

Nel numero totale delle esportazioni definitive sono incluse le 24 (37) operazioni effettuate a fronte di nulla-osta del Ministero della Difesa ai sensi dell'art. 2, comma 6, della legge 185/90.

- n. 14 (20) relative ad operazioni di **temporanea esportazione** per un ammontare di circa 0,8 (1,9) mln. di €.
- n. 71 (60) relative ad operazioni di **importazione definitiva** di materiali di armamento, per circa 65,6 (55,8) mln. di €.
- n. 182 (151) relative ad **importazioni temporanee** per un ammontare di circa 30,1 (22,16) mln. di €.

Rispetto all'ammontare autorizzato per le sole esportazione definitive, due istituti di credito hanno negoziato circa il 49 % delle transazioni bancarie.

Inoltre sono state autorizzate transazioni bancarie relative a **pagamenti per compensi d'intermediazione**, riferite alle sole esportazioni definitive, per un totale di circa 32,6 mln. di €.

Nell'anno 2006, rispetto all'anno precedente, si è, altresì, registrato un aumento di circa il 6 % del numero delle autorizzazioni rilasciate dal Ministero dell'Economia e Finanza, a cui corrispondente un **incremento del 31,8% del valore complessivo** autorizzato.

La movimentazione finanziaria (introiti ed esborsi) avvenuta in relazione ai **programmi intergovernativi** è risultata pari a circa € **1.068,1** (1.015) mln. di €.

2.5 ULTERIORI VALUTAZIONI

Il **valore delle autorizzazioni** rilasciate per l'esportazione, nel corso del 2006, è stato di circa **2.192,4 (1.360,7) mln. di €** e le esportazioni effettuate sono state di circa 970,38 (circa 830,8) mln. di €.

Nel contempo le esportazioni temporanee effettuate nel 2006 nel quadro dei Programmi Intergovernativi si sono attestate a circa 955,66 mln. di €.

Rispetto al precedente anno si è pertanto verificato un rilevante **aumento di circa il 61,12% nel valore delle licenze di esportazione** rilasciate, un **aumento di circa il 12,89 %** del materiale esportato ed un **aumento del 23,74%** delle esportazioni temporanee nell'ambito **dei Programmi intergovernativi**.

In Vol. I - Tabella “M” è illustrato il trend relativo alle “autorizzazioni” ed alle “operazioni” effettuate nel periodo dal 1997 al 2006.

Come già evidenziato nelle precedenti relazioni, va tenuto presente che lo sfasamento temporale che esiste tra l'autorizzazione ad esportare, l'effettiva spedizione del materiale prodotto ed i pagamenti effettuati non consentono un'immediata correlazione tra i **valori monetari totali**, relativi rispettivamente alle autorizzazioni concesse, alle esportazioni effettivamente avvenute nell'anno ed alle autorizzazioni ad effettuare le transazioni bancarie.

Infatti, sono gli effettivi movimenti doganali che danno la corretta indicazione finanziaria di quanto l'Italia ha esportato in materiali di armamento nell'anno, poiché nella maggioranza dei casi, l'esecuzione contrattuale è modulata su base pluriennale.

Le autorizzazioni concesse rappresentano, invece, seppure con una certa approssimazione (in quanto non sempre i contratti si concludono nella loro completezza), una componente dell'ammontare del portafoglio di ordini esteri della nostra industria per la difesa.

Nel 2006 non è stata rilasciata alcuna istanza di “Licenza Globale di Progetto” (GPL). Pertanto non sono state effettuate operazioni di esportazione e di importazione di materiali autorizzati con GPL.

È regolarmente continuata la movimentazione dei materiali connessi con i programmi di coproduzione intergovernativa, che, ai sensi della legge art. 1, commi, 8 lettera a) e 9 lettera a) sono soggetti al controllo del Ministero dell'Economia e Finanze – Agenzia delle Dogane.

L'elenco dei programmi, delle ditte partecipanti e del tipo di materiale prodotto è riportato nel Vol. II - Appendice “2”.

Nella relazione dell'Agenzia delle Dogane (Vol. II – Documento “E”) sono state inserite le rilevazioni degli Uffici doganali in merito ai citati programmi, in ottemperanza a quanto disposto dall'articolo 5 della legge 185/90, come modificato dalla legge 148/03.

Nel Vol. I - Tabella “M” sono riportati anche i valori delle operazioni temporanee effettuate nel quadro delle movimentazioni relative ai cosiddetti Programmi Intergovernativi.

Il carattere delle citate operazioni comporta che uno stesso componente venga movimentato e quindi registrato più volte. Il reale valore del

trasferimento potrà configurarsi solo nel momento in cui avverrà la definitiva cessione/acquisizione del materiale oggetto del programma da parte dei Paesi partecipanti.

Va inoltre precisato che, per loro natura, questi programmi intergovernativi non producono alcun effetto sensibile sull'interscambio. Tali strumenti — ormai insostituibili per contenere i costi elevatissimi dei moderni e sempre più complessi sistemi di difesa — prevedono un bilanciamento finale tra il lavoro effettuato, pagato dall'Agenzia di programma alle industrie produttrici, e la percentuale di partecipazione nazionale al programma, pagato dallo Stato all'Agenzia di programma ("cost/work sharing").

3. LINEAMENTI PROGRAMMATICI PER L'ANNO 2007

Permangono, in linea di principio, le indicazioni programmatiche fino ad oggi seguite, che sono basate fondamentalmente sul principio di esercitare un sempre più efficace controllo delle movimentazioni dei materiali di armamento secondo la legge 185/90, cercando, nel contempo, di consentire la presenza competitiva dell'industria nazionale nel mercato internazionale.

In particolare si dovrà:

3.1 in ambito nazionale:

- continuare ad ottimizzare le procedure amministrative previste dalla norma in vigore e dal regolamento di esecuzione DPCM 14 gennaio 2005, n.93, ed i provvedimenti ministeriali, preventivamente coordinati con le altre Amministrazioni interessate;
- realizzare il sistema informatico interministeriale volto a migliorare le attività di coordinamento e di controllo delle operazioni relative a esportazione, importazione e transito dei materiali d'armamento;
- perseverare, con trasparenza, nell'azione d'impulso e di coordinamento interministeriale per l'assistenza alle operazioni di maggiore rilevanza per il Paese.

3.2 in ambito europeo:

partecipare attivamente alle iniziative europee per contribuire:

- ad armonizzare le regole in materia di produzione e di controllo delle esportazioni dei materiali d'armamento e dei prodotti ad alta tecnologia;

- a monitorare attivamente il processo d'integrazione industriale europea, salvaguardando nel contempo le nicchie di eccellenza dell'industria nazionale;
- alla stesura dei principi e del testo della Direttiva Europea per gli Appalti Pubblici nel settore della Sicurezza e Difesa.

3.3 in ambito internazionale:

- partecipare attivamente ai fori internazionali che trattano argomenti relativi al controllo degli armamenti, dalla loro classificazione, alla costruzione ed infine destinazione;
- partecipare ad iniziative tendenti a stabilire con i paesi alleati accordi in materia di trasferimento di materiali d'armamento e di alta tecnologia.

3.4 informazione istituzionale

E' previsto l'avvio di incontri periodici con i rappresentanti delle Organizzazioni Non Governative, interessate al controllo dei trasferimenti dei materiali d'armamento.

L'iniziativa ha la finalità di favorire una più puntuale e trasparente informazione in merito:

- alle attività svolte dall'Amministrazione nella gestione delle procedure connesse con la legge 185/90;
- al processo d'integrazione del mercato europeo degli equipaggiamenti militari;
- alle attività condotte nei diversi fori internazionali relativamente al controllo e monitoraggio delle esportazioni di materiale militare;
- all'applicazione dei principi, vincoli e i divieti — ed alla eventuale evoluzione — nella gestione delle attività di controllo in parola.

Elenco ALLEGATI e TABELLE

Allegato “A”	Stralcio delle Categorie dei Materiali d’Armamento (D.M. 2003)
Allegato “B”	Elenco dei Paesi sottoposti a provvedimenti di embargo da parte dell’ONU, dell’Unione Europea e dell’OSCE.
Allegato “C”	Elenco dei Paesi ritenuti dall’ONU responsabili di gravi violazioni dei diritti umani o che destano preoccupazione sotto tale profilo.
Tabella “A”	AUTORIZZAZIONI all’Esportazione per aree Politiche NATO/UE e non NATO/UE
Tabella “B”	AUTORIZZAZIONI all’Esportazione in ambito NATO/UE
Tabella “C”	AUTORIZZAZIONI all’Esportazione in ambito non NATO/UE
Tabella “D”	AUTORIZZAZIONI all’Esportazione per Aree Geografiche
Tabella “E”	OPERAZIONI di esportazione effettuate verso le aree politiche: Paesi NATO (non UE), Paesi UE e Paesi non NATO/UE
Tabella “F”	OPERAZIONI di esportazione effettuate verso Paesi NATO/UE.
Tabella “G”	OPERAZIONI di esportazione effettuate verso Paesi non NATO/UE
Tabella “H”	OPERAZIONI di esportazione per Aree Geografiche
Tabella “I”	Comparazione dei VALORI delle AUTORIZZAZIONI all'esportazione definitiva
Tabella “L”	Comparazione dei VALORI delle OPERAZIONI di esportazione definitiva
Tabella “M”	Andamento delle AUTORIZZAZIONI e delle OPERAZIONI dal 1997 al 2006
Tabella “N”	Valore degli IMPORTI AUTORIZZATI per Istituti di Credito
Tabella “O”	Andamento dei FLUSSI FINANZIARI su Banche Nazionali e Internazionali (operanti in Italia)
Tabella “P”	Elenco dei materiali AUTORIZZATI per Paese di destinazione.

PAGINA BIANCA

Allegato "A"

Stralcio delle Categorie dei Materiali d'Armamento

D.M. 13 giugno 2003
del Ministero della Difesa

Introduzione

Il presente Stralcio indica le categorie dei materiali considerati d'armamento e le relative tecnologie ai sensi della legge n. 185 del 1990. Esso recepisce, inoltre, la concretizzazione tecnica degli accordi internazionali, in particolare dell'Intesa di Wassenaar sul controllo dell'armamento convenzionale, nonché dei regimi di controllo MTCR e AG inerenti rispettivamente la non proliferazione nei settori missilistico e chimico/biologico.

L'Elenco, posto in appendice alla "RACCOLTA" delle Relazioni dei Ministeri (Vol. II) è suddiviso in categorie, paragrafi, sottoparagrafi e note in conformità alla lista militare dell'Intesa di Wassenaar.

I materiali riportati nelle liste degli altri regimi di controllo sono riconoscibili dalla simbologia di seguito specificata, con l'indicazione in parentesi dell'Intesa multilaterale di riferimento:

- "#" non proliferazione nel settore missilistico (MTCR);
- "*" non proliferazione nel settore chimico/biologico (AG).

I materiali di armamento specificati nell'art. 2, comma 2 della legge, sono di seguito riportati con l'indicazione a margine delle Categorie dell'Intesa Wassenaar in cui sono ricompresi:

- | | |
|---|--------------------------------------|
| a) Armi nucleari, biologiche, chimiche | Categorie 7 e 21 |
| b) Armi da fuoco automatiche e relativo munizionamento | Categorie 1,3,16 e 21 |
| c) Armi ed armamenti di medio e grosso calibro e relativo munizionamento | Categorie 2,3,16 e 21 |
| d) Bombe, torpedini, mine, razzi, missili e siluri | Categorie 4,16 e 21 |
| e) Carri e veicoli appositamente costruiti per uso militare | Categorie 6,16 e 21 |
| f) Navi e relativi equipaggiamenti appositamente costruiti per uso militare | Categorie 9 e 21 |
| g) Aeromobili ed elicotteri e relativi equipaggiamenti appositamente costruiti per uso militare | Categorie 10, 16 e 21 |
| h) Polveri, esplosivi, propellenti | Categorie 8 e 21 |
| i) Sistemi o apparati elettronici, elettroottici e fotografici appositamente costruiti per uso militare | Categorie 5,11,15, 18 e 21 |
| j) Materiali speciali blindati appositamente costruiti per uso militare | Categorie 13 e 21 |
| k) Materiali specifici per l'addestramento militare | Categorie 14 e 21 |
| l) Macchine, apparecchiature ed attrezzature costruite per la fabbricazione, il collaudo ed il controllo delle armi e delle munizioni | Categorie 18,21,22 e 80 |
| m) Equipaggiamenti speciali appositamente costruiti per uso militare | Categorie 12,13,16,17, 18,19,20 e 21 |

ALLEGATO “B”

ANNEX I

A. LIST OF EU EMBARGOES ON ARMS EXPORTS

(i) Miscellaneous

- Exports to countries clearly implicated in supporting terrorism;
- Direct or indirect supply, etc. to Usama bin Laden, members of Al-Qaida and the Taliban and other individuals, groups, undertakings and entities associated with them

(ii) List of countries subject to embargoes

BURMA/MYANMAR

CHINA

COTE D'IVOIRE

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

DEMOCRATIC REPUBLIC OF CONGO

IRAQ

LEBANON

LIBERIA

SIERRA LEONE

SOMALIA

SUDAN

UZBEKISTAN

ZIMBABWE

B. DETAILS OF EMBARGOES**(i) Miscellaneous**

Prohibition of exports of arms or other military equipment to countries which are clearly implicated in supporting terrorism.

(Declaration on international terrorism by the Ministers for Foreign Affairs, 27 January 1986).

Prohibition of direct or indirect supply sale and transfer of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts to Usama bin Laden, members of the Al-Qaida organization and the Taliban and other individuals, groups undertakings and entities associated with them.

(Common Position 2002/402/CFSP (Article 15 Common Position) adopted by the Council on 27 May 2002, OJ No. L 139, 29.5.2002, p. 4)¹

(ii) Countries**BURMA/MYANMAR**

Decision to refuse the sale of any military equipment from Community countries to Burma.

(Declaration by the General Affairs Council, 29 July 1991).

Embargo on arms, munitions and military equipment (weapons designed to kill and their ammunition, weapon platforms, non-weapon platforms and ancillary equipment as well as spare parts, repairs, maintenance and transfer of military technology; contracts entered into force prior to 8 November 1996 are not affected). The provision to Burma/Myanmar of technical training or assistance related to the provision, manufacture, maintenance or use of the aforementioned items by nationals of Member States or from the territories of the Member States, shall be prohibited; the above provisions shall not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, nor shall they apply to protective clothing, including flak jackets and military helmets, temporarily exported to Burma/Myanmar by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

(Common Position 2003/297/CFSP (Article 15 Common Position) of 28 April 2003, OJ No. L 106 of 29.4.2003, p. 36).

Implementation of Article 2(2) (embargo on technical training or assistance) of Common Position 2003/297/CFSP

(Common Position 2003/461/CFSP (Article 15 Common Position) of 20 June 2003, OJ No. L 154 of 21.6.2003, p. 116).

Renewal of restrictive measures against Burma/Myanmar for a further twelve month period (taking effect on 30 April 2004).

(Common Position 2004/423/CFSP of 26 April 2004, renewing Common Position 2003/297/CFSP as amended by Council Decision 2003/907/CFSP (Article 15 Common Position) OJ No. L 125 of 28.4.2004, p. 61).

Renewal of restrictive measures against Burma/Myanmar for a further twelve month period (taking effect on 25 April 2005).

(Common Position 2005/340/CFSP of 25 April 2005, renewing Common Position 2004/423/CFSP (Article 15 Common Position) OJ No. L 108 of 29.4.2005, p. 88).

¹ See UN Security Council Resolution 1390 (2002) page 15

Renewal of restrictive measures against Burma/Myanmar for a further twelve month period (taking effect on 30 April 2006). Exceptions for non-lethal military equipment or equipment for internal repression intended solely for humanitarian or protective use, or for institution-building programmes of the UN the EU and the Community, and for material intended for EU and UN crisis management operations; exception for sale, supply, transfer or export of demining equipment and material for use in demining operations...).

(Common Position 2006/318/CFSP of 27 April 2006, renewing Common Position 2005/340/CFSP (Article 15 Common Position) OJ No. L 116 of 29.4.2006, p. 77).

CHINA

Embargo on trade in arms with China.

(Declaration by the Madrid European Council, 27 June 1989).

COTE D'IVOIRE²

Prohibition of the sale, supply, transfer or export of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, as well as equipment which might be used for internal repression, to Cote d'Ivoire by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft whether originating or not in their territories.

Prohibition to grant, sell, supply, or transfer technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, as well as equipment which might be used for internal repression, directly or indirectly, to any person, entity or body in, or for use in Cote d'Ivoire.

Exemption from prohibition for:

- (a) *supplies and technical assistance intended solely for the support of or use by the United Nations Operation in Cote d'Ivoire and the French forces who support them;*
- (b) *the sale, supply, transfer or export of non-lethal military equipment intended solely for humanitarian or protective use, including such equipment intended for EU, UN, African Union and ECOWAS crisis management operations, and the provision of technical assistance and training related to such equipment;*
- (c) *the sale, supply, transfer or export of protective clothing, including flak jackets and military helmets, temporarily exported to Cote d'Ivoire by United Nations personnel, personnel of the EU, the Community or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;*
- (d) *the sale, supply, transfer or export of arms and related materiel and technical training and assistance intended solely for support of or use in the process of restructuring defense and security forces pursuant to paragraph 3, subparagraph (f) of the Linas-Marcoussis Agreement.*

(Common Position 2004/852/CFSP of 13 December 2004, applicable until 15 December 2005 (Article 15 Common Position) OJ No. L 368 of 15.12.2004, p. 50).

Renewal of restrictive measures until 15 December 2006, unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.

² See UN Security Council Resolutions 1572 (2004) and 1643 (2005) page 16

(Common Position 2006/30/CFSP of 23 January 2006, applicable until 15 December 2006 (Article 15 Common Position) OJ No. L 19 of 24.1.2006, p. 36).

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA³

1. Prohibition of the direct or indirect supply, sale or transfer of the following items and technology, including software, to the DPRK by nationals of Member States or through or from the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether or not originating in their territories:

- (a) arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, with the exception of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the EU and its Member States in the DPRK;*
- (b) all items, materials, equipment, goods and technology as determined by the UN Security Council or the Committee in accordance with paragraph 8(a)(ii) of UNSCR 1718 (2006), which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes.*

2. Prohibition to provide technical training, advice, services, assistance or brokering services, related to items and technology set out in paragraph 1 and to the provision, manufacture, maintenance and use of these items, directly or indirectly to any person, entity or body in, or for use in the DPRK or to participate, knowingly or intentionally, in activities the object or effect of which is to circumvent this prohibition.

The procurement by nationals of Member States, or using their flag vessels or aircraft, of items and technology referred to in paragraph 1 from the DPRK shall also be prohibited, whether or not originating in the territory of the DPRK.

Member States shall, in accordance with their national authorities and legislation, and consistent with international law, take cooperative action, including through inspection of cargo to and from, the DPRK as necessary, in order to prevent illicit trafficking in nuclear, chemical or biological weapons, ballistic missiles, their means of delivery, related materials and technology. In this respect available non-proliferation mechanisms could be used to assure effective sea, air and land cargo inspections.

(Common Position 2006/795/CFSP of 20 November 2006, (Article 15 Common Position) OJ No. L 322 of 22.11.2006, p. 32).

DEMOCRATIC REPUBLIC OF CONGO (ex Zaire)⁴

Embargo on arms sales.

(Declaration N° 33/93 on Zaire, 7 April 1993).

Prohibition of direct or indirect supply, sale or transfer of arms and any related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to the DRC by nationals of Member States or from the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.

Also prohibited to:

³ See UN Security Council Resolutions 1718 (2006) pages 16 and 17

⁴ See UN Security Council Resolutions 1493 (2003) and 1596 (2005) pages 17 and 18

- (a) *grant, sell, supply or transfer technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, directly or indirectly to any person, entity or body in, or for use in the DRC;*
- (b) *provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of arms and related materiel, or for any grant, sale, supply, or transfer of related technical assistance, brokering services and other services, directly or indirectly to any person, entity or body in, or for use in the DRC.*

Exemptions for:

- (a) *the supply, sale or transfer of arms and any related materiel or the provision of technical assistance, financing brokering services and other services related to arms and related materiel solely for support of or use by units of the army and police of the DRC, provided that the said units:*
 - (i) *have completed the process of their integration, or*
 - (ii) *operate under the command, respectively, of the "état-major intégré" of the Armed Forces or of the National Police of the DRC, or*
 - (iii) *are in the process of their integration, in the territory of the DRC outside the provinces of North and South Kivu and the Ituri district.*
- (b) *the supply, sale or transfer of arms and any related materiel or the provision of technical assistance, brokering services and other services related to arms and related materiel intended solely for support of or use by the United Nations Organisation Mission in the DRC ("MONUC").*
- (c) *the supply, sale or transfer of non-lethal military equipment intended solely for humanitarian or protective use, or the provision of assistance and training related to such non-lethal equipment, provided that such supply or provision has been notified in advance to the Sanctions Committee.*

The supply, sale or transfer of arms and related materiel, referred to above shall only be made to receiving sites as designated by the Government of National Unity and Transition, in coordination with MONUC, and notified in advance to the Sanctions Committee.

The supply, sale or transfer of arms and related materiel or the provision of services, referred to above shall be subject to an authorization granted by the competent authorities of the Member States.

Member States shall consider deliveries on a case-by-case basis, taking full account of the criteria set out in the European Union code of conduct on arms exports. Member States shall require adequate safeguards against misuse of authorization granted.. and where appropriate, make provisions for repatriation of the delivered arms and related materiel.

(Common Position 2005/440/CFSP, repealing Common Position 2002/829/CFSP (Article 15 Common Position) of 13 June 2005, OJ No. L 152 of 15.6.2005, p. 22). (To be reviewed no later than twelve months after adoption and every twelve months thereafter).

IRAQ⁵

⁵ See UN Security Council Resolutions 661 (1990), 1483 (2003) and 1546 (2004) pages 18 and 19

Embargo on sales of arms and other military equipment to Iraq.

(Declaration N° 56/90 of 4 August 1990 on the invasion of Kuwait by Iraq).

Confirmation of embargo on sales of arms and other military equipment to Iraq; exception for arms and related material required by 'the Authority' to serve the purposes of Security Council Resolution 1483(2003) and other related Security Council Resolutions.

(Common Position 2003/495/CFSP (Article 15 Common Position) of 7 July 2003, OJ No. L 169 of 8.7.2003, p. 72).

Confirmation of embargo on sales of arms and other military equipment to Iraq Exemption from embargo for sale, supply, transfer or export of arms and related material required by the Government of Iraq or the multinational force established under UNSCR 1511 (2003) to serve the purposes of UNSCR 1546 (2004)

(Common Position 2004/553/CFSP of 19 July 2004, OJ L 246 of 20 July 2004, amending Common Position 2003/495).

LEBANON⁶

Prohibition accordance with UNSCR 1701(2006) of direct or indirect sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, to any entity or individual in Lebanon by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, whether originating or not in their territories.

It shall also be prohibited to provide technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment paramilitary equipment and spare parts for the aforementioned, directly or indirectly to any natural or legal person, entity or body in, or for use in Lebanon..

The above shall not apply provided that...:

- (a) the goods or services are not supplied, directly or indirectly, to any militia for whose disarmament the UN Security Council has called in its Resolutions 1559 (2004) and 1680 (2006), and*
- (b) the transaction has been authorized by the Government of Lebanon or UNIFIL, or*
- (c) the goods or services are for the use by UNIFIL in the performance of its mission or by the Lebanese armed forces.*

(Common Position 2006/625/CFSP (Article 15 Common Position) of 15 September 2006, OJ No. L 253 of 16.09.2006, p. 36).

LIBERIA⁷

Prohibition under the conditions set out in UNSCR 1521 (2003) of the sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, to Liberia by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, whether originating or not in their territories.

⁶ See UN Security Council Resolution 1701 (2006), page 20

⁷ See UN Security Council Resolution 1343 (2001) and 1478, 1497, 1509 and 1521 (2003) and 1647 (2005) pages 20 and 21

It shall also be prohibited to grant, sell, supply, or transfer technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance and use of the above items, directly or indirectly to any person, entity or body in, or for use in, Liberia, or to provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of the above items, directly or indirectly to any person, entity or body in, or for use in Liberia.

The above shall not apply to:

- (a) arms and related materiel and technical training and assistance intended solely for support of or use by the United Nations Mission in Liberia;*
- (b) arms and related materiel and technical training and assistance intended solely for support of or use in an international training and reform programme for the Liberian armed forces and police, as approved in advance by the Committee established by paragraph 21 of UNSCR 1521(2003) ("the Committee");*
- (c) non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee;*
- (d) protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only.*

The supply, sale or transfer of arms and related material or the provision of services, referred to in (a), (b) and (c) above, shall be subject to an authorization granted by the competent authorities of the Member States. Member States shall consider deliveries under paragraph 2(a), (b) and (c) on a case-by-case basis, taking full account of the criteria set out in the European Union code of conduct on arms exports. Member States shall require adequate safeguards against misuse of authorization granted pursuant to this paragraph and, where appropriate, make provisions for repatriation of the delivered arms and related material.

For the purposes of this Common Position, "technical assistance" shall mean and technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services. Technical assistance includes verbal forms of assistance.

(Common Position 2004/137/CFSP (Article 15 Common Position) of 10 February 2004, OJ No. L 40 of 12.2.2004, p. 35).

Extension of measures imposed by Articles 1 and 2 of Common Position 2004/137 CFSP for a further period of 12 months, unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.

(Common Position 2006/31/CFSP (Article 15 Common Position) of 23 January 2006, OJ No. L 19. of 24.1.2006, p. 38).

Modification and renewal of measures imposed by Articles 1 and 2 of Common Position 2004/137 CFSP for a further period of six months, unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.

In addition to the exemptions from application set out in Article 1(2) of Common Position 2004/137/CFSP, the measures imposed pursuant to Article 1(1) of Common Position 2006/31/CFSP shall not be applied to:

- (a) weapons and ammunition already provided to members of the Special Security Service (SSS) for training purposes and remaining in the custody of the SSS for unencumbered operational use, provided that their transfer to the SSS had been approved in advance by*

the Committee established by paragraph 21 of UNSC 1521 (2003) ('the Committee'), and technical and financial assistance related to such weapons and ammunition;

- (b) *weapons and ammunition intended for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia, provided that such supplies have been approved in advance by the Committee, upon a joint request by the Government of Liberia and the exporting State, and technical and financial assistance related to such weapons and ammunition.*

(Common Position 2006/518/CFSP (Article 15 Common Position) of 24 July 2006, OJ No. L 201. of 25.7.2006, p. 36).

SIERRA LEONE⁸

Embargo on the sale or supply of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, in accordance with UNSC Resolution 1171. This embargo shall not apply to the Government of Sierra Leone or to sales or supplies for the sole use of ECOMOG or the United Nations.

(Common Position 98/409/CFSP (J.2 Common Position) adopted by the Council on 29 June 1998, OJ No L 187, 01.07.98, p.1).

SOMALIA⁹

Prohibition of the supply or sale of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for aforementioned to Somalia by nationals of Member States or from the territories of Member State's, whether originating or not in their territories; prohibition of provision to Somalia of technical advice, financial and other assistance and training related to military activities, including in particular technical training and assistance related to the provision, manufacture, maintenance or use of the above items... Prohibitions do not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, or for material intended for institutional building programmes of the Union, Community or Member States, including in the field of security, carried out within the framework of the Peace and Reconciliation Process, as approved by the Committee established under UNSCR 751 (1992), nor shall they apply to protective clothing, including flack jackets and military helmets, temporarily exported to Somalia by United National personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

(Common Position 2002/960/CFSP (Article 15 Common Position) of 10 December 2002, OJ No. L 334 of 11.12.2002, p. 1).

SUDAN¹⁰

Prohibition of the sale, supply, transfer or export of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for aforementioned to Sudan by nationals of Member States or using their flag vessels or aircraft, whether originating or not in their territories

Prohibition of sale, supply or transfer of technical assistance, brokering services and other services related to military activities, and to the provision, manufacture, maintenance or use of arms and

⁸ See UN Security Council Resolutions 1171 (1998) and 1299 (2000), pages 23 and 24

⁹ See UN Security Council Resolutions 733 (1992), 1356 (2001) and 1425 (2002) pages 24 and 25

¹⁰ See UN Security Council Resolutions 1556 (2004) and 1591 (2005), pages 25 and 26

related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, directly or indirectly to any person, entity or body for use in Sudan

Prohibition to provide financing or financial assistance related to the above

Exceptions for:

- *the sale, supply, transfer or export of non-lethal equipment intended for humanitarian, human rights monitoring or protective use, or for institution building programmes of the UN, the African Union, the EU and the Community, or of material intended for EU, UN and African Union crisis management operations;*
- *technical training and assistance to related to such equipment;*
- *the sale, supply, transfer or export of de-mining equipment and material for use in de-mining operations;*
- *assistance and supplies provided in support of implementation of the Comprehensive Peace Agreement*
- *protective clothing, including flak jackets and military helmets, temporarily exported to Sudan by UN personnel, personnel of the EU, the Community or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.*

Deliveries of such equipment to be considered on a case by case basis, taking full account of the criteria of the EU Code of Conduct on Arms Exports. Member States shall require adequate safeguards against misuse of authorizations granted and where appropriate, make provisions for repatriation of the equipment.

(Common Position 2005/411/CFSP, (repealing Common Position 2004/31/CFSP) adopted by the Council on 30 May 2005, OJ No. L 139 of 26.11.05, p.25).

UZBEKISTAN

Prohibition of the sale, supply, transfer or export of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for aforementioned to Uzbekistan by nationals of Member States or from the territories of Member States, or using their flag vessels or aircraft whether originating or not in their territories;

Prohibition of provision of technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance or use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, or related equipment which might be used for internal repression, directly or indirectly to any natural or legal person, entity or body in, or for use in Uzbekistan.

Prohibitions do not apply to:

- (i) *the sale, supply, transfer or export of non-lethal military equipment intended solely for humanitarian or protective use, or for institution-building programmes of the UN, the EU and the Community, or for EU and UN crisis management operations;*
- (ii) *the supply, transfer, or export of arms and equipment for the forces in Uzbekistan of contributors to the International Security Assistance Force (ISAF) and "Operation Enduring Freedom" (OEF);*