

United Kingdom Strategic Export Controls Annual Report 2012

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Contents

Ministerial Foreword	1
Section 1: UK and EU Policy Developments in 2012	3
Section 2: International Policy in 2012	12
Section 3: Export Licensing Case Studies	17
Section 4: Export Licensing Data and Performance Against Targets During 2012	20
Section 5: Compliance and Enforcement	31
Section 6: Gifted Equipment	34
Section 7: Government to Government	36
Annexes	
Annex A Export Controls: Process and Responsibilities	38
Annex B International Development Association eligible countries	49
Annex C Information Required for the UN Register of Conventional Arms	50
Annex D UK Return to EU Annual Report 2012	72
Annex E International Commitments and Sanctions Regimes	86

Ministerial Foreword

This is the sixteenth Annual Report on Strategic Export Controls to be published by the United Kingdom. It describes Britain's export control policy and practice during the period January to December 2012. The format of the Report has been revised to focus more directly on new developments, while maintaining its overall scope and level of detail.

The British Government is committed to **safeguarding Britain's national security** by countering terrorism and weapons proliferation, and working to reduce conflict; **building Britain's prosperity** by working with British Business, increasing exports and investment, opening markets, ensuring access to resources, and promoting sustainable global growth; and **promoting British values abroad**, including on democracy, sustainable development, human rights and poverty reduction by reducing the proliferation of weapons and the diversion of resources. These are mutually reinforcing agendas, which robust and effective national and international arms export control regimes help to promote and protect.

Throughout 2012, the Government worked tirelessly, with UK civil society and the defence industry, to secure international agreement on a robust, effective and legally-binding Arms Trade Treaty. Although the negotiations in July 2012 did not reach a conclusion, they made substantial progress and paved the way for the landmark agreement reached on 2 April 2013 when the United Nations General Assembly adopted the Treaty.

Last year's report set out the results of the review of policy and practice on the export of equipment that might be used for internal repression which we initiated following the events of the Arab Spring. During 2012, we implemented all of these recommendations. We considerably expanded Ministerial oversight of licensing decisions, introduced a mechanism to suspend licensing if the assessment of applications becomes impracticable due to a crisis (the use of this mechanism was considered on six occasions but in each case it was decided that it was not necessary to invoke it), provided new guidance to our Embassies overseas advising on applications, established regular quarterly reviews of the country risk categorisations used in assessing applications, and increased transparency, by providing more information to the Committees on Arms Export Controls which can be made public and through the BIS Transparency Initiative announced on 7 February 2012.

During 2012, the Government processed almost 17,000 Single Individual Export Licences, 71% within 20 working days (against the published target of 70%), in addition to open licences and MOD Form 680 applications. There was no evidence of any UK-supplied equipment being used for internal repression or in any other way which would contravene the export licensing Criteria.

In April 2012, the Business Secretary announced that we would no longer grant licences for any military or dual-use goods and technology for military end-users in Argentina, other than in exceptional circumstances, to ensure that no UK exports could be used by Argentina to harm the economic interests of the Falkland Islands. 43 licences for Argentina were subsequently revoked but the licensing of exports for purely commercial or private use has continued.

We have continued to adapt our controls in the light of global developments. When new EU sanctions on Syria were agreed in July 2012, two licences for chemicals were revoked but we provided non-lethal support to elements of the Syrian opposition to help defend human rights and protect civilians. Our licensing has also taken account of each new set of EU sanctions on Iran.

This Annual Report demonstrates the Government's commitment to transparency in the area of strategic export controls. As we saw throughout 2012, there remains strong public, media, parliamentary and civil society interest in strategic arms control issues. We trust, therefore, that the information contained in this Annual Report will be of interest to a wide range of British and international stakeholders. We commend it to both Parliament and the public.

William Hague (FCO)

Justine Greening (DFID)

Vince Cable (BIS)

Philip Hammond (MOD)

Section 1

UK and EU Policy Developments in 2012

1.1 Legislation

An overview of the legislation applying to the export of strategic goods, software and technology from the UK is given in Annex A2. This section sets out changes to that legislation in 2012 and describes related policy developments.

The following Orders amending the Export Control Order 2008 came into force during 2012:

- The Export Control (Amendment) Order 2012 (S.I. 2012/929) which came into force on 16 April 2012. The Order amended the 2008 Order to make permanent the control on the export to the United States of the drug pancuronium bromide and revoked the Export Control (Amendment No. 3) Order 2011 (S.I. 2011/1127). The 2011 Order had imposed controls for a maximum of 12 months on the export to the USA of sodium thiopental, pancuronium bromide, potassium chloride and sodium pentobarbital when in a form suitable for injection as a result of their use in execution by lethal injection. These controls expired on 13 April 2012. EU-wide controls on the export of “short and intermediate acting barbiturate anaesthetic agents” (including sodium thiopental and sodium pentobarbital) came into force on 21 December 2011, rendering the national controls on these medicines redundant, and the Government decided not to extend or make permanent the control on the export of potassium chloride because of its very wide availability and lack of evidence of its likely export from the UK for use in executions. Further details of the 2011 Order and the EU legislation can be found in the 2011 Annual Report.
- The Export Control (Amendment) (No 2) Order 2012 (S.I. 2012/1910) which came into force on 10 August 2012. This Order implemented 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 Directive”), as amended by Directive 2012/10/EU as regards the list of defence-related products. The 2012 Order also incorporated changes to the UK Military List agreed in the Wassenaar Arrangement. In addition it made some amendments as a consequence of changes to Council Regulation 428/2009 for the control of exports, transfer, brokering and transit of dual-use items and to Council Regulation 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment. It also added another medicinal product – propofol – to the list of human and veterinary medicinal products that are controlled for export to the United States of America. This followed reports that at least one state in the USA had amended its execution protocol to permit the use of propofol in lethal injection.

Three Orders implementing UN and EU sanctions, in particular providing for enforcement of, and penalties for, breaches of the sanctions, came into force in 2012:

- The Export Control (Syria Sanctions) and (Miscellaneous Amendments) Order 2012 (SI 2012/810)
- The Export Control (Iran Sanctions) Order 2012 (SI 2012/1243)
- The Export Control (Syria and Burma Sanctions Amendment) and (Miscellaneous Revocations) Order 2012 (SI 2012/2125)

See Annex E of this report for further information on the country-specific export restrictions observed by the UK.

Two amendments to Council Regulation (EC) 428/2009 of 5th May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (the so-called “Dual-Use Regulation”) came into force in 2012, although the first had been adopted in 2011:

- Regulation (EU) No 1232/2011 of the European Parliament and of the Council of 16 November 2011 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. The new Regulation introduced five new EU-wide General Export Authorisations (EUGEAs) complementing the existing Community General Export Authorisation (formerly the CGEA, now renamed EUGEA EU001) and available for use by any exporter established within the EU; made amendments to the way denial notifications are shared between Member States and to the reports on dual-use export controls that the European Commission must provide to the European Parliament; and made a number of changes to Regulation 428/2009 as a result of the Lisbon Treaty.
- Regulation (EU) No 388/2012 of the European Parliament and of the Council of 19 April 2012 amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. This Regulation updated the Annex of items subject to export control from the EU in conformity with changes agreed by the Member States in the international export control regimes in 2009 and 2010.

As described in the Annual Report for 2011 the European Commission published, in June 2011, a Green Paper entitled “The dual-use export control system of the European Union: ensuring security and competitiveness in a changing world.” The Green Paper launched a public consultation on the implementation of the Dual-Use Regulation and was the first step in the preparation of a report for the European Council and European Parliament that the Commission is mandated to prepare under Article 25 of the Regulation. It had been anticipated that an analysis of the responses to the consultation would be published during the first half of 2012 with the formal report to the Council and Parliament expected in September 2012, and any subsequent legislative proposals following in 2013. However, the summary of responses was not published during 2012 and it is clear that the timetable for this process has slipped by some 6 to 12 months.

There were no amendments in 2012 to 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, inhumane or degrading treatment or punishment. The European Commission had included a broad review of the scope of Regulation 1236/2005 in their Work Programme for 2012. However the Government is not aware of any progress on this review and we understand that it will now be conducted during 2013.

1.2 Policy Developments

Cyber equipment, software and technology

An issue which attracted a significant amount of Parliamentary and public interest during the year concerned the export of so-called “surveillance” equipment and software. The use of the term “surveillance” in this context was somewhat unhelpful as it tended to suggest that the items in question were primarily malicious in intent. However the products that attracted attention have legitimate uses in law enforcement and in maintaining “cyber security”. Concerns arose because these capabilities can be used not only to defend networks and track and disrupt criminals but also to conduct espionage, track and disrupt political opposition and restrict freedom of expression. Advanced capabilities can also threaten national security.

Export controls currently only apply to exports of “cyber” equipment, software or technology in limited and narrowly defined circumstances, namely:

- a. where they are “specially designed or modified for military use” – under national controls on exports of military items; and
- b. for “dual-use” items where they have an “information security” (cryptographic) capability under the terms of the EU Dual-Use Regulation.

This leaves a range of products of potential concern subject to no export control at all.

This is a technically complex subject and it is important we take the time to get it right. These capabilities are inherent in some industries (e.g. the geolocation capabilities inherent in mobile phone networks) or are available for commercial use (e.g. monitoring of corporate networks to ensure that they are not used to access, or disseminate, offensive or harmful material) and some may even be downloadable from the internet. Export controls should not impose disproportionate burdens on legitimate business. It is also important to recognise the international nature of this business: cyber capabilities are available from a number of states, and many firms operate from bases in more than one country. The Government therefore believes that concerted international action is by far the best approach where further regulation is required.

As a result, the Government initiated a discussion within the Wassenaar Arrangement (WA) in order to prepare the ground for making a formal technical proposal. We believe the WA is the most appropriate forum for this initiative because information security is a key concern of governments worldwide and is specifically addressed through existing Wassenaar controls. It would also ensure their adoption by the widest possible group of major exporting states. This work will continue through 2013.

Separately, and in response to media reports that companies within the EU had exported such products to Syria and Iran which had subsequently been used to facilitate human rights abuses, the EU adopted measures in sanctions to prohibit the supply to Syria and Iran of certain specified equipment and software for "monitoring or interception of internet or telephone communications". These measures were adopted on 18 January 2012 (through Council Regulation 36/2012) and 23 March 2012 (through Council Regulation 264/2012) respectively.

Review of Export Control Policy: Implementation

The 2011 Annual Report set out the background and reasons behind the Foreign Secretary's decision to review Government policy and practice on the export of equipment that might be used for internal repression. In particular, events in the Middle East and North Africa, referred to as "The Arab Spring", were the catalyst for this review. Government colleagues across Whitehall with responsibilities in this field, most notably the Business Secretary, who has responsibility for our export licensing systems and operations, were consulted in the course of the review.

At the time of publication of the 2011 Annual Report, the review of policy and practice was complete, but implementation of the review was still in its early stages. The review concluded that there were no fundamental flaws with the UK export licensing system, but set out that the system could be improved to enable Ministers to respond promptly in the event of conflict, instability or unpredictable events in other countries. The review also recommended improvements in transparency in the export licensing process.

Turning to implementation, the following mechanisms were put in place in 2012, as recommended in the review:

- (i) *Introduction of immediate licensing suspension mechanism to countries experiencing a sharp deterioration in security or stability.*

Details of this new suspension mechanism were announced to Parliament on 7 February as part of a Written Ministerial Statement on Transparency made by the Business Secretary, Dr Vince Cable. The new mechanism allows Ministers to make prompt decisions to suspend licensing to countries experiencing a sudden deterioration in security or stability. The suspension mechanism is not automatic or invoked lightly, but triggered when conflict or crisis conditions make conducting a proper risk assessment impossible.

The final decision to suspend licenses is taken by the Department for Business, Innovation and Skills (BIS) on advice from the Foreign and Commonwealth Office (FCO) and the Ministry of Defence (MOD). If a decision is taken to invoke the suspension mechanism, work on applications in the pipeline would stop and no further licences would be issued pending Ministerial review. Applications would remain valid until the suspension is lifted (i.e. when Ministers or departments consider it appropriate to do so).

This new suspension mechanism provides Ministers with an additional political lever to use with countries with a deteriorating human rights record. The use of this mechanism was considered on six occasions in 2012 but in each case it was decided that it was not necessary to invoke it.

- (ii) *A new country risk categorisation based on objective internal and external indicators and reviewed regularly.*

The new risk categorisation reflects a range of current risks (e.g. WMD, political, security and human rights), using a more systematic collection of information from a variety of sources within and outside Government. The country risk categorisations are reviewed internally quarterly.

(iii) Increased oversight by Ministers of export licensing, including on individual licence applications.

As a direct result of the review, Ministers see more detail and take more decisions on licence applications, particularly for countries with poor human rights records. FCO Ministers considered 295 submission on export licence applications during 2012, compared with 39 in 2010.

(iv) Continuous improvement on export licence decisions in FCO Posts and Departments

As a result of the review, FCO Departments and overseas Posts are working continuously to improve licensing decisions. For example by developing additional guidance for Posts and geographical desks in London on the application of the Consolidated Criteria; by delivering tailored training courses to desk officers and others in government involved in export promotion and by offering individual briefing sessions on the export licensing process to officials before they deploy to Posts overseas.

(v) Better presentation of public information on arms exports.

The review recommended a more transparent export licensing process leading to a more informed Parliament, NGOs, the media and the public. This is addressed further in section 1.3 below.

Overseas Security and Justice Assistance Guidance

On 15 December 2011, the Foreign Secretary issued a Written Ministerial Statement (<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm111215/wmstext/111215m0001.htm#11121579000011>) announcing the publication of Overseas Security and Justice Assistance (OSJA) Guidance.

The guidance provides a clear framework to help officials identify the human rights risks of our overseas security and justice assistance work and propose appropriate measures to mitigate those risks. It also sets out when the decision to provide assistance should be taken by senior personnel or Ministers. The Guidance covers case-specific assistance such as the deployment of specialist police officers to assist with an investigation, as well as broader capacity-building assistance.

The Guidance was reviewed in 2012. One of the recommendations of the review was to stress that an OSJA assessment alone is not sufficient when the provision of licensable equipment is envisaged as part of a project. A further assessment under the EU Consolidated Criteria will also be required and the test here is different. The OSJA Guidance will be amended and published shortly to make these points clearer.

EU Review of the Common Position

The Government intends to review the UK's Consolidated Criteria in order to bring it in to line with the EU Common Position. Two factors made it desirable to delay doing so in 2012: Firstly, the EU had been reviewing the Common Position for several months during 2012: this review process was completed provisionally in late 2012. Secondly, progress on the Arms Trade Treaty made a further delay desirable in the event that the EU Common Position would have to be changed to bring it into line with any additional requirements contained in an Arms Trade Treaty. In view of these factors the preferred option was to await the outcome of each and then return to the issue. We are now studying the impact of the ATT on the EU Common Position and in light of that will be updating the Criteria.

Gifting equipment currently in Afghanistan

The Government is asked regularly about UK policy on future decisions to gift military equipment currently in Afghanistan either to Afghanistan or other countries on the transit route back to the UK. Any proposals to do so would be considered against existing policy on gifting and assessed against the Criteria. However, in view of regular interest in this area, it may be helpful to reiterate existing policy on gifting:

- The Government only agrees to requests from foreign governments to gift them military equipment where to do so would assist our foreign and security policy aims. Gifting is not a frequent occurrence.
- All proposals from Government sponsors to gift controlled goods are assessed against the Consolidated Criteria in the same way as commercial applications and to the same degree of rigour.
- The MOD manages the assessment process and seeks advice on gifting applications from advisers in the MOD, FCO and DFID.
- Further detail and a table of equipment approved for gifting by the Government is in Section 6.

Tasers

On 9 February 2012 Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs (Alistair Burt), informed Parliament by Written Ministerial Statement of developments in policy concerning the export of Tasers, specifically with regard to UK Police services, Police services of the Crown Dependencies and some British Overseas Territories. The full text of this statement can be found at (<http://www.publications.parliament.uk/pa/cm201212/cmhansrd/cm120209/wmstext/120209m0001.htm#12020944000008>) but in summary the Government announced that it would consider applications for the grant of a licence for the export of Tasers, but only under the following limited circumstances:

- (i) Where the export of Tasers is to the Police service of a Crown Dependency or UK Overseas Territory and where it has been specifically recommended by Her Majesty's Inspectorate of Constabulary that such a Police service adopts the use of such equipment by trained officers as an alternative to the use of lethal firearms, and that the use of the equipment is in line with the accepted standards set for UK Police Officers; or
- (ii) Where Tasers constitute officially-issued equipment for use by suitably trained UK Police officers who are being deployed in support of a Police operation in a Crown Dependency or Overseas Territory, and where that deployment has been requested by the Chief Police Officer of the Crown Dependency or Overseas Territory; or
- (iii) Where the equipment belonging to a UK Police Force, the Police service of a Crown Dependency or UK Overseas Territory, or to an authorised agent working on their behalf, is being returned to the original manufacturer for repair, or replacement of faulty equipment, or as unwanted goods.

Counter-piracy licensing

In 2012 there was positive downward progress in the rate of pirate attacks in the Gulf of Aden and the north-west Indian Ocean. But the threat of piracy remains significant. To date not a single merchant ship carrying private armed security guards has been hijacked. This demonstrates the positive contribution that private maritime security companies are making to counter-piracy efforts off the coast of Somalia. Since the Government amended its position in autumn 2011 to allow private armed security aboard UK-flagged vessels, private maritime security companies have been permitted, through Trade Licensing, to use different methods to transport their teams and their arms between merchant vessels.

The Open General Trade Licence was introduced in February 2012 to provide a standard set of terms and conditions for companies carrying out these operations. These include the need for companies to have signed the International Code of Conduct for Private Security Service Providers (ICoC) and a requirement on companies to have submitted to the Export Control Organisation (ECO) copies of their Standard Operating Procedures, Rules of Engagement and Policy on storing firearms. Currently 79 companies have registered and have been approved to use this licence. The Government published a list of the companies registered to use this licence on 15 August 2012 at: <http://www.bis.gov.uk/assets/biscore/eco/docs/eco-ogtcl-maritime-anti-piracy-registrations-list.pdf>

Individual Trade Control Licences with similar but specially tailored terms are still granted to companies for whom the Open Licence is unsuitable (for example because they operate in destinations or with weapons that are not included). Both individual trade licences for companies carrying out counter-piracy operations and licences to permit the export of controlled goods from the UK to such companies are assessed against the Consolidated Criteria.

Argentina

On 26 April 2012 the Business Secretary informed Parliament of changes in UK policy towards export licenses involving military end-users in Argentina. He made the following statement:

"I would like to inform the House of a change of policy on the licensing of exports of, and trade by British persons (trafficking and brokering) in, controlled goods and technology to military end-users in Argentina. Previous policy dating from 1998 required the refusal of licences for exports and trade which would enhance Argentine military capabilities but permitted licences for goods which maintained existing capability. In practice this has meant the authorisation of the export and trade of components for maintenance purposes.

The Government have reviewed this policy in the light of recent actions by the Argentine Government aimed at harming the economic interests of the Falkland Islanders. We are determined to ensure that no British licensable exports or trade have the potential to be used by Argentina to impose an economic blockade on the Falkland Islanders or inhibit their legitimate rights to develop their own economy.

New restrictions on the export and trade of licensable goods with the Argentine military will now be introduced with immediate effect. In future no licences shall be granted for any military or dual-use goods and technology being supplied to military end-users in Argentina, except in exceptional circumstances. We will review extant licences for military goods to the Argentine armed forces with a view to revoking any that are not consistent with the revised policy. This decision will not affect licences for items intended for end-users other than the Argentine military." (<http://www.publications.parliament.uk/pa/cm201212/cmhansrd/cm120426/wmstext/120426m0001.htm#12042672000002>).

1.3 Transparency and Accountability

In his Written Ministerial Statement of 7 February 2012 the Business Secretary, Dr Vince Cable, outlined a number of proposals to increase the openness and transparency of the strategic export licensing system. In particular he proposed:

- To insert into all open export licences a provision requiring the exporter to report periodically on transactions undertaken under these licences and for the Government to then publish that information;
- To explore ways of making additional information contained in standard individual export licence applications public while protecting any sensitive material; and
- To appoint an independent person to scrutinise the operation of ECO's licensing process.

The full text of the Statement is available here:
<http://www.publications.parliament.uk/pa/cm201212/cmhansrd/cm120207/wmstext/120207m0001.htm#12020767000002>

In March the Government published a Discussion Paper and sought the views of exporters, NGOs and others through an informal public consultation and through a number of meetings with trade associations and NGOs. Over 100 responses were received to the consultation. The Business Secretary set out the conclusions of the consultation in a further Written Ministerial Statement on 13 July (<http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm120713/wmstext/120713m0001.htm#12071338000017>). Taking each of the proposals in turn, it was announced that:

- A facility will be provided on SPIRE, the export licensing database, for exporters to upload data on their usage of open-general and open-individual export licences. The data will include a description of the items exported or transferred, the destination, value and/or quantity, and some information about the end-user. This data will be published in aggregated form, by destination, in the Government's quarterly and annual reports on strategic export controls, and will be searchable through the strategic export control: reports and statistics website.
- When submitting a licence application, applicants will be required to indicate whether any information in their applications is sensitive and should not be made public, and give reasons why. In considering whether to release this information the Government will take the applicant's wishes into account but will not be bound by them. Certain information will always be considered sensitive, such as a product's unit price and its technical specifications, and in some circumstances the name of the exporter and end-user might also be considered sensitive.
- There was less of an understanding of how an independent reviewer would operate and the benefits that this role would bring. The Government decided that it would not take forward this aspect of the initiative for now but we do not rule out returning to it in future.

The Discussion Paper and the Government's response to the consultation were both published on the BIS website.

As noted above, the Government decided not to take forward for the time being the proposal relating to an Independent Reviewer. Our public consultation revealed widely divergent views on this issue. Some respondents were against the idea completely or they thought the role should be limited to checking whether administrative procedures had been followed correctly. On the other hand, some expressed the view that the Reviewer would not be seen as credible unless he or she were able to comment on the correctness of individual licensing decisions, or wanted the Reviewer to act as adjudicator in appeals. This raises some difficult issues because by statute the Business Secretary is responsible for export licensing decisions and is accountable to Parliament for those decisions. Much more detailed consideration and further consultation would be necessary to resolve these issues.

Work continued throughout the year in making the technical changes to SPIRE and to the Strategic Export Controls: Reports and Statistics website that were necessary to implement the initiative by 1 April 2013. It is intended that the first reports of open licence usage would be published, in line with standard practice, 3 months after the end of the Quarter to which they relate, i.e. October 2013.

This initiative represents a very significant increase in transparency relating to arms and other controlled exports. More than 1500 exporters are registered for Open General Licences or hold Open Individual Licences. As a result we expect that we will be publishing, for the first time, information on actual transactions that take place under Open Licence each year.

The Government continued to publish data on Individual export and trade licences granted, refused and revoked on a quarterly basis on the Strategic Export Controls: Reports and Statistics website. This provides a user-friendly searchable database of data published from 1 January 2008 onwards and also provides access to historic and current Quarterly and Annual Reports in pdf format. The Strategic Export Controls: Reports and Statistics website can be accessed at <https://www.exportcontroldb.bis.gov.uk/eng/fox/sdb/SDBHOME>. Users must register in order to make use of the full functionality of the site but this only takes a few minutes. Comprehensive help and guidance on using the site is also available from the home page.

The Parliamentary Committees on Arms Export Controls continued to scrutinise export licensing decisions and policy throughout 2012. The Government welcomes the scrutiny of the Committees and will continue to assist in their important work by continuing to provide as much information as possible in response to their requests. The Government now provides the Committees with unclassified answers to the Committees' questions on the Quarterly Reports which the Committees make public. The first set of such answers was provided at the end of 2011 and published on the Committees' website on 12 January 2012. The Government will continue to work with the Committees to make as much information as possible available to the public while protecting sensitive information.

In addition, the Government continued to make Ministers available to give oral evidence to the Committees. The Rt Hon Dr Vince Cable MP, Secretary of State for Business, Innovation and Skills, and the Rt Hon William Hague MP, Secretary of State for Foreign and Commonwealth Affairs, gave oral evidence to the Committees on 7 February 2012. The two Secretaries of State gave evidence again on 19 December 2012. The transcripts of these sessions are available on the Committees on Arms Export Controls pages of the Parliamentary website (<http://www.parliament.uk/business/committees/committees-a-z/other-committees/committee-on-arms-export-controls/>).

The Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs, the Rt Hon Alistair Burt MP also gave oral evidence to the Committees on progress towards an Arms Trade Treaty on 10 September 2012. The transcript of this session can be found on the Committees on Arms Export Controls pages of the Parliamentary website (<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmquad/599/120910.htm>).

The Minister of State for Business and Enterprise, the Rt Hon Michael Fallon MP, responded for the Government in a debate in Westminster Hall on 13 December 2012 on the subject of arms export controls. The transcript of the debate is available on the Parliamentary website (<http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121213/halltext/121213h0001.htm#12121338000001>).

1.4 Awareness

The Government continues to deliver an extensive awareness campaign on export controls for industry around the UK. These are a combination of

1. Dedicated training courses for industry;
2. Shared platforms with partner organisations in the field of global exporting;
3. Sector based awareness events.

40 dedicated training sessions were attended by almost 1000 delegates nationwide. They were focused on the provision of specific legislative and operational information about export control obligations to industry. Course topics were:

- Beginners' workshops – those new to export controls;
- Intermediate-level seminars, covering technology exports, the different sorts of licences available, compliance with export control legislation and the UK control lists;
- Workshops to help companies classify their items on the Military and Dual Use Strategic Export Control Lists;
- Other courses were available to help companies improve the quality of their licence applications and reduced the need for ECO to request further information in support of the applications, enabling a quicker licence decision to be made.

The course objectives generally are to:

- Improve export control knowledge;
- Provide information about industry responsibilities in terms of export control legislation;
- Advise what export licence is best for the exporter, with a module on how to make the best use of open licences;
- Assist with how to apply for export licences.

In October, the Government launched an assessment module for the Beginners Course, developed in collaboration with Cranfield University. To date all participating delegates have achieved a minimum 70% pass level. Improvements continue to be made to the assessment module including a facility to enable delegates to determine additional training requirements.

On-site training was delivered to 22 companies UK-wide who had requested bespoke training to address their specific market issues. The minimum number trained on site was 10 with maximum numbers being dependent on company requirements. In some cases more than 100 company employees were trained in these sessions, demonstrating the Government's commitment to ensure a high level of compliance among a wide range of company employees including design / procurement / sales personnel etc.

200 companies new to ECO training registered for these training courses, mainly small and medium sized enterprises (SMEs), demonstrating the Government's commitment, to reach out to a wider group of exporters dealing in strategic items.

The Government recognises the need to work more closely across Whitehall departments and to ensure all personnel involved in export control are well briefed in cross departmental issues. The Export Control Organisation delivered 6 training courses specifically for Whitehall departments. In addition a range of briefings were held for ECO staff from Border Force officials about enforcement issues.

The Government recognises the importance of spreading export control messages to wider audiences, particularly amongst the dual-use sector. The Government has concentrated on targeting awareness raising with intermediary organisations and trade associations who work closely with SMEs, particularly those in the dual use sectors, including chambers of commerce and other intermediaries. ECO further developed working relations with UKTI DSO, relevant dual trade associations for the dual use sector, Chambers of Commerce and other intermediaries. These interventions are in the form of joint seminars and trade journal articles.

In addition to these general awareness-raising activities, the Government sought to provide updates on specific countries of concern. The Government continued to publish, on the Export Control Organisation website, a list of Iranian entities of potential WMD concern. The list is intended to help exporters judge which exports could be of concern on WMD end-use grounds, based on previous licensing decisions, including when they should contact ECO for advice. Inclusion of an entity on the list does not necessarily indicate that an export licence would be refused, nor does non-inclusion mean that there are no end-use concerns. Exporters are encouraged to contact ECO whenever they have any suspicions regarding possible WMD end-use.

The Government continued to encourage industry to sign up to receive Notices to Exporters (NTEs) and in 2012 subscribers increased to over 5000 (c/f to circa 3000 in 2010). 40 NTEs were issued – with over one third of these related to updates on sanctions and legislation. A change in the delivery method to GOV.Delivery resulted in initial teething problems. By working closely with industry, the majority of these concerns have now been resolved. The Twitter feed to Notices introduced in 2011 has continued to prove popular and the account now has a total of 179 followers.

Website update

As part of its commitment to improve web accessibility of all on-line material held by all Whitehall Departments, the Government launched the new website GOV.UK. All export control material, previously held on the Business Link and BIS websites, was migrated to <https://www.gov.uk> in October. The new website has a facility similar to other commercial search engines, and operates on the basis of word recognition to present a series of options for refined search.

The new website contains a wide range of resources available to companies of all sizes, including comprehensive pages about export control outlining all procedures companies require to determine whether their exports are strategically controlled; what type of licence is of most relevance to their requirements and how to apply. The Government continues to work closely with stakeholder industry groups to ensure that information is presented in a user friendly format. There is a considerable amount of work currently underway to update the GOV.UK website, including collating and presenting regulatory information on a country and sector basis from across all Government departments.

Exporters continued to make good use of ECO's two web-based search tools which help to identify which products need a licence ("Goods Checker") and, if licensable, whether an Open General Export Licence (OGEL) potentially covers the proposed exports ("OGEL1 Checker"). "Goods Checker" provides a web-based search function across the Consolidated UK Strategic Export Control List. "OGEL Checker" assists users who know the rating (Control List classification) of their goods and the destination country for the proposed export to find out which OGEL(s) may cover the export, provided all the conditions can be complied with. As a result of an industry-led focus group held in the first quarter, several usability improvements have been put in place and more are in the pipeline including better navigation and there will also be an additional facility to identify which Open General Trade Control Licences may be applicable.

An additional 3336 new users registered to use both the checker tools in 2012 of which 2788 were UK registered entities. Of the total number of registrations, 83 were Government User registrations. In terms of activity on the site, there was an average of 229 daily visitors – fairly consistent usage since 2010 with 73% using the Checker Tool and 27% accessing the OGEL checker. Both of these tools can be accessed at www.ecochecker.bis.gov.uk

1.5 Advisory services

The two advisory services – the Control List Classification Advice Service and the End-User Advice Service – which replaced the Rating Enquiry Service as part of an exercise to drive efficiency has allowed us to cope with growing activity without requiring extra resource and to provide services more focussed to the needs of the exporter have now been running since June 2011.

¹ A full explanation of the different UK export licences currently available is included in Section 4 of this report

The Control List Classification Advice Service:

Under this service, ECO's technical experts advise exporters whether their equipment features on any of the UK Strategic Export Control Lists. The principal difference from the former Rating Enquiry Service is that the service only provides advice on the Control List classification of the goods.

There are no published targets for this service as the service is a non-statutory advisory service. In 2012 we received 896 requests and of these 41% were completed within twenty working days.

The End-User Advice Service:

Under this service, exporters can request advice on whether ECO has Weapons of Mass Destruction (WMD) or Military End-Use concerns related to the organisations they name.

Before using the service, exporters must first have satisfied themselves that their goods do not appear on any of the UK's control lists (i.e. No Licence Required – NLR) either through previous ECO decisions, by having made appropriate self-rating checks, or by having made use of the separate advisory service (Control List Classification Service).

ECO will then provide advice to companies that BIS either has no concerns (and they can proceed to export) or that BIS has concerns (and therefore they should apply for an export licence).

Being a non-statutory advisory service there are no published targets, but during 2012, BIS received 666 enquiries and 57% were completed within 5 working days and 73% within 20 working days.

Section 2

International Policy in 2012

Treaties and Agreements

2.1 Arms Trade Treaty

On 2 April 2013 the United Nations General Assembly adopted the first global Arms Trade Treaty (ATT) to regulate the international trade in conventional arms. Adoption of the Treaty followed a two-week Diplomatic Conference in New York at which consensus on the Treaty was blocked by Iran, DPRK and Syria. The vote on the Resolution to adopt the Treaty passed with 154 votes in favour, 3 votes against (Iran, DPRK & Syria) and 23 abstentions. Foreign Office Minister, Mr Alistair Burt, was among the first to sign the Treaty when it opened for signature on 3 June 2013. The Government is encouraging other countries to sign the Treaty, and will provide help with ratification and implementation through targeted project funding, with support from our network of Diplomatic Missions overseas, continuing in close collaboration with other governments, civil society and industry.

During 2012, the UK kept up the momentum towards an ATT. The Diplomatic Conference held in July 2012 made great progress. Like the overwhelming majority of states, we supported the Conference President's draft Treaty text and were ready to agree to it. Nevertheless, a small number of states pushed for more time, which meant the Conference closed without agreement. While disappointed by this, we recognised that to be fully effective, the Treaty would need broad – ideally universal – participation including that of existing and future arms exporting states. Without them, the Treaty would not achieve the impact that we all want to see.

Following the July Conference, we worked intensively to ensure that momentum was not lost. At the UN General Assembly last autumn, the UK and our fellow ATT Co-Authors (Argentina, Australia, Costa Rica, Finland, Japan and Kenya) tabled a Resolution for a Final Diplomatic Conference to be held in March 2013 to conclude work on the Treaty. This was adopted by an overwhelming majority of states, 157 in total.

Throughout the process we worked actively with other governments, with civil society and with the UK defence industry to assess and identify priority areas for improvement. The Foreign Secretary, other Ministers and officials engaged in intensive lobbying with our international partners to build support for the Treaty.

2.2 Small Arms and Light Weapons

The illicit trade in Small Arms and Light Weapons, and the uncontrolled spread and accumulation of these and other conventional arms, means there is no shortage of evidence of the problems caused by the proliferation of these weapons.

Small Arms and Light Weapons are responsible for the killing and injuring of hundreds of thousands of people worldwide every year. Additionally, the violence perpetrated with these weapons destroys livelihoods, displaces entire communities and hampers social and economic development.

The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects is the main international instrument for tackling these issues and the UK is committed to its full implementation (<http://www.poa-iss.org/poa/poahtml.aspx>).

The UK also supports the work carried out by the European Union as part of its Small Arms and Light Weapons Strategy to combat the illicit accumulation and trafficking of Small Arms and Light Weapons and their ammunition. The EU produces six monthly and annual reporting to illustrate the work being done to implement the Strategy (<http://www.consilium.europa.eu/eeas/foreign-policy/non-proliferation,-disarmament-and-export-control-/documentation/documents?lang=en>).

The UK attended the UN Programme of Action Preparatory Committee in March 2012 to set out the process and agenda for ahead of the Review Conference held in August/September 2012.

The Review Conference (which is held every 6 years) was an opportunity to assess the impact of work to date and draw lessons to strengthen the UNPoA. Opposition by some states to any reference of ammunition, and the refusal by a few states to strengthen the UNPoA or mention the ATT, prevented progress in some areas such as taking greater account of gender issues, prioritising work on MANPADS and tightening arms embargoes.

Nonetheless the UK and many affected states, particularly in Africa, worked hard for strong conclusions on a list of improvements and achieved a number of steps forward, in particular: a) recognition that the impact of illegal SALW undermines human rights laws (not in the original UNPoA), b) enhancing the implementation of the International Tracing Instrument to promote international cooperation in marking and tracing illicit SALW and c) boosting assistance to less developed states through the establishment of a voluntary sponsorship fund.

2.3 Cluster Munitions

Cluster munitions can have a devastating humanitarian impact on civilian populations. Unexploded ordnance from cluster munitions can remain dispersed and undetected for decades, threatening the lives of civilians and hampering post-conflict reconstruction and development.

In 2008, a number of governments, including the UK, came together to negotiate and adopt the Convention on Cluster Munitions. This important international treaty prohibits the use, development, production, acquisition, stockpiling and transfer of cluster munitions. The UK became the 32nd state party to the Convention on Cluster Munitions in 2010. Currently the Convention on Cluster Munitions has 111 signatories – a clear example of what can be achieved when governments and non-government organisations work together.

The UK withdrew all cluster munitions from operational service in 2008. Under current plans it is our intention to destroy the remainder by the end of 2013 (five years ahead of the deadline imposed by the Convention on Cluster Munitions). This represents an early and dedicated effort to realise, as quickly as possible, and in a safe, secure and environmentally responsible manner, our obligation to destroy munitions that are prohibited under the Convention. We have also shared the experience gained and lessons learnt from this stockpile destruction programme with other signatories.

The UK has continued to play a full role, delivering on our Treaty obligations in regards to international cooperation and assistance. Between 2010 and 2013, the UK has committed more than £30 million to international mine action work. This includes the clearance of unexploded ordnance, including cluster munitions. In addition to this we have allocated significant additional funding for mine action work in Afghanistan and Libya.

We continued to use relevant bilateral and multilateral meetings in 2012 to encourage non-signatories to join the Convention on Cluster Munitions.

The UK also played an active part in the 3rd Meeting of States Parties to the Convention on Cluster Munitions, which took place in Oslo, Norway from 11-14 September 2012, using the opportunity to reiterate our continued full commitment to the Convention and to globalising the ban on cluster munitions.

2.4 Ottawa Treaty/Landmines

The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction is the cornerstone of the international effort to end the suffering and casualties caused by anti-personnel (AP) mines. The Convention was adopted on 18 September 1997 and it entered into force on 1 March 1999. 161 States have formally agreed to be bound by the Convention.

The Convention provides a framework for mine action, seeking both to end existing suffering and to prevent future suffering. The Convention bans the use, stockpiling, production and transfer of anti-personnel mines. In addition, states that accede to the Convention accept that they will destroy both stockpiled and emplaced anti-personnel mines and assist the victims of mines.

From 1 January – 31 March 2012, consistent with our Article 5 clearance obligations, the UK undertook a project to release land in the Falkland Islands.

This second project utilised land release methods consistent with International Mine Action Standards to define boundaries of known minefields, fence them on all sides and confirm remaining land within the suspect hazardous area was free from all mines and other explosive remnants of war.

This second phase of the pilot which concluded at the end of March was deliberately different – it focused on other parts of the Land Release process and was conducted on a designated suspect hazardous area on Stanley Common, which borders the capital.

Over 3 million square metres of previously inaccessible land has been returned to the community. In the process 79 items of unexploded ordnance were found and destroyed.

The land was released back to the community in a handing over ceremony presided over by the Governor of the Falklands. The Falkland Islands Government has warmly welcomed the work carried out and the return of this land. The Falkland Islands Government was consulted throughout project cycle – indeed the site for land release was proposed by them.

2.5 The UN Register of Conventional Arms

The United Nations Register of Conventional Arms is a voluntary global reporting instrument, intended to create greater transparency in international arms transfers and help identify any excessive build-up of arms in particular countries or regions. The UN Register currently covers seven categories of conventional weapons, namely: battle tanks; armoured combat vehicles; large-calibre artillery systems; combat aircraft; attack helicopters; warships (including submarines); and missiles and missile-launchers (including Man-Portable Air Defence Systems). There is an additional background section of the Register for countries to report national holdings of Small Arms and Light Weapons.

The UK reports annually to the UN on all exports of military equipment in these categories and the latest return can be found at Annex C. Whilst all reporting to the UN Register is voluntary, the UK continues to view regular and comprehensive reporting as important, and actively encourages all UN member states to participate with similar levels of transparency. Transparent systems are less vulnerable to manipulation by groups that view rigorous export controls as an impediment to their aims.

2.6 Convention on Certain Conventional Weapons

The purpose of this Convention is to ban or restrict the use of specific types of weapons that are considered to cause unnecessary or unjustifiable suffering to combatants or to affect civilians indiscriminately. The structure of the Convention on Certain Conventional Weapons (CCW) – a chapeau Convention and annexed Protocols – was adopted in this manner to ensure future flexibility. The Convention itself contains only general provisions. All prohibitions or restrictions on the use of specific weapons or weapon systems are the object of the Protocols annexed to the Convention. There are five of these Protocols which are as follows: Protocol I on Non-Detectable Fragments, Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, Protocol III on Prohibitions or Restrictions on the Use of Incendiary Weapons, Protocol IV on Blinding Laser Weapons and Protocol V on Explosive Remnants of War. More information on the types of weapons covered by the Protocols can be found at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4F0DEF093B4860B4C1257180004B1B30?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4F0DEF093B4860B4C1257180004B1B30?OpenDocument)

The Meeting of the High Contracting Parties to the Convention was held in Geneva on 15 and 16 November 2012 which the UK attended. A record of this meeting can be found at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/638/30/PDF/G1263830.pdf?OpenElement>

Export Control Regimes

2.7 The Nuclear Suppliers Group

The Nuclear Suppliers Group seeks to prevent the proliferation of nuclear weapons through the implementation on a national basis of export controls for nuclear and nuclear-related material, dual-use material, equipment, software and technology, without hindering international cooperation on peaceful uses of nuclear energy. It also promotes effective safeguards and the protection of existing nuclear materials.

The 22nd Plenary meeting of the Nuclear Suppliers Group took place in Seattle from 18 to 22 June 2012. Mexico's membership was agreed, bringing the total of Participating Governments to 47. Serbia is expected to be accepted as a member at the 2013 Plenary.

At the 2012 Plenary, Participating Governments exchanged information on developments in the nuclear non-proliferation regime; they also focused on specific regions and countries of concern. Concerns were shared about the proliferation implications of the nuclear programmes of the Democratic People's Republic of Korea (DPRK) and Iran. A public statement was issued voicing the Nuclear Suppliers Group's continued concerns over these two countries.

Participating Governments agreed 25 updates to the control lists that regulate nuclear exports, a significant achievement that had substantial input from UK technical experts. Outreach to key countries, including India, Pakistan and Israel, as well as the nuclear industry, was discussed. India's potential membership was also discussed in detail and actively supported by the UK.

2.8 The Australia Group

The Australia Group was established in 1985 to prevent the proliferation of chemical and biological agents and dual-use manufacturing equipment. It is not legally binding. The Group's principal objective is to use export licensing measures to ensure that exports of certain chemicals, biological agents, and dual-use chemical and biological manufacturing facilities and equipment, do not contribute to the spread of chemical and biological weapons. There are currently 41 participants in the Australia Group, including all EU Member States and the European Commission. All Australia Group member states are also states parties to the Chemical Weapons Convention and Biological and Toxin Weapons Convention.

The UK is one of the most active participating governments within the Group and a major contributor to technical proposals, adopted by consensus, that ensure that the Group's control lists are kept up to date. A Wilton Park Conference on the Australia Group in March 2012 considered the Group's strategic direction.

At the June 2012 annual Plenary participants agreed to subject exports to Syria to particular scrutiny. An Intersessional Implementation Meeting in December considered proposals to amend the Biological Agent, Biological Equipment, and Chemical Equipment Control Lists. The UK took part in outreach visits to non-Australia Group countries: India, Israel, Thailand and Vietnam.

2.9 The Missile Technology Control Regime

The Missile Technology Control Regime (MTCR) is a voluntary association of countries who work together through the coordination of export licensing efforts to prevent the proliferation of WMD capable unmanned delivery systems. The regime currently has 34 Partners. The UK continues to provide leadership at the MTCR Technical Working Group.

The MTCR held its 26th Plenary Meeting in Berlin from 22 to 26 October 2012 in order to review and evaluate its activities and to further intensify its efforts to prevent missile programmes and their proliferation. The 2012 Plenary marked 25 years since the formation of the Missile Technology and Control Regime by seven states.

During the Plenary Partners conducted extensive discussions on missile proliferation-related activities worldwide, including developments in specific missile programs and the proliferation risks they represented, as well as; procurement activities and techniques in support of such programs; rapid technological change; the role of intangible technology, brokering, and transshipment in facilitating proliferation; and key technology trends in proliferation missile programs.

A number of key technical changes to the export control list were agreed via the Technical Experts Meeting, with significant input from the UK.

2.10 The Wassenaar Arrangement

The Wassenaar Arrangement is the only global multilateral arrangement dealing with the control of exports of conventional weapons and associated sensitive dual-use goods and technologies. It now has 41 participating states, following the success of Mexico's application to join in 2011, including all EU Member States except Cyprus, as well as the USA, Russia and Japan. It was established to contribute to regional and international security and stability by promoting transparency and helping to prevent destabilising accumulations of conventional arms. The Wassenaar Arrangement produces two control lists – one for conventional weapons (Munitions List) and one for dual-use goods and technologies.

General Working Group meetings took place in May and October 2012, ahead of the plenary meeting in Vienna in December 2012. For further information see <http://www.wassenaar.org/>.

The strength and importance of the Wassenaar Arrangement continues to be in its technical outputs, specifically the control lists which underpin all Participating States', and many non Participating States' arms export control regimes. Our work to ensure lists are appropriate and implemented equally enhances the UK's prosperity agenda by ensuring a level playing field for industry. December's Plenary approved over 100 amendments to the Wassenaar Export Control Lists. This is significant because by making the existing lists more user friendly for licensing authorities and exporters, it facilitates detection and denial of undesirable exports. Controls on spacecraft, cryptography and counter surveillance of mobile telecommunications were strengthened. UK experts continued to play a key role in the Technical Working Groups.

Securing agreement for a strategic look at issues related to the regime's future membership in 2013 was a significant achievement and represents the culmination of several months' collaborative work led by the UK.

UK activities

2.11 The Academic Technology Approval Scheme

The Academic Technology Approval Scheme was introduced in November 2007. The scheme seeks to protect certain sensitive technologies relating to weapons of mass destruction and their means of delivery from possible misuse by proliferators.

It is operated with the co-operation of those Institutes of Higher Education that teach sensitive subjects at masters level or higher. Foreign students seeking to study such subjects must first obtain an Academic Technology Approval Scheme certificate. This can be achieved through an online application at no cost to the applicant. An Academic Technology Approval Scheme certificate is usually processed within 20 working days of receipt of a completed application.

The scheme makes a small but significant contribution to UK counter proliferation efforts. Since its introduction in 2007 the scheme has approved 57,422 applications and denied clearance in 633 cases.

Section 3

Export Licensing Case Studies

ARGENTINA

On 26 April 2012 the Government changed its policy on export licensing for Argentina (see Section 1) in response to actions by the Argentine Government aimed at harming the economic interests of the Falkland Islanders: "In future no licences shall be granted for any military or dual-use goods and technology being supplied to military end-users in Argentina, except in exceptional circumstances."

Prior to the changes, our policy was to assess applications against the Criteria and, additionally, reject any exports that would have increased Argentina's military capability. The UK no longer grants licenses for any military or dual-use goods and technology being supplied to military end-users in Argentina, except in exceptional circumstances. 36 standard licences and 6 open licences were subsequently revoked. The change of policy does not apply to licences where the end-user is not the Argentine military and we continue to assess such applications on a case-by-case basis against the criteria.

In addition to Criteria 4 and 5, we also have some concerns under Criterion 2 with the police and some government agencies, although no licences were refused under this Criterion.

In 2012 we approved 35 standard licences worth £6,226,625 and made 9 refusals. This compares to 69 approved standard licences in 2011 worth £1,297,928 and no refusals.

SOUTH AFRICA

The main concerns for exports to South Africa are whether goods may be diverted or re-exported to undesirable end users (Criterion 7), and whether they might be used in internal repression (Criterion 2). In August 2012, the South African Police Service (SAPS) shot dead 34 protestors at the Marikana mine, adding to a list of concerning incidents which raised questions about the service and its commitment to human rights. With a murder rate seven times the global average, South Africa is widely recognised as a violent society which is inherently difficult to police. The legitimate need for equipment to protect police officers and enable effective operations is therefore clear. Nevertheless, there is also an argument that protective equipment could facilitate excessive use of force in internal repression, and other SAPS equipment could also be associated with human rights abuses.

A key question in the decision making process for SAPS licences is whether police abuses are conducted systematically or more incidentally, and whether they constitute internal repression. South Africa has a strong and independent judicial system, an active civil society, a respect for the rule of law and an internationally respected bill of rights written into its constitution. In response to Marikana, the authorities set up a commission of inquiry to investigate what had occurred. Our assessment is in general that cases of police brutality are the result not of 'institutional' brutality and human rights abuse, but of individual failings in police recruitment, training and leadership. We continue to monitor the situation in South Africa and the progress of the Commission of Inquiry on Marikana, and carefully assess applications on a case by case basis.

MALI

In January 2012 violence broke out in northern Mali between insurgents and the government, leading to the ousting of President Amadou Toumani Touré by coup d'état in March. This instability allowed terrorist groups to take control of a large swathe of the country, including several key northern cities. The Government closely monitored events and has carefully considered the potential effects of exports. Licences have been issued for body armour and military helmets for the protection of UN Staff within the UNFPA office and secure ICT equipment for civilian applications.

LIBYA

All exports of arms and other controlled military goods for Libya were assessed on a case by case basis, against the Consolidated EU and National Arms Export Licensing Criteria, and in accordance with the UN arms embargo, established by relevant UNSCRs (1970, 1973 and 2009 (2011)).

Within these constraints the Government is keen to encourage UK exporters to explore business opportunities in post-conflict Libya. The Libyan authorities have been clear that security is the most urgent and immediate priority for them, and the Government has approved export licences to help Libya in this area. Licences approved for Libya include civil and government communications equipment, weapons and vehicles for security of international delegations, armoured carriers for the Ministry of Justice and amended licences for demining equipment. Towards the end of 2012, HMG was considering applications for a wide range of technical assistance to the Libyan government for improving security. Most of these have subsequently been approved.

EGYPT

Since the unrest in 2011 we have continued to monitor the situation in Egypt closely whilst considering new applications on a case-by-case basis, paying particular attention to the risk that goods might be used in internal repression (Criterion 2) and/or used to aggravate existing tensions in the country (Criterion 3). Ministers were consulted on all applications for equipment where there was the potential for internal repression.

Given the role of the police, army and Ministry of Interior (MOI) in using excessive force on demonstrators throughout 2011 and in 2012, all applications for police and military end users were scrutinised carefully. We refused applications for communications equipment and crowd control equipment (in particular armoured personnel carriers) for the police and MOI. Licences for communications equipment for commercial end users and the Ministry of Defence (MOD) have been approved and we continue to look carefully at the role of end users. Applications for components for aircraft and goods for the MOD that were unlikely to be used in crowd control operations were approved as we did not assess that there was a clear risk that the equipment in these applications would be used in contravention of Criteria 2 or 3.

All future applications will be carefully assessed in light of the changing circumstances in the country taking into account the goods, end use and behaviour of the end user. The unrest towards the end of 2012 and moving into 2013 has been carefully assessed, particularly with regards to crowd control equipment. The ongoing unrest and security force response will continue to be monitored.

IRAN

As a result of Iran's continued refusal to address international concerns about its nuclear programme, an extensive regime of international sanctions has been implemented against it. This includes a UN ban on supply of heavy weaponry and nuclear-related technology and an EU ban on export of a range of goods, including of arms, of materials relevant to the Iranian ballistic missile programme, and key equipment for the oil and gas industries.

Where goods do not fall under these sanctions, such as some military purpose and dual use-equipment, HMG assesses all export licence applications for Iran on a case-by-case basis against the Consolidated EU and National Arms Export Licensing Criteria. Consideration of the prevailing circumstances, human rights records of the end user and the risk of internal repression (Criterion 2) are used in our assessments, as well as the UK's international commitments (Criterion 1) and risk of diversion (Criterion 7).

During 2012 HMG approved a large quantity of exports to Iran for the civil aviation industry. This was consistent with the sanctions regime. These goods, which are not specified on the EU Military List or captured by sanctions, are governed by the EU and National Arms Export Licensing Criteria on dual-use goods. In making its assessment HMG considered that a ban on all civil aviation components would have implications for the air safety of the civilian population, for example essential replacement and maintenance equipment of passenger aircraft. Such a ban could contribute towards Iran's already poor air safety record. Applications for aircraft parts have previously been refused when they have been assessed as at risk of diversion to the Iranian military. However after cross-checking technical specifications it was concluded that the goods were consistent with civilian aircraft and would not realistically be of use on military platforms.

Section 4

Export Licensing Data and Performance Against Targets During 2012

4.1 Information on licences processed during 2012

The types of licence available are the Standard Individual Export Licence (SIEL), Open Individual Export Licence (OIEL), Open General Export Licence (OGEL), Standard Individual Trade Control Licence (SITCL), Open Individual Trade Control Licence (OITCL), Open General Trade Control Licence (OGTCL), Standard Individual Transshipment Licence (SITL), and Open General Transshipment Licence (OGTL). The following tables provide details of the numbers of each of the main types of licence processed during 2012.

Table 4.1 Standard Individual Export Licence (SIEL)

No of SIELs:	
Issued	12,896
Revoked	42
Refused	190
NLR*	1,624
Withdrawn/Stopped**	1,830

*No Licence Required

** In Tables 4.1-4.5 "Withdrawn" applications will generally be because an application was withdrawn by the exporter. "Stopped" applications will generally be because an exporter has not provided adequate information to allow the application to proceed, following a Request for Information (RFI) from a Case Officer.

Table 4.2 Standard Individual Transshipment Licence (SITL)

No of SITLs:	
Issued	13
Revoked	1
Refused	0
NLR	0
Withdrawn/Stopped	14

Table 4.3 Open Individual Export Licence (OIEL)

No of OIELs:***	
Issued	277
Revoked/Reduced	8
Rejected/Removed****	32
NLR	1
Withdrawn, Stopped or Unsuitable (where an exporter does not meet the criteria for an OIEL)	141

*** includes Dealer to Dealer OIELs

**** A rejected OIEL application does not mean that if an exporter applies for a SIEL to make the export, that application will be refused. In many cases where OIEL applications are rejected, exporters are asked to apply for SIELs because these allow closer scrutiny of individual exports, but this does not necessarily mean that this closer scrutiny will result in rejection.

Table 4.4 Standard Individual Trade Control Licence (SITCL)

No of SITCLs:	
Issued	94
Revoked	0
Refused	4
NTLR*****	16
Withdrawn/Stopped	55

***** No Trade Licence Required

Table 4.5 Open Individual Trade Control Licence (OITCL)

Number of OITCLs:	
Issued	25
Revoked	0
Refused	0
NTLR	0
Withdrawn, Stopped or Unsuitable (where an exporter does not meet the criteria for an OIEL)	55

4.2 Information on SIELs, SITLs, OIELs, SITCLs and OITCLs

The entry for each destination on the Strategic Export Controls: Report and Statistics website: <https://www.exportcontroldb.bis.gov.uk/> contains the following information:

For SIELs:

- Total value of all applications in respect of which a SIEL was issued for the export of items to the destination concerned during the period, whether the export concerned was permanent or temporary. It should be noted that the value of exports that are actually made under the licences concerned may be less than shown because some of these licences will not be used to make all of the exports authorised and others will not be used at all. In addition, some items are exported only temporarily and later returned to the UK.
- The number of licences issued, refused or revoked, split into Military List, dual use items and both (covering licences with military and dual use goods) categories. A (T) at the beginning of a line indicates a Temporary export licence.

For Incorporation:

Information on goods licensed under SIELs for incorporation and onward export from the destination country is provided in the same format as that for all other SIELs, and includes the same level of information. An aggregated summary of the ultimate destinations for the goods after incorporation is also provided.

For Items covered by Council Regulation 1236/2005 (the "Torture" Regulation):

- Information provided under this heading is displayed in the same way as for standard SIELs.

For SITLs:

- Information on SITLs is provided in the same format as for SIELs. The licensing information can be found within each destination, under "SIELs – Transshipments". As the items covered by SITLs issued only pass through the UK, it would be misleading to include a 'value' for these licences in the report.

For OIELs:

- The number of licences issued, refused or revoked. A (T) indicates a Temporary export licence.
- As OIELs cover multiple shipments of specified goods to specified destinations or specified consignees, exporters holding OIELs are not asked to provide details of the value of goods they propose to ship and it is therefore not possible to provide information on the total value of goods licensed under OIELs issued.

For SITCLs:

- A summary of the items or activities authorised by the licence is given.
- As SITCLs cover the trading of specific goods between overseas source and destination countries, there is no physical export from the UK and traders are not asked to provide information on values.

For OITCLs:

- A summary of the items or activities authorised by the licence are given.
- As OITCLs cover the trading of specific goods between overseas source and destination countries, exporters holding OITCLs are not asked to provide details of the value of goods they propose to trade and it is therefore not possible to provide information on the total value of goods to which those trading activities related.

Special OIELs:

There are four special categories of OIELs:

Media OIELs

Media OIELs authorise the export of protective clothing and equipment, mainly for the protection of aid agency workers and journalists, in areas of conflict. In addition to military helmets and body armour, the OIELs include NBC protective items, non-military 4WD civilian vehicles with ballistic protection and specially designed components for any of these items. The OIELs permit these items to be exported to all destinations on a temporary basis only, i.e. the items must be returned to the UK when no longer required. 2 were issued in 2012.

Continental Shelf OIELs

Continental Shelf OIELs authorise the export of controlled goods to the UK sector of the Continental Shelf for use only on, or in connection with, offshore installations and associated vessels. 2 Continental Shelf OIELs were issued in 2012.

Cryptographic OIELs

Cryptographic OIELs authorise the export of specified cryptography hardware or software and the transfer of specified cryptography technology, to the destinations specified in the licence. These OIELs do not cover hardware, software or technology which includes certain types of cryptanalytic functions. 9 Cryptographic OIELs were issued in 2012.

Global Project Licences

Global Project Licences (GPLs) are a form of licence introduced by Framework Agreement partners (France, Germany, Italy, Spain, Sweden and the UK) to streamline the arrangements for licensing military goods and technologies between Partner States where these transfers relate to their participation in specific collaborative defence projects. In relation to the collaborative project, each Partner State will, as appropriate, issue their own GPLs to permit transfers of specified goods and technology where these are required for that programme. The GPLs operate on a similar basis to UK Open Individual Export Licences, and applications for GPLs are assessed against the Consolidated Criteria in the UK, and against the EU Common Position in other Framework Partner countries. None were issued in 2012.

4.3 Technical Assistance Licences

Standard Individual Trade Assistance & Open Individual Trade Assistance Licences (SITALs & OITALs)

These licences are issued for the provision of technical assistance under Article 19 of the Export Control Order 2008, as amended. Standard Individual Technical Assistance Licences (SITALs) are issued for separate ad hoc requirements, e.g. repair of a single item, simple maintenance tasks. Open Individual Technical Assistance Licences (OITALs) cover wide ranging contractual issues, which may form the basis of a rolling programme of work.

In 2012 no SITALs were issued, one was refused and none were revoked, whilst two OITALs were issued.

4.4 Refusals and revocations

There were 236 refusals or revocations of SIELs and SITCLs in 2012. (Within the information relating to each destination, refusals and revocations for both Military and Dual Use goods are grouped by reference to the Rating (control entry) and, where applicable, the Consolidated EU and National Arms Export Licensing Criteria (attached at Annex A) which justified their refusal. In addition, table 4.6 gives a consolidated overview of the number of times each Criterion was used to refuse an export licence application to all destination countries.

Table 4.6 Reasons for Refusals and Revocations of SIEL & SITCL applications

Reason *	Number
Criterion 1 – UK’s international obligations and commitments under non-proliferation Treaties and Conventions and export control regimes, particularly with regard to proliferation of weapons of mass destruction or ballistic missiles.	39
Criterion 1 – UK’s commitments and obligations to observe UN, EU or OSCE arms embargoes.	46
Criterion 1 – Existence of national embargoes or policy commitments.	49
Criterion 1 – UK’s obligations under the Ottawa Convention and the 1998 Land Mines Act.	0
Criterion 2 – Risk of use for internal repression.	44
Criterion 3 – Risk of contributing to internal tensions or conflict in the recipient country.	19

Table 4.6 (continued)

Reason *	Number
Criterion 4 – Preservation of regional stability.	5
Criterion 5 – National security of the UK, of allies, EU Member States and other friendly countries.	16
Criterion 6 – Behaviour of the buyer country with regard to the international community.	0
Criterion 7 – Risk of diversion or re-export to undesirable end-users.	57
Criterion 8 – Compatibility of the arms exports with the technical and economic capacity of the recipient country.	0

* In a number of cases, the refusals/revocations were made for more than one reason; therefore the Criteria that are quoted may exceed the number of refused cases.

The information above does not include decisions to refuse OIELs or OITCLs in full or in part, to amend the coverage of an OIEL to exclude particular destinations and/or goods, or to revoke an OIEL. This is because OIELs and OITCLs are concessionary licences, and a decision to exclude a particular destination does not preclude a company from applying for SIELs or SITCLs covering some or all of the goods concerned to specified consignees in the relevant destinations.

4.5 Appeals

This section provides information on all appeals against a decision to refuse an application for a SIEL or SITCL, or against a decision to revoke a SIEL or SITCL. An appeal is featured based on the date on which it was received in ECO, not the date of the original application. During 2012, the government processed 23% of appeals within 20 working days from receipt of all relevant information from the appellant and 60% in 60 working days. Decisions to refuse licences are not taken lightly, and only in those cases where refusal is clearly justified is a decision taken to refuse. In this context, appeals against refusals will often raise difficult and complex issues. Appeals are considered at an independent and more senior level than the original licence application, and any new information not available at the time of the application will be taken into account. Every effort is made to deal with all appeals as expeditiously as possible. However, the time taken to decide an appeal can be lengthy due to the need to examine afresh all relevant information.

There is no provision in the licensing procedure for a formal appeal against refusal or revocation decisions on OIELs or OITCLs. This is because such decisions do not prevent a company from applying for SIELs or SITCLs.

In 2012 there were 21 appeals against the original decision to refuse an application for a SIEL and one against the original decision to refuse a SITCL. Of the appeals against the original SIEL decisions 20 applications were refused; no appeals were upheld and one was withdrawn. The appeal against the original SITCL refusal was refused.

4.6 Open General Export Licences (OGELs)

OGELs allow the export or trade of specified controlled goods by any qualifying company, removing the need for exporters to apply for an individual licence, providing the shipment and destinations are eligible under the OGEL and that certain conditions are met. Most OGELs require the exporter or trader to register with the ECO in advance before they use them, and the companies are subject to compliance visits from the ECO to ensure that all the conditions are being met. Failure to meet the conditions can result in their ability to use the licence being withdrawn. There are also a small number of Open General Transshipment Licences for which registration is not required. All OGELs remain in force until they are revoked. A complete list of OGELs in force in 2012 is at Table 4.7.

Council Regulation (EC) No 428/2009 (known as the EU Dual-Use Regulation) establishes an EU-wide regime for the control of exports of dual-use items, software and technology. This originally included one EU issued licence known as the Community General Export Authorisation (CGEA). On 8 December 2011, the EU published an amending regulation which introduced an amendment to the existing CGEA and an additional set of EU GEAs, which are designed to licence certain specified dual-use items for export to named non-EU destinations and are the EU equivalent of UK OGELs. This amendment was published as Council Regulation (EU) No 1232/2011.

The following EU GEAs came into force on 7 January 2012:

- EU001 (previously known as the CGEA) – exports to Australia, Canada, Japan, New Zealand, Norway, Switzerland (including Liechtenstein) and the USA
- EU002 – export of certain dual-use items to certain destinations
- EU003 – export after repair/replacement
- EU004 – temporary export for exhibition or fair
- EU005 – telecommunications
- EU006 – chemicals

Table 4.7 List of Open General Export Licences:

Name	Made	Into Force	Revoked
1. Chemicals	11.06.08 18.03.09 12.08.09	20.06.08 06.04.09 27.08.09	06.04.09 27.08.09
2. Cryptographic Development	04.04.07 11.12.08 18.03.09 12.08.09 21.04.10 08.12.11	23.04.07 02.01.09 06.04.09 27.08.09 30.04.10 19.12.11	02.01.09 06.04.09 27.08.09 30.04.10 19.12.11
3. Export After Exhibition: Dual-Use Items	04.04.07 11.12.08 18.03.09 12.08.09 08.01.10 21.04.10 13.06.12	23.04.07 02.01.09 06.04.09 27.08.09 15.01.10 30.04.10 15.06.12	02.01.09 06.04.09 27.08.09 15.01.10 30.04.10 15.06.12
4. Export After Repair/replacement Under warranty: Dual-Use Items	01.05.04 11.12.08 18.03.09 12.08.09 08.01.10 21.04.10 13.06.12	01.05.04 02.01.09 06.04.09 27.08.09 15.01.10 30.04.10 15.06.12	02.01.09 06.04.09 27.08.09 15.01.10 30.04.10 15.06.12
5. Export For Repair/Replacement under Warranty: Dual-Use Items	04.04.07 11.12.08 18.03.09 12.08.09 08.01.10 21.04.10 08.12.11 13.06.12	23.04.07 02.01.09 06.04.09 27.08.09 15.01.10 30.04.10 19.12.11 15.06.12	02.01.09 06.04.09 27.08.09 15.01.10 30.04.10 19.12.11 15.06.12
6. Dual-Use Items: Hong Kong Special Administrative Region (HKSAR)	07.03.05 11.12.08 18.03.09 12.08.09 13.06.12	11.03.05 02.01.09 06.04.09 27.08.09 15.06.12	02.01.09 06.04.09 27.08.09 15.06.12

Table 4.7 (continued)

Name	Made	Into Force	Revoked
7. International Non-Proliferation Regime De-controls: Dual-Use Items	24.02.11	07.03.11	27.07.11
	19.07.11	27.07.11	16.02.12
	09.02.12	16.02.12	15.06.12
	13.06.12	15.06.12	
8. Low Value Shipments	01.05.04	01.05.04	02.01.09
	11.12.08	02.01.09	06.04.09
	18.03.09	06.04.09	27.08.09
	12.08.09	27.08.09	15.01.10
	08.01.10	15.01.10	15.06.12
	13.06.12	15.06.12	
9. Oil and Gas Exploration: Dual-Use Items	04.04.07	23.04.07	02.01.09
	11.12.08	02.01.09	06.04.09
	18.03.09	06.04.09	27.08.09
	12.08.09	27.08.09	30.04.10
	21.04.10	30.04.10	10.10.11
	28.09.11	10.10.11	19.12.11
	08.12.11	19.12.11	15.06.12
	13.06.12	15.06.12	
10. Technology for Dual-Use Items	01.05.04	01.05.04	02.01.09
	11.12.08	02.01.09	06.04.09
	18.03.09	06.04.09	27.08.09
	12.08.09	27.08.09	15.01.10
	08.01.10	15.01.10	15.06.12
	13.06.12	15.06.12	
11. Turkey	01.05.04	01.05.04	02.01.09
	11.12.08	02.01.09	06.04.09
	18.03.09	06.04.09	27.08.09
	12.08.09	27.08.09	15.06.12
	13.06.12	15.06.12	
12. Specified dual-use items (X)	11.06.08	20.06.08	06.04.09
	18.03.09	06.04.09	27.08.09
	12.08.09	27.08.09	15.01.10
	08.01.10	15.01.10	15.06.12
	13.06.12	15.06.12	
13. Military and Dual-Use Goods: UK Forces Deployed in embargoed destinations	11.06.08	20.06.08	06.04.09
	31.03.09	06.04.09	26.03.10
	22.03.10	26.03.10	

Table 4.7 (continued)

Name	Made	Into Force	Revoked
14. Military and Dual-Use Goods: UK Forces Deployed in non-embargoed destinations	11.06.08 30.03.09 20.11.09 22.03.10 28.06.11	20.06.08 06.04.09 30.11.09 26.03.10 06.07.11	06.04.09 30.11.09 26.03.10 06.07.11
15. Exports of non-lethal military and Dual-Use goods: To UK Diplomatic Missions or Consular Posts	11.06.08 11.12.08 18.03.09 12.10.10 08.08.12	20.06.08 02.01.09 06.04.09 22.10.10 10.08.12	02.01.09 06.04.09 22.10.10 10.08.12
16. Access Overseas to Software and Technology for Military Goods: Individual Use Only	11.06.08 18.03.09 20.11.09 22.03.10 28.06.11	20.06.08 06.04.09 30.11.09 26.03.10 06.07.11	06.04.09 30.11.09 26.03.10 06.07.11
17. Export After Exhibition or Demonstration: Military Goods	11.06.08 11.12.08 18.03.09 20.11.09 08.01.10 22.03.10 28.06.11	20.06.08 02.01.09 06.04.09 30.11.09 15.01.10 26.03.10 06.07.11	02.01.09 06.04.09 30.11.09 15.01.10 26.03.10 06.07.11
18. Export After Repair/replacement under warranty: Military Goods	11.06.08 11.12.08 18.03.09 20.11.09 08.01.10 22.03.10 28.06.11	20.06.08 02.01.09 06.04.09 30.11.09 15.01.10 26.03.10 06.07.11	02.01.09 06.04.09 30.11.09 15.01.10 26.03.10 06.07.11
19. Export For Repair/Replacement Under Warranty: Military Goods	11.06.08 18.03.09 20.11.09 08.01.10 22.03.10 28.06.11 02.07.12	20.06.08 06.04.09 30.11.09 15.01.10 26.03.10 06.07.11 06.07.12	06.04.09 30.11.09 15.01.10 26.03.10 06.07.11 06.07.12

Table 4.7 (continued)

Name	Made	Into Force	Revoked
20. Exports or Transfers in Support of UK Government Defence contracts	11.06.08 18.03.09 22.03.10	20.06.08 06.04.09 26.03.10	06.04.09 26.03.10
21. Historic Military Goods	11.06.08 18.03.09 28.06.11	20.06.08 06.04.09 06.07.11	06.04.09 06.07.11
22. Military Components	11.06.08 18.03.09 22.03.10 31.07.12	20.06.08 06.04.09 26.03.10 31.07.12	06.04.09 26.03.10 31.07.12
23. Military Goods	06.10.10 02.07.12 08.08.12	15.10.10 06.07.12 10.08.12	06.07.12 10.08.12
24. Military Goods: Collaborative Project Typhoon	11.08.10 24.02.12	27.08.10 09.03.12	09.03.12
25. Military Goods: For Demonstration	24.05.07 18.03.09 20.11.09 08.01.10 22.03.10 28.06.11 02.07.12 08.08.12	11.06.07 06.04.09 30.11.09 15.01.10 26.03.10 06.07.11 06.07.12 06.07.12 10.08.12	06.04.09 30.11.09 15.01.10 26.03.10 06.07.11 06.07.12 10.08.12
26. Military Goods: Government or NATO End-Use	11.06.08 18.03.09 22.03.10 06.10.10 02.07.12 08.08.12	20.06.08 06.04.09 26.03.10 15.10.10 06.07.12 10.08.12	06.04.09 26.03.10 15.10.10 06.07.12 10.08.12
27. Export for Exhibition: Military Goods	11.06.08 18.03.09 22.03.10 02.07.12	20.06.08 06.04.09 26.03.10 06.07.12	06.04.09 26.03.10 06.07.12

Table 4.7 (continued)

Name	Made	Into Force	Revoked
28. Software and Source Code for Military Goods	11.06.08	20.06.08	06.04.09
	18.03.09	06.04.09	30.11.09
	20.11.09	30.11.09	26.03.10
	22.03.10	26.03.10	06.07.11
	28.06.11	06.07.11	
29. Military Surplus Vehicles	29.09.06	02.10.06	06.04.09
	18.03.09	06.04.09	30.11.09
	20.11.09	30.11.09	15.01.10
	08.01.10	15.01.10	04.06.10
	21.05.10	04.06.10	06.07.11
28.06.11	06.07.11		
30. Technology for Military Goods	11.06.08	20.06.08	06.04.09
	18.03.09	06.04.09	30.11.09
	20.11.09	30.11.09	15.01.10
	08.01.10	15.01.10	26.03.10
	22.03.10	26.03.10	06.07.11
28.06.11	06.07.11		
31. Vintage Aircraft	01.05.04	01.05.04	06.04.09
	18.03.09	06.04.09	05.11.10
	29.10.10	05.11.10	
32. Historic Military Vehicles and Artillery Pieces (Named 'Vintage Military Vehicles' until amended on 01.11.09)	26.05.09	26.05.09	01.11.09
	26.10.09	01.11.09	10.08.12
	08.08.12	10.08.12	
33. Accompanied Personal Effects: Sporting Firearms	01.05.04	01.05.04	06.04.09
	18.03.09	06.04.09	
34. Open General Transhipment Licence	11.06.08	20.06.08	02.01.09
	11.12.08	02.01.09	06.04.09
	18.03.09	06.04.09	30.11.09
	20.11.09	30.11.09	26.03.10
	22.03.10	26.03.10	15.06.12
	13.06.12	15.06.12	
35. Open General Transhipment Licence (Sporting Guns)	04.04.07	23.04.07	06.04.09
	18.03.09	06.04.09	30.11.09
	20.11.09	30.11.09	
36. Open General Transhipment Licence (Postal Packets)	04.04.07	23.04.07	06.04.09
	18.03.09	06.04.09	

Table 4.7 (continued)			
Name	Made	Into Force	Revoked
37. Open General Transshipment Licence (Dual-Use Goods: Hong Kong Special Administrative Region)	<i>04.04.07</i>	<i>23.04.07</i>	<i>02.01.09</i>
	<i>11.12.08</i>	<i>02.01.09</i>	<i>06.04.09</i>
	<i>18.03.09</i>	<i>06.04.09</i>	<i>15.06.12</i>
	<i>13.06.12</i>	<i>15.06.12</i>	
38. Open General Trade Control Licence (Category C Goods)	<i>25.09.08</i>	<i>01.10.08</i>	<i>06.04.09</i>
	<i>26.03.09</i>	<i>06.04.09</i>	<i>15.01.10</i>
	<i>08.01.10</i>	<i>15.01.10</i>	<i>06.07.11</i>
	<i>28.06.11</i>	<i>06.07.11</i>	
39. Open General Trade Control Licence (Trade and Transportation: Small Arms and light weapons) (Named 'Open General Trade Control Licence (Small Arms)' until amended on 06.07.11)	<i>25.09.08</i>	<i>01.10.08</i>	<i>06.04.09</i>
	<i>26.03.09</i>	<i>06.04.09</i>	<i>06.07.11</i>
	<i>28.06.11</i>	<i>06.07.11</i>	
40. Open General Trade Control Licence (Insurance or Re-Insurance)	<i>28.11.11</i>	<i>28.11.11</i>	
41. Open General Trade Control Licence (Maritime Anti-Piracy)	<i>22.02.12</i>	<i>23.02.12</i>	
42. Open General Export Licence (Certified Companies)	<i>10.08.12</i>	<i>10.08.12</i>	
43. Open General Export Licence (Exports Under The US-UK Defence Trade Cooperation Treaty)	<i>16.05.12</i>	<i>28.05.12</i>	
44. Open General Export Licence (Sporting Weapons – London Olympics 2012)	<i>22.12.11</i>	<i>01.01.12</i>	<i>04.04.12</i>
	<i>29.03.12</i>	<i>04.04.12</i>	<i>Expired 30.09.12</i>

4.7 Performance in processing licence applications

The Export Control Organisation sets out the Government's commitments to exporters in a Service and Performance Code. The performance target is to finalise 70% of applications for SIELs within 20 working days, and 95% within 60 working days. The targets apply as soon as the applicant has supplied full documentation necessary to support their application. Table 4.8 gives a breakdown of the performance of Government in the period against these two main published SIELs targets. The table also highlights the number of applications processed compared to previous years. Table 4.9 presents an illustration of the number of applications completed within the specified timeframe.

Table 4.8 SIELs Processing Performance

	2012	2011	2010
Number Finalised (with % increase on previous year)	16,876 (+7.3%)	15,734 (-5.9%)	16,723 (+18%)
Finalised within 20 working days	71%	66%	63%
Finalised within 60 working days	95%	95%	94%

The performance target for SITCLs is to provide a response within 20 working days, and 54% of all SITCL applications were dealt with within this target.

The targets do not apply to applications for:

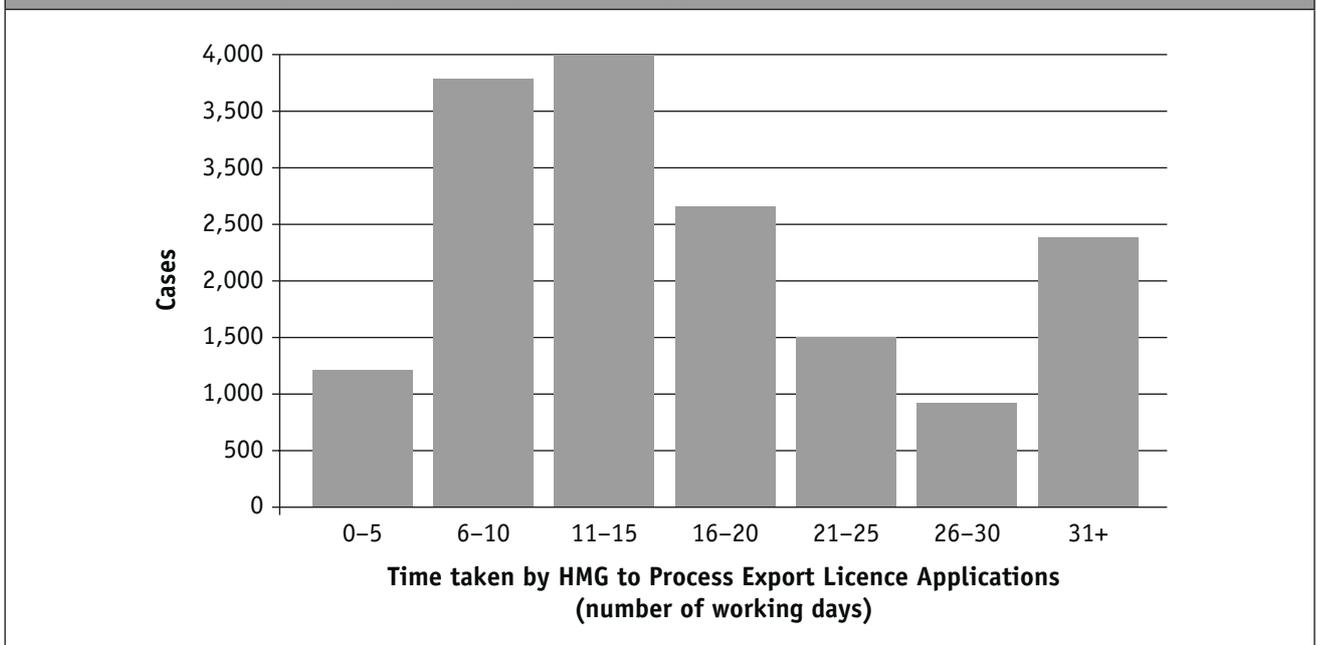
- OIELs – because of the very wide variation in the goods and destination coverage of such licences.
- OITCLs – because of the wide variation in goods or activities, sources and destinations covered by such licences.
- applications for licences to export goods that are subject to control solely because of United Nations sanctions.

Table 4.10 Appeals performance

Appeals Performance	2012	2011	2010
Appeals finalised within 20 working days	23%	26%	51%
Appeals finalised within 60 working days	60%	71%	93%

The Government has a target of processing 60% of appeals within 20 working days from receipt of all relevant information from the appellant and 95% in 60 working days. These targets do not apply to appeals concerning goods that are controlled solely because of UN Sanctions. Of the 22 appeals decided in 2012, none fell into this category.

Table 4.9 Time taken by HMG to process export licence applications



Section 5

Compliance and Enforcement

5.1 Compliance

The Export Control Organisation's Compliance Inspectors continued to audit companies and individuals holding Open Individual and Open General Licences, both for exports and trade activities. These audits establish whether the terms and conditions of the licences are being adhered to. The majority of audits are undertaken in the form of a site visit although sometimes these can be undertaken remotely. The Compliance Inspectors also assist with the ECO Awareness Seminars, undertaking 14 events in 2012.

In 2012, resource was diverted to assist in the publication of more assessable Open General Export Licences. Three licences have been successfully published with the Plain English accreditation Crystal Mark. ECO hopes that publishing licences in a format that is easier to understand will reduce the levels of non compliance, however insufficient time has passed since the publications to obtain sufficient data to confirm this conviction.

The following table shows the instances of compliance found at the 512 scheduled compliance visits between January 2012 and December 2012. In most cases these errors, and their causes, had been rectified by the time of the audit revisit 3-6 months later.

Number of audits where no audit undertaken or inconclusive		92
% Number of first visits	compliant	56
	generally compliant	14
	not fully compliant	7
	non compliant	23
% Number of Routine visits	compliant	55
	generally compliant	19
	not fully compliant	9
	non compliant	18
% Number of revisits	compliant	67
	generally compliant	10
	not fully compliant	8
	non compliant	14

Some 101 warning letters were issued to Company Directors during 2012 where breaches of licence conditions were found during visits. These letters also outlined the steps necessary to ensure compliance at revisit. Three companies had been found to have repeated serious compliance errors identified at earlier audits, during a revisit. As a result, all three companies had their licence suspended for a period of three months. Of the companies that were issued with warning letters, 92% were found to be compliant with the terms of their licences when revisited.

5.2 Enforcement activity undertaken by HM Revenue and Customs, Border Force and the Crown Prosecution Service

HM Revenue and Customs, Border Force and the Crown Prosecution Service continued to undertake a wide range of enforcement activity throughout 2012. This activity included:

- Three prosecutions on export control and trafficking and brokering offences (see **table 5.3** below).
- Confiscation proceedings are ongoing.
- 280 seizures of strategic goods in breach of licensing requirements or sanctions and embargoes (see **table 5.2**).
- 151 disruptions, where strategic goods subject to end use control and financial sanctions have been stopped from leaving the UK.
- HMRC has also made use of its power to issue compound penalties, with 8 issued in 2012, totalling £520,000.

HMRC also receives voluntary disclosures from exporters. These voluntary disclosures are assessed by HMRC and appropriate action taken. This action can range from issuing a warning letter, through to compounding or criminal prosecution, depending on the specific details of the disclosure.

HMRC, Border Force and the Crown Prosecution Service continue to work with BIS to contribute to raising awareness amongst traders of strategic goods in the UK through educational trade events and conferences.

Table 5.2 Number of Seizures of Controlled Goods

Financial Year	HMRC Strategic Exports and Sanctions Number of Seizures
2006-07	44
2007-08	55
2008-09	50
2009-10	115
2010-11	134
2011-12	141
2012-13	280

Table 5.3 Prosecutions for strategic exports offences					
Financial Year	Goods	Destination	Individual or Company	Offence	Penalty
2012-2013	Surface to air missiles and small arms	Azerbaijan	Michael Ranger	Convicted of being knowingly concerned in acts calculated to promote the supply or delivery of goods subject to trade controls with intent to evade the prohibition contrary to Section 34(5) of the Export Control Order 2008.	Guilty on two counts and sentenced to three and a half years for the missiles and two and a half years for the handguns. Both sentences will run concurrently.
2012-2013	AK-47 assault rifles, rifles, pistols and ammunition	Nigeria	Gary Hyde	Convicted of two counts of being knowingly concerned in the movement of controlled goods, contrary to Article 9 (2) of The Trade in Goods (Control) Order 2003. Also convicted of one count of concealing money, contrary to s327 of the Proceeds of Crime Act 2002.	Guilty on three counts and sentenced to 7 years imprisonment.
2012-2013	Fighter jets	Ghana	Christopher McDowell	Convicted of being knowingly concerned in the unlicensed supply of goods subject to trade controls contrary to Section 9 (2) of the Trade in Goods (Control) Order 2003.	Sentenced to two years imprisonment, suspended for two years, and 200 hours community service.

5.3 HM Revenue and Customs, Border Force and Crown Prosecution Service Resources on Outreach

HMRC, Border Force and the Crown Prosecution Service continue to strengthen links with other enforcement agencies in the field of strategic export control, both in the UK and internationally. This work is undertaken to build and improve on the capability of our international partners, as well as to improve anti fraud systems and communications generally.

It includes support for outreach visits to countries developing strategic export control systems and support for inbound customs visits to exchange best practice on enforcement policy and operational activity.

HMRC also supports the UK's International Export Control commitments through its contributions to operational expert groups. These groups underpin national export controls and aim to improve those controls by sharing expertise and best practice. This work includes supporting and contributing to the enforcement experts meetings of the Missile Technology Control Regime (MTCR), Nuclear Suppliers Group (NSG), Australia Group (AG) and Wassenaar Arrangement (WA).

Continued participation in bilateral outreach and capacity-building events with key partner countries has included involvement with China, Malaysia and Turkey, as well as supporting EU programmes and US activity including the Proliferation Security Initiative (PSI).

Section 6

Gifted Equipment

The Government gifts equipment to overseas governments in support of wider security and foreign policy aims. The MOD manages the gifting process and seeks advice on gifting proposals from advisers in MOD, FCO and DFID. As a matter of policy, all proposals to gift controlled military equipment are assessed against the Consolidated EU and National Arms Export Licensing Criteria by relevant Government departments in the same way as commercial applications and to the same degree of rigour. Where gifts are approved these are exported under a Crown exemption letter and therefore do not require the normal export or trade licence.

Table 6.1 Equipment gifted by the Government in 2012

Country	Recipient	Goods Description	Goods Value £
Syria	UN Office for Co-ordination of Humanitarian Affairs	1 Ballistically protected Land Cruiser Vehicle. Body armour.	80,000
Syria	UNHCR	1 Ballistically protected Land Cruiser Vehicle. Body armour.	80,000
Syria	UNICEF	2 Ballistically protected Land Cruiser Vehicles. Body armour	175,000
Syria	UN World Food Programme	4 Ballistically protected Land Cruiser Vehicles. Body armour	564,000
Uzbekistan	Uzbekistan Government	66 Leyland DAF Trucks	462,000
Pakistan	Pakistan Military	Counter Improvised Explosive Device equipment.	1,617,657.
Pakistan	Pakistan Government, 630 EOD Engineer Regt and LEAs	Tools. Search equipment. Metal detectors	275,000.
Syria	UN World Food Programme	3 Ballistically protected Land Cruiser Vehicles. 1 Mercedes G Wagon.	559,930

Table 6.1 (continued)

Country	Recipient	Goods Description	Goods Value £
Somalia	Rapid Reaction Unit	Motorola Handheld VHF radios. Batteries. Wire Acoustic Tube Earpieces. Transceiver Base Station. VHF Base Station and antenna. Magnetic Antennas and Vehicle Cables. Wireless Control Transceiver Vehicle Fit. Automatic Tuning Mobile HF Antenna. Multi Wire Broadband Diapole and Mast. VHF Repeaters. 1 Isuzu Flat Bed Truck. 2 Toyota Hilux Twin Cab Pickup. Coveralls. Boots. Helmets. Body Armour. Utility Belt. Torches. Handcuffs. Pouches. Ladders. Door entry tools. Gloves. Eye protection goggles	174,000
Kenya	Administrative Police Rural border control unit	1 Isuzu Water Bowser Truck 5 Isuzu Comd Vehicle 4x4 2 Isuzu Ambulance 4x4 7 Isuzu Troop Carrying Trucks HF Base + Data Mod. PC Desktop Computers. HF Tactical Manpack. VHF Brigade radio. VHF Squad radio. Binoculars. Medic Trauma Packs. Camouflage Nets and poles IED marker kits. Helmet Mounted Night Vision Goggle Systems	663,850
Turks and Caicos Islands	Turks and Caicos Islands Ministry of Border Control	Personal Safety Training Equipment. Personal Protective Equipment.	60,438
Pakistan	Pakistan Government, 630 EOD Engineer Regt and Local Enforcement Agencies (LEAs)	Basic Tool kits. Basic Search Kit and Detectors. EOD Equipment. Metal Detector. Flying Scalpel. Forensic Kits. ECM kit. Light Scale Rigging Kit. 2 Utility Vehicles. Disruptors. Ammunition. Suit inc Helmet and Hardwire Communications Set. Wire Cutters. X-Ray Scanner. X-Ray Generator.	2,020,000
Uzbekistan	Uzbekistan Government	Land Rover Vehicle - Major Assembles, Consumable Spares, Tyres and Batteries.	100,000
Estonia	Estonian MOD	Body Armour	365,008
Pakistan	Pakistan Government, 630 EOD Engineer Regt and LEAs	Basic workshop contained within a 20" ISO container. Repair Facilities Containing Hand Tools. Metal Detectors.	80,000
Pakistan	Pakistan Federal Investigation Agency	Explosive Detection Kits	2,500

Section 7

Government to Government

7.1 Government to Government Exports

On behalf of the Government, the Disposal Services Authority of the Ministry of Defence disposes of certain military equipment that is surplus to the requirements of the UK Armed Forces. UK export licensing coverage for these is obtained either by industry, or by the customer. Tables 7.1 and 7.2 give, by destination, the equipment type and quantity of such exports in 2012.

Country	Type of Equipment	Quantity
Singapore	Combat Engineering Tractors	8
France	Sonobuoys	2872
Australia	ASRAAM Missiles	20
Brazil	Naval Spares	–
Belgium	Military Helicopter Spares	–
Denmark	Military Helicopter Spares	–
Germany	Military Helicopter Spares	–
Chile	Naval Spares	–
Netherlands	Military Helicopter Spares	–
Norway	Military Helicopter Spares	–
Romania	Naval Spares	–
Saudi Arabia	Military Aircraft Spares	–

*Where there is no quantity given this is due to the item consisting of spare parts.

Table 7.2 Other Overseas Transfers		
Country	Type of Equipment	Quantity
Turkey	RFA Bayleaf to Leyal Ship Recycling Turkey (for recycling)	1
Turkey	Longbow Trials Barge to Leyal Ship Recycling, Turkey (for recycling)	1
Germany	Fleet Vehicles to various commercial concerns: Bedford, Leyland DAF , Leyland Drop, Landrover 90 & 110, Foden Recovery, Trailers, Box Bodies.	697
Kenya	Fleet Vehicles to various commercial concerns. Bedford 4 Ton, Land Rover 90 & 110, Leyland Drop, Foden Recovery, ½, ¾, and 1¾ Trls	209
USA	Hellfire Missile Transit Containers	15
	M592 Target Practice Projectile Storage Container Both to SA Recycling for scrap.	192
Germany	ADEN 25mm Gun Barrels to Rheinmetall Waffe Munition GmbH for trials	4
Germany	Tungsten and Nickel to Rheinmetall Waffe Munition GmbH for re-manufacture	5,450 kgs 470 kgs
USA	Maverick missiles sold to Raytheon	320
Australia	Sonobuoys sold to Ultra	2,860

7.2 Government to Government Projects

The UK has a longstanding Government-to-Government defence cooperation programme with Saudi Arabia, under which the UK has provided Typhoon, Tornado, Hawk and PC-9 aircraft, mine countermeasure vessels, and associated munitions, infrastructure, logistics and manpower support packages. The UK has continued to provide substantial support for equipment already in service. In May 2012, the two Governments announced that agreement had been reached on the future supply of 22 Hawk Advance Jet Trainers and 55 PC-21 aircraft as part of a programme of work to enhance the aircrew training capability of the Royal Saudi Air Force. The aircraft will be delivered in future years.

Table 7.3 is a summary of the exports that arose in 2012 from activity by the Ministry of Defence Project Office for Saudi Arabia. All goods were exported under export licence obtained by industry. Where a Standard Individual Export Licence (SIEL) was issued; that information is included in the corresponding Quarterly Report.

Government-to-Government transfers of equipment between 1 January and 31 December 2012

Country	Type of Equipment	Quantity
Saudi Arabia	Component repair and re-provisioning, munitions and training support for aircraft and their systems.	–
	Component repair and re-provisioning for naval vessels and their systems	–

Annex A

Export Controls: Process and Responsibilities

A.1 Overview

The UK system for the licensing of Strategic Export Controls is operated by a single Export Licensing and Enforcement Community. This Community comprises nine Government Departments or Agencies: Business, Innovation and Skills (BIS); the Foreign and Commonwealth Office (FCO); the Ministry of Defence (MOD); the Department for International Development (DFID); the Department of Energy and Climate Change (DECC), CESG, Her Majesty's Revenue and Customs (HMRC), Border Force (BF) and the Crown Prosecution Service (CPS).

EXPORT LICENSING COMMUNITY JOINT MISSION STATEMENT

"Promoting global security through strategic export controls, facilitating responsible exports"

Guiding Principles

We shall implement effectively the UK's framework of strategic export controls so as to ensure that sensitive goods and technology are kept out of the wrong hands, by assessing all export licence applications against the Consolidated EU and National Arms Export Licensing Criteria. In so doing we shall facilitate responsible defence exports, as these depend on a sound regime of controls.

We shall administer the licensing system efficiently so that we keep the compliance burden on UK exporters to the minimum. In particular we shall therefore:

- within the framework of our case-by-case approach, ensure maximum predictability for exporters by taking decisions which are consistent with the Consolidated EU and National Arms Export Licensing Criteria and our policy statements;

- aim to meet our published performance indicators, which set us challenging targets for processing applications in a timely manner;
- be transparent about our performance and operations, including by publishing an Annual Report;
- establish a dialogue with exporters, our customers, to enable us to understand their concerns and them to understand our requirements. We shall support them in complying with the process through services such as the BIS website, and awareness activities and ratings. We shall keep our licence products under review to ensure they remain appropriate as circumstances change; and measure our performance against others, capture best practice via our outreach visits with other licensing authorities, through attendance at international export control seminars, and through feedback from UK industry.

Broadly speaking, strategic export controls relate to:

- Items that have been specially designed or modified for military use including components;
- Dual-Use items (i.e. those that can be used for both civil or military purposes), including those listed under EC Regulation 428/2009 or on the UK Dual-Use List as well as items caught by the Military and Weapons of Mass Destruction end-use controls;

- Transfers of software and technology, including transfers by electronic means e.g. by email, and in some circumstances the provision of technical assistance, related to the above;
- Goods that might be used for capital punishment, torture or internal repression;
- Items and activities which are controlled to destinations, or to entities or persons, subject to UN, EU, OSCE and UK sanctions and embargoes.

The Export Control Organisation at BIS is the licensing authority for strategic exports in the United Kingdom. It sets out the regulatory framework under which licence applications are considered, and the Secretary of State for BIS takes the formal decision to issue or refuse export licence applications, and where necessary to suspend or revoke extant licences in accordance with the applicable legislation and announced policy.

The FCO, MOD and DFID act in a policy advisory capacity, providing the Export Control Organisation with advice and analysis on the foreign, defence and international development policy aspects relevant to consideration of export licence applications against the Consolidated EU and National Arms Export Licensing Criteria and other relevant announced policies.

CESG within GCHQ is the UK government's national technical authority for information security. They assess goods involving sensitive communications or computer technology.

DECC plays a key role in the UK's biological, chemical and nuclear non-proliferation policy, for example by making sure the UK continues to meet its obligations under the Chemical Weapons Convention (CWC). They assess goods involving non-proliferation issues.

HMRC has responsibility for the enforcement of export and trade controls as well as sanctions and embargoes. HMRC works with Border Force to detect breaches and to pursue prosecutions through the Central Fraud Group within the Crown Prosecution Service.

A.2 Strategic Export Control Legislation

The basic statutory framework for export controls is set out in the Export Control Act 2002 (the "2002 Act") which is administered by the Business Secretary. The 2002 Act and its secondary legislation were the culmination of efforts to address the failings identified by Lord Scott in his 1996 *Report of the Inquiry into Export of Defence Equipment and Dual-Use Goods to Iraq and Related Prosecutions*. The 2002 Act includes powers to:

- impose controls on exports from the UK;
- impose controls on the transfer of technology from the UK and by UK persons anywhere by any means (other than by the export of goods);
- impose controls on the provision of technical assistance overseas;
- impose controls on the acquisition, disposal or movement of goods or on activities which facilitate such acquisition, disposal or movement (this is often referred to as trafficking and brokering or simply as "trade");
- apply measures in order to give effect to EU legislation on controls on dual-use items (i.e. items with a civil and potential military application).

There are restrictions to the imposition of these controls, which are specified in section 5 to the Act. In particular the 2002 Act sets out the purposes for which controls can be imposed, although controls may be applied in other circumstances provided the control order imposing them expires within 12 months. It also specifies the Parliamentary procedures which must be followed in making secondary legislation, and requires the Secretary of State to publish "guidance" on the operation of the controls and to lay an Annual Report before Parliament.

The Secretary of State has made a number of individual orders under the 2002 Act, which are now consolidated into one order, the Export Control Order 2008 (SI. 2008/3231) (the 2008 Order) which came into force on 6 April 2009, so that the domestic legislation on strategic controls could be found in one place. As well as consolidating previous legislation, the 2008 Order also made some changes following the Government's 2007 post-implementation review of export control legislation. These changes were described in the 2009 Annual Report.

The 2008 Order is now the main piece of domestic export control legislation. It covers export and transfer controls (Part 2), technical assistance controls (Part 3) and trade ("trafficking and brokering") controls (Part 4). It deals with licensing in Part 5, and Part 6 sets out provisions for enforcement of the controls, including offences and penalties.

There are a number of important pieces of directly applicable EU legislation applying to strategic export controls, where regulation of the export from the EU of these items falls within the EU's Common Commercial Policy. In some cases elements of this legislation is implemented or is supplemented by provisions of the 2008 Order. The most important EU legislation includes:

- Council Regulation (EC) 428/2009 of setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (the “Dual-Use Regulation”). The Dual-Use Regulation sets out the rules for control of exports from the EU, and transit and brokering, of items listed in Annex I (the “EU Dual-Use List”) which is compiled from the control lists of the international export control regimes and the Chemical Weapons Convention; and sets out the rules for transfers within the EU of items listed in Annex IV. The Dual-Use Regulation also contains controls on non-listed items subject to control where they are or may be intended for use in connection with Weapons of Mass Destruction (WMD) or for certain military end-uses – the so-called WMD and Military End-Use controls.
- 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, inhumane or degrading treatment or punishment (the “Torture Regulation”);
- EU Decisions and Regulations giving effect to United Nations Security Council Resolutions in relation to sanctions against individual countries (e.g. Iran, Libya, etc.) and/or giving effect to EU sanctions against individual countries (e.g. Syria, Belarus, etc.).

In addition, there is also a body of EU internal market measures dealing with intra-EU trade in strategic goods:

- The Intra-Community Transfers (ICT) Directive 2009/43/EC covering the transfer of defence equipment within the EU. It aims at facilitating the movement of defence goods within the EU while recognising that such transfers must remain subject to national controls. The Directive provides for a system of certification for companies i.e. a confidence building measure to ensure that companies importing items from another Member State under a general licence have provisions in place to abide by any re-export provisions which may be applied to those items. In addition the ICT Directive provides for Member States to publish at least 4 general licences: (i) to the armed forces of a MS or a body purchasing on their behalf; (ii) a certified company; (iii) for demonstration, evaluation or exhibition; and (iv) maintenance and repair of previously supplied items. The provisions to give effect in the UK to the requirements of the ICT Directive came into force on 10 August 2012 through amendments to the Export Control Order 2008.
- Council Directive 91/477/EEC on control of the acquisition and possession of weapons, as amended by Directive 2008/51/EC (the “Weapons Directive”). In particular the Weapons Directive sets out simplified procedures for transfers of civilian firearms by sports shooters in possession of a European Firearms Pass (implemented through article 15 of the 2008 Order) and for transfers between authorised dealers in different Member States (implemented through the “Dealer to Dealer” licence described in A6 below).

Where the powers of the Export Control Act 2002 are insufficient to give effect to International export control requirements (which occasionally happens in the context of UN or EU sanctions), it is possible to rely on the powers of the United Nations Act 1946 or, if the controls stem from EU legislation, section 2(2) of the European Communities Act 1972.

UK legislation may be accessed at www.legislation.gov.uk; EU legislation is published in the Official Journal of the European Union and may be accessed at <http://eur-lex.europa.eu/en/index.htm>

A.3 Categories of Items and Activities Subject to Control

In assessing applications for individual licences, on the basis of the information supplied by the exporter, officials in the Export Control Organisation will first determine whether or not the items are controlled and, if so, under which entry in the relevant legislation; the relevant alphanumeric entry is known as the “rating” of the items. Items and activities subject to control for strategic reasons are as follows:

- Exports of items listed in Schedule 2 of the Export Control Order 2008 (the UK Military List). The rating will be of the format “MLxx” or “PL5xxx”.
- Exports of items listed in Schedule 3 of the Export Control Order 2008 (UK Dual-Use List). The rating will be of the format “PL800x” or “PL900x”.
- Trade activities as specified in articles 20 – 25 of the Export Control Order 2008. The three risk-based categories of goods (A, B and C) are specified in article 2 and Schedule 1 of the Export Control Order 2008, and “embargoed destinations” are specified in Parts 1 and 2 of Schedule 4 of the Export Control Order 2008.

- Exports of items listed in Annex I to Council Regulation (EC) 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (EU Dual-Use List). The EU Dual-Use List is divided into 10 Categories (numbered 0 to 9) and 5 sub-Categories (denoted by A to E), with each unique item identified by at least a further 3-digit numeric code. The rating is therefore of the form 0A002 or 7E101.
- Brokering services for items listed in Annex I of the Dual-Use Regulation where the broker has been informed by the competent authorities of the Member State where he is established that the items are or may be intended for “WMD Purposes”. If the broker is aware of such an end use the broker must contact the relevant national authorities who will decide whether or not it is expedient to make the transaction subject to a licence.
- Items that the exporter has been told, knows or suspects are or may be intended for “WMD Purposes”. This is the “WMD end-use” or “catch-all” control and goods controlled for these reasons are given the rating “End-Use”.
- The transfer of technology by any means is controlled where the person making the transfer knows or has been made aware that the technology is for “WMD Purposes” outside the EU.
- The provision of technical assistance is controlled where the provider knows or has been made aware that the technical assistance will be used for “WMD Purposes”¹ outside the EU.
- Components or production equipment that the exporter has been told, knows or suspects are or may be intended for a military end-use² in a country subject to certain types of arms embargo, or for use as parts or components of military list items which have been exported in breach of United Kingdom export controls. This is the “Military End-Use” control and these items are given the rating “MEND”.
- Exports of items listed in Council Regulation (EC) 1236/2005 (the “torture” Regulation) setting up a Community Regime concerning trade in certain equipment and products which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment. The rating for these items is prefixed with “HR”.

- Export, brokering or transfer of items, or provision of services, controlled under destination-specific UN or EU sanctions. Such items are rated using a code representing the country subject to sanctions (e.g. “IRN” for items subject to Iran sanctions).
- Transit or transshipment of controlled items through the UK as set out in Article 17 of the Export Control Order 2008.

Where an item or activity is controlled, the exporter or trader must apply to the ECO for an export or trade control licence.

A.4 Assessment of Export Licence Applications

The Export Control Act 2002 requires the Secretary of State to publish “guidance” on the operation of the controls. The main guidance is the Consolidated EU and National Arms Export Licensing Criteria (the “Consolidated Criteria”), announced to Parliament on 26 October 2000 by the then Foreign Office Minister Peter Hain. This sets out eight criteria against which export licence applications (ELA) are assessed. The preamble to the Consolidated Criteria state that they shall apply to export licence applications for (i) military items, (ii) items on the EU dual-use list where the end-user is the armed forces or internal security forces of the recipient country, and (iii) dual-use items subject to national control; while the Consolidated Criteria say nothing about any other type of application our practice, reflected in the Government’s public statements, is to apply them to all applications.

The Criteria are not applied mechanistically; rather each application is assessed on a case-by-case basis taking into account all the relevant facts and circumstances of that particular case. A licence would not be granted if to do so would be a breach of the Criteria. The full text of the Criteria as announced to Parliament is given in Section A.8.

On 8 December 2008 the EU adopted Common Position 944/2008/CSFP defining common rules governing the control of exports of military technology and equipment. The Common Position replaces the Code of Conduct on control of exports of military technology and equipment agreed in 1991 and 1992. It establishes that each Member State must assess, on a case-by-case basis, the export licence applications made to it for items on the EU common military list, and for dual-use items where “there are serious grounds for believing that the end-user is the armed forces or internal security forces in the recipient country”. There are only minor differences between the eight Criteria of the Common Position and the Consolidated Criteria. The Common Position does not prevent Member States from adopting more restrictive policies.

1 “WMD Purposes” means use in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons or other nuclear explosive devices, or the development, production, maintenance or storage of missiles capable of delivering such weapons.

2 i.e. a: incorporation into military items listed in the military list;
b: use of production, test or analytical equipment and components therefore, for the development, production or maintenance of military list items; or
c: use of any unfinished products in a plant for the production of military list items.

From time to time other policies are announced to Parliament. Examples include the Written Ministerial Statements of 9 February and 6 July 2012 by Alastair Burt MP, Parliamentary Under Secretary of State for Foreign and Commonwealth Affairs regarding export of tasers; and the Written Ministerial Statement of 26 April 2012 by Dr Vincent Cable MP, Secretary of State for Business, Innovation and Skills regarding export and trade of controlled goods to Argentina.

A.5 Strategic Export Licence Application Process

Applications for Export, Trade (“brokering”) or Transshipment Licences for strategically controlled goods are submitted electronically to the Export Control Organisation at BIS via the SPIRE licensing database. Partners across Government are then consulted as appropriate before a decision is reached on whether to issue or refuse a licence.

The Arms Export Policy Department in the FCO conducts a case-by-case risk assessment of each application, taking account of the possible uses of the equipment to be exported, the destination country and the end user. Detailed political and human rights reporting and advice is sought as necessary from other FCO Departments and overseas Posts. Finely balanced and sensitive applications are referred to FCO Ministers for a final recommendation.

MOD advice on export licence applications similarly reflects the results of an internal process that brings together advice from a number of areas. This routinely involves seeking the views of those responsible for protecting the capability of the UK’s Armed Forces, and specialists from the security and intelligence fields. Separately, MOD coordinates a procedure for the Government (the MOD Form 680 process) to control the release of protectively marked equipment or information to foreign entities. The MOD Form 680 process benefits the licensing process, because it gives exporters an indication of whether a licence might be approved if the relevant circumstances remained the same. Generally, the same advisers that consider export licence applications assess MOD Form 680 applications.

DFID considers export licence applications destined to all International Development Association eligible countries against Criterion 8 (i.e. whether the proposed export would seriously undermine the recipient country’s economy, and whether the export would seriously hamper the sustainable development of the recipient country). DFID may also ask to see applications in respect of other countries of concern, as the Department has a significant interest in exports that might contribute to conflict or human rights abuses.

Further detail on the role of different Departments in making assessments against the Criteria are given in the table below.

<p>Criterion One</p> <p>When assessing an Export Licence Application (ELA) under Criterion One, the International Organisations Department at the FCO is consulted to confirm whether the country of final destination is currently subject to any embargoes or other relevant commitments.</p>
<p>Criterion Two</p> <p>When assessing an ELA under Criterion Two, British Diplomatic Posts, Geographical Desks and the Human Rights and Democracy Department at the FCO are consulted if the end destination of a proposed export is of concern.</p>
<p>Criterion Three</p> <p>When assessing an ELA under Criterion Three, British Diplomatic Posts and Geographical Desks at the FCO are consulted to assess the risk of a potential export provoking or prolonging armed conflict or aggravating existing tensions or conflicts in the country of final destination.</p>
<p>Criterion Four</p> <p>When assessing an ELA under Criterion Four, the views from staff at the British Diplomatic Post(s) in the country of destination and Geographical Desks at the FCO are sought to assess the peace, security and stability of the region.</p>
<p>Criterion Five</p> <p>When assessing an ELA under Criterion Five, the MOD is consulted to consider whether a proposed export could have an impact on the security of the UK, UK assets overseas and the security of allies, EU member states and other friendly countries.</p>
<p>Criterion Six</p> <p>When assessing an ELA under Criterion Six, the FCO is consulted to assess the behaviour of the buyer country with regard to the international community, in particular its attitude to terrorism, the nature of its alliances and respect for international law.</p>

Criterion Seven

When assessing an ELA under Criterion Seven, staff at the MOD and FCO are consulted if the proposed export could have a military end-use or if there are concerns about the military capabilities of the importing country. An assessment is also made of whether the goods could be diverted to an undesirable end-user in either the importing country or to an undesirable end-user in another state.

Criterion Eight

When assessing an ELA under Criterion 8, the Department for International Development is consulted if the importing country is on the World Bank's International Development Association list (Annex B), and the value of the application exceeds the threshold set by the Criterion 8 methodology. DFID then considers the potential impact of the proposed export on the sustainable development of the recipient country.

A.6 Types of Licence

The types of licence available are the Standard Individual Export Licence (SIEL), Open Individual Export Licence (OIEL), Open General Export Licence (OGEL), Standard Individual Trade Control Licence (SITCL), Open Individual Trade Control Licence (OITCL), Open General Trade Control Licence (OGTCL), Standard Individual Transshipment Licence (SITL), and Open General Transshipment Licence (OGTL). This section gives a general description of these different types of licence.

SIELs generally allow shipments of specified items to a specified consignee up to the quantity specified by the licence. Where the export will be permanent SIELs are generally valid for two years or until the quantity specified has been exported, whichever occurs sooner. Where the export is temporary, for example for the purposes of demonstration, trial or evaluation, a SIEL is generally valid for one year only and the items must be returned to the UK before the licence expires.

OIELs are concessionary licences that are specific to an individual exporter and cover multiple shipments of specified items to specified destinations and/or, in some cases, specified consignees. OIELs are generally valid for a period of five years. The exceptions are OIELs for the transfer of military items to destinations in other Member States of the EU, which are valid for three years but may be renewed at the exporter's request; and "Dealer to Dealer" OIELs which allow firearms dealers to export certain categories of firearms and ammunition solely to other gun dealers in the European Union only and which are valid for three years. It should be noted that the rejection of an application for an OIEL, amendment to exclude particular destinations and/or items, or the revocation of an OIEL does not prevent a company from applying for SIELs covering some or all of the items concerned to specified consignees in the relevant destinations. The factors that led to the original decision on the OIEL would be taken into account in the decision on any such SIEL application.

OGELs are pre-published licences that permit the export of specified controlled goods by any qualifying company or person, removing the need for exporters to apply for an individual licence, provided the shipment and destinations are eligible under the OGEL and that the terms conditions set out in the licence are met. Most OGELs require the exporter to register with the ECO in advance before they use them, and the licence holders are subject to compliance visits from the ECO to ensure that all the conditions are being met. Failure to meet the conditions can result in their ability to use the licence being withdrawn. All OGELs are published on the www.gov.uk website. There are also six EU General Export Authorisations (EUGEAs). These permit the export from the EU of certain specified dual-use items to specified destinations, subject to the terms and conditions of the licences. They are equivalent to OGELs and are available for use by any exporter in the EU. The EUGEAs are contained in Annexes IIa to IIi of the Dual-Use Regulation. OGELs generally remain in force until they are revoked.

A **SITCL** is specific to a named trader and covers involvement in the trading of a specified quantity of specific goods between a specified overseas source country, and between a specified consignor, consignee and end-user in an overseas destination country. SITCLs will normally be valid for two years. Upon expiry, either by time or because the activity has taken place, the licence ceases to be valid. Should further similar activity need to take place, a further licence must be applied for. Trade Controls only apply to Category A, B and C goods as specified in Article 2 and Schedule 1 of the Export Control Order 2008. They do not apply to software and technology.

An **OITCL** is specific to a named trader and covers involvement in the trading of specific goods between specified overseas sources and overseas destination countries and/or specified consignor(s), consignee(s) and end-user(s). OITCLs are generally valid for two years. It should be noted that the refusal of an application for an OITCL, amendment to exclude particular destinations and/or items, or the revocation of an OITCL does not prevent a company from applying for SITCLs covering some or all of the items concerned to specified consignees in the relevant destinations. The factors that led to the original decision on the OITCL would be taken into account in the decision on any such SITCL application.

An **OGTCL** is a pre-published licence that permits the supply of specified goods from specified source countries to specified destination countries, subject to the specific terms and conditions of the licence. There are currently four OGTCLs.

A licence is not required for the majority of controlled goods being transhipped through the UK en route from one country to another **pre-determined** destination as these are exempt from control provided the conditions set out in article 17 of the 2008 Order are met. Where these conditions cannot be met a transshipment licence will be required. A transshipment may be made under the provisions of one of the Open General Transshipment Licences (**OGTLs**) provided, in all cases, that the relevant licence conditions are met including goods or destinations restrictions. If the OGTL cannot be used a SITL must be applied for (there is no Open Individual Transshipment Licence).

A.7 HM Revenue and Customs, Border Force and Crown Prosecution Service: Resources on Enforcement

HM Revenue and Customs, Border Force and the Crown Prosecution Service work together to enforce the UK's strategic export controls.

HM Revenue and Customs (HMRC)

HMRC is the UK Customs authority responsible for the implementation of EU customs policy, and for UK compliance with EU customs and international obligations. This includes policy responsibility for enforcement of strategic goods controls.

HMRC has a team that develops and manages strategic export controls, trade controls and sanctions enforcement policy, as well as liaising with the wider cross-government counter-proliferation community. HMRC also has two specialist operational teams carrying out criminal investigations and intelligence management in this area. Checks on customs export declarations, and supporting documentation for exports from the UK, are conducted by HMRC staff at the National Clearance Hub (NCH). This activity includes checks on BIS export licences.

UK exporters are audited by staff from the HMRC Large Business Service and Local Compliance functions who also carry out pre-export licence checks on intra-EU transfers of controlled goods.

HMRC assesses any breach of strategic export controls and takes a range of enforcement actions based on the factors surrounding each individual case. HMRC pursues investigation with a view to prosecution where deliberate breaches of export controls occur, and in serious cases involving deliberate exports to sensitive destinations, or involving particularly sensitive goods or other aggravating circumstances, for example repeat offences.

These types of case will be referred to the Crown Prosecution Service who will determine whether there is sufficient evidence to mount a prosecution, and whether that prosecution is in the public interest.

Where it may not be appropriate, or possible to pursue criminal prosecution HMRC will consider other courses of action. These may include:

- Offering a compound penalty as an alternative to prosecution.
- Restoring goods for a fee.
- Issuing a warning letter.

In addition, HMRC investigates breaches of trade controls, where restricted or controlled goods have been moved from one third country to another by UK nationals. The arrangement of the movement of these goods will have been undertaken either in the UK, or by UK nationals anywhere in the world.

Border Force

Border Force is responsible for deterring and preventing the entry of illegitimate goods, and protecting revenue and legitimate business by preventing and deterring smuggling of taxable or counterfeit goods and identifying under/non declarations. Border Force has primary responsibility for maintaining UK border security and to achieve this, Border Force conducts an extensive range of checks at the border on people and commodities travelling to and from the UK.

Strategic Exports feature as a high priority within the Border Force Control Strategy for 2012-13 and, as such, resource is allocated proportionately and in line with the perceived threat.

The Border Force Counter-Proliferation Team at Heathrow has specialised knowledge in the detection of the illicit export of strategic goods and sanctions breaches, and works with colleagues across Border Force to detain, disrupt and seize unlicensed or sanctions-breaching goods. These seizures and disruptions can result in criminal investigations by HMRC.

Crown Prosecution Service (CPS)

The CPS is an independent prosecuting authority reporting directly to the Attorney General. A specialist team of CPS prosecutors are responsible for prosecuting cases referred to them by HMRC in respect of export and trade controls or sanctions breaches.

A.8 CONSOLIDATED EU AND NATIONAL ARMS EXPORT LICENSING CRITERIA

26 Oct 2000: Column: 200W

Laura Moffatt: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government have taken to consolidate the UK's national criteria against which the Government assess licence applications to export arms and dual-use equipment with those of the EU Code of Conduct on Arms Exports; and if he will make a statement. [135683]

Mr. Hain: Licences to export arms and other goods controlled for strategic reasons are issued by the Secretary of State for Trade and Industry, acting through the Export Control Organisation of the DTI. All relevant individual licence applications are circulated by DTI to other Government Departments with an interest, as determined by those Departments in line with their own policy responsibilities. These include the Foreign and Commonwealth Office, the Ministry of Defence and the Department for International Development.

In the Foreign Secretary's reply to my hon. Friend the Member for East Ham (Mr. Timms) on 28 July 1997, *Official Report*, column 27, he set out the criteria which would be used in considering advance approvals for promotion prior to formal application for an export licence, applications for licences to export military equipment, and dual-use goods where there are grounds for believing that the end-user will be the armed forces or internal security forces of the recipient country. As my right hon. Friend said then, the Government are committed to the maintenance of a strong defence industry as part of our industrial base as well as of our defence effort, and recognise that defence exports can also contribute to international stability by strengthening collective defence relationships; but believe that arms transfers must be managed responsibly. We have since taken a range of measures designed to ensure the highest standards of responsibility in our export control policies. These include the adoption during the UK's Presidency of the EU of a Code of Conduct on Arms Exports; the publication of Annual Reports on Strategic Export Controls which are among the most transparent of those of any arms exporting country; the ban on the export of equipment used for torture; the ratification of the Ottawa Convention on anti-personnel landmines and the passage of the Land Mines Act; and our many efforts to combat illicit trafficking in and destabilising accumulations of small arms.

Since the Council of the European Union adopted the EU Code of Conduct on Arms Exports on 8 June 1998, all relevant licence applications have been assessed against the UK's national criteria and those in the Code of Conduct, which represent minimum standards that all member states have agreed to apply. The criteria in the EU Code of Conduct are compatible with those which I announced in July 1997. At the same time there is a large degree of overlap between the two. It is clearly in the interests of Government Departments involved in assessing licence applications, British exporters and other interested parties that the criteria which are used should be set out as clearly and unambiguously as possible.

With immediate effect, therefore, the following consolidated criteria will be used in considering all individual applications for licences to export goods on the Military List, which forms Part III of Schedule 1 to the Export of Goods (Control) Order 1994; advance approvals for promotion prior to formal application for an export licence; and licence applications for the export of dual-use goods as specified in Annexe 1 of Council Decision 94/942/CFSP when there are grounds for believing that the end-user of such goods will be the armed forces or internal security forces or similar entities in the recipient country, or that the goods will be used to produce arms or other goods on the Military List for such end-users. The criteria are based on those in the EU Code of Conduct, incorporating elements from the UK's national criteria where appropriate. As before, they will not be applied mechanistically but on a case-by-case basis, using judgment and common sense. Neither the fact of this consolidation, nor any minor additions or amendments to the wording of the two sets of criteria used before, should be taken to imply any change in policy or in its application.

An export licence will not be issued if the arguments for doing so are outweighed by the need to comply with the UK's international obligations and commitments, by concern that the goods might be used for internal repression or international aggression, by the risks to regional stability or by other considerations as described in these criteria.

CRITERION ONE

Respect for the UK's international commitments, in particular sanctions decreed by the UN Security Council and those decreed by the European Community, agreements on non-proliferation and other subjects, as well as other international obligations.

The Government will not issue an export licence if approval would be inconsistent with, inter alia:

- a. The UK's international obligations and its commitments to enforce UN, OSCE and EU arms embargoes, as well as national embargoes observed by the UK and other commitments regarding the application of strategic export controls;
- b. The UK's international obligations under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention;
- c. The UK's commitments in the frameworks of the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement;
- d. The Guidelines for Conventional Arms Transfers agreed by the Permanent Five members of the UN Security Council, and the OSCE Principles Governing Conventional Arms Transfers and the EU Code of Conduct on Arms Exports;
- e. The UK's obligations under the Ottawa Convention and the 1998 Land Mines Act;
- f. The UN Convention on Certain Conventional Weapons.

CRITERION TWO

The respect of human rights and fundamental freedoms in the country of final destination.

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

- a. Not issue an export licence if there is a clear risk that the proposed export might be used for internal repression;
- b. Exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the equipment, to countries where serious violations of human rights have been established by the competent bodies of the UN, the Council of Europe or by the EU.

For these purposes equipment which might be used for internal repression will include, inter alia, equipment where there is evidence of the use of this or similar equipment for internal repression by the proposed end-user, or where there is reason to believe that the equipment will be diverted from its stated end-use or end-user and used for internal repression.

The nature of the equipment will be considered carefully, particularly if it is intended for internal security purposes. Internal repression includes, inter alia, torture and other cruel, inhuman and degrading treatment or punishment; summary, arbitrary or extra-judicial executions; disappearances; arbitrary detentions; and other major suppression or violations of human rights and fundamental freedoms as set out in relevant international human rights instruments, including the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights.

The Government considers that in some cases, the use of force by a government within its own borders, for example to preserve law and order against terrorists or other criminals is legitimate and does not constitute internal repression, as long as force is used in accordance with the international human rights standards described above.

CRITERION THREE

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

The Government will not issue licences for export which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

CRITERION FOUR

Preservation of regional peace, security and stability.

The Government will not issue an export licence if there is a clear risk that the intended recipient would use the proposed export aggressively against another country, or to assert by force a territorial claim. However, a purely theoretical possibility that the items concerned might be used in the future against another state will not of itself lead to a licence being refused.

When considering these risks, the Government will take into account inter alia:

- a. The existence or likelihood of armed conflict between the recipient and another country;
- b. A claim against the territory of a neighbouring country which the recipient has in the past tried or threatened to pursue by means of force;

- c. Whether the equipment would be likely to be used other than for the legitimate national security and defence of the recipient.

The need not to affect adversely regional stability in any significant way, taking into account the balance of forces between the states of the region concerned, their relative expenditure on defence, the potential for the equipment significantly to enhance the effectiveness of existing capabilities or to improve force projection, and the need not to introduce into the region new capabilities which would be likely to lead to increased tension.

CRITERION FIVE

The national security of the UK, or territories whose external relations are the UK's responsibility, and of allies, EU Member States and other friendly countries.

The Government will take into account:

- a. The potential effect of the proposed export on the UK's defence and security interests or on those of other territories and countries as described above, while recognising that this factor cannot affect consideration of the criteria on respect of human rights and on regional peace, security and stability;
- b. The risk of the goods concerned being used against UK forces or on those of other territories and countries as described above;
- c. The risk of reverse engineering or unintended technology transfer;
- d. The need to protect UK military classified information and capabilities.

CRITERION SIX

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

The Government will take into account inter alia the record of the buyer country with regard to:

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

- c. its commitment to non-proliferation and other areas of arms control and disarmament, in particular the signature, ratification and implementation of relevant arms control and disarmament conventions referred to in sub-para b) of Criterion One.

CRITERION SEVEN

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

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

- a. the legitimate defence and domestic security interests of the recipient country, including any involvement in UN or peace-keeping activity;
- b. the technical capability of the recipient country to use the equipment;
- c. the capability of the recipient country to exert effective export controls.

The Government will pay particular attention to the need to avoid diversion of UK exports to terrorist organisations. Proposed exports of anti-terrorist equipment will be given particularly careful consideration in this context.

CRITERION EIGHT

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

The Government will take into account, in the light of information from relevant sources such as United Nations Development Programme, World Bank, IMF and Organisation for Economic Cooperation and Development reports, whether the proposed export would seriously undermine the economy or seriously hamper the sustainable development of the recipient country.

The Government will consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid, and its public finances, balance of payments, external debt, economic and social development and any IMF- or World Bank-sponsored economic reform programme.

OTHER FACTORS

Operative Provision 10 of the EU Code of Conduct specifies that Member States may where appropriate also take into account the effect of proposed exports on their economic, social, commercial and industrial interests, but that these factors will not affect the application of the criteria in the Code.

The Government will thus continue when considering export licence applications to give full weight to the UK's national interest, including:

- a. the potential effect on the UK's economic, financial and commercial interests, including our long-term interests in having stable, democratic trading partners;
- b. the potential effect on the UK's relations with the recipient country;
- c. the potential effect on any collaborative defence production or procurement project with allies or EU partners;
- d. the protection of the UK's essential strategic industrial base.

In the application of the above criteria, account will be taken of reliable evidence, including for example, reporting from diplomatic posts, relevant reports by international bodies, intelligence and information from open sources and non-governmental organisations.

Annex B

International Development Association eligible countries

Africa

Angola
Benin
Burkina Faso
Burundi
Cape Verde
Cameroon
Central African Republic
Chad
Comoros
Congo, Democratic Republic of
Congo, Republic of
Cote D'Ivoire
Eritrea
Ethiopia
Gambia
Ghana
Guinea
Guinea-Bissau
Kenya
Lesotho
Liberia
Madagascar
Malawi
Maldives
Mali
Mauritania
Mozambique
Niger
Nigeria
Rwanda
Sao Tome and Principe
Senegal
Sierra Leone
Somalia
South Sudan
Sudan
Tanzania
Togo
Uganda
Zambia
Zimbabwe

East Asia

Cambodia
Kiribati
Laos, PDR
Marshall Islands
Micronesia
Mongolia
Myanmar
Papua New Guinea
Samoa
Solomon Islands
Timor-Leste
Tonga
Tuvalu
Vanuatu
Vietnam

Europe and Central Asia

Armenia
Bosnia-Herzegovina
Georgia
Kosovo
Kyrgyz Republic
Moldova
Tajikistan
Uzbekistan

Latin America and Caribbean

Bolivia
Dominica
Grenada
Guyana
Haiti
Honduras
Nicaragua
St Lucia
St Vincent & Grenadines

Middle East and North Africa

Djibouti
Yemen, Republic of

South Asia

Afghanistan
Bangladesh
Bhutan
India
Nepal
Pakistan
Sri Lanka

Annex C

Information Required for the UN Register of Conventional Arms

Standardized form for reporting international transfers of conventional arms (exports)^a



EXPORTS

Report of international conventional arms transfers

(according to United Nations General Assembly resolutions 46/36 L and 58/54)

Reporting country: United Kingdom

Calendar year: 2012

A		B	C	D ^b	E ^b	REMARKS ^c	REMARKS ^c
Category (I-VII)		Final importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
I.	Battle tanks	Australia	1			Chieftain	Deactivated
		Czech Republic	1			AMX13	Deactivated
		France	1			T72	Deactivated
		Greece	1			Centurion	Museum Display
		Greece	1			AMX 13/90	Museum Display
		Jordan	1			Stuart M3	Museum Display
		USA	1			T54	Deactivated

A		B	C	D ^b	E ^b	REMARKS ^c	REMARKS ^c
Category (I-VII)		Final importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
II.	Armoured combat vehicles	Australia	4			FV432	Deactivated
		Australia	1			FV433	Deactivated
		Australia	1			CVR(T) Sabre	Deactivated
		Australia	2			Ferret	
		Australia	1			CVRT Alvis Scimitar	Museum display
		Australia	1			Redfin 1B	
		Belgium	2			CVR(T) Sabre	
		Canada	2			CVR(T) Sabre	
		Canada	2			Striker	Collector
		Canada	1			FV432	
		Denmark	2			FV432	Deactivated
		Djibouti	7			Saxon APC	
		France	12			Saxon	
		Germany	1			AFV432	
		Germany	1			AFV434	
		Greece	1			CVR(T) Sabre	Museum display
		Greece	1			FV438	Museum display
		Greece	1			CVR(T) Stormer	Museum display
		Ireland	1			OT-65 FUG	No weapons
		Jordan	1			M36	Museum display
		Libya	1			Saxon	
		Netherlands	2			FV434	Private collection
		Netherlands	1			FV432	
		Poland	1			CVR(T) Stormer	
		Singapore	1			Bronco MK111	Modified for testing only
		Slovakia	1			FV432	Private collector
		Tanzania	3			Saxon	
USA	4			FV432			
USA	1			FV433			
USA	1			FV436	Deactivated		

A		B	C	D ^b	E ^b	REMARKS ^c	REMARKS ^c
Category (I-VII)		Final importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
II.	Armoured combat vehicles (continued)	USA USA USA USA USA USA USA USA	2 1 1 1 1 1 1 1			Ferret CVR(T) CVR(W) BTR-60 BRDM-2 MK1 432 GKN Mk2 Spartan APC	
III.	Large-calibre artillery systems	Australia Ireland New Zealand Slovenia Switzerland	1 1 1 1			Russian 122mm Howitzer 19th Century replica Timber Dwarf 6inch Breech Loading Howitzer Long Tom 152mm Artillery Gun Russian 76mm infantry gun Model M27	Collector Proofed to fire blanks Proofed by London Proof House Deactivated Deactivated
IV.	Combat aircraft	Australia New Zealand Saudi Arabia Spain Taiwan USA	1 1 2 1 1 1			Nakajima KI-43 Hanriot H-D1 Vintage Bi-Plane Tornado Typhoon F-104G Starfighter Sepecat Jaguar T4 Airframe	 Decommissioned Airframe only
V.	Attack helicopters	USA	1			Mi24 Hind	
VI.	Warships	Turkey	1			HMS Ark Royal	Decommissioned

A		B	C	D ^b	E ^b
Category (I-VII)		Final importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)
VII.	Missiles and missile launchers ^d	Greece	1		
		USA	1		

REMARKS ^c	REMARKS ^c
Description of item	Comments on the transfer
Scud Missile	Dismantled & deactivated
GAR1 Falcon	Exhibition

National criteria on transfers: _____

^{a b c d} See explanatory notes.

The nature of information provided should be indicated in accordance with explanatory notes e and f.

**Information on international transfers of small arms and light weapons^{a,b}
(exports)**



EXPORTS

Reporting country: United Kingdom

Calendar year: 2012

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
SMALL ARMS							
1	Revolvers and self-loading pistols	Afghanistan	8			Pistol	
		Bahrain	3				
		Belgium	11				
		Brazil	49				
		Canada	1020				
		Chile	4				
		Djibouti	130				
		Egypt	34				
		Falkland Islands	2				
		Finland	3				
		Germany	23				
		Ghana	50				
		Greece	50				
		Ireland	12				
		Italy	23				
		Jordan	2				
		Kenya	100				
		Korea, South	30				
		Lesotho	1				
		Libya	30				
		Madagascar	450				

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
1	Revolvers and self-loading pistols (continued)	Maldives	1230				
		Malta	17				
		Mauritius	1560				
		Morocco	8				
		Netherlands	10				
		New Zealand	8				
		Oman	2245				
		Qatar	2				
		Somalia	50				
		South Africa	1352				
		Spain	74				
		Sri Lanka	100				
		Switzerland	5				
		Tanzania	3				
		Turkey	11				
		UAE	11				
		USA	657				
		Zambia	140				
2	Rifles and carbines					Automatic rifles	
		Australia	4			Rifles	
		Austria	2				
		Belgium	26				
		Brazil	5				
		Canada	6020				
		Djibouti	200				
		Finland	2				
		France	7				
		Germany	1				
		Ghana	100				

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
2	Rifles and carbines (continued)	Greece	100				
		Hong Kong	20				
		Ireland	22				
		Italy	5				
		Japan	2				
		Jordan	3				
		Kenya	301				
		Madagascar	1500				
		Malaysia	4				
		Maldives	4390				
		Malta	40				
		Mauritius	5408				
		Netherlands	11				
		New Zealand	7				
		Norway	1				
		Oman	6270				
		Pakistan	2				
		Poland	1				
		Serbia	21				
		South Africa	5501				
Spain	106						
Switzerland	3						
UAE	5						
Ukraine	10						
USA	6						
Zambia	175						
		Brazil	6			Shotguns	
		Canada	1				
		Djibouti	150				
		Gibraltar	10				
		Kenya	200				
		Madagascar	1300				
		Maldives	1350				

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
2	Rifles and carbines (continued)	Malta	3				
		Mauritius	1354				
		Netherlands	9				
		New Zealand	1				
		Oman	1600				
		South Africa	950				
		Sri Lanka	210				
		USA	5				
		Argentina	44			Sporting Rifle	
		Australia	137				
		Austria	13				
		Bahrain	9				
		Barbados	1				
		Belgium	7				
		Botswana	10				
		Brazil	13				
		Bulgaria	15				
		Canada	81				
		Chile	84				
		Croatia	2				
		Cyprus	47				
		Denmark	24				
		Egypt	150				
		Estonia	2				
		Falkland Islands	4				
		France	17				
		Gambia	50				
		Georgia	5				
		Germany	1				
		Gibraltar	21				
		Greece	15				
		Hungary	21				
		India	2				

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
2	Rifles and carbines (continued)	Ireland	28				
		Italy	37				
		Jamaica	2				
		Japan	3				
		Kazakhstan	27				
		Kenya	5				
		Korea, South	4				
		Kuwait	249				
		Lebanon	17				
		Madagascar	450				
		Malaysia	2				
		Maldives	250				
		Malta	15				
		Mauritius	1465				
		Mozambique	1				
		Netherlands	89				
		New Zealand	381				
		Norway	115				
		Oman	1702				
		Pakistan	8				
		Paraguay	57				
		Philippines	313				
		Poland	2				
		Portugal	12				
		Qatar	21				
		Russia	31				
		Serbia	77				
		Singapore	1				
		Slovakia	4				
		South Africa	1308				
Spain	45						
Sri Lanka	300						
St Helena	10						

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
2	Rifles and carbines (continued)	Sweden	8				
		Switzerland	49				
		Tanzania	20				
		Thailand	4				
		Turkey	98				
		UAE	100				
		Ukraine	44				
		USA	727				
		Zambia	708				
		Australia	8			Sniper Rifle	
		Bangladesh	2				
		Belgium	4				
		Bosnia & Herzegovina	2				
		Canada	127				
		Chile	2				
		Czech Republic	1				
		Egypt	200				
		France	4				
		Germany	1				
		Ghana	4080				
		Hungary	19				
		Indonesia	208				
		Ireland	110				
		Italy	4				
		Japan	2				
		Korea, South	7				
		Lesotho	4				
		Madagascar	4				
		Malaysia	45				
		Mauritius	11				
		Namibia	1				
		New Zealand	9				

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
2	Rifles and carbines (continued)	Norway	5				
		Oman	248				
		Pakistan	12				
		Peru	11				
		Poland	1				
		Qatar	10				
		Romania	1				
		Russia	32				
		South Africa	158				
		Spain	2				
		Sweden	17				
		Switzerland	11				
		Thailand	23				
		Turkey	6				
		UAE	8				
		Ukraine	7				
		USA	7993				
		Zambia	5				
3	Sub-machine guns	Australia	2			Sub Machine Gun	
		Belgium	1				
		Brazil	18				
		Chile	12				
		Ireland	2				
		Korea, South	10				
		Lesotho	2				
		Morocco	3				
		New Zealand	88				
		Oman	50				
		Qatar	4				
		South Africa	11				
		UAE	50				

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
4	Assault rifles	Afghanistan	20			Assault Rifles	
		Australia	60				
		Bahrain	6				
		Belgium	5				
		Bermuda	62				
		Brazil	130				
		Brunei	3				
		Canada	15				
		Cayman Islands	6				
		Chile	8				
		Djibouti	1200				
		Egypt	600				
		Falkland Islands	4				
		Germany	3				
		Ghana	200				
		Greece	200				
		Italy	2				
		Jordan	4				
		Kenya	650				
		Korea, South	35				
Lesotho	3						
Libya	30						
Madagascar	5850						
Maldives	10500						
Malta	27						
Mauritius	10978						
Morocco	28						
Netherlands	1						
New Zealand	37						

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
4	Assault rifles <i>(continued)</i>	Oman	12957				
		Qatar	1				
		Russia	17				
		Seychelles	15				
		Somalia	50				
		South Africa	10319				
		Spain	200				
		Sri Lanka	600				
		Sweden	401				
		Turkey	4				
		UAE	914				
USA	6						
5	Light machine guns	Afghanistan	5			Light Machine Gun	
		Australia	10				
		Belgium	3				
		Bermuda	2				
		Brazil	10				
		Brunei	2				
		Hong Kong	8				
		Ireland	1				
		Kuwait	1				
		Malta	2				
		Namibia	2				
		New Zealand	18				
		Turkey	6				
LIGHT WEAPONS							
1	Heavy machine guns	Kenya	600			General Purpose Machine Guns	
		Bahrain	400			Heavy Machine Guns	
Bermuda	1						
Bosnia & Herzegovina	3						
Botswana	16						
Canada	2						

A		B	C	D	E	REMARKS	REMARKS
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
1	Heavy machine guns (continued)	Egypt	18				
		Falkland Islands	9				
		France	12				
		Germany	6				
		Hong Kong	10				
		Lesotho	1				
		Morocco	2				
		Netherlands	5				
		New Zealand	9				
		Saudi Arabia	1				
		Seychelles	14				
		Turkey	11				
		UAE	300				
2	Hand-Held under-barrel and mounted grenade launchers	Belgium	3				
		Brazil	28				
		Chile	1				
		Germany	1				
		Hong Kong	3				
		Jordan	49				
		Kenya	50				
		USA	3				
3	Portable anti-tank guns	Switzerland	1				
4	Recoilless rifles						
5	Portable launchers of anti-tank missile and rocket systems						
6	Mortars of calibres less than 75mm						

National criteria on transfers: _____

^a The standardized forms provide options for reporting only aggregate quantities under the generic categories of "Small arms" and "Light weapons" and/or under their respective subcategories. See the United Nations Information Booklet 2007 (<http://disarmament.un.org/cab/register.html>) for questions and answers regarding the reporting of small arms and light weapons.

^b The categories provided in the reporting form do not constitute a definition of "Small arms" and "Light weapons".

Standardized form for reporting international transfers of conventional arms (imports)^a



IMPORTS

Report of international conventional arms transfers

(according to United Nations General Assembly resolutions 46/36 L and 58/54)

Reporting country: United Kingdom

Calendar year: 2012

A		B	C	D ^b	E ^b	REMARKS ^c	
Category (I-VII)		Exporter State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
I.	Battle tanks						
II.	Armoured combat vehicles						
III.	Large-calibre artillery systems						
IV.	Combat aircraft						
V.	Attack helicopters						
VI.	Warships						
VII.	Missiles and missile launchers ^d	a) b)					

National criteria on transfers: _____

^{a b c d} See explanatory notes.

The nature of information provided should be indicated in accordance with explanatory notes e and f.

Information on international transfers of small arms and light weapons^{a,b} (imports)



IMPORTS

Reporting country: United Kingdom

Calendar year: 2012

A		B	C	D	E	REMARKS ^c	
		Exporter State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
SMALL ARMS							
1	Revolvers and self-loading pistols	Germany Austria	47 2000	N/A N/A	N/A N/A	Pistols	
2	Rifles and carbines						
3	Sub-machine guns						
4	Assault rifles	Canada USA	107 104	N/A N/A	N/A N/A	Assault rifles	
5	Light machine guns	Belgium Belgium Germany	200 146 600	N/A N/A N/A	N/A N/A N/A	LMGs/GPMGs	
6	Others	USA	2	N/A	N/A	Shotguns	
LIGHT WEAPONS							
1	Heavy machine guns						
2	Hand-held under-barrel and mounted grenade launchers	Germany	900	N/A	N/A	Grenade launchers	
3	Portable anti-tank guns						
4	Recoilless rifles						
5	Portable anti-tank missile launchers and rocket systems	USA Sweden	948 2026	N/A N/A	N/A N/A	Portable anti-tank missile launchers and rocket systems	

A		B	C	D	E	REMARKS ^c	
		Exporter State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
6	Mortars of calibres less than 75 mm	Austria	400	N/A	N/A	60mm mortar	
7	Others	Germany	224	N/A	N/A	GMG	

National criteria on transfers:

^a The standardized forms provide options for reporting only aggregate quantities under the generic categories of “Small arms” and “Light weapons” and/or under their respective subcategories. See the United Nations Information Booklet 2007 (<http://disarmament.un.org/cab/register.html>) for questions and answers regarding the reporting of small arms and light weapons.

^b The categories provided in the reporting form do not constitute a definition of “Small arms” and “Light weapons”.

THE UN REGISTER OF CONVENTIONAL ARMS

MILITARY HOLDINGS

Reporting Country: United Kingdom

For reporting period: 2012

Category	Definition	Number
Category I Battle Tanks	Challenger 2	345
Category II Armoured Combat Vehicles	CVR(T) Scimitar	289 Mk1 & 31 Mk2
	CVR(T) Spartan	413 Mk1 & 18 Mk2
	CVR(T) Sultan	195 Mk1 & 4 Mk2
	CVR(T) Sturgeon	35
	CVR(T) Salamander	32
	CVR(T) Samson	44 Mk1 & 5 Mk2
	CVR(T) Samaritan	47 Mk1 & 2 Mk2
	FV430 Series (Bulldog)	895
	Panther	396
	Viking Front Cab	115
	Viking TCV Rear	83
	Viking CV Rear	31
	Viking RRV Rear	14
	Warrior	790
	Warthog Front Cab	115
	Warthog Rear Cab	115
	Mastiffa	451
	Ridgeback ^a	177
	Wolfhound ^a	125
Category III Large Calibre Artillery Systems	AS90 155 mm SP Howitzer	89
	105 mm Light Gun	122
	MLRS launchers	35
Category IV Military Aircrafts	Tornado GR4	136
	Tornado F3	16
	Typhoon	105
	Reaper UAV	5
Category V Attack Helicopters	Apache AH1	66
	Lynx AH7	47
	Lynx AH9/9A	22
	Lynx MK3	13
	Lynx MK8	33
	Merlin MK1	42
	Sea King (Mk 7)	13

Category	Definition	Number
Category VI Warships	Submarines	9
	Aircraft Carriers	1
	Frigates/Destroyers	18
	Amphibious Ships	3
	Survey Vessels	3
	Offshore Patrol Vessels	4
	Aviation Training Ship	1
	Repair & Maintenance Ship	1
	Tanker/Replenishment Ship	11
	MCM Vessels	15
	Ice Patrol Ships	1
Category VII Missiles and Missile Launchers	Total	3450

Notes:

^a The UK defines these vehicles as Personal Protection Vehicles and they do not fully fit the definition of an ACV. They are included in the register for transparency reasons.

THE UN REGISTER OF CONVENTIONAL ARMS

PROCUREMENT FROM NATIONAL PRODUCTION

Reporting Country: **United Kingdom**

For reporting period: **2012**

Category (I-VII)	Number of Items	Details of model, type, variant
I. Battle Tanks		
II. Armoured Combat Vehicles	15	CVR(T) Scimitar Mk2
	9	CVR(T) Spartan Mk2
	4	CVR(T) Sultan Mk2
	2	CVR(T) Samaritan Mk2
	2	CVR(T) Samson Mk2
III. Large Calibre Artillery Systems		
IV. Combat Aircraft	19	Typhoon
V. Attack Helicopters	7	Agusta Westland Wildcat AH Mk1
VI. Warships	1	Type 45 destroyer (entry into service)
VII. Missiles & Missile Launchers		

Procurement from national production is defined as complete weapon systems purchased by the Government from suppliers within the United Kingdom or from programmes in which the UK is a collaborative partner.

Government to Government transfers of equipment between 1 January and 31 December 2012

Country	Type of Equipment	Quantity*
Saudi Arabia	Component repair and re-provisioning, munitions and training support for aircraft and their systems.	N/A
	Component repair and re-provisioning for naval vessels and their systems	N/A

Explanatory Notes

(a)	Member States that do not have anything to report should file a “nil report” clearly stating that no exports or imports have taken place in any of the categories during the reporting period.														
(b)	International arms transfers involve, in addition to the physical movement of equipment into or from national territory, the transfer of title to and control over the equipment. Member States are invited to provide with their return a concise explanation of national criteria used to determine when an arms transfer becomes effective. (See paragraph 42 of the annex to document A/49/316.)														
(c)	In the “Remarks” column Member States may wish to describe the item transferred by entering the designation, type, model or any other information considered relevant. Member States may also wish to use the “Remarks” column to explain or clarify aspects relevant to the transfer.														
(d)	Multiple-launch rocket systems are covered by the definition of category III. Rockets qualifying for registration are covered under category VII. MANPADS should be reported if the MANPAD system is supplied as a complete unit, i.e. the missile and launcher/Grip Stock form an integral unit. In addition, individual launching mechanisms or grip-stocks should also be reported. Individual missiles, not supplied with a launching mechanism or grip stock need not be reported.														
(e)	<p>Check any of the following provided as part of your submission:</p> <table border="1" data-bbox="272 824 1458 1167"> <thead> <tr> <th data-bbox="272 824 1369 862"></th> <th data-bbox="1369 824 1458 862">Check</th> </tr> </thead> <tbody> <tr> <td data-bbox="272 862 1369 900">(i) Annual report on exports of arms</td> <td data-bbox="1369 862 1458 900"></td> </tr> <tr> <td data-bbox="272 900 1369 938">(ii) Annual report on imports of arms</td> <td data-bbox="1369 900 1458 938"></td> </tr> <tr> <td data-bbox="272 938 1369 976">(iii) Available background information on military holdings</td> <td data-bbox="1369 938 1458 976"></td> </tr> <tr> <td data-bbox="272 976 1369 1014">(iv) Available background information on procurement through national production</td> <td data-bbox="1369 976 1458 1014"></td> </tr> <tr> <td data-bbox="272 1014 1369 1052">(v) Available background information on relevant policies and/or national legislation</td> <td data-bbox="1369 1014 1458 1052"></td> </tr> <tr> <td data-bbox="272 1052 1369 1090">(vi) Other (please describe)</td> <td data-bbox="1369 1052 1458 1090"></td> </tr> </tbody> </table>		Check	(i) Annual report on exports of arms		(ii) Annual report on imports of arms		(iii) Available background information on military holdings		(iv) Available background information on procurement through national production		(v) Available background information on relevant policies and/or national legislation		(vi) Other (please describe)	
	Check														
(i) Annual report on exports of arms															
(ii) Annual report on imports of arms															
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(iv) Available background information on procurement through national production															
(v) Available background information on relevant policies and/or national legislation															
(vi) Other (please describe)															
(f)	<p>When reporting transfers, which of the following criteria, drawn from paragraph 42 of the annex to document A/49/316, were used:</p> <table border="1" data-bbox="272 1249 1458 1496"> <tbody> <tr> <td data-bbox="272 1249 1369 1288">(i) Departure of equipment from the exporter’s territory</td> <td data-bbox="1369 1249 1458 1288"></td> </tr> <tr> <td data-bbox="272 1288 1369 1326">(ii) Arrival of equipment in the importer’s territory</td> <td data-bbox="1369 1288 1458 1326"></td> </tr> <tr> <td data-bbox="272 1326 1369 1364">(iii) Transfer of title</td> <td data-bbox="1369 1326 1458 1364"></td> </tr> <tr> <td data-bbox="272 1364 1369 1402">(iv) Transfer of control</td> <td data-bbox="1369 1364 1458 1402"></td> </tr> <tr> <td data-bbox="272 1402 1369 1496">(v) Others (please provide brief description below)</td> <td data-bbox="1369 1402 1458 1496"></td> </tr> </tbody> </table>	(i) Departure of equipment from the exporter’s territory		(ii) Arrival of equipment in the importer’s territory		(iii) Transfer of title		(iv) Transfer of control		(v) Others (please provide brief description below)					
(i) Departure of equipment from the exporter’s territory															
(ii) Arrival of equipment in the importer’s territory															
(iii) Transfer of title															
(iv) Transfer of control															
(v) Others (please provide brief description below)															

Explanatory Notes (continued)

Categories of equipment and their definitions

I.	Battle tanks Tracked or wheeled self-propelled armoured fighting vehicles with high cross-country mobility and a high-level of self-protection, weighing at least 16.5 metric tons unladen weight, with a high muzzle velocity direct fire main gun of at least 75 millimetres calibre.
II.	Armoured combat vehicles Tracked, semi-tracked or wheeled self-propelled vehicles, with armoured protection and cross-country capability, either: (a) designed and equipped to transport a squad of four or more infantrymen, or (b) armed with an integral or organic weapon of at least 12.5 millimetres calibre or a missile launcher.
III.	Large-calibre artillery systems Guns, howitzers, artillery pieces, combining the characteristics of a gun or a howitzer, mortars or multiple-launch rocket systems, capable of engaging surface targets by delivering primarily indirect fire, with a calibre of 75 millimetres and above.
IV.	Combat aircraft Fixed-wing or variable-geometry wing aircraft designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons or other weapons of destruction, including versions of these aircraft which perform specialized electronic warfare, suppression of air defence or reconnaissance missions. The term "combat aircraft" does not include primary trainer aircraft, unless designed, equipped or modified as described above.
V.	Attack helicopters Rotary-wing aircraft designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons, including versions of these aircraft which perform specialized reconnaissance or electronic warfare missions.
VI.	Warships Vessels or submarines armed and equipped for military use with a standard displacement of 500 metric tons or above, and those with a standard displacement of less than 500 metric tons, equipped for launching missiles with a range of at least 25 kilometres or torpedoes with similar range.
VII.	Missiles and missile launchers (a) Guided or unguided rockets, ballistic or cruise missiles capable of delivering a warhead or weapon of destruction to a range of at least 25 kilometres, and means designed or modified specifically for launching such missiles or rockets, if not covered by categories I through VI. For the purpose of the Register, this sub-category includes remotely piloted vehicles with the characteristics for missiles as defined above but does not include ground-to-air missiles. (b) Man-Portable Air-Defence Systems (MANPADS).

Annex D

UK Return to EU Annual Report 2012

a Number of licences		EU Common Military List category									
b Value of licences in euros											
UK exports to:		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 8	ML 9	ML 10
North Africa	a	5	0	1	4	2	3	0	0	0	4
	b	1 027 608	0	5 594	17 613	62 150	748 326	0	0	0	1 496 239
Algeria	a	3			1	2					
	b	866316			808	62 150					
Libya	a	1		1			3				
	b	122 436		5 594			748 326				
Morocco	a	1			1						2
	b	38 856			2 486						4 270
Tunisia	a				2						2
	b				14 319						1 491 969
Sub-Saharan Africa	a	223	6	145	38	11	90	8	0	1	56
	b	114 603 604	843 524	15 064 894	4 753 135	294 322	18 760 201	71 157	0	62 150	28 298 300
Angola	a							1			2
	b							27 908			51 591
Benin	a										
	b										
Botswana	a	6	1	1	1	1	2	1			
	b	675 938	88 439	1 989	25 730	14 916	1 236 565	10 784			
Burundi	a				1						
	b				30 704						
Cameroon	a										
	b										
Chad	a										
	b										
Comoros	a										
	b										
Congo (Republic of)	a						1				
	b						9 323				
Congo (Democratic Republic of)	a				1						1
	b				15 165						315 101

EU Common Military List category

EU Common Military List category												TOTAL per destination
ML 11	ML 12	ML 13	ML 14	ML 15	ML 16	ML 17	ML 18	ML 19	ML 20	ML 21	ML 22	TOTAL per destination
4	0	2	0	3	0	1	0	0	0	0	1	30
89 232	0	23 306	0	786 819	0	80 795	0	0	0	0	31	4 337 713
4		1		3							1	15
89 232		14 033		786 819							31	1 819 389
		1										6
		9 273										885 629
												4
												45 612
						1						5
						80 795						1 587 083
46	0	162	3	8	5	7	0	0	0	2	17	828
2 959 817	0	23 296 115	67 874	1 072 020	207 165	108 326	0	0	0	1 305	40 223	210 504 132
1											1	5
31 075											249	110 823
		2										2
		589 741										589 741
3		1		1								18
423 621		53 754		64 636								2 596 372
1												2
3 943												34 647
1		2										3
76 043		9 764										85 807
1												1
492												492
		1										1
		294 871										294 871
1												2
76 043												85 366
												2
												330 266

a Number of licences		EU Common Military List category									
b Value of licences in euros											
UK exports to:		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 8	ML 9	ML 10
Djibouti	a	5		3			1				
	b	3 734 842		473 583			304 535				
Ethiopia	a						1				
	b						46 613				
Gabon	a	1									
	b	30 720									
Gambia	a	3									
	b	7 234									
Ghana	a	4		2							
	b	1 324 528		142 945							
Ivory Coast	a				1						
	b				14 238						
Kenya	a	11	2	4	2		5				6
	b	6 155 044	679 262	658 554	4 193		500 697				105 407
Lesotho	a	1		1							
	b	110 017		11 628							
Liberia	a										
	b										
Madagascar	a	17		17							
	b	16 614 932		2 478 045							
Mali	a										
	b										
Mauritania	a										1
	b										114 004
Mauritius	a	48		49	1						
	b	45 076 363		5 882 423	4 661						
Mozambique	a	1					1				
	b	124					3 729				
Namibia	a	6				1	4				
	b	45 575				0	150 900				
Niger	a										1
	b										1 641
Nigeria	a				3		12			1	3
	b				245 065		1 523 980			62 150	25 015 785
Senegal	a										
	b										
Seychelles	a	5		4							
	b	100 062		63 952							
Sierra Leone	a						11				
	b						844 849				
Somalia	a	2		2	3		2				
	b	121 379		22 623	127 072		757 919				
South Africa	a	99	3	52	24	9	19	6			42
	b	39 671 796	75 823	4 915 480	4 255 604	279 406	3 048 041	32 465			2 694 771
South Sudan	a						2				
	b						2 686 614				
Tanzania	a	6		8			14				
	b	28 677		6 900			6 520 629				
Togo	a						1				
	b						24 680				
Uganda	a				1		7				
	b				30 703		987 874				
Zambia	a	8		2			7				
	b	906 373		406 772			113 253				

EU Common Military List category												
ML 11	ML 12	ML 13	ML 14	ML 15	ML 16	ML 17	ML 18	ML 19	ML 20	ML 21	ML 22	TOTAL per destination
		6										15
		524 626										5 037 586
												1
												46 613
												1
												30 720
												3
												7 234
		5										11
		1 297 568										2 765 041
		1										2
		21 131										35 369
5		6		4							2	47
188 731		422 508		583 589							0	9 297 985
											1	3
											25	121 670
		1										1
		129 272										129 272
		17		1								52
		2 937 178		248 600								22 278 755
		1										1
		5 383										5 383
												1
												114 004
4		44									1	147
10 393		6 321 206									0	57 295 046
		5										7
		1 409 438										1 413 291
		1									1	13
		294 871									20 640	511 986
												1
												1 641
2		11				1					1	34
25 990		1 806 567				8 701					6 837	28 695 075
1		1										2
8 193		7 831										16 024
		2										11
		298 152										462 166
						1						12
						58 545						903 394
		7										16
		229 929										1 258 922
25		44	2	2	5	2				2	10	346
2 111 350		5 725 831	44 947	175 195	207 165	1 925				1 305	12 472	63 253 576
		1										3
		31 882										2 718 496
		1				2						31
		294 871				26 725						6 877 802
		2										3
		589 741										614 421
1			1			1						11
3 943			22 927			12 430						1 057 877
												17
												1 426 398

a Number of licences		EU Common Military List category									
b Value of licences in euros											
UK exports to:		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 8	ML 9	ML 10
North America	a	146	13	16	46	35	72	28	3	11	261
	b	36 840 395	4 914 005	889 187	21 489 435	17 293 815	3 444 373	8 885 409	10 174	1 153 757	246 792 055
Canada	a	43		11	11	6	37	9		8	25
	b	1 817 843		546 713	2 999 396	4 662 738	1 558 733	232 445		1 021 852	2 908 374
United States	a	103	13	5	35	29	35	19	3	3	236
	b	35 022 552	4 914 005	342 474	18 490 039	12 631 077	1 885 640	8 652 964	10 174	131 905	243 883 681
Central America and the Caribbean	a	5	0	6	0	0	1	2	0	1	14
	b	927 372	0	335 069	0	0	435 050	16 523	0	5 254	1 364 102
Antigua and Barbuda	a			1							
	b			13 504							
Bahamas	a										1
	b										1 243 000
Barbados	a	1		3				1			
	b	653		97 825				3 621			
Dominican Republic	a						1				
	b						435 050				
Jamaica	a	1		1							
	b	1 616		118 085							
Mexico	a	1		1						1	7
	b	332 602		105 655						5 254	111 582
Panama	a	1									5
	b	216 145									2 062
Saint Vincent and Grenadines	a							1			
	b							12 902			
Trinidad and Tobago	a	1									1
	b	376 356									7 458
South America	a	55	7	14	11	17	13	7	2	31	106
	b	4 491 205	61 385	2 586 793	417 704	12 956 433	2 691 904	16 401	126 786	157 434 240	6 942 767
Argentina	a	18		3							2
	b	284 707		97 240							7 207
Brazil	a	12	5	5	10	7	11	6		20	89
	b	1 234 341	57 732	1 669 233	405 956	8 155 344	204 164	16 165		150 439 456	4 186 900
Chile	a	19	2	6		8	1		2	8	4
	b	1 520 478	3 653	820 320		4 418 786	1 740		126 786	135 350	37 806
Colombia	a	1						1			6
	b	432 291						236			2 566 986
Ecuador	a					1				1	1
	b					2 405				3 403	78 495
Paraguay	a	2									
	b	31 541									
Peru	a	2				1				2	1
	b	593 567				379 898				6 856 031	178
Uruguay	a				1			1			3
	b				11 748			2 486 000			65 195
Venezuela	a	1									
	b	394 280									

EU Common Military List category

ML 11	ML 12	ML 13	ML 14	ML 15	ML 16	ML 17	ML 18	ML 19	ML 20	ML 21	ML 22	TOTAL per destination
105	0	22	5	8	43	2	3	1	0	37	38	895
34 640 588	0	248 853	1 591 814	5 713 823	8 233 186	36 992	12 803	41 641	0	8 187 772	1 381 090	401 801 167
16		5		1	3					10	7	192
1 932 908		63 481		70 459	2 293 145					893 096	521 749	21 522 932
89		17	5	7	40	2	3	1		27	31	703
32 707 680		185 372	1 591 814	5 643 364	5 940 041	36 992	12 803	41 641		7 294 676	859 341	380 278 235
6	0	2	0	3	0	1	1	0	0	0	1	43
520 351	0	128 417	0	190 738	0	2 148	5 430	0	0	0	111	3 930 565
												1
												13 504
												1
												1 243 000
												5
												102 099
												1
												435 050
1		1				1					1	6
104 847		209				2 148					111	227 016
4		1		1			1					17
411 775		128 208		71 572			5 430					1 172 078
1				1								8
3 729				43 865								265 801
												1
												12 902
				1								3
				75 301								459 115
72	0	14	2	13	0	4	0	0	0	8	17	393
7 810 538	0	869 373	21 354	5 433 712	0	191 776	0	0	0	39 968	286 906	202 379 245
												23
												389 154
45		2		4						3	6	225
5 675 750		26 843		4 928 097						12 057	281 390	177 293 428
14		5	2	6		1				1	7	86
244 341		317 100	21 354	329 432		165 265				14 916	0	8 157 327
3				1								12
37 343				67 843								3 104 699
3		4										10
219 709		439 318										743 330
		1										3
		6 215										37 756
5		2		1		3				3	4	24
1 623 451		79 897		74 058		26 511				12 498	5 516	9 651 605
1												6
2 486												2 565 429
1				1						1		4
7 458				34 282						497		436 517

a Number of licences		EU Common Military List category									
b Value of licences in euros											
UK exports to:		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 8	ML 9	ML 10
Central Asia	a	2	0	1	0	0	0	1	0	0	0
	b	11 925	0	37 290	0	0	0	14 257	0	0	0
Kazakhstan	a	2						1			
	b	11 925						14 257			
Kyrgyzstan	a			1							
	b			37 290							
North East Asia	a	38	4	11	36	53	12	54	5	38	146
	b	5 347 042	100 676	3 215 020	8 525 721	11 000 884	9 798 374	12 534 405	156 448	7 705 880	10 589 657
China (Mainland)	a	4		2	4	2	4	19	1	6	6
	b	410 487		2 908 620	1 458 224	1 834 669	9 610	8 234 258	447	672 725	838 232
China (Hong Kong)	a	6	1	4	11	1		6			1
	b	830 105	46	126 494	224 611	1 243		309 910			24 853
China (Macao)	a			1	5						1
	b			16 159	91 277						258
Korea (Republic of)	a	11	3	2	14	44	7	6	1	20	109
	b	1 676 224	100 630	98 698	6 740 493	8 949 689	9 773 550	85 250	155 375	6 648 732	9 064 650
Japan	a	12		2		2		15			3
	b	1 961 567		65 049		38 072		139 122			62 971
Taiwan	a	5			2	4	1	8	3	12	26
	b	468 659			11 116	177 211	15 214	3 765 865	626	384 423	598 693
South East Asia	a	83	9	34	49	20	82	52	3	30	181
	b	12 682 105	849 707	2 120 621	44 076 878	5 029 626	7 110 924	1 979 440	864 943	6 237 134	55 868 903
Brunei	a	9	1	5	3		3	1		1	2
	b	511 675	188	242 721	74 390		49 968	77		7 533	178 774
Indonesia	a	15	1	10	11	2	5	5	1	5	70
	b	2 806 555	24 661	1 009 061	14 514 262	242 822	2 051 242	1 061 916	864 738	30 230	39 443 604
Laos	a										
	b										
Malaysia	a	16	2	7	12	5	1	14		9	66
	b	3 047 877	764 265	291 724	24 014 838	106 890	21 554	283 529		3 056 314	14 705 259
Myanmar	a										
	b										
Philippines	a	4		3							
	b	464 324		423 863							
Singapore	a	24	4		14	9	73	19	2	11	27
	b	4 573 995	36 976		4 741 724	124 329	4 988 160	171 888	205	2 976 050	558 340
Thailand	a	13	1	9	9	4		7		4	14
	b	798 777	23 617	153 252	731 664	4 555 585		25 986		167 007	947 438
Vietnam	a	2						6			2
	b	478 902						436 044			35 488
South Asia	a	65	5	65	42	84	32	14	3	71	320
	b	39 665 611	253 964	5 103 975	23 185 641	5 943 116	10 609 361	3 051 188	199 163	34 688 974	15 707 821
Afghanistan	a	5		5	8		3				5
	b	64 052		54 856	2 678 917		6 795 006				53 110
Bangladesh	a	1		2			4				
	b	37 404		29 832			697 519				
India	a	6	4	7	29	78	19	10	2	57	277
	b	679 464	111 019	168 676	19 938 581	4 436 821	2 566 871	963 984	283	33 763 161	14 614 393
Maldives	a	36		37							
	b	35 650 558		4 326 324							

EU Common Military List category

ML 11	ML 12	ML 13	ML 14	ML 15	ML 16	ML 17	ML 18	ML 19	ML 20	ML 21	ML 22	TOTAL per destination
2	0	0	0	0	0	1	0	0	0	0	0	7
13 176	0	0	0	0	0	124	0	0	0	0	0	76 772
2						1						6
13 176						124						39 482
												1
												37 290
112	0	5	8	11	13	8	7	0	0	23	72	656
17 984 692	0	49 681	472 529	824 487	778 601	1 222 043	2 684 555	0	0	845 523	3 472 579	97 308 797
7				1	3	1	4			4	33	101
60 309				32	313 276	35	2 320 184			130 317	362 376	19 553 801
9		3	1	2							3	48
156 183		46 437	2 536	113 834							39	1 836 291
1			1									9
547			2 685									110 926
61			3	3	6	5	1			11	17	324
15 468 098			396 268	163 032	170 769	1 214 622	208 824			668 735	3 054 610	64 638 249
17		2	1	2						2	1	59
1 422 297		3 244	12 204	229 903						34 302	16 159	3 984 890
17			2	3	4	2	2			6	18	115
877 258			58 836	317 686	294 556	7 386	155 547			12 169	39 395	7 184 640
145	0	19	6	21	3	26	5	0	0	22	47	837
8 845 169	0	1 275 658	753 828	2 518 815	232 973	4 971 306	98 722	0	0	396 324	90 784	156 003 860
8				2		1				1	2	39
161 418				198 408		5 556				55 935	0	1 486 643
12		3	1	4		5				2	9	161
147 608		652 243	69 274	300 895		4 113 254				49 720	5 995	67 388 080
		1										1
		45 991										45 991
55		3		3		5	2			7	9	216
6 174 946		41 053		236 008		44 291	31 100			144 251	22 752	52 986 651
		1										1
		49 720										49 720
1		3		1								12
7 458		78 931		74 058								1 048 634
44		7	2	6	3	9	2			5	22	283
1 161 879		404 247	507 691	397 467	232 973	63 619	56 086			84 151	56 630	21 136 410
16		1	3	3		3	1			6	4	98
1 017 580		3 473	176 863	1 122 794		5 805	11 536			52 517	5 407	9 799 301
9				2		3				1	1	26
174 280				189 185		738 781				9 750	0	2 062 430
111	0	72	12	20	7	6	4	0	0	17	58	1 008
19 417 696	0	6 674 199	2 096 690	1 103 053	316 593	1 212 065	10 378 969	0	0	1 178 840	2 656 858	183 443 777
4		9								1	4	44
1 150 237		137 720								62	1 861 709	12 795 669
2			1								2	12
5 189			194 279								54 350	1 018 573
89		10		16	7	3	3			12	42	680
9 450 402		17 439	1 322 127	914 738	316 593	1 205 592	257 220			1 061 102	432 397	92 220 863
		37		1								111
		5 081 664		174 020								45 232 566

a Number of licences		EU Common Military List category									
b Value of licences in euros											
UK exports to:		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 8	ML 9	ML 10
Pakistan	a	11	1	7	5	5	6	4	1	13	32
	b	122 655	142 945	102 040	568 143	1 299 640	549 965	2 087 204	198 880	851 273	998 804
Sri Lanka	a	6		7		1				1	6
	b	3 111 478		422 247		206 655				74 540	41 514
Europe Union	a	627	23	63	135	191	130	94	10	76	751
	b	77 676 687	562 931	5 784 545	27 759 722	19 210 366	17 274 744	11 710 847	9 253	3 864 003	170 305 958
Austria	a	27				1	4	4			4
	b	835 769				34 282	78 916	23 399			65 721
Belgium	a	31	1	4	3	8	10	2			5
	b	1 846 810	2 237	59 235	109 364	165 965	2 340 693	42 669			558 899
Bulgaria	a	18		1	1	1					2
	b	534 808		227	22 708	620					23 496
Cyprus	a	20	1	1							1
	b	1 992 232	56 486	27 097							164 076
Czech Republic	a	4			2	1	1	2			6
	b	5 966 244			3 978	57 526	23 617	9 485 425			77 286
Denmark	a	25		1	4		2	6		1	5
	b	2 685 541		472 340	180 460		20 572	167 525		161 590	270 647
Denmark (Greenland)	a	3									
	b	8 911									
Denmark (Faeroes)	a										1
	b										12 306
Estonia	a	6		1	1	1	5			1	
	b	1 759 206		12 430	33 561	136 730	231 834			1 192	
Finland	a	32		1	2	1	9	4			
	b	2 094 035		2 772	2 180 844	109 476	107 950	95 203			
France	a	72	2	10	36	28	18	8		30	91
	b	5 427 622	10 228	451 906	13 835 817	3 453 467	2 954 440	291 584		1 407 023	15 294 855
France (New Caledonia)	a	3		1							
	b	1 249		248 600							
Germany	a	45	3	6	23	25	25	15	7	22	157
	b	8 417 314	203 052	161 641	1 221 340	863 472	8 030 446	226 076	8 738	1 368 673	20 422 559
Greece	a	18	1	2	7		8			1	5
	b	1 025 064	13 673	556 909	103 783		301 655			16 461	535 978
Hungary	a	4						3			
	b	612 266						16 202			
Ireland	a	58	2	3	5		1	3	3		3
	b	1 294 335	56 403	9 972	2 351 231		10 317	100 872	515		52 096
Italy	a	50		3	27	36	3	6		2	226
	b	2 634 285		1 276 810	1 015 644	1 880 431	116 439	135 901		535 424	35 023 367
Latvia	a	4	1	1	1	2		3			2
	b	811 848	14 295	2 391	1 040	141 093		17 047			9 180
Lithuania	a	11			1						
	b	991 406			15						
Luxembourg	a	5			2	3		1			2
	b	11 719 254			21 613	1 091 740		4 251			35 166
Malta	a	9		2				1			
	b	233 891		15 774				13 595			
Netherlands	a	30		4	3	15	4	13		7	52
	b	5 491 071		16 160	4 355 749	836 942	292 135	594 105		103 955	4 522 394

EU Common Military List category

ML 11	ML 12	ML 13	ML 14	ML 15	ML 16	ML 17	ML 18	ML 19	ML 20	ML 21	ML 22	TOTAL per destination
15		8	2	3		3	1			4	10	131
8 806 713		112 764	580 284	14 295		6 473	10 121 749			117 676	308 402	26 989 905
1		8										30
5 155		1 324 612										5 186 201
235	1	54	13	57	76	28	6	0	0	42	76	2 688
29 494 284	124	26 815 569	2 319 006	7 836 090	27 660 641	1 236 107	763 817	0	0	2 352 135	18 625 830	451 262 659
4				2								46
81 122				198 358								1 317 567
6			1	2		2				2	2	79
164 092			8 080	114 356		73 337				4 723	0	5 490 460
1				1								25
9 944				49 720								641 523
3				2								28
148 718				170 490								2 559 099
3		1		1		3				1	1	26
39 429		8 390		107 619	8 650 984					24 860	3 108	24 448 466
4		4		1						1	1	55
26 460		160 844		107 619						1 365	8 291	4 263 254
												3
												8 911
												1
												12 306
2				3							1	21
29 832				227 668							373	2 432 826
3				3						1		56
108 700				89 496						0		4 788 476
48	1	9	1	10	15	3				7	26	415
10 670 858	124	3 187 349	245	1 259 630	1 496 941	75 060				16 805	18 536 228	78 370 182
												4
												249 849
48		7	3	8	5	4				16	11	430
3 022 941		142 394	2 102 968	576 235	2 037 551	101 881				1 037 066	48 998	49 993 345
4		2								2	1	51
4 473		180 766								14 522	0	2 753 284
				2								9
				188 936								817 404
5			1	2		2						88
73 380			1	176 344		138 472						4 263 938
33		3	1	3	27	2	1			3	16	442
1 489 497		21 652 128	4 838	221 131	4 166 944	323 180	745 800			1 245 113	12 511	72 479 443
2				1								17
16 370				107 619								1 120 883
1				1								14
14 916				107 619								1 113 956
2		1		1		4						21
26 103		1 720		67 843		22 696						12 990 386
		4										16
		275 697										538 957
8		10		3	12	2	1			2	1	167
390 369		184 644		142 162	481 649	47 074	16 975			4 973	124	17 480 481

a Number of licences		EU Common Military List category									
b Value of licences in euros											
UK exports to:		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 8	ML 9	ML 10
Netherlands (Aruba)	a	1									
	b	3 902									
Poland	a	8	3	5	1	1	10	4			9
	b	3 540 162	19 310	93 448	0	65 867	921 604	22 528			4 930 093
Portugal	a	12			1		1				11
	b	3 090 633			77 843		24 860				314 243
Romania	a	8		1	1		1	3			7
	b	486 846		1 150	81		50 609	23 560			111 914
Slovakia	a	6		1	1		9	3			1
	b	1 580 613		1 318	2 177 860		223 777	287 870			1 937
Slovenia	a	14	1		1	1	1	1			
	b	305 923	62 150		2 763	11 112	62 150	13 074			
Spain	a	32	2	7	1	3	6	8		3	141
	b	4 674 640	90 225	167 756	357	8 803 351	1 590 113	47 208		67 327	86 091 989
Sweden	a	51	6	4	8	64	12	4		9	20
	b	7 139 492	34 872	2 206 313	95 342	1 695 021	124 446	102 753		203 549	1 787 756
United Kingdom (Bermuda)	a	4			1						
	b	118 895			435						
United Kingdom (Cayman Islands)	a	1									
	b	23 780									
United Kingdom (Falkland Islands)	a	10		2	2						
	b	308 006		4 086	1 454						
United Kingdom (Gibraltar)	a	5		2							
	b	20 634		8 639							
Other European countries	a	158	6	22	34	57	74	27	0	29	173
	b	8 186 478	357 287	6 474 502	4 945 196	14 415 273	17 748 123	367 284	0	13 640 003	37 459 774
Bosnia and Herzegovina	a	4					1				
	b	82 050					292 105				
Croatia	a	4					4	3			
	b	319 919					111 622	35 504			
Former Yugoslav Republic of Macedonia	a	1			1						
	b	217			54 398						
Georgia	a	2					1				
	b	658 790					1 865				
Iceland	a	1		2							
	b	118		43 179							
Kosovo (under UNSCR 1244/99)	a						1				
	b						62 150				
Montenegro	a							1			3
	b							25 743			415 507

EU Common Military List category												TOTAL per destination
ML 11	ML 12	ML 13	ML 14	ML 15	ML 16	ML 17	ML 18	ML 19	ML 20	ML 21	ML 22	
												1
												3 902
5			1	1		3						51
90 202			62	107 619		236 254						10 027 149
		2		1	2		1					31
		855 691		2 126	6 174		19					4 371 589
3			1	1						1	2	29
93 087			21 969	64 636						0	62	853 914
4		1	1			2					1	30
5 970 588		186	1 298			146 152					0	10 391 599
2		2										23
11 760		5 202										474 134
23		4		3	8					4	3	248
4 146 956		128 333		3 779 526	8 371 286					2 490	13 679	117 975 236
20		3	2	4	4	4	3			2	7	227
2 885 616		12 337	169 438	163 082	2 449 112	72 001	1 023			218	2 828	19 145 199
		1	1								2	9
		19 888	10 107								0	149 325
											1	2
											0	23 780
												16
1				1								16
8 701				33 921								356 168
												7
												29 273
67	0	22	4	18	3	9	5	0	0	11	37	756
12 354 730	0	635 986	129 202	822 837	817 140	318 897	30 238	0	0	87 037	90 389	118 880 376
1							1					7
12 430							17 758					404 343
8				1		2				1	2	25
203 722				3 373		1 898				9 949	1 815	687 802
											1	3
											12	54 627
3				1								7
909 888				99 440								1 669 983
1		1										5
5 429		1 600										50 326
												4
		3										4
		25 991										88 141
												4
												441 250

a Number of licences		EU Common Military List category									
b Value of licences in euros											
UK exports to:		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 7	ML 8	ML 9	ML 10
Norway	a	45	1	7	12	2		4			
	b	2 271 894	75 046	2 647 622	375 014	9 812		64 811			
Russian Federation	a	20		3	1		4	1		1	11
	b	450 257		3 630 902	10 740		1 354 746	14 009		2 513 922	875 878
Serbia	a	1					1	2			8
	b	6 761					21 851	56 481			907 604
Switzerland	a	31	3	3		5	8	5		7	65
	b	1 706 732	42 628	109 788		1 443 904	90 081	36 325		38 997	29 364 897
Turkey	a	27	2	4	17	49	51	11		21	86
	b	1 828 969	239 613	7 909	4 472 645	12 949 460	14 814 055	134 411		11 087 084	5 895 888
Ukraine	a	22		3	3	1	3				
	b	860 771		35 102	32 399	12 097	999 648				
Middle East	a	200	11	106	56	87	84	23	0	19	219
	b	81 461 591	15 012 083	14 953 694	8 214 650	20 888 557	17 910 617	3 044 414	0	450 596 221	109 710 658
Bahrain	a	8		1	1	1		1			10
	b	5 249 198		4 226	7 334	17 085		30 603			136 439
Egypt	a	7	1	2	2	3	2				1
	b	2 017 019	14 890 519	269 288	196 729	762 634	155 616				116 731
Iraq	a	1			1		3				
	b	34 282			32 571		1 522 019				
Israel	a	5		2	14	57	3	2		6	17
	b	2 887 685		65 127	1 696 514	16 845 966	777 155	3 530		30 085	1 290 408
Jordan	a	12	1	4	1	1	8				22
	b	2 180 650	108 324	1 927 105	131 124	14 916	422 851				332 647
Kuwait	a	17		2	2	5	1	2		2	45
	b	1 608 656		205 443	198 182	375 386	3 729	70 853		190 809	787 488
Lebanon	a	2									2
	b	16 941									18 196
Oman	a	86	9	79	18	7	28	3		3	69
	b	57 263 654	13 240	9 592 405	1 183 178	81 421	1 132 347	581 033		449 594 162	1 342 308
Qatar	a	13		5	1	1	1	2			1
	b	1 440 633		39 659	929	14 916	97 851	3 069			29 832
Saudi Arabia	a	7		3	8	3	21	5		5	20
	b	1 497 924		2 681 126	3 985 897	215 984	10 953 188	1 913 780		181 267	101 199 962
Syria	a						1				
	b						7 620				
United Arab Emirates	a	42		8	8	9	16	8		3	32
	b	7 264 949		169 315	782 192	2 560 249	2 838 241	441 546		599 898	4 456 647
Oceania	a	175	10	7	13	3	17	21	1	12	29
	b	9 239 144	212 806	7 641	740 918	72 780	7 597 873	158 278	219	55 428	4 801 762
Australia	a	69	3	4	9	3	12	19	1	10	28
	b	2 997 578	36 992	5 407	680 052	72 780	7 569 828	148 955	219	47 908	4 696 107
New Zealand	a	106	7	3	4		4	2		2	1
	b	6 241 566	175 814	2 234	60 866		25 972	9 323		7 520	105 655
Solomon Islands	a						1				
	b						2 073				
TOTAL PER ML category	a	1 782	94	491	464	560	610	331	27	319	2 260
	b	392 160 767	23 168 368	56 578 825	144 126 613	107 167 322	114 129 870	41 849 603	1 366 986	675 443 044	689 337 996

EU Common Military List category

ML 11	ML 12	ML 13	ML 14	ML 15	ML 16	ML 17	ML 18	ML 19	ML 20	ML 21	ML 22	TOTAL per destination
7		1		4		2	1				3	89
129 410		559		148 888		3 840	1 243				2 424	5 730 563
4		7				3					3	58
1 034 333		39 851				159 340					1 041	10 085 019
											10	22
											234	992 931
7		7	2			1				2	2	148
713 862		61 245	87 096			3 697				3 108	0	33 702 360
36		2	2	11	3	1	3			8	13	347
9 345 656		11 255	42 106	223 096	817 140	150 122	11 237			73 980	2 825	62 107 451
		1		1							3	37
		495 485		348 040							82 038	2 865 580
149	0	101	18	35	2	9	7	0	0	28	60	1 214
20 229 640	0	12 957 588	587 200	11 578 357	6 644	589 944	1 859 812	0	0	682 828	4 895 607	775 180 105
3						1				1	1	28
271 078						1				2 743	1	5 718 708
2		5					1					26
101 336		736 453					228 949					19 475 274
1		6		1							2	15
75 015		415 038		34 282							29 944	2 143 151
27		2	1	1			1			3	5	146
990 512		233 071	35 798	124 300			6 215			40 398	55 936	25 082 700
10		5		3			1				4	72
556 565		589 071		182 398			11 498				4	6 457 153
8		2	1	4						4	2	97
180 972		3 580	23 791	3 771 544						124 302	497	7 545 232
1		1									1	7
4 962		17 153									1 287	58 539
22		67	4	12		1				2	6	416
2 788 488		10 132 215	98 248	2 093 983		124				4 476	5 780	535 907 062
4		1		4							3	36
67 122		152 690		369 962							0	2 216 663
29		5	8	4		2	3			9	20	152
4 756 085		398 073	319 824	4 415 639		563 902	1 404 326			160 727	4 705 690	139 353 394
												1
												7 620
42		7	4	6	2	5	1			9	16	218
10 437 505		280 244	109 539	586 249	6 644	25 917	208 824			350 182	96 468	31 214 609
11	0	6	0	2	1	3	0	0	0	6	7	324
169 692	0	387 966	0	19 888	1 009	34 853 931	0	0	0	35 334	13 092	58 367 761
9		2		2		3				6	4	184
165 975		1 132		19 888		34 853 931				35 334	8 080	51 340 166
2		4			1						3	139
3 717		386 834			1 009						5 012	7 025 522
												1
												2 073
1 065	1	481	71	199	153	105	38	1	0	196	431	9 679
154 529 605	124	73 362 711	8 039 497	37 900 639	38 253 952	44 824 454	15 834 346	41 641	0	13 807 066	31 553 500	2663 476 929

Annex E

International Commitments and Sanctions Regimes

E.1 Export Control Commitments in 2012

The following table lists the UK's non-proliferation commitments, and their areas of coverage. Also shown in the list are other international organisations involved directly in export controls.

Table E.1	
Areas of coverage	Commitment
Nuclear:	<ul style="list-style-type: none"> • Treaty on the non-proliferation of Nuclear Weapons (NPT) • The Zangger Committee • Nuclear Suppliers Group (NSG)
Chemical and Biological:	<ul style="list-style-type: none"> • The Chemical Weapons Convention (CWC) • The Biological and Toxins Weapons Convention (BTWC) • The Australia Group • The Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (known as the 1925 Geneva Protocol)
WMD Delivery Systems	<ul style="list-style-type: none"> • The Missile Technology Control Regime (MTCR)

Table E.1 (continued)

Areas of coverage	Commitment
Conventional Weapons	<ul style="list-style-type: none"> • The Wassenaar Arrangement (WA) • The Convention on Landmines (known as the Ottawa Convention) • The UN Convention on Certain Conventional Weapons • The Convention on Cluster Munitions (known as CCM or Oslo)
Other Organisations involved directly in Strategic Export Controls	<ul style="list-style-type: none"> • United Nations (UN), including the UN Security Council • G8 Initiatives • European Union (EU) • Organisation for Security and Co-operation in Europe (OSCE)

The following table shows countries which are subject to UN, EU, OSCE and other restrictions on the export of items

Table 2.2		
Country	Source	Instrument
Afghanistan	UN EU	UNSCR 1988 (2011) and 2082 (2013). Council Decision 2011/486/CFSP, as amended. Council Regulation (EU) No 753/2011, as amended.
Armenia & Azerbaijan	OSCE	Decision of the Committee of Senior Officials of the OSCE 28/02/92.
Belarus	EU	Council Decision 2012/642/CFSP Council Regulation (EC) No 765/2006, as amended.
Burma	EU	Council Decision 2010/232/CFSP. Council Regulation (EU) 194/2008, as amended.
China	EU	Declaration by the Madrid European Council 27/06/89.
Cote d'Ivoire	UN EU	UNSCR 1572 (2004) Most recently amended by UNSCR 1980 (2011). Council Decision 2010/656/CFSP, as amended. Council Regulation (EU) 174/2005, as amended.
Democratic Republic of Congo	UN EU	UNSCR 1807 (2008). Council Decision 2010/788/CFSP, as amended. Council Regulation (EC) No 889/2005, as amended.

Table 2.2 (continued)		
Country	Source	Instrument
Eritrea	UN EU	UNSCR 1907 (2009). UNSCR 2060 (2012). Council Decision 2010/127/CFSP, as amended. Council Regulation (EU) 667/2010, as amended.
Guinea	EU	Council Decision 2010/638/CFSP, as amended. Council Regulation (EU) 1284/2009, as amended.
Iran (Nuclear)	EU	Council Decision 2010/413706/CFSP, as amended. Council Regulation (EU) No 267/2012, as amended.
Iran (Human Rights)	EU	Council Decision 2011/235/CFSP, as amended. Council Regulation (EU) No 359/2011, as amended.
Iraq	UN EU	UNSCR 661 (1990). UNSCR 1483 (2003). UNSCR 1546 (2004). Common Position 2003/495/CFSP, as amended. Council Regulation (EC) No 1210/2003, as amended.
Lebanon	UN EU	UNSCR 1701 (2006). Common Position 2006/625/CFSP. Council Regulation (EC) 1412/2006, as amended.

Country	Source	Instrument
Liberia	UN EU	UNSCR 1903 (2009). Common Position 2004/487/CFSP, as amended by 2010/129/CFSP. Council Regulation (EC) 234/2004, as amended.
North Korea	UN EU	UNSCR 1718 (2006) and 1874 (2009). Common Position 2008/109/CFSP, as amended. Council Regulation (EC) No 234/2004, as amended.
Libya	UN EU	UNSCR 1970 (2011) UNSCR 2009 (2011) Council Decision 2011/137/CFSP, as amended. Council Regulation (EU) No 204/2011, as amended.
Somalia	UN EU	UNSCR 733 (1992) UNSCR 1356 (2001) UNSCR 1425 (2002) UNSCR 1772 (2007) UNSCR 1851 (2008) Council Decision 2010/231/CFSP, as amended. Council Regulation (EC) No 147/2003, as amended.
South Sudan	EU	Council Decision 2011/423/CFSP. Council Regulation (EC) No 131/2004, as amended.

Country	Source	Instrument
Sudan	UN EU	UNSCR 1556 (2004) UNSCR 1591 (2005) UNSCR1945 (2010). Council Decision 2011/423/CFSP. Council Regulation (EC) No 131/2004, as amended.
Syria	EU	Council Decision 2012/739/CFSP, as amended. Council Regulation (EU) No 36/2012, as amended.
Zimbabwe	EU	Council Decision 2011/101/CFSP, as amended. Council Regulation (EC) 314/2004, as amended.

In addition, it is UK policy to take into account the moratorium by ECOWAS (the Economic Community of West African States) on the import, export and manufacture of light weapons when considering relevant licence applications to export small arms and light weapons to ECOWAS Member States (Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo). The ECOWAS moratorium applies to pistols, rifles, shotguns, sub-machine guns, carbines, machine guns, anti-tank missiles, mortars and howitzers up to 85mm and ammunition and spare parts for the above. The moratorium was declared on 1 November 1998 and a code of conduct on its implementation was agreed on 24 March 1999.