



CHANGES TO THE EU COMMON MILITARY LIST 2012

This document is an unofficial analysis of the EU Common Military List for 2012 (2012/C 85/01) as published in the Official Journal of the European Union on 22 March 2012. The Common Military List of the European Union was adopted by the EU Council on 27 February 2012. The following amendments were made compared to the 2011 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 27 February 2012)

(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 21 February 2011)

(CFSP)

(2012/C 85/01)

In ML2, Note 2 now states:

ML2.a. does not apply to weapons as follows:

- a) Muskets, rifles and carbines, manufactured earlier than 1938;
- b) Reproduction of muskets, rifles and carbines, the originals of which were manufactured earlier than 1890.
- c) Guns, howitzers, cannons and mortars, manufactured earlier than 1890.

In ML6, the following paragraphs were added as follows:

Note 4 ML6. Does not apply to vehicles than meet all of the following:

- a) Were manufactured before 1946;
- b) Do not have items specified by the EU Common Military List and manufactured after 1945, except for reproductions of original components or accessories for the vehicle; and
- c) Do not incorporate weapons specified in ML1., or ML4. unless they are inoperable and incapable of discharging a projectile.

In ML7 the following amendments were made:

3. CW incapacitating agents, such as

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

In ML8, the following paragraphs were added as follows:

Note 7 ML8. does not apply to ammonium perchlorate (ML8.d.2.) and NTO (ML8.a.18.), specially shaped and formulated for civil-use gas generation devices and meeting all of the following:

- a) Compounded or mixed, with non-active thermoset binders or plasticizers;
- b) Having a maximum of 80% ammonium perchlorate (ML8.d.2.) in mass of active material;
- c) Having less than or equal to 4g of NTO (ML8.a.18.); and
- d) Having an individual mass of less than 250g.

In ML10 the following amendments were made:

“Aircraft”, “lighter-than-air vehicles”, Unmanned Aerial Vehicles (“UAVs”), aero-engines and “aircraft” equipment, related equipment, and components, as follows, specially designed or modified for military use:

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

- a) Manned “aircraft” and “lighter-than-air vehicles”, and specially designed components therefor:
- b) Not used since 2011;
- c) Unmanned aircraft and related equipment, as follows, and specially designed components therefor:

1. "UAVs", Remotely Piloted Air Vehicles (RPVs), autonomous programmable vehicles and unmanned "lighter-than-air vehicles";
2. Launchers, recovery equipment and ground support equipment;
3. Equipment designed for command and control;
- d) Propulsion aero-engines and specially designed components therefor;
- e) Airborne equipment, including airborne refuelling equipment, specially designed for use with the "aircraft" specified by ML10.a. or the aero-engines specified by ML10.d., and specially designed components therefor;
- f) Pressure refuellers, pressure refuelling equipment, equipment specially designed to facilitate operations in confined areas and ground equipment, developed specially for "aircraft" specified by ML10.a. or for aero-engines specified by ML10.d.;
- i) Controlled opening equipment or automatic piloting systems, designed for parachuted loads.

Note 1 ML10.a. does not apply to "aircraft" and "lighter-than-air vehicles" or variant of those "aircraft" specially designed for military use, and which are all of the following:

- a) Not a combat aircraft
- b) Not configured for military use and not fitted with equipment or attachments specially designed or modified for military use; and
- c) Certified for civil use by the civil aviation authority in a Member State or in a Wassenaar Arrangement Participating State.

Note 2 ML10.d. does not apply to:

b) Reciprocating engines or specially designed components therefor, except those specially designed for "UAVs".

Note 3 For the purposes of ML10.a. and ML10.d., specially designed components and related equipment for non-military "aircraft" or aero-engines modified for military use applies only to those military components and to military related equipment required for the modification to military use.

Note 4 For the purposes of ML10.a., military use includes: combat, military reconnaissance, assault, military training, logistics support, and transporting and airdropping troops or military equipment.

Note 5 ML10.a. does not apply to "aircraft" that meet all of the following:

- a) Were first manufactured before 1946;

- b) Do not incorporate items specified by the EU Common Military List, unless the items are required to meet safety or airworthiness standards of a Member State or of a Wassenaar Arrangement Participating State; and
- c) Do not incorporate weapons specified by the EU Common Military List, unless inoperable and incapable of being returned to operation.

In ML13, the following paragraphs were added as follows:

N.B. For body armour plate, see ML13.d.2.

In ML13, now states and the following paragraphs were added as follows:

d. Body armour or protective garments, and components therefor, as follows:

1. Soft body armour or protective garments, manufactured to military standards or specifications, or to their equivalents, and specially designed components therefor:

Note For the purposes of ML13.d.1. military standards or specifications include, at a minimum, specifications for fragmentation protection.

2. Hard body armour plates providing ballistic protection equal to or greater than level III (NIJ 0101.06, July 2008) or national equivalents.

In DEFINITIONS OF TERMS USED IN THIS LIST, on page 31, the following amendments were made:

ML8, ML10 and ML14 "Aircraft"

In DEFINITIONS OF TERMS USED IN THIS LIST, on page 36, the following amendments were made and the following paragraphs were added as follows:

ML20 "Superconductive"

"Critical temperature" (sometimes referred to as the transition temperature) of a specific "superconductive" material is the temperature at which the material loses all resistance to the flow of direct electrical current.

In DEFINITIONS OF TERMS USED IN THIS LIST, on page 36, the following definition was added:

ML10 "Unmanned aerial vehicle" ("UAV")

Any "aircraft" capable of initiating flight and sustaining controlled flight and navigation without any human presence on board.