

MINISTRY OF FOREIGN AFFAIRS OF ROMANIA
NATIONAL AGENCY FOR EXPORT CONTROLS

Arms export controls annual report

JANUARY – DECEMBER 2006



ANCEX

Edited by:

**National Agency for Export Controls
Conventional Arms Division**

February 2008



Permanent exports per destinations

AFGHANISTAN

	ML 1	ML 2	ML 3	Total per destination
a ¹	5	2	11	18
b	735 662	223 445	6 991 953	7 951 060
c	905 547	223 445	4 030 542	5 159 534
d	0	0	0	0
e	-	-	-	-

Licences issued for:

machine gun (144) (1 licence)
 assault rifle (509) (2 licences)
 sniper rifle (8) (1 licence)
 submachine gun (8 210) (2 licences)
 portable grenade launcher (360) and accessories therefor (1 licence)
 small arms ammunition
 grenade launcher ammunition

Military goods exported:

machine gun (144)
 submachine gun (8 210)
 assault rifle (509)
 sniper rifle (8)
 portable grenade launcher (360) and accessories therefor
 small arms ammunition
 grenade launcher ammunition

Footnote: Licences issued pursuant to resolution 1510 (2003) of the UN Security Council for use in Afghanistan by the governmental forces.

ARGENTINA

	ML 10	Total per destination
a	3	3
b	1 284 954	1 284 954
c	1 027 460	1 027 460
d	0	0
e	-	-

Licences issued for:

military training aircraft (1) (1 licence) – for collectors' use
 military transport helicopter (1) (after inword processing) (1 licence)
 military aero-engine
 IFF equipment for military helicopter

¹Key: (a) = number of licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total EU number of licence refusals (small discrepancies may appear between breakdowns and totals due to denials concerning more than one ML item or denials for items other than those appearing in the ML); (e) = criteria numbers of the EU Code of Conduct on arms exports on which refusals are based (the approximate number of times each criterion is invoked is indicated in brackets)

2006 Exchange rates:
 1 EUR = 1,25560 USD
 1 EUR = 0,68173 GBP
 1 EUR = 1,57290 CHF

Military goods exported:

military training aircraft (1) – for collectors' use
 military transport helicopter (1) (after inword processing)
 military aero-engine
 IFF equipment for military helicopter

AUSTRIA

	ML 1	ML 3	Total per destination
a	5	1	6
b	30 420	7 965	38 385
c	7 225	11 946	19 171
d	0	0	0
e	-	-	-

Licences issued for:

assault rifles converted in hunting arms (90) (2 licences)
 deactivated rifle (40) (2 licences)
 sniper rifle (35) (1 licence)
 small arms ammunition

Military goods exported:

assault rifles converted in hunting arms (40)
 small arms ammunition

BANGLADESH

	ML 10	Total per destination
a	3	3
b	40 316	40 316
c	9 618	9 618
d	0	0
e	-	-

Licences issued for:

components for military aircraft equipment
 equipment for military training aircraft

Military goods exported:

equipment for military training aircraft

BELGIUM

	ML 1	ML 13	ML 15	ML 17	Total per destination
a	4	2	1	2	9
b	119 008	31 487	25 722	94 651	270 868
c	6 839	31 487	0	40 664	78 990
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

submachine gun (2) (1 licence)
 assault rifle (10) (1 licence)
 accessories for small arms
 bulletproof vest and accessories therefor
 components for night vision equipment
 military cables with connectors

Military goods exported:

submachine gun (2)
 accessories for small arms
 accessories for bulletproof vest

BULGARIA

	ML 1	ML 3	ML 4	ML 10	Total per destination
a	1	3	1	3	8
b	12 345	675 648	223 399	194 868	1 106 260
c	6 172	383 609	0	1 450	391 231
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

sniper rifle (20) (1 licence)
 components for small arms ammunition
 components for gun ammunition
 military explosives
 military training aircraft (5) (1 licence) (all items are demilitarized, for private sector use)
 spare parts for military training aircraft

Military goods exported:

sniper rifle (10)
 components for small arms ammunition
 spare parts for military training aircraft

BURKINA FASO

	ML 1	ML 2	ML 3	Total per destination
a	1	0	5	6
b	37 910	0	273 519	311 429
c	85 200	902 920	537 865	1 525 985
d	0		0	0
e	-		-	-

Licences issued for:

submachine gun (400) (1 licence)
 small arms ammunition
 gun ammunition
 antitank ammunition

Military goods exported:

submachine gun (400)
 small arms ammunition
 antitank grenade launcher (209) (2 licences)
 gun ammunition
 antitank ammunition

CZECH REPUBLIC

	ML 4	Total per destination
a	0	0
b	0	0
c	2 490	2 490
d	0	0
e	-	-

Licences issued for: -**Military goods exported:**

components for rockets

CHILE

	ML 1	Total per destination
a	2	2
b	194 502	194 502
c	194 502	194 502
d	0	0
e	-	-

Licences issued for:

assault rifles converted in hunting arms (33) (1 licence)
 riflescopes

Military goods exported:

assault rifles converted in hunting arms (33) (1 licence)
 riflescopes

CHAD

	ML 1	Total per destination
a	0	0
b	0	0
c	0	0
d	1	1
e	3(1)	3(1)

Licences issued for: -

Military goods exported: -

COLOMBIA

	ML 10	Total per destination
a	2	2
b	19 205	19 205
c	19 205	19 205
d	0	0
e	-	-

Licences issued for:

accessories for military aircraft computer

Military goods exported:

accessories for military aircraft computer

CROATIA

	ML 10	ML 18	Total per destination
a	4	1	5
b	248 419	21 956	270 375
c	101 568	0	101 568
d	0	0	0
e	-	-	-

Licences issued for:

components and spare parts for military combat aircraft
test equipment for military combat aircraft

Military goods exported:

components and spare parts for military combat aircraft

EGYPT

	ML 3	ML 10	ML 18	Total per destination
a	1	4	1	6
b	410 379	723 957	440	1 134 776
c	460 649	748 096	440	1 209 185
d	0	0	0	0
e	-	-	-	-

Licences issued for:

components for grenade launcher ammunition
 components for military aero-engine
 technical documentation for aero-engine test

Military goods exported:

components for grenade launcher ammunition
 components for military aero-engine
 technical documentation for aero-engine test

ERITREA

	ML 1	ML 3	Total per destination
a	0	0	0
b	0	0	0
c	0	0	0
d	1	1	2
e	4(1)	4(1)	4(2)

Licences issued for: -**Military goods exported: -**

ETHIOPIA

	ML 10	ML 18	Total per destination
a	4	1	5
b	79 946	19 911	99 857
c	826 761	19 911	846 672
d	0	0	0
e	-	-	-

Licences issued for:

equipments and components for military training helicopter
 technical documentation for military training aircraft

Military goods exported:

equipments and components for military training helicopter
 technical documentation for military training aircraft

FINLAND

	ML 1	ML 10	Total per destination
a	3	7	10
b	49 633	268 515	318 148
c	52 849	43 303	96 152
d	0	0	0
e	-	-	-

Licences issued for:

assault rifle (95) (1 licence)
 components for small arms
 components for military transport helicopter

Military goods exported:

assault rifle (95) and components therefor
 components for small arms
 components for military transport helicopter

FRANCE

	ML 4	ML 10	ML 11	Total per destination
a	2	8	1	11
b	40 518	500 938	680	542 136
c	40 518	109 762	58 551	208 831
d	0	0	0	0
e	-	-	-	-

Licences issued for:

components for aviation bomb
 components for military transport helicopter
 IFF equipment components (inward processing)

Military goods exported:

components for aviation bomb
 components for military transport helicopter
 IFF equipment components (inward processing)

GABON

	ML 3	Total per destination
a	1	1
b	137 499	137 499
c	137 499	137 499
d	0	0
e	-	-

Licences issued for:
small arms ammunition

Military goods exported:
small arms ammunition

GEORGIA

	ML 1	ML 3	Total per destination
a	0	0	0
b	0	0	0
c	28 272	51 609	79 881
d	0	0	0
e	-	-	-

Military goods exported:
sniper rifle (4)
assault rifle (54)
components for small arms
antitank grenades

GERMANY

	ML 1	ML 10	Total per destination
a	3	7	10
b	43 712	264 960	308 672
c	79 662	247 809	327 471
d	0	0	0
e	-	-	-

Licences issued for:
assault rifles converted in hunting arms (300) (1 licence)
components for hunting arms
parachute components

Military goods exported:
assault rifles converted in hunting arms (300)
components for hunting arms
parachute components

INDIA

	ML 10	ML 18	Total per destination
a	3	1	4
b	5 347 244	318 777	5 666 021
c	3 064 707	621 245	3 685 952
d	0	0	0
e	-	-	-

Licences issued for:

aero-engine for military combat aircraft (inward processing repair)
test equipment for military combat aircraft

Military goods exported:

aero-engine for military combat aircraft (inward processing repair)
test equipment for military combat aircraft

IRAQ

	ML 1	ML 2	ML 3	Total per destination
a	10	1	9	20
b	1 617 612	71 679	9 395 323	11 084 614
c	821 598	71 679	4 078 884	4 972 161
d	1	0	1	2
e	7(1)	-	7(1)	7(2)

Licences issued for:

light machine gun (942) (3 licences)
machine gun (40) (1 licence)
submachine gun (10) (1 licence)
spare parts and accessories for small arms
portable grenade launcher (125) (1 licence)
small arms ammunition
grenade launcher ammunition

Military goods exported:

light machine gun (240)
machine gun (40)
spare parts and accessories for small arms
portable grenade launcher (125)
small arms ammunition
grenade launcher ammunition

Footnote: Licences issued pursuant to resolution 1546 (2004) of the UN Security Council for use in Iraq by the governmental forces.

ISRAEL (1/3)

	ML 2	ML 3	ML 4	ML 5	ML 6
a	3	6	21	44	65
b	1 106 316	210 930	502 795	557 139	8 295 616
c	39 899	202 432	162 814	113 801	3 257 608
d	0	0	0	0	0
e	-	-	-	-	-

ISRAEL (2/3)

	ML 10	ML 11	ML 15	ML 16	ML 17
a	61	7	26	0	50
b	2 559 676	118 056	490 561	0	2 292 965
c	1 705 487	67 817	152 934	577 624	518 877
d	0	0	0	0	0
e	-	-	-	-	-

ISRAEL (3/3)

	ML 18	ML 22	Total per destination
a	0	1	284
b	0	62 600	16 196 654
c	1 987	8 174	6 809 454
d	0	0	0
e	-	-	-

Licences issued for:

grenade launcher (30) (1 licence)
 rockets launcher (5) (1 licence)
 small arms sights
 grenade launcher ammunition
 components for air to air missiles
 components for military ground vehicles
 components for military aircraft (inward processing)
 components for data processing equipment (inward processing)
 components for night vision equipment (inward processing)
 components for emission-reception equipment (inward processing)
 components for military aircraft computer (inward processing)
 military cables with connectors (inward processing)
 technical documentation

Military goods exported:

grenade launcher (30)
 small arms sights
 components for air to air missiles
 components for military ground vehicles
 components for military aircraft (inward processing)
 components for data processing equipment (inward processing)
 components for night vision equipment (inward processing)
 components for emission-reception equipment (inward processing)
 components for military aircraft computer (inward processing)
 military cables with connectors (inward processing)
 test equipment for power supply devices
 technical documentation

ITALY

	ML 1	ML 10	Total per destination
a	3	2	5
b	10 628	112 575	123 203
c	14 602	112 575	127 177
d	0	0	0
e	-	-	-

Licences issued for:

sniper rifle (13) (2 licence)
components for parachute flare

Military goods exported:

sniper rifle (13)
semiautomatic carbine (100) (1 licence)
components for parachute flare

JAPAN

	ML 1	ML 2	ML 3	Total per destination
a	1	1	2	4
b	9 259	20 297	6 093	35 649
c	6 073	20 297	2 294	28 664
d	0	0	0	0
e	-	-	-	-

Licences issued for:

assault rifle (35) (1 licence)
machine gun (5) (1 licence)
small arms ammunition

Military goods exported:

assault rifle (35)
machine gun (5)
small arms ammunition

LEBANON

	ML 3	Total per destination
a	0	0
b	0	0
c	0	0
d	3	3
e	3(3) and 4(3)	3(3) and 4(3)

Licences issued for: -**Military goods exported: -**

LIBERIA

	ML 1	ML 2	ML 3	Total per destination
a	2	1	2	5
b	106 125	43 804	16 421	166 350
c	29 906	0	7 088	36 994
d	0	0	0	0
e	-	-	-	-

Licences issued for:

submachine gun (150) (1 licence)
 machine gun (957) (1 licence)
 antitank grenade launcher (100) (1 licence)
 small arms ammunition

Military goods exported:

submachine gun (100)
 small arms ammunition

Footnote: Licences were issued pursuant to resolution 1521 (2003) of the UN Security Council for use in Liberia by the governmental forces.

MALDIVES

	ML 1	ML 3	Total per destination
a	1	1	2
b	114 686	78 727	193 413
c	114 686	78 727	193 413
d	0	0	0
e	-	-	-

Licences issued for:

submachine gun (1 000) (1 licence)
 small arms ammunition

Military goods exported:

submachine gun (1 000)
 small arms ammunition

MAURITIUS

	ML 10	Total per destination
a	1	1
b	184 734	184 734
c	61 578	61 578
d	0	0
e	-	-

Licences issued for:

equipment for military transport helicopter

Military goods exported:

equipment for military transport helicopter

MOLDOVA, REPUBLIC OF

	ML 10	Total per destination
a	2	2
b	162 472	162 472
c	2 389	2 389
d	0	0
e	-	-

Licences issued for:

military transport aircraft (3) (1 licence)
components for military transport aircraft

Military goods exported:

components for military transport aircraft

NORWAY

	ML 10	Total per destination
a	1	1
b	47 786	47 786
c	0	0
d	0	0
e	-	-

Licences issued for:

military training aircraft (5) (1 licence) (all items are demilitarized, for private sector use)

Military goods exported: -

NETHERLANDS

	ML 4	Total per destination
a	4	4
b	71 245	71 245
c	23 350	23 350
d	0	0
e	-	-

Licences issued for:

components for rockets launcher vehicle

Military goods exported:

components for rockets launcher vehicle

NEW ZEALAND

	ML 1	Total per destination
a	1	1
b	1 888	1 888
c	0	0
d	0	0
e	-	-

Licences issued for:

assault rifles converted in hunting arms (25) (1 licence)

Military goods exported: -

PAKISTAN

	ML 10	Total per destination
a	26	26
b	859 904	859 904
c	504 041	504 041
d	0	0
e	-	-

Licences issued for:

spare parts, accessories and components for military transport helicopter
computer for military aircraft

Military goods exported:

spare parts, accessories and components for military transport helicopter
computer for military aircraft

QATAR

	ML 1	Total per destination
a	1	1
b	836	836
c	836	836
d	0	0
e	-	-

Licences issued for:

submachine gun (3) (1 licence)

Military goods exported:

submachine gun (3)

RWANDA

	ML 1	ML 3	Total per destination
a	1	1	2
b	182 383	241 000	423 383
c	0	0	0
d	0	0	0
e	-	-	-

Licences issued for:

sniper rifle (2 000) (1 licence)
small arms ammunition

Military goods exported: -

Footnote: Licences issued pursuant to resolution 1011 (1995) of the UN Security Council for use in Rwanda by the governmental forces.

SENEGAL

	ML 3	Total per destination
a	1	1
b	28 831	28 831
c	28 831	28 831
d	0	0
e	-	-

Licences issued for:

small arms ammunition

Military goods exported:

small arms ammunition

SLOVAKIA

	ML 10	Total per destination
a	1	1
b	1 661	1 661
c	1 661	1 661
d	0	0
e	-	-

Licences issued for:

decommissioned aircraft (donation for museum)

Military goods exported:

decommissioned aircraft (donation for museum)

SOUTH AFRICA

	ML 10	Total per destination
a	1	1
b	425 000	425 000
c	425 000	425 000
d	0	0
e	-	-

Licences issued for:

equipment for military transport helicopter

Military goods exported:

equipment for military transport helicopter

SRI LANKA

	ML 3	Total per destination
a	0	0
b	0	0
c	2 030 281	2 030 281
d	0	0
e	-	-

Licences issued for: -

Military goods exported:

grenade launcher ammunition

SWEDEN

	ML 4	Total per destination
a	1	1
b	260 390	260 390
c	0	0
d	0	0
e	-	-

Licences issued for:

spare parts and components for anti-ship missiles

Military goods exported: -

SWITZERLAND

	ML 1	ML 10	Total per destination
a	2	1	3
b	72 483	25 486	97 969
c	82 021	307 858	389 879
d	0	0	0
e	-	-	-

Licences issued for:

sniper rifle (332) (1 licence)
 accessories for sniper rifle
 submachine gun (100) and accessories therefor (1 licence)
 accessories for military computer

Military goods exported:

sniper rifle (332)
 accessories for sniper rifle
 submachine gun (100) and accessories therefor
 accessories for military computer

THAILAND

	ML 2	Total per destination
a	1	1
b	66 144	66 144
c	66 144	66 144
d	0	0
e	-	-

Licences issued for:

components for gun

Military goods exported:

components for gun

TURKEY

	ML 3	ML 4	Total per destination
a	2	1	3
b	30 519	1 673	32 192
c	30 519	244 186	274 705
d	0	0	0
e	-	-	-

Licences issued for:

small arms ammunition
 components for gun ammunition
 components for antitank grenades

Military goods exported:

small arms ammunition
 components for gun ammunition
 components for antitank grenades

UKRAINE

	ML 1	ML 10	ML 13	Total per destination
a	2	2	1	5
b	290 140	394 712	11 005	695 857
c	57 550	234 947	11 005	303 502
d	0	0	0	0
e	-	-	-	-

Licences issued for:

assault rifles converted in hunting arms (2 005) (2 licences)
 attack helicopter (17) (1 licence) (not capable for combat purposes)
 ballistic helmets

Military goods exported:

assault rifles converted in hunting arms (280)
 attack helicopter (12) (not capable for combat purposes)
 ballistic helmets

UGANDA

	ML 4	Total per destination
a	1	1
b	79 643	79 643
c	79 643	79 643
d	0	0
e	-	-

Licences issued for:

components for aviation bomb

Military goods exported:

components for aviation bomb

UNITED ARAB EMIRATES

	ML 4	ML 10	Total per destination
a	1	18	19
b	645 349	8 068 924	8 714 273
c	0	37 310 168	37 310 168
d	0	0	0
e	-	-	-

Licences issued for:

components for rockets
 spare parts and components for military transport helicopter

Military goods exported:

components for rockets
 spare parts and components for military transport helicopter

UNITED KINGDOM

	ML 1	ML 10	Total per destination
a	1	11	12
b	19 911	678 722	698 633
c	19 911	550 541	570 452
d	0	0	0
e	-	-	-

Licences issued for:

sniper rifle (100) (1 licence)
 components for maritime reconnaissance aircraft
 extracting parachute and accessories therefor
 equipment for military pilots
 components for military aircraft

Military goods exported:

sniper rifle (100)
 components for maritime reconnaissance aircraft
 extracting parachute and accessories therefor
 equipment for military pilots
 components for military aircraft

UNITED STATES OF AMERICA (1/2)

	ML 1	ML 2	ML 3	ML 5	ML 9
a	61	3	18	3	2
b	16 820 165	106 276	9 596 851	75 144	250 768
c	4 493 565	0	4 983 160	0	49 228
d	0	0	0	0	0
e	-	-	-	-	-

UNITED STATES OF AMERICA (2/2)

	ML 10	ML 11	ML 17	ML 21	Total per destination
a	5	2	1	1	96
b	217 557	119 698	30 264	41 414	27 258 137
c	282 123	119 698	31 061	4 779	9 963 614
d	0	0	0	0	0
e	-	-	-	-	-

Licences issued for:

submachine gun (4 104) (17 licences)
 sniper rifle (65 539) (18 licences)
 machine gun (54) (1 licence)
 components and accessories for small arms
 small arms ammunition
 antitank grenade launcher
 deactivated gun
 optical devices (binocular, telescope, telemeter)
 military training aircraft (3) (1 licence) (for collectors' use)
 components for military transport helicopter
 components for naval equipment
 components for terrestrial control station for UAV
 in circuit testers software
 test adapter

Military goods exported:

submachine gun (4 104)
 sniper rifle (65 539)
 machine gun (54)
 components and accessories for small arms
 small arms ammunition
 antitank grenade launcher
 deactivated gun
 optical devices (binocular, telescope, telemeter)
 military training aircraft (3) (for collectors' use)
 components for military transport helicopter
 components for naval equipment
 components for terrestrial control station for UAV
 in circuit testers software
 test adapter

Export licences by recipient region and country

SUB-SAHARAN AFRICA

		ML 1	ML 2	ML 3	ML 4	ML 10	ML 18	Total per destination
BURKINA FASO	a	1	0	5				6
	b	37 910	0	273 519				311 429
	c	85 200	902 920	537 865				1 525 985
CHAD	a	0						0
	b	0						0
	c	0						0
	d	1						1
	e	3 (1)						3 (1)
ERITREA	a	0		0				0
	b	0		0				0
	c	0		0				0
	d	1		1				2
	e	4 (1)		4 (1)				4 (2)
ETHIOPIA	a					4	1	5
	b					79 946	19 911	99 857
	c					826 761	19 911	846 672
GABON	a			1				1
	b			137 499				137 499
	c			137 499				137 499
LIBERIA	a	2	1	2				5
	b	106 125	43 804	16 421				166 350
	c	29 906	0	7 088				36 994
MAURITIUS	a					1		1
	b					184 734		184 734
	c					61 578		61 578
RWANDA	a	1		1				2
	b	182 383		241 000				423 383
	c	0		0				0
SENEGAL	a			1				1
	b			28 831				28 831
	c			28 831				28 831

		ML 1	ML 2	ML 3	ML 4	ML 10	ML 18	Total per destination
SOUTH AFRICA	a					1		1
	b					425 000		425 000
	c					425 000		425 000
UGANDA	a				1			1
	b				79 643			79 643
	c				79 643			79 643
Total per category	a	4	1	10	1	6	1	23
	b	326 418	43 804	697 270	79 643	689 680	19 911	1 856 726
	c	115 106	902 920	711 283	79 643	1 313 339	19 911	3 142 202
	d	2	0	1	0	0	0	3
	e	3 (1) and 4 (1)	-	4 (1)	-	-	-	3 (1) and 4 (2)

NORTH AMERICA

		ML 1	ML 2	ML 3	ML 5	ML 9	ML 10
UNITED STATES OF AMERICA	a	61	3	18	3	2	5
	b	16 820 165	106 276	9 596 851	75 144	250 768	217 557
	c	4 493 565	0	4 983 160	0	49 228	282 123
Total per category	a	61	3	18	3	2	5
	b	16 820 165	106 276	9 596 851	75 144	250 768	217 557
	c	4 493 565	0	4 983 160	0	49 228	282 123
	d	0	0	0	0	0	0
	e	-	-	-	-	-	-

		ML 11	ML 17	ML 21	Total per destination
UNITED STATES OF AMERICA	a	2	1	1	96
	b	119 698	30 264	41 414	27 258 137
	c	119 698	31 061	4 779	9 963 614
Total per category	a	2	1	1	96
	b	119 698	30 264	41 414	27 258 137
	c	119 698	31 061	4 779	9 963 614
	d	0	0	0	0
	e	-	-	-	-

SOUTH AMERICA

		ML 1	ML 10	Total per destination
CHILE	a	2		2
	b	194 502		194 502
	c	194 502		194 502
COLOMBIA	a		2	2
	b		19 205	19 205
	c		19 205	19 205
Total per category	a	2	2	4
	b	194 502	19 205	213 707
	c	194 502	19 205	213 707
	d	0	0	0
	e	-	-	-

NORTH-EAST ASIA

		ML 1	ML 2	ML 3	Total per destination
JAPAN	a	1	1	2	4
	b	9 259	20 297	6 093	35 648
	c	6 073	20 297	2 294	28 664
Total per category	a	1	1	2	4
	b	9 259	20 297	6 093	35 649
	c	6 073	20 297	2 294	28 664
	d	0	0	0	0
	e	-	-	-	-

SOUTH-EAST ASIA

		ML 2	Total per destination
THAILAND	a	1	1
	b	66 144	66 144
	c	66 144	66 144
Total per category	a	1	1
	b	66 144	66 144
	c	66 144	66 144
	d	0	0
	e	-	-

SOUTH ASIA

		ML 1	ML 2	ML 3	ML 10	ML 18	Total per destination
AFGHANISTAN	a	5	2	11			18
	b	735 662	223 445	6 991 953			7 951 060
	c	905 547	223 445	4 030 542			5 159 534
BANGLADESH	a				3		3
	b				40 316		40 316
	c				9 618		9 618
INDIA	a				3	1	4
	b				5 347 244	318 777	5 666 021
	c				3 064 707	621 245	3 685 952
MALDIVES	a	1		1			2
	b	114 686		78 727			193 413
	c	114 686		78 727			193 413
PAKISTAN	a				26		26
	b				859 904		859 904
	c				504 041		504 041
SRI LANKA	a			0			0
	b			0			0
	c			2 030 281			2 030 281
Total per category	a	6	2	12	32	1	53
	b	850 348	223 445	7 070 680	6 247 464	318 777	14 710 714
	c	1 020 233	223 445	6 139 550	3 578 366	621 245	11 582 839
	d	0	0	0	0	0	0
	e	-	-	-	-	-	-

MIDDLE EAST

		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 10
EGYPT	a			1				4
	b			410 379				723 957
	c			460 649				748 096
IRAQ	a	10	1	9				
	b	1 617 612	71 679	9 395 323				
	c	821 598	71 679	4 078 884				
	d	1		1				
	e	7 (1)		7 (1)				

		ML 1	ML 2	ML 3	ML 4	ML 5	ML 6	ML 10
ISRAEL	a		3	6	21	44	65	61
	b		1 106 316	210 930	502 795	557 139	8 295 616	2 559 676
	c		39 899	202 432	162 814	113 801	3 257 608	1 705 487
LIBAN	a			0				
	b			0				
	c			0				
	d			3				
	e			3 (3) and 4 (3)				
QATAR	a	1						
	b	836						
	c	836						
UNITED ARAB EMIRATES	a				1			18
	b				645 349			8 068 924
	c				0			37 310 168
Total per category	a	11	4	16	22	44	65	83
	b	1 618 448	1 177 995	10 016 632	1 148 144	557 139	8 295 616	11 352 557
	c	822 434	111 578	4 741 965	162 814	113 801	3 257 608	39 763 751
	d	1	0	4	0	0	0	0
	e	7(1)	-	7(1), 3(3) and 4(3)	-	-	-	-

		ML 11	ML 15	ML 16	ML 17	ML 18	ML 22	Total per destination
EGYPT	a					1		6
	b					440		1 134 776
	c					440		1 209 185
IRAQ	a							20
	b							11 084 614
	c							4 972 161
	d							2
	e							7(2)
ISRAEL	a	7	26	0	50	0	1	284
	b	118 056	490 561	0	2 292 965	0	62 600	16 196 654
	c	67 817	152 934	577 624	518 877	1 987	8 174	6 809 454

		ML 11	ML 15	ML 16	ML 17	ML 18	ML 22	Total per destination
LIBAN	a							0
	b							0
	c							0
	d							3
	e							3(3) and 4(3)
QATAR	a							1
	b							836
	c							836
UNITED ARAB EMIRATES	a							19
	b							8 714 273
	c							37 310 168
Total per category	a	7	26	0	50	1	1	330
	b	118 056	490 561	0	2 292 965	2 427	62 600	37 133 140
	c	67 817	152 934	577 624	518 877	440	8 174	50 299 817
	d	0	0	0	0	0	0	5
	e	-	-	-	-	-	-	- 7(2), 3(3) and 4(3)

OCEANIA

		ML 1	Total per destination
NEW ZEALAND	a	1	1
	b	1 888	1 888
	c	0	0
Total per category	a	1	1
	b	1 888	1 888
	c	0	0
	d	0	0
	e	-	-

EUROPEAN UNION

		ML 1	ML 3	ML 4	ML 10	ML 11	ML 13	ML 15
AUSTRIA	a	5	1					
	b	30 420	7 965					
	c	7 225	11 946					

		ML 1	ML 3	ML 4	ML 10	ML 11	ML 13	ML 15
BELGIUM	a	4					2	1
	b	119 008					31 487	25 722
	c	6 839					31 487	0
CZECH REPUBLIC	a			0				
	b			0				
	c			2 490				
FINLAND	a	3			7			
	b	49 633			268 515			
	c	52 849			43 303			
FRANCE	a			2	8	1		
	b			40 518	500 938	680		
	c			40 518	109 762	58 551		
GERMANY	a	3			7			
	b	43 712			264 960			
	c	79 662			247 809			
ITALY	a	3			2			
	b	10 628			112 575			
	c	14 602			112 575			
NETHERLANDS	a			4				
	b			71 245				
	c			23 350				
SLOVAKIA	a				1			
	b				1 661			
	c				1 661			
SWEDEN	a			1				
	b			260 390				
	c			0				
UNITED KINGDOM	a	1			11			
	b	19 911			678 722			
	c	19 911			550 541			
Total per category	a	19	1	7	36	1	2	1
	b	273 312	7 965	372 153	1 827 371	680	31 487	25 722
	c	181 088	11 946	66 358	1 065 651	58 551	31 487	0
	d	0	0	0	0	0	0	0
	e	-	-	-	-	-	-	-

	ML 17	Total per destination
AUSTRIA	a	6
	b	38 385
	c	19 171
BELGIUM	a	2
	b	94 651
	c	40 664
CZECH REPUBLIC	a	0
	b	0
	c	2 490
FINLAND	a	10
	b	318 148
	c	96 152
FRANCE	a	1
	b	680
	c	58 551
GERMANY	a	10
	b	308 672
	c	327 471
ITALY	a	5
	b	123 203
	c	127 177
NETHERLANDS	a	4
	b	71 245
	c	23 350
SLOVAKIA	a	1
	b	1 661
	c	1 661
SWEDEN	a	1
	b	260 390
	c	0
UNITED KINGDOM	a	12
	b	698 633
	c	570 452
Total per category	a	3
	b	95 331
	c	99 215
	d	0
	e	-

OTHER EUROPEAN COUNTRIES

		ML 1	ML 3	ML 4	ML 10	ML 13	ML 18	Total per destination
BULGARIA	a	1	3	1	3			8
	b	37 910	675 648	223 399	194 868			1 106 260
	c	85 200	383 609	0	1 450			391 231
CROATIA	a				4		1	5
	b				248 419		21 956	270 375
	c				101 568		0	101 568
GEORGIA	a	0	0					0
	b	0	0					0
	c	28 272	51 609					79 881
MOLDOVA, REPUBLIC OF	a				2			2
	b				162 472			162 472
	c				2 389			2 389
NORWAY	a				1			1
	b				47 786			47 786
	c				0			0
SWITZERLAND	a	2			1			3
	b	72 483			25 486			97 969
	c	82 021			307 858			389 879
TURKEY	a		2	1				3
	b		30 519	1 673				32 192
	c		30 519	244 186				274 705
UKRAINA	a	2			2	1		5
	b	290 140			394 712	11 005		695 857
	c	57 550			234 947	11 005		303 502
Total per category	a	5	5	2	13	1	1	27
	b	400 533	706 167	225 072	1 073 743	11 005	21 956	2 438 476
	c	253 043	465 737	244 186	648 212	11 005	0	1 622 183
	d	0	0	0	0	0	0	0
	e	-	-	-	-	-	-	-

Permanent exports per category of products

1/3	ML 1	ML 2	ML 3	ML 4	ML 5
a ²	110	12	64	32	47
b	20 469 308	1 637 961	28 101 658	1 825 012	632 283
c	7 007 016	1 324 384	17 055 935	553 001	113 801
d	3	0	5	0	0
e	3(1), 4(1), 7(1)	-	3(3), 4(4), 7(1)	-	-

2/3	ML 6	ML 9	ML 10	ML 11	ML 13	ML 15
a	65	2	180	10	3	27
b	8 295 616	250 768	22 712 531	238 434	42 492	516 283
c	3 257 608	49 228	47 698 107	246 066	42 492	152 934
d	0	0	0	0	0	0
e	-	-	-	-	-	-

3/3	M 16	ML 17	ML 18	ML 21	ML 22	Total
a	0	53	4	1	1	611
b	0	2 417 880	361 084	41 414	62 600	87 605 324
c	577 624	590 602	643 583	4 779	8 174	79 325 334
d	0	0	0	0	0	8
e	-	-	-	-	-	3(4), 4(5), 7(2)

²Key: (a) = number of licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total EU number of licence refusals (small discrepancies may appear between breakdowns and totals due to denials concerning more than one ML item or denials for items other than those appearing in the ML); (e) = criteria numbers of the EU Code of Conduct on arms exports on which refusals are based (the approximate number of times each criterion is invoked is indicated in brackets)

2006 Exchange rates:
 1 EUR = 1,25560 USD
 1 EUR = 0,68173 GBP
 1 EUR = 1,57290 CHF

Brokering activities

Brokering activities – activities carried out by a natural or legal person regarding:

- negotiations or the arrangement of transactions involving the transfer of military goods included in the lists approved by Government decision from a third country to any another third country; or
- buy, sale or arrange the transfer of military goods in their ownership from a third country to any other third country

KUWAIT

	Exporter	Importer	Total per destination
	United Kingdom	Kuwait	
	ML 3		
a ³	1		1
b	46 339		46 339
c	0		0
d	0		0
e	-		-

Licences issued for:

grenade launcher ammunition

Military goods exported: -

MACEDONIA, REPUBLIC OF

	Exporter	Importer	Total per destination
	South Africa	Macedonia, Republic of	
	ML 10		
a	1		1
b	98 754		98 754
c	98 754		98 754
d	0		0
e	-		-

Licences issued for:

telecommunication equipment for aviation

Military goods exported:

telecommunication equipment for aviation

³Key: (a) = number of licences issued, (b) = value of licences issued in Euros, (c) = value of arms exports in Euros (d) = total EU number of licence refusals (small discrepancies may appear between breakdowns and totals due to denials concerning more than one ML item or denials for items other than those appearing in the ML); (e) = criteria numbers of the EU Code of Conduct on arms exports on which refusals are based (the approximate number of times each criterion is invoked is indicated in brackets)

2006 Exchange rates:
 1 EUR = 1,25560 USD
 1 EUR = 0,68173 GBP
 1 EUR = 1,57290 CHF

Annex 1

**GOVERNMENT'S ORDINANCE No. 158/1999
ON THE CONTROL REGIME OF EXPORTS, IMPORTS AND OTHER OPERATIONS
WITH MILITARY GOODS, APPROVED WITH AMENDMENTS BY LAW 595/2004**

CHAPTER I

General provisions

Article 1 - (1) The following operations with military goods shall be subject to the control regime stipulated in the present emergency ordinance:

- a) export and import, including re-export and any other trading operations of transfer, either permanent or temporary, from or to outside the territory of Romania;
- b) non-trading operations taking outside or bringing such items to Romania, on a permanent or temporary basis;
- c) brokering activity;
- d) international transit via Romania;
- e) transshipment (transfers from one transport vector to another) on the territory of Romania.

(2) An exception to the provisions of the present emergency ordinance shall be the operations aimed at taking out of or bringing into the country, on a permanent or temporary basis, as well as the international transit and transshipments of military goods, performed in connection with Romania's participation in military missions abroad or that of military echelons of the other NATO member states.

Article 2 - The destination and final use of the military goods making the object of the operations stipulated under article 1 shall also be subject to control.

Article 3 - (1) The provisions of the present emergency ordinance shall apply to all persons carrying out the operations stipulated under article 1.

(2) By person one shall understand any natural or legal entity residing in Romania, including public authorities.

(3) The provisions of paragraph (1) shall also apply to Romanian natural entities outside the Romanian territory, in compliance with the international law.

Article 4 - The operations stipulated under article 1 shall be authorized by means of a licence or permit, as applicable, under the provisions of the present emergency ordinance.

Article 5 - For the purpose of the present emergency ordinance, the terms and phrases below shall have the following meanings:

- a) military goods – weapons, ammunition, missiles, bombs, torpedoes, mines, land, air and marine vehicles and other products, equipments and systems designed and built for military purposes, their components, parts and accessories, as well as related software and technology;
- b) technical assistance – any technical support dealing with the development, manufacture, assembly, testing, maintenance, repair or any technical service in the form of instruction, training, transmission of information or operational qualifications or consultancy services for military goods. Technical assistance shall also include forms of orally transmitted assistance;
- c) foreign trade operations – operations involving the military goods stipulated under article 1 (1) a) and c);

- d) transmission of software or technology by electronic means – transmission of software or technology by electronic means, by fax, Internet or telephone to a destination outside Romania; this shall not include oral transmission of technology via telephone unless a document or pertinent parts of it are being read to a correspondent over the telephone or described to him/her so as to obtain the same result;
- e) brokering activity – activities carried out by a person regarding:
 - negotiation or organisation of transactions that may involve the transfer of military goods included in the lists approved by Government decision from a third country to any other third country; or
 - purchase, sale or transfer of military goods that are in their ownership from a third country to any other third country.

Article 6 - The lists comprising the military goods subject to the control regime for exports, imports and other operations shall be set out by Government decision.

Article 7 - (1) Export, re-export and transmission of software and technology, including by electronic means, of military goods that are not controlled in accordance with the lists comprising the military goods set out by Government decision shall be subject to the licensing procedure in compliance with the provisions of the present emergency ordinance, if the exporter has been informed by the Agency that the products in question are or may be used, entirely or partially, for:

- a) developing, manufacturing, maintaining, stockpiling, or using military goods; or
- b) developing, manufacturing, maintaining, stockpiling, or using vectors able to carry on and deliver weapons of mass destruction to their target.

(2) If the exporter should be acquainted with the fact that some products that are not controlled in accordance with the lists comprising the military goods set out by Government decision are meant, either entirely or partially, to be used for one of the purposes stipulated under paragraph (1), he/she/it shall be under the obligation to inform the Agency, which in turn will decide on the opportunity whether that export is subject to licensing procedure or not.

(3) The operations stipulated under paragraphs (1) and (2) shall be subject to the control regime stipulated by the present emergency ordinance by order of the Agency's president, and shall be notified to the interested persons.

Article 8 - The control regime for exports, imports and other operations with military goods shall be accomplished in compliance with:

- a) the fundamental guidelines of Romania's foreign policy;
- b) Romania's national security and economic interests;
- c) the principles and criteria of the European Union Code of Conduct on arms exports;
- d) the obligations deriving from the implementation of embargoes on weapons transfers established by the United Nations Security Council Resolutions, a common position or joint action adopted by the Council of the European Union, a decision of the Organisation for Security and Co-operation in Europe, or established by NATO member states;
- e) the objectives of non-proliferation of weapons of mass destruction, of vectors carrying such weapons, and of other military goods used for the purpose of destabilizing accumulations;
- f) the international conventions, treaties and agreements, the non-proliferation mechanisms Romania is a party to, and other international undertakings assumed by Romania as a participating state in the international non-proliferation and export controls regimes;
- g) the principle of co-operation with the states promoting non-proliferation policies similar to Romania's policies in this field.

Article 9 - The National Agency for Export Controls, regulated by Law no. 387/2003 on the control regime for exports of dual use goods and technologies, as a national authority in the field of export controls of dual use goods and technologies, hereinafter called the Agency, shall take charge of the control of exports, imports and other operations with military goods, and shall be answerable for the implementation of the Government's policy in this field too.

CHAPTER II

Authorization status

Article 10 - The legal persons stipulated under article 3 may only carry out foreign trade operations with military goods based on the authorization issued by the Agency or by other competent bodies, under the law.

Article 11 - (1) For each operation stipulated under article 1 a) and c), the legal persons stipulated under article 3 shall be under the obligation to apply for licences with the Agency, according to the provisions of article 12.

(2) For each operation stipulated under article 1 b), the persons stipulated under article 3 shall be under the obligation to apply for permits for non-trading operations.

(3) The operations stipulated under article 1 d) and e) shall be authorized by means of transit permits, or transshipment permits, respectively, issued by the Agency.

Article 12 - (1) The operations stipulated under article 1 (1) a) shall be based on licences, which can be included in one of the following categories:

- a) individual licence – shall be granted to an authorized Romanian person, in order to carry out an operation with one or several military goods from the same category, to or from a single foreign partner;
- b) global licence – shall be granted to an authorized Romanian person, in order to carry out operations with one or several military goods, to or from several foreign partners.

(2) The operations stipulated under article 1 (1) c) shall be based on an individual licence.

Article 13 - (1) The persons stipulated under article 3 shall be under the obligation to apply the Agency for an authorization, export licence, import licence or permit, as applicable, on their own behalf.

(2) The terms to be met in order to be issued an authorization, licence, or permit, as applicable, shall be set out by means of methodological regulations of implementation, drawn up in accordance with the provisions of article 42.

(3) The persons stipulated under article 3 shall be under the obligation to state before the Agency the destination of the military goods, as well as their final recipient or user.

(4) The authorization applications shall be solved no later than 60 days from the date of the documentation being submitted in view of authorization.

(5) Licence or permit applications, except for those stipulated under paragraph (6), shall be solved no later than 30 days from the date of the necessary documentation being submitted. Under special circumstances, such delay may be extended by 15 days.

(6) Applications for transit permit or transshipment permit shall be answered no later than 5 days from the date of the documentation being submitted. Under special circumstances, such delay may be extended by two days.

(7) Authorization, licence, or permit applications, together with the data and information concerning any one of the elements regarding operations involving military goods, shall be submitted by the natural entities or, as applicable, the managers of the interested legal persons.

(8) The responsibility for the correctness of the data and information provided in support of the application shall belong to the applicant.

Article 14 - The holders of authorizations, licences, or permits shall be under the obligation to notify the Agency about any changes or differences occurred in the data listed in the authorizations, licences, or permits, respectively, found in documents, as well as during the hand-over or take-over of such military goods. If such changes or differences alter the terms based on which the authorization, licence, or permit was issued, the latter documents shall be cancelled, and stating such changes or differences may be deemed as application for a new authorization, licence, or permit, as applicable.

Article 15 - (1) The authorization validity shall be one year from the date of issuance.

(2) The validity of licences or permits other than the ones stipulated under paragraph (3) shall not exceed one year.

(3) The validity of transit permits or transshipment permits shall be no longer than 45 days from their date of issuance.

(4) Authorizations, licences, and permits may only be used by their holders, for the purposes they were issued for, in compliance with the limitations and terms stipulated inside them, and may not be transferred, either directly or indirectly.

Article 16 - (1) The persons stipulated under article 3 shall be under the obligation to declare and present the military goods for customs operations only before the customs facilities set out in the documents issued by the Agency.

(2) Transit and transshipment for military goods on the territory of Romania shall only take place via the customs facilities set out under paragraph (1).

CHAPTER III

Control regime within the relationships with foreign partners

Article 17 - (1) As regards exports of military goods, the exporter shall be under the obligation to ask the foreign partner to produce an international import certificate or an equivalent document, issued or certified by the competent authority in the importer's country, according to which the latter undertakes to comply with the destination and final use, as stated, and not to re-export the imported products without prior written approval by the Romanian authorities having competence under the law. The international import certificate or the equivalent document, in original, shall necessarily be enclosed with the export licence application.

(2) After the delivery of the military goods has taken place, but no later than 4 months from that time, the exporter shall have to obtain from the foreign partner the delivery control certificate or another equivalent document, issued or certified by the competent authority in the importing country, attesting the fact that the commodity has reached its destination.

(3) The delivery control certificate or the equivalent document shall be produced to the Agency, in original, within the delay stipulated under paragraph (2).

Article 18 - (1) As regards imports of military goods, the importer, at the request of the foreign partner, shall be under the obligation to request the Agency to issue the international import certificate or the equivalent document issued or certified under the terms required by the competent authority in the exporter's country.

(2) After the import has been completed, but no later than two months from that time, the importer, following the foreign partner's request, shall be under the obligation to apply with the Agency for release of a delivery control certificate or an equivalent document issued or certified under the terms required by the competent authorities in the exporter's country.

(3) Should the foreign partner request additional proof that the import has been performed, the National Customs Authority shall issue such a confirmation.

Article 19 - As regards non-trading operations for taking military goods out of the territory of Romania, on a temporary or permanent basis, the applicant for a permit shall need to obtain from the foreign partner documents guaranteeing that the transferred products will not be used for purposes causing prejudice to the international obligations or undertakings Romania has assumed. Such documents shall be enclosed with the permit application for non-trading operations.

Article 20 - As regards non-trading operations for bringing military goods onto the territory of Romania, on a permanent or temporary basis, the applicant for a permit shall need to obtain from the Agency the documents required by the foreign partner, under the regulations in force in the latter's country.

CHAPTER IV

Organization and functioning of the control regime

Article 21 - (1) In implementing the control regime stipulated in the present emergency ordinance, the Agency shall coordinate the activity of the national control system for exports, imports and other operations with military goods.

(2) In order to accomplish its object, the Agency shall have the following main powers:

- a) to initiate draft laws, to draw up its own regulations, as well as joint regulations together with other authorities competent in this field, under the law, and to co-operate with them in implementing the provisions of the present emergency ordinance;
- b) to authorize the persons stipulated under article 3, other than those mentioned under article 26 (1), to carry out foreign trade operations with military goods;
- c) to check, by looking into the records or facts, whenever necessary, the relevant aspects concerning the conclusion, progression or finalization of the operations stipulated under article 1, the object of which consists in the military goods, as well as the observance of their destination and final use;
- d) to check the compliance and accuracy of the declarations of persons carrying out the operations stipulated under article 1;
- e) to evaluate and to accept, as applicable, the international import certificate or equivalent documents issued by the competent authorities in the importer partners' countries, with a view to issuing the export licences for military goods;
- f) to issue an international import certificate or an equivalent document, as well as the delivery control certificate for imports of military goods;
- g) to examine and to approve, based on the Inter-ministry council's opinion, the applications for a licence for export or import of military goods;
- h) to issue export or import licences for military goods;
- i) to examine and to approve permit applications for non-trading, international transit or transshipping operations on the territory of Romania;
- j) to issue permits for non-trading operations, international transit permits, permits for transshipping on the territory of Romania, as well as the documents required by foreign partners for non-trading transfer operations on the territory of Romania;
- k) if violations of the provisions of the present emergency ordinance should be found, to order the discontinuance or prohibition of the progression of the operations of export, import, transit, transshipment or other transfers involving military goods, as well as sanctions against the persons stipulated under article 3 that are found guilty of such violations;
- l) to inform the Government, on an annual basis, on the operations with military goods which are being regulated by the present emergency ordinance;

- m) to organize, with the support of the ministries and institutions concerned, information programmes for economic agents relative to the principles, objectives, regulations and procedures regarding the control regime for exports and imports with military goods;
- n) to provide, on request, free specialized consultancy to economic agents and other persons interested in carrying out export, import or other operations with military goods, subject to the control regime regulated by the present emergency ordinance;
- o) to check how the obligations and undertakings assumed by Romania under the international treaties, agreements and arrangements in this field are being complied with;
- p) together with the Ministry of Foreign Affairs, to represent Romania within the activities carried out by international organizations and bodies in charge in the field of controlling exports and imports involving military goods;
- q) to co-operate with similar authorities from other states, for the purpose of:
 - mutual information and consultation when licence or permit applications for military goods are being submitted, if there are good grounds to believe they might be used for other purposes than the stated ones;
 - updating and consistently implementing the regulations in the matter, including the lists of military goods;
 - notifying the violations of the control regime, allowing the competent authorities in each country to sanction such violations;
- r) to initiate, together with the competent institutions, the updating of the lists of military goods subject to the control regime, in accordance with the international obligations and undertakings assumed by Romania;
- s) to initiate, in collaboration with the Ministry of Foreign Affairs and other interested institutions, actions for promoting Romania's specific interests in its relationships with the international organizations and bodies controlling the exports and imports of military goods;
- s') to use any other powers stipulated by the law in the field of regulation, authorization and control of exports and imports of military goods.

Article 22 - (1) The Agency shall exercise its control powers by means of a control body, comprised of its own specialists and other experts, external collaborators certified by the Agency.

(2) The expenses incurred for the technical expert's investigation of the products, performed in laboratories, research institutes or in other institutions specialized in this field, with a view to finding whether they may be qualified as military goods subject to the control regime stipulated in the present emergency ordinance or not, shall be covered by the entity for the benefit of which the classification activity is being performed. Under special circumstances, related to actions that may cause harm to national security, the expenses for the technical expert's investigation shall be covered by the Agency's budget.

(3) In the exercise of its control powers, the Agency's control unit shall have unrestricted access, under the law, to the necessary documents, data and information, whatever their holders may be.

(4) The persons stipulated under article 3 shall be under the obligation to send, at the Agency's request, all the documents, data and information requested, within the set delays, and to facilitate, under the terms of the law, unrestricted access of its control unit to their head offices and to any premises belonging to them, allowing them to check the relevant aspects relative to the conclusion, progression or finalization of the operations stipulated under article 1, as well as those regarding the final destination and use of military goods.

(5) The legal persons stipulated under article 3 and the public authorities having powers in this field shall be under the obligation to preserve for 15 years the documents on operations carried out with military goods subject to control.

(6) The persons involved in implementing the control regime for military goods that become acquainted with information that is a state secret, a professional secret or a trading secret shall be under the obligation to observe its status and only make it known to the pertinent authorities, under the terms of the law.

Article 23 - (1) Within the control system for exports, imports and other operations with military goods, an Inter-ministry council shall be established, comprised of representatives of the Ministry of Foreign Affairs, Ministry of National Defence, Ministry of Economy and Trade, Ministry of Administration and Home Affairs, Romanian Intelligence Service, Foreign Intelligence Service, National Customs Authority, and the Agency, holding at least the rank of a director.

(2) The presidency of the Inter-ministry council shall be ensured by the Agency, through its president.

(3) The secretarial activity for the Inter-ministry council shall be ensured by the Agency.

4) The Inter-ministry council shall examine and endorse licence applications for:

- a) export and import of military goods;
- b) brokering activity.

Article 24 - Applications for an authorization, licence, and permit for operations with military goods shall be approved by order of the Agency's president.

Article 25 – repealed

Article 26 - (1) Licence applications by economic agents subordinated to and co-ordinated by institutions in the system of national defence and national security, for export or import of military goods, shall be approved on condition that the licence applicant also produces the export or import authorization issued by the Ministry of National Defence.

(2) Licence applications by persons other than the ones stipulated under paragraph (1), for export or import of military goods, shall be approved on condition that the licence applicant also produces the export or import endorsement issued by the Ministry of National Defense.

(3) An exception to the provisions of paragraph (2) on obtaining the mandatory endorsement shall be the manufacturing economic agents established by Government decision, according to which they may sell abroad the military goods and services according to their object of activity.

Article 27 - Licence applications for export or import of military goods other than the ones stipulated under article 26 shall be approved on condition that the licence applicant also produces the authorization to carry out foreign trade operations involving military goods, issued by the Agency.

Article 28 - Permit applications shall be approved on condition the applicant also produces, as applicable, other endorsements or authorization papers, issued under the law, by the competent public authorities.

Article 28¹ - (1) The Agency shall deny issuance of a licence for operations with military goods if the final recipient's state is under an embargo on weapons transfers established by a resolution of the United Nations Security Council, a common position or joint action adopted by the Council of the European Union, or a decision by the Organization for Security and Co-operation in Europe.

(2) The Agency may deny issuance of a licence for operations with military goods, based on the Inter-ministry council's advice, if the final recipient's state or the final recipient is under a unilateral embargo on weapons transfers or under restrictive measures, as applicable, set out by NATO member states.

Article 29

(1) In implementing the provisions of the present emergency ordinance, the Agency shall be an authorized beneficiary and a user of specific information, including those held by the state bodies authorized, under the law, to perform intelligence activities.

(2) The Agency shall have unrestricted access, under the terms of the law, to all information concerning operations with military goods, as well as to the information needed for assessing any forms of activities involving such products.

(3) The authorized public authorities, under the law, to perform intelligence activities shall be under the obligation to send the Agency the data obtained, referring to violations of the provisions of the present emergency ordinance.

(4) At the request of the Agency, the Ministry of Administration and Home Affairs or other competent institutions shall carry out specific checks and then inform it so that it may take the lawful actions.

(5) The National Customs Authority shall make available to the Agency, at the latter's request, all the necessary data concerning the export, import and other operations with military goods.

CHAPTER V

Sanctions

Article 30 - Violation of the provisions of the present emergency ordinance regarding operations involving military goods, as well as those on the truthfulness of declarations, which represent crimes under the law, shall be punishable according to the provisions of the Penal Code.

Article 31 - Issuance of authorizations and licences for export or import of military goods, as well as permits, without complying with the provisions of the present emergency ordinance shall entail, as applicable, disciplinary, administrative, or criminal liability, under the law.

Article 32 - Failure to observe the final destination and use of the military goods listed in the documents based on the declaration stipulated under article 13 (3) shall constitute an offence and shall be sanctioned by a fine from ROL 20 million to ROL 100 million.

Article 33 - (1) Violation of the provisions of article 7 (2), article 17 (2) and (3) and article 22 (5) and (6) shall constitute an offence and shall be sanctioned by a fine from ROL 20 million to ROL 50 million, unless the actions are crimes, under the law.

(2) Violation of the provisions of article 14 and article 22 (4) shall constitute an offence and shall be sanctioned by a fine from ROL 20 million to ROL 100 million, unless the actions are crimes, under the law.

Article 34 - (1) Offences shall be ascertained and fines shall be applied by the Agency's control unit, as well as other competence bodies, under the law.

(2) The Agency shall notify the criminal investigation bodies if the actions ascertained are deemed to be crimes, under the law.

Article 35 - The sanctions stipulated in the present emergency ordinance shall also apply to legal entities.

Article 36 - The application of sanctions for the offences stipulated in the present emergency ordinance shall be lost by prescription within one year of the action being committed.

Article 37 - The provisions of Government Ordinance no. 2/2001 on the legal status of offences, approved with amendments and additions by Law no. 180/2002, with subsequent amendments and additions, shall apply to the offences stipulated in the present emergency ordinance, except for articles 28 and 29.

Article 38 - If the violation of the provisions of the present emergency ordinance should be likely to cause serious consequences onto the regime of exports and imports of military goods and on Romania meeting the international obligations and undertakings that it assumed in this field, the Agency may suspend or withdraw the authorizations, licences or permits it has issued or may ask the competent bodies to suspend or withdraw the authorization documents issued by them, under the law.

CHAPTER VI

Final provisions

Article 39 - The Agency shall belong, as a rightful member, to the decision-making structures of all the bodies created at a national level that carry out activities related to the regime of military goods.

Article 40 - (1) Within Romania's diplomatic missions abroad, attached to international bodies for the control of exports of military goods and the ban on chemical weapons, as well as in countries with which Romania is currently carrying out trading operations involving such products, the Agency shall be represented by personnel temporarily transferred to the Ministry of Foreign Affairs.

(2) The number of persons transferred and their duties shall be set out together with the Ministry of Foreign Affairs.

(3) The list of the bodies and countries stipulated under paragraph (1), the number of offices allocated for that purpose in the job organization chart of the Ministry of Foreign Affairs, as well as the level of diplomatic credentials shall be set out by Government decision.

(4) The expenses related to the activities carried out by the personnel stipulated under paragraph (1) shall be covered from the budget approved for the Ministry of Foreign Affairs.

Article 41 - The forms for authorization, licence or permit, as well as other documents stipulated in the present emergency ordinance shall be set out by order of the Agency's president and published in the Official Gazette of Romania.

Article 42 - (1) The Agency shall draw up methodological regulations for applying the provisions of the present emergency ordinance within 15 days from the date of it being published in the Official Gazette of Romania, Part I.

(2) The methodological regulations stipulated under paragraph (1) shall be approved by order of the Agency's president and published in the Official Gazette of Romania, Part I.

Article 43 - (1) The present emergency ordinance shall come into effect within 15 days from the date of it being published in the Official Gazette of Romania.

(2) On the date of the present emergency ordinance coming into effect, Government Ordinance no. 31/1994 on the regime of imports and export of strategic products, published in the Official Gazette of Romania, Part I., no. 218 of 16 August 1994 and approved by Law no. 93/1994, as well as any other contrary provisions, shall be repealed.

This law has been adopted by the Parliament of Romania, in compliance with the provisions of article 75 and article 76 (2) in the Constitution of Romania, republished.

EUROPEAN UNION CODE OF CONDUCT ON ARMS EXPORTS

The Council of the European Union,

BUILDING on the Common Criteria agreed at the Luxembourg and Lisbon European Councils in 1991 and 1992,
RECOGNISING the special responsibility of arms exporting states,

DETERMINED to set high common standards which should be regarded as the minimum for the management of, and restraint in, conventional arms transfers by all EU Member States, and to strengthen the exchange of relevant information with a view to achieving greater transparency,

DETERMINED to prevent the export of equipment which might be used for internal repression or international aggression, or contribute to regional instability,

WISHING within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of conventional arms exports,

NOTING complementary measures taken by the EU against illicit transfers, in the form of the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms,

ACKNOWLEDGING the wish of EU Member States to maintain a defence industry as part of their industrial base as well as their defence effort,

RECOGNISING that states have a right to transfer the means of self-defence, consistent with the right of self-defence recognised by the UN Charter,

Have adopted the following Code of Conduct and operative provisions:

CRITERION ONE

Respect for the international commitments of EU member states, in particular the sanctions decreed by the UN Security Council and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations.

An export licence should be refused if approval would be inconsistent with, inter alia:

- a) the international obligations of member states and their commitments to enforce UN, OSCE and EU arms embargoes;
- b) the international obligations of member states under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention;
- c) their commitments in the frameworks of the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement;
- d) their commitment not to export any form of anti-personnel landmine.

CRITERION TWO

The respect for human rights in the country of final destination

Having assessed the recipient country's attitude towards relevant principles established by international human rights instruments, Member States 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. In line with operative paragraph 1 of this Code, 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 or arbitrary executions, disappearances, arbitrary detentions and other major 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.

CRITERION THREE

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

Member States will not allow exports 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.

Member States 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.

When considering these risks, EU Member States 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;
- d) the need not to affect adversely regional stability in any significant way.

CRITERION FIVE

The national security of the member states and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries.

Member States will take into account:

- a) the potential effect of the proposed export on their defence and security interests and those of friends, allies and other member states, 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 use of the goods concerned against their forces or those of friends, allies or other member states;
- c) the risk of reverse engineering or unintended technology transfer.

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.

Member States 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

- c) its commitments 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 other 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;
- d) the risk of the arms being re-exported or diverted to terrorist organisations (anti-terrorist equipment would need 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.

Member States will take into account, in the light of information from relevant sources such as UNDP, World Bank, IMF and OECD reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They 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.

OPERATIVE PROVISIONS

1. Each EU Member State will assess export licence applications for military equipment made to it on a case-by-case basis against the provisions of the Code of Conduct.
2. This Code will not infringe on the right of the Member States to operate more restrictive national policies.
3. EU Member States will circulate through diplomatic channels details of licences refused in accordance with the Code of Conduct for military equipment together with an explanation of why the licence has been refused. The details to be notified are set out in the form of a draft pro-forma at Annex A. Before any Member State grants a licence which has been denied by another Member State or States for an essentially identical transaction within the last three years, it will first consult the member State or States which issued the denial(s). If following consultations, the Member States nevertheless decides to grant a licence, it will notify the Member State or States issuing the denial(s), giving a detailed explanation of its reasoning. The decision to transfer or deny the transfer of any item of military equipment will remain at the national discretion of each Member State. A denial of a licence is understood to take place when the member state has refused to authorise the actual sale or physical export of the item of military equipment concerned, where a sale would otherwise have come about, or the conclusion of the relevant contract. For these purposes, a notifiable denial may, in accordance with national procedures, include denial of permission to start negotiations or a negative response to a formal initial enquiry about a specific order.
4. EU Member States will keep such denials and consultations confidential and not to use them for commercial advantage.
5. EU Member States will work for the early adoption of a common list of military equipment covered by the Code, based on similar national and international lists. Until then, the Code will operate on the basis of national control lists incorporating where appropriate elements from relevant international lists.
6. The criteria in this Code and the consultations procedure provided for by paragraph 3 of the operative provisions will also apply to dual-use goods as specified in Annex 1 of Council Decision 94/942/CFSP as amended, where 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.
7. In order to maximise the efficiency of this Code, EU Member States will work within the framework of the CFSP to reinforce their cooperation and to promote their convergence in the field of conventional arms exports.
8. Each EU Member State will circulate to other EU Partners in confidence an annual report on its defence exports and on its implementation of the Code. These reports will be discussed at an annual meeting held within the framework of the CFSP. The meeting will also review the operation of the Code, identify any improvements which need to be made and submit to the Council a consolidated report, based on contributions from Member States.
9. EU Member states will, as appropriate, assess jointly through the CFSP framework the situation of potential or actual recipients of arms exports from EU Member States, in the light of the principles and criteria of the Code of Conduct.
10. It is recognised that Member States, where appropriate, may 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 above criteria.
11. EU Member States will use their best endeavours to encourage other arms exporting states to subscribe to the principles of this Code of Conduct.
12. This Code of Conduct and the operative provisions will replace any previous elaboration of the 1991 and 1992 Common Criteria.

NATIONAL LIST WITH MILITARY GOODS UNDER THE EXPORT CONTROL REGIME

- ML1.** Smooth-bore weapons with a calibre of less than 20 mm, other arms and automatic weapons with a calibre of 12.7 mm (calibre 0.50 inches) or less and accessories, and specially designed components therefore.
- ML2.** Smooth-bore weapons with a calibre of 20 mm or more, other weapons or armament with a calibre greater than 12.7 mm (calibre 0.50 inches), projectors and accessories, and specially designed components therefor:
- ML3.** Ammunition and fuze setting devices and specially designed components therefor:
- Ammunition for the weapons controlled by ML1, ML2 or ML12;
 - Fuze setting devices specially designed for ammunition controlled by ML3.
- ML4.** Bombs, torpedoes, rockets, missiles, other explosive devices and charges and related equipment and accessories, specially designed for military use, and specially designed components therefore.
- ML5.** Fire control, and related alerting and warning equipment, and related systems, test and alignment and countermeasure equipment, specially designed for military use, and specially designed components and accessories therefor.
- ML6.** Ground vehicles and components.
- ML7.** Chemical or biological toxic agents, "riot control agents", radioactive materials, related equipment, components, and materials.
- ML8.** "Energetic materials", and related substances.
- ML9.** Vessels of war, special naval equipment and accessories and components therefor, specially designed for military use.
- ML10.** "Aircraft", "lighter-than-air vehicles", unmanned airborne vehicles, aero-engines and "aircraft" equipment, related equipment and components, specially designed or modified for military use.
- ML11.** Electronic equipment, not controlled elsewhere on the Munitions List, and specially designed components therefor.
- ML12.** High velocity kinetic energy weapon systems and related equipment and specially designed components therefor.
- ML13.** Armoured or protective equipment and constructions and components.
- ML14.** Specialised equipment for military training or for simulating military scenarios, simulators specially designed for training in the use of any firearm or weapon controlled by ML1 or ML2, and specially designed components and accessories therefor.
- ML15.** Imaging or countermeasure equipment, specially designed for military use, and specially designed components and accessories therefor.
- ML16.** Forgings, castings and other unfinished products the use of which in a controlled product is identifiable by material composition, geometry or function, and which are specially designed for any products controlled by ML1 to ML4, ML6, ML9, ML10, ML12 or ML19.
- ML17.** Miscellaneous equipment, materials and libraries, and specially designed components therefor.
- ML18.** Equipment for the production of products referred to in the Munitions List.
- ML19.** Directed energy weapon systems (DEW), related or countermeasure equipment and test models, and specially designed components therefor.
- ML20.** Cryogenic and "superconductive" equipment and specially designed components and accessories therefor.
- ML21.** "Software" specially designed or modified for the "development", "production" or "use" of equipment or materials controlled by the Munitions List.
- ML22.** "Technology" which is "required" for the "development", "production" or "use" of items controlled in the Munitions List.

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