



CHANGES TO THE EU COMMON MILITARY LIST 2010

This document is an unofficial analysis of the EU Common Military List for 2010 (2010/C 69/03) as published in the Official Journal of the European Union on 18 March 2010. The Common Military List of the European Union was adopted by the EU Council on 15 February 2010. The following amendments were made compared to the 2008 EU Common Military List.

The opening paragraph was amended as follows:

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND
AGENCIES

COUNCIL

COMMON MILITARY LIST OF THE EUROPEAN UNION

(adopted by the Council on 15 February 2010)

(equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment)

(updating and replacing the Common Military List of the European Union adopted by the Council on 23 February 2009)

(CFSP)

(2010/C 69/03)

Note 1: Terms in 'quotations' are defined terms. Refer to 'Definitions of Terms' annexed to this List.

Note 2: In some instances chemicals are listed by name and CAS number. The list applies to chemicals of the same structural formula (including hydrates) regardless of name or CAS number. CAS numbers are shown to assist in identifying a particular chemical or mixture, irrespective of nomenclature. CAS numbers cannot be used as unique identifiers because some forms of the listed chemicals have different CAS numbers, and mixtures containing a listed chemical may also have different CAS numbers.

In ML1, Note 2 now states:

'ML1 does not apply to firearms specially designed for dummy ammunition and which are incapable of firing any ammunition specified by ML3.'

In ML2 the following amendments were made:

- a. Note 3 now states: *'ML2.a. does not apply to hand-held projectile launchers specially designed to launch tethered projectiles having no high explosive charge or communications link, to a range of less than or equal to 500 m.*
- b. Smoke, gas and pyrotechnic projectors or generators, specially designed or modified for military use
- d. Mountings specially designed for the weapons specified in ML2.a

In ML5.c., Note now states:

'For the purposes of ML5.c., countermeasure equipment includes detection equipment.

In ML6, Note 2 now states:

'Modification of a ground vehicle for military use specified by ML6.a. entails a structural, electrical or mechanical change involving one or more components that are specially designed for military use. Such components include:

- a. *Pneumatic tyre casings of a kind specially designed to be bullet-proof or to run when deflated;*
- b. *Armoured protection of vital parts, (e.g. fuel tanks or vehicle cabs);*
- c. *Special reinforcements or mountings for weapons;*
- d. *Black-out lighting.*

In ML7 the following amendments were made:

- e. Equipment specially designed or modified for military use, designed or modified for the dissemination of any of the following, and specially designed components therefor:
 - f. Protective and decontamination equipment, specially designed or modified for military use, components and chemical mixtures, as follows:
 - 1. Equipment designed or modified for defence against materials specified by ML7.a., ML7.b. or ML7.d., and specially designed components therefor;
 - 2. Equipment designed or modified for decontamination of objects contaminated with materials specified by ML7.a. or ML7.b. and specially designed components therefor;

- g. Equipment specially designed or modified for military use designed or modified for the detection or identification of materials specified by ML7.a., ML7.b. or ML7.d., and specially designed components therefor;

In ML7, Note 2 now states:

'The cultures of cells and biological systems specified by ML7.h. and ML7.i.2. are exclusive and these sub-items do not apply to cells or biological systems for civil purposes, such as agricultural, pharmaceutical, medical, veterinary, environmental, waste management, or in the food industry.'

In ML8 the following amendments were made:

N.B.2. now states: For charges and devices, see ML4 and 1A008 on the EU Dual-Use List

- a.33. Explosives not listed elsewhere in ML8.a. and having any of the following:
- a. Detonation velocity exceeding 8 700 m/s, at maximum density, or
 - b. Detonation pressure exceeding 34 GPa (340kbar);
- a.34. Organic explosives not listed elsewhere in ML8.a. and having all the following:
- a. Yielding detonation pressures of 25 GPa (250 kbar) or more and
 - b. Remaining stable at temperatures of 523 K (250 C) or higher for periods of five minutes or longer;
- b.7. 'Propellants', not specified elsewhere in the EU Common Military List, specially designed for military use;
- e.6. Energetic monomers, plasticizers or polymers, specially formulated for military use and containing any of the following;
- a. Nitro groups;
 - b. Azido groups;
 - c. Nitrate groups;
 - d. Nitratiza groups; or
 - e. Difluoroamino groups;
- e.13. Alcohol functionalised poly(epichlorohydrin) with a molecular weight less than 10.000, as follows:
- a. Poly(epichlorohydrindiol);
 - b. Poly(epichlorohydrintriol)

Note 5: Not used since 2009

Note 6: ML8 does not apply to the following substances unless they are compounded or mixed with the 'energetic material' specified by ML8.a. or powdered metals specified by ML8.c.:

- a. Ammonium picrate (CAS 131-74-8);
- b. Black powder;
- c. Hexanitrodiphenylamine (CAS 131-73-7);
- d. Difluoroamine (CAS 10405-27-3);
- e. Nitrostarch (CAS 9056-38-6);
- f. Potassium Nitrate (CAS 7757-79-1);
- g. Tetranitronaphthalene;
- h. Trinitroanisol;
- i. Trinitronaphthalene;
- j. Trinitroxylene;
- k. N-pyrrolidinone; 1-methyl-2-pyrrolidinone (CAS 872-50-4);
- l. Dioctylmaleate (CAS 142-16-5);
- m. Ethylhexylacrylate (CAS 103-11-7);
- n. Triethylaluminium (TEA) (CAS 97-93-8), trimethylaluminium (TMA) (CAS 75-24-1), and other pyrophoric metal alkyls of lithium, sodium, magnesium, zinc or boron;
- o. Nitrocellulose (CAS 9004-70-0);
- p. Nitroglycerin (or glyceroltrinitrate, trinitroglycerine) (NG) (CAS 55-63-0)
- q. 2,4,6-trinitrotoluene (TNT) (CAS 118-96-7);
- r. Ethylenediaminedinitrate (EDDN) (CAS 20829-66-7);
- s. Pentaerythritoltetranitrate (PETN) (CAS 79-11-5);
- t. Lead azide (CAS 13424-46-9), normal lead styphnate (CAS 15245-44-0) and basic lead styphnate (CAS 12403-82-6), and primary explosives or priming compositions containing azides or azide complexes;
- u. Triethyleneglycoldinitrate (TEGDN) (CAS 111-22-8);
- v. 2,4,6-trinitroresorcinol (styphnic acid) (CAS 82-71-3);
- w. Diethyldiphenylurea (CAS 85-98-3); dimethyldiphenylurea (CAS 611-92-7); methylethyldiphenyl urea [Centralites];
- x. N,N-diphenylurea (unsymmetrical diphenylurea) (CAS 603-54-3);
- y. Methyl-N,N-diphenylurea (methyl unsymmetrical diphenylurea) (CAS 13114-72-2);
- z. Ethyl-N,N-diphenylurea (ethyl unsymmetrical diphenylurea) (CAS 64544-71-4);
- aa. 2-Nitrodiphenylamine (2-NDPA) (CAS 119-75-5);
- bb. 4-Nitrodiphenylamine (4-NDPA) (CAS 836-30-6);
- cc. 2,2-dinitropropanol (CAS 918-52-5);
- dd. Nitroguanidine (CAS 556-88-7) (see 1C011.d. on the EU Dual-Use List).

Article ML9 now states:

Vessels of war (surface or underwater), special naval equipment, accessories, components and other surface vessels, as follows:

N.B.: For guidance and navigation equipment, see ML11.

a. Vessels and components, as follows:

1. Vessels (surface or underwater) specially designed or modified for military use, regardless of current state of repair or operating condition, and whether not they contain weapon delivery systems or armour, and hulls or parts of such vessels, and components therefor specially designed for military use; or hulls for

2. Surface vessels, other than those specified in ML9.a.1., having any of the following, fixed or integrated into the vessel:

a. Automatic weapons having a calibre of 12,7 mm or greater specified in ML1., or weapons specified in ML2., ML4., ML12. or ML19., or 'mountings' or hard points for such weapons;

Technical Note

'Mountings' refers to weapon mounts or structural strengthening for the purpose of installing weapons.

b. Fire control systems specified in ML5.;

c. Having all of the following:

1. 'Chemical, Biological, Radiological and Nuclear (CBRN) protection'; and

2. 'Pre-wet or wash down system' designed for decontamination purposes; or

Technical Notes

1. *'CBRN protection' is a self contained interior space containing features such as over-pressurization, isolation of ventilation systems, limited ventilation openings with CBRN filters and limited personnel access points incorporating air-locks.*

2. *'Pre-wet or wash down system' is a seawater spray system capable of simultaneously wetting the exterior superstructure and decks of a vessel.*

d. Active weapon countermeasure systems specified in ML4.b., ML5.c. or ML11.a. and having any of the following:

1. 'CBRN protection';

2. Hull and superstructure, specially designed to reduce the radar cross section;

3. Thermal signature reduction devices, (e.g., an exhaust gas cooling system), excluding those specially designed to

increase overall power plant efficiency or to reduce the environmental impact; or

4. A degaussing system designed to reduce the magnetic signature of the whole vessel;

b. Engines and propulsion systems, as follows, specially designed for military use and components therefor specially designed for military use:

1. Diesel engines specially designed for submarines and having all of the following:

- a. Power output of 1,12 MW (1,500 hp) or more; and
- b. Rotary speed of 700 rpm or more;

2. Electric motors specially designed for submarines and having all of the following:

- a. Power output of more than 0,75 MW (1,000 hp);
- b. Quick reversing;
- c. Liquid cooled; and
- d. Totally enclosed;

3. Non-magnetic diesel engines having all of the following:

- a. Power output of 37,3 kW (50 hp) or more; and
- b. Non-magnetic content in excess of 75 % of total mass;

4. 'Air Independent Propulsion' (AIP) systems specially designed for submarines;

Technical Note

'Air Independent Propulsion' (AIP) allows a submerged submarine to operate its propulsion system, without access to atmospheric oxygen, for a longer time than the batteries would have otherwise allowed. For the purposes of ML9.b.4., AIP does not include nuclear power.'

c. Underwater detection devices, specially designed for military use, controls therefor and components therefor specially designed for military use;

d. Anti-submarine nets and anti-torpedo nets, specially designed for military use;

e. Not used since 2003;

f. Hull penetrators and connectors, specially designed for military use, that enable interaction with equipment external to a vessel, and components therefor specially designed for military use;

Note: ML9.f. includes connectors for vessels which are of the single-conductor, multi-conductor, coaxial or waveguide type, and hull penetrators for vessels, both of which are capable of remaining impervious to leakage from without and of retaining required

characteristics at marine depths exceeding 100 m; and fibre-optic connectors and optical hull penetrators, specially designed for 'laser' beam transmission, regardless of depth. ML9.f. does not apply to ordinary propulsive shaft and hydrodynamic control-rod hull penetrators.

g. Silent bearings having any of the following, components therefor and equipment containing those bearings, specially designed for military use:

1. Gas or magnetic suspension;
2. Active signature controls; or
3. Vibration suppression controls.

In ML10 the following amendments were made:

h. Parachutes, paragliders and related equipment, as follows, and specially designed components therefor:

1. Parachutes not specified elsewhere in the EU Common Military List;
2. Paragliders
3. Equipment specially designed for high altitude parachutists (e.g. suits, special helmets, breathing systems, navigation equipment);

Note 1: ML10.b. does not apply to 'aircraft' or variants of those 'aircraft' specially designed for military use, and which are all of the following:

a. Not configured for military use and not fitted with equipment or attachments specially designed or modified for military use; and

b. Certified for civil use by the civil aviation authority in a Member State or in a Wassenaar Arrangement Participating State.

In ML11, the following paragraphs were added as follows:

j. *'Automated command and control systems'*

N.B. For 'software' associated with military 'Software Defined Radio (SDR), see ML21.

In ML17, the following paragraphs were added as follows:

e.3. Technical Note:
Electro-magnetic pulse does not refer to unintentional interference caused by electromagnetic radiation from nearby equipment (e.g. machinery, appliances or electronics) or lightning.

p. 'Fuel cells' other than those specified elsewhere in the EU Common Military List, specially designed or 'modified' for military use.

ML21.b.4 was amended and now states:

‘Software’ specially designed for military use and specially designed for Command, Communications, Control and Intelligence (C3I) or Command, Communications, Control, Computer and Intelligence (C4I) applications;

ML22.a. was amended and now states:

‘Technology’, other than specified in ML22.b., which is ‘required’ for the ‘development’, ‘production’ or ‘use’ of items specified in the EU Common Military List;

In DEFINITIONS OF TERMS USED IN THIS LIST, on page 29, the following definition was added:

ML11 ‘Automated Command and Control Systems’

Electronic systems, through which information essential to the effective operation of the grouping, major formation, tactical formation, unit, ship, subunit or weapons under command is entered, processed and transmitted. This is achieved by the use of computer and other specialised hardware designed to support the functions of a military command and control organisation. The main functions of an automated command and control system are: the efficient automated collection, accumulation, storage and processing of information; the display of the situation and the circumstances affecting the preparation and conduct of combat operations; operational and tactical calculations for the allocation of resources among force groupings or elements of the operational order of battle or battle deployment according to the mission or stage of the operation; the preparation of data for appreciation of the situation and decision-making at any point during operation or battle; computer simulation of operations.

In DEFINITIONS OF TERMS USED IN THIS LIST, on page 31, the following definition was added:

ML17 ‘Fuel cell’

An electrochemical device that converts chemical energy directly into Direct Current (DC) electricity by consuming fuel from an external source.