

<p>International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons</p>	<p>Romanian laws and policies supportive of the International Instrument</p>
<p>I. General provisions</p>	
<p>1. The purpose of this instrument is to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.</p>	<p>Romania has developed a mature and efficient national export control system that meets the standards of EU and all international export control and non-proliferation regimes such as the Wassenaar Arrangement (WA), the Australia Group, the Nuclear Suppliers Group, the Zangger Committee and the MTCR.</p>
<p>II. Definitions</p>	
<p>For the purposes of this instrument, small arms and light weapons are “illicit” if: (b) They are transferred in violation of arms embargoes decided by the Security Council in accordance with the Charter of the United Nations;</p>	<p>ANCEX has an effective and rapid mechanism for the enforcement of the embargoes on military goods imposed by the UN Security Council Resolutions, Common Positions and Joint Actions adopted by EU Council, OSCE Decisions. According to the Government Ordinance no. 158/1999 adopted with amendments by the Law 595/2004: “Article 28¹ – (1) The Agency shall deny issuance of a license for operations involving 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 joint position or a common action adopted by the Council of the European Union, or a decision by the Organization for Security and Co-operation in Europe.</p>
<p>(e) They are transferred without a license or authorization by a competent national authority.</p>	<p>During 2005, it was adopted the Law no. 206/2005 for implementing and applying the international sanctions. The Romanian arms export control regime is developed in two pillars: the authorization of the legal persons to trade with military and the licensing of each arms transfer, on case by case basis. The authorization of legal person to trade with military goods is issued by ANCEX for a maximum 1 year (the procedures are approved by the president of ANCEX and published in Official Gazette of Romania). The licenses for export and import of military goods, including SALW, are issued by</p>

	<p>ANCEX after the approval of the Inter-Ministry Council on Arms Exports.</p> <p>The Inter-ministerial Council is consisting of representatives, as the director level, of ANCEX, Ministry of Foreign Affairs, Ministry of Economy and Finance, Ministry of Defense, Ministry of Interior and Administrative Reform, National Customs Authority, Romanian Intelligence Service, Foreign Intelligence Service.</p> <p>The procedures and the regulations on the export control regime of military goods are approved by Executive Orders of the President of ANCEX and are published in the Official Gazette of Romania.</p>
<p>IV. Record-keeping</p> <p>From the time of the adoption of this instrument, records pertaining to marked small arms and light weapons will, to the extent possible, be kept indefinitely, but in any case a State will ensure the maintenance of:</p> <p>(b) All other records, including records of import and export, for at least 20 years.</p> <p>States will require that records pertaining to small arms and light weapons held by companies that go out of business be forwarded to the State in accordance with its national legislation.</p>	<p>ANCEX informed the Romanian companies authorized to trade with military goods regarding the obligations under the provisions of the Instrument.</p> <p>In 2006 it was created within ANCEX the SALW Tracing Register for all small arms and light weapons exported and imported, that includes data regarding the type, model, calibre, serial number and other relevant information.</p> <p>ANCEX organized in April 26, 2007 the "Identifying and Tracing of SALW" with all SALW Romanian exporters, importers and manufacturers with the occasion of the Black Sea Defense & Aerospace Exhibition and Conference.</p>
<p>V. National Contact Point</p>	<p>Ministry of Foreign Affairs National Agency for Exports Control Conventional Arms Directorate Phone:+40.21.305.72.12 Fax:+40.21.311.12.97 e-mail: dac@ancex.ro</p>