
TEMPORARY	4					4
RECTIFICATIONS	52					52
<b>TOTAL</b>	<b>392</b>	<b>12</b>	<b>19</b>	<b>1</b>	<b>12</b>	<b>436</b>

#### DUAL-USE ITEMS AND TECHNOLOGIES

TYPE OF LICENSE	Approved	Pending	Expired	Denied	Discontinued	TOTAL
INDIVIDUAL	411	4		11	2	428
GLOBAL	2					2
TEMPORARY	24	2		2		28
RECTIFICATIONS	32					32
PRELIM. AGREEMENTS	2	1				3
GENERAL AUTHORISATIONS	2					2
<b>TOTAL</b>	<b>473</b>	<b>7</b>		<b>13</b>	<b>2</b>	<b>495</b>

LICENSE PROCESSING TIME FOR DEFENCE MATERIAL, OTHER MATERIAL AND DUAL-USE ITEMS AND TECHNOLOGIES			
2011			
DEFENCE MATERIAL	Preliminary report	= 0 < 30 days	64 %
		> 30 days	36 %
	Exempt from report	= 0 < 5 days	68 %
		> 5 days	32 %
OTHER MATERIAL	Preliminary report	= 0 < 30 days	77%
		> 30 days	23 %
	Exempt from report	= 0 < 5 days	69 %
		> 5 days	31 %
DUAL-USE ITEMS AND TECHNOLOGIES	Preliminary report	= 0 < 30 days	67 %
		> 30 days	33 %
	Exempt from report	= 0 < 5 days	68 %
		> 5 days	32 %

DEFENCE MATERIAL TRANSACTIONS EXEMPT FROM THE JIMDDU PRELIMINARY REPORT AND FROM END USE CONTROL DOCUMENTS  
2011

Art. RMD	Eurofighter	A400M	Tiger Eurocopter	Leopard	Iris-T Missile	Military fuel	Repair	Fairs	Tests Demonstration Homologation	Return to origin
1							11	6	5	6
2							3		7	2
3										1
4					6		16	1	22	3
5							1		1	
6				5			25		5	16
8						10				
9							2		1	1
10	21	11	4				38	8	13	4
11	2	2					11	1	6	3
14									1	1
15	2		1				6	1	5	2
21									1	
22							1			
<b>TOTAL</b>	<b>25</b>	<b>13</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>10</b>	<b>114</b>	<b>17</b>	<b>67</b>	<b>39</b>

DUAL-USE ITEMS AND TECHNOLOGY TRANSACTIONS EXEMPT FROM THE JIMDDU PRELIMINARY  
REPORT AND FROM END USE CONTROL DOCUMENTS - 2011

Category	Exemption from the Board Report
	Member countries of international non-proliferation fora
1	105
3	12
6	5
<b>TOTAL</b>	<b>122</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: 2011

Conventional arms						
A	B	C	D	E	Observations	
Categories (I-VII)	Endimporter 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	4			Armoured vehicle	IIC
III. Large calibre artillery systems						
IV. Combat aircraft						
V. Attack helicopters						
VI. Warships	Norway Venezuela Venezuela	1 1 3			F-310 Frigate Guard ship Guard patrol ship	IIC EUC "
VII. Missiles and a) missile launcher b)						

\* Control document.

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

Small arms and light weapons						
A	B	C	D	E	Observations	
Category VIII	Endimporter 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	Cuba Indonesia	15 17			Pistols "	EUC "
2. Rifles and Carbines	Mexico	1			Rifle	EUS
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	Finland Indonesia US	121 224 164			Grenade launcher " "	IIC " EUC
3. Portable anti-tank cannons						
4. Recoilless rifles						
5. Portable anti-tank missile launchers and rocket systems						
6. Mortars under 75mm calibre						
7. Other						

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

### EXPORTS AUTHORISED IN 2011 Annual information regarding the export of small arms and light weapons

Reporting country SPAIN	Reporting year: 2011				
Original language: Spanish	Report date: May 2012				
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 Carbines					
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	Finland US	121 164			IIC "
3. Portable anti-aircraft cannons					
4. Portable anti-tank cannons					
5. Recoilless cannons					
6. Launchers for portable anti-tank missile and rocket systems					
7. Launchers for portable anti-aircraft missiles					
8. Mortars under 100 mm calibre					

\* 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 2011 Annual information regarding the export of small arms and light weapons

Reporting country SPAIN	Reporting year: 2011				
Original language: Spanish	Report date: May 2012				
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 Carbines					
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	Finland US	121 164			IIC "
11. Portable anti-aircraft cannons					
12. Portable anti-tank cannons					
13. Recoilless cannons					
14. Launchers for portable anti-tank missile and rocket systems					
15. Launchers for portable anti-aircraft missiles					
16. Mortars under 100 mm calibre					

\* Control document.

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

## 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
Belorussia		June 2011	
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 March 2012 (Mod.)	
Iraq	August 1990 June 2004 (Mod.)	August 1990 July 2004 (Mod.)	
Ivory Coast	November 2004 October 2010 (Mod.)	December 2004 September 2011 (Mod.)	
Lebanon	August 2006	September 2006	
Liberia	March 1992 December 2009 (Mod.)	May 2001 June 2006 (Mod.)	
Libya	February 2011 October 2011 (Mod.)	February 2011 September 2011 (Mod.)	
Myanmar		July 1991 April 2012 (Mod.)	
Republic of Guinea		October 2009 October 2011 (Mod.)	
Somalia	January 1992 July 2009 (Mod.)	December 2002 February 2009 (Mod.)	
South Sudan	July 2004 October 2010 (Mod.)	March 1994 July 2011 (Mod.)	
Sudan	July 2004 October 2010 (Mod.)	March 1994 November 2011 (Mod.)	
Syria		May 2011 April 2012 (Mod.)	
Zimbabwe		February 2002 February 2004 (Mod.)	

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

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

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

(v) Voluntary embargo.

(Mod.) Date of modification.

## DUAL-USE

Countries	United Nations	European Union	Restrictive measure
Non-governmental agents	April 2004 (1540) April 2006 (1673)		Prevent all transfer for use in WMD and their delivery vehicles
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
Iran	July 2006 (1696) December 2006 (1737) March 2007 (1747) (v) March 2008 (1803) September 2008 (1835) June 2010 (1929)	February 2007 December 2009 July 2010 October 2010 May 2011 March 2012	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, gas and petro-chemical sectors.

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

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### *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>