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United Kingdom Strategic Export Controls

Annual Report 2009

DFID Department for International Development

MINISTRY OF DEFENCE

United Kingdom Strategic Export Controls Annual Report 2009

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Ministerial Foreword

This is the thirteenth Annual Report on Strategic Export Controls to be published by the United Kingdom. It describes UK export control policy and practice during the period January to December 2009, under the previous Government.

The UK Government is committed to maintaining the effectiveness of the UK's strategic export controls. We are clear that the first duty of government is to safeguard our national security and support our troops in Afghanistan and elsewhere: effective strategic export controls are essential in fulfilling that duty. We are committed to supporting actions to achieve the Millennium Development Goals, the realisation of which are too often undermined by regional conflicts fuelled by the illicit trade in arms. We are also committed to improving the international architecture on export controls by supporting efforts to establish an Arms Trade Treaty to limit the sale of arms to dangerous regimes.

The UK Government has made clear its commitment to extending transparency in every area of public life, including by making government data readily available so that those outside government can scrutinise its actions. This Annual Report demonstrates the Government's commitment to transparency in the area of strategic export controls. As in previous years, there has been strong public, media, parliamentary and NGO interest in strategic arms control issues during 2009. We hope, therefore, that the information contained in this Annual Report will be of interest to a wide range of UK and international stakeholders. We commend it to both Parliament and the public.

Alistair Burt (FCO)

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Section 1

Domestic Policy

1.1 OVERVIEW

The UK system for the licensing of Strategic Export Controls is operated by an Export Licensing Community. This Community comprises six Government Departments and agencies: Business, Innovation and Skills (BIS); the Foreign and Commonwealth Office (FCO); the Ministry of Defence (MOD); the Department for International Development (DFID); Her Majesty's Revenue and Customs (HMRC) and UK Border Agency (UKBA).

EXPORT LICENSING COMMUNITY JOINT MISSION STATEMENT

"Promoting global security through strategic export controls, facilitating responsible exports"

Guiding Principles

We shall implement effectively the UK's framework of strategic export controls so as to ensure that sensitive goods and technology are kept out of the wrong hands, by assessing all export licence applications against the Consolidated EU and National Arms Export Licensing Criteria. In so doing we shall facilitate responsible defence exports, as these depend on a sound regime of controls.

We shall administer the licensing system efficiently so that we keep the compliance burden on UK exporters to the minimum. In particular we shall therefore:-

- within the framework of our case-by-case approach, ensure maximum predictability for exporters by taking decisions which are consistent with the Consolidated EU and National Arms Export Licensing Criteria and our policy statements;
- aim to meet our published performance indicators, which set us challenging targets for processing applications in a timely manner;
- be transparent about our performance and operations, including by publishing an Annual Report;
- establish a dialogue with exporters, our customers, to enable us to understand their concerns and them to understand our requirements. We shall support them in complying with the process through services such as BIS's website, and awareness activities and ratings. We shall keep our licence products under review to ensure they remain appropriate as circumstances change; and measure our performance against others, capture best practice via our outreach visits with other licensing authorities, through attendance at international export control seminars, and through feedback from UK industry.

Strategic export controls relate to:

- Items on the UK's Military List;
- Dual-Use items listed under EC Regulation 428/2009 or items caught by the Military and Weapons of Mass Destruction end-use controls;
- Items on the UK Dual-Use List;
- Transfers of software and technology related to the above, including transfers by electronic means e.g. by email;
- Goods controlled under the EU Torture Regulation (EC) No 1236/2005;
- Goods which are controlled to destinations subject to UN, EU, OSCE and UK sanctions and embargoes.

BIS's Export Control Organisation (ECO) is the licensing authority for strategic exports in the UK. It sets out the regulatory framework under which licence applications are considered, and the Secretary of State for BIS takes the formal decision to issue or refuse export licence applications, and where necessary, to suspend or revoke extant licences, in accordance with the applicable legislation and announced policy.

The FCO, MOD and DFID act in a policy advisory capacity, providing the ECO with advice and analysis on the foreign, defence and international development policy aspects relevant to consideration of export licence applications against the Consolidated EU and National Arms Export Licensing Criteria.

HMRC is responsible for the enforcement of export controls, including investigating potential breaches that may result in a prosecution being brought through the Revenue and Customs Division within the Crown Prosecution Service (RCD CPS) (see section 1.10 below).

1.2 Strategic Export Licence Application Process

Applications for Export, Trade ("brokering") or Transhipment Licences for strategically controlled goods are submitted electronically to BIS's Export Control Organisation (ECO) as the UK's competent licensing authority. Partners across Government are then consulted as appropriate before a decision is reached on whether to issue or refuse a licence.

FCO provides advice about the current political situation in a destination and guidance about international commitments and obligations. The Export Licensing Team (ELT) in FCO's Counter Proliferation Department carries out an initial assessment of all applications sent to them. Depending on an application's complexity, ELT may then pass them on for further consideration to one of several other Departments within the FCO, and to UK missions in the country concerned. This process often involves consultations with the FCO's International Organisations Department, to ensure that the potential export is not in contravention of our international commitments (Criterion 1). All licence applications to countries where we have concerns about human rights issues (Criterion 2) are referred to the Human Rights and Democracy Department. The FCO's network of overseas posts make a valuable contribution to assessing applications, especially when assessing licences against Criteria 2 and 3 (which address the internal situation of a recipient country) and 4, (which is concerned with the impact on regional stability of a proposed export). Only after completion of this detailed risk assessment is a recommendation then passed back from the FCO to the ECO. Finely balanced applications are referred to FCO Ministers for a final recommendation.

MOD advice on Export Licence Applications similarly reflects the results of an internal process that brings together advice from a number of areas. This routinely involves seeking the views of those responsible for protecting the capability of the UK's Armed Forces, and specialists from the security and intelligence fields. Separately, MOD coordinates a procedure for the Government (the Form 680 process) to ensure that companies seek clearance to use classified information they hold for the purposes of marketing their products overseas. Companies must also seek such clearance for the supply of classified goods. The F680 process benefits the licensing process, because it gives exporters an indication of whether a licence would be approved if the relevant circumstances remained the same.

DFID provide specific expertise and advice in considering applications to those developing countries eligible for concessional loans from the World Bank's International Development Association. DFID considers export licence applications destined to all International Development Association (IDA) eligible countries against Criterion 8 and specifically, whether the proposed export would seriously undermine the recipient country's economy, and whether the export would seriously hamper the sustainable development of the recipient country. DFID's export licensing team carries out an initial assessment of applications passed to them. Depending on any concerns identified, the applications may then be circulated to DFID country offices for further consideration. DFID may ask to see applications in respect of other countries of concern, as the Department has a significant interest in exports that might contribute to conflict or human rights abuses.

For BIS, FCO, MOD and DFID table 1.1 shows the cost of staff directly involved in implementing export licensing policy and processing export licence applications in 2009. The resource figure for HMRC/RCD/UKBA, is calculated on man hours' effort, given the multifunctional nature of the roles in these organisations. In all cases, it is not a complete picture of all resources devoted to Strategic Export Controls by the UK Government in 2009.

Table 1.1 Estimated Government Resources 2009

BIS	£3,986,000
FCO	£752,726
MOD	£740,000
DFID	£76,000
HMRC/RCD CFG CPS/UKBA	£3,118,375

1.3 Legislation

The primary legislation covering the export of strategic goods from the UK is the Export Control Act 2002, as amended. The Act is implemented by secondary legislation ("Orders") under the Act.

In 2009, the Government completed the legislative changes resulting from the 2007 Review of Secondary Legislation introduced under the Export Control Act 2002. The Export Control Order 2008, which came into force on 6 April 2009, consolidated the three previous export and trade Orders: the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003, as amended; the Trade in Goods (Categories of Controlled Goods) Order 2008 (which itself replaced the Trade in Goods (Control) Order 2003, and introduced the three-tier structure to the trade controls as set out below); and the Trade in Controlled Goods (Embargoed Destinations) Order 2004. The new Order thus brought together the UK's controls on the export of military and para-military items, the national dual-use controls, and the controls on trade i.e. controls on UK involvement in the movement, or in arranging or facilitating the movement, of military and certain other goods between two overseas countries – usually known as "trafficking and brokering". Details of the current and previous secondary legislation made under the Export Control Act 2002, and of the 2007 Review, can be found in the Government's 2007 and 2008 Annual Reports and on the BIS website at: http://www.bis.gov.uk/policies/export-control-organisation.

The Structure of Trade Controls

Category A goods consist of cluster munitions, and specially designed components thereof; and certain paramilitary goods whose export the Government has already banned because of evidence of their use in torture, including electric shock batons, electric-shock belts, leg irons and sting sticks.

Category B goods consist of Small Arms and Light Weapons (including ammunition); Long Range Missiles (LRMs) capable of a range of 300km or more (Note: this includes Unmanned Air Vehicles (UAVs)), Man Portable Air Defence Systems (MANPADS), specially designed production and field test equipment for MANPADS, and specialised training equipment and simulators for MANPADS, and specially designed components for any of the above.

Category C goods consist of all goods contained within Schedule 2 of the Export Control Order 2008 that do not fall into either of the two categories above, and certain substances for the purpose of riot control or self-protection and related portable dissemination equipment.

European Council Regulation (EC) 1334/2000, adopted in June 2000, set up a Community regime for the control of dual-use items and technology. The European Commission presented a proposal to Member States to amend the Regulation in December 2006. The proposal took into account conclusions of a Peer Review of Member States' implementation of the Regulation in 2004, the results of a Commission impact assessment study completed in 2006 and Member States' obligations under United Nations Security Council Resolution (UNSCR) 1540. Discussions on the re-cast took place in the Council Dual-Use Working Group and were completed in the first quarter of 2009.

The re-cast Council Regulation (EC) 428/2009 was adopted by the Council of Ministers on 5 May 2009 and entered into force on 27 August 2009.

In line with EU non-proliferation strategy and UNSCR1540, the revised Regulation provides a legal basis for Member States to prohibit transit and brokering of listed dual-use items where there is a case of serious risk of diversion to a WMD Programme. In addition the Regulation also enhances information exchange between Member States and provides for the establishment of a Commission-run and funded online system for sharing information on licence denials. Both these latter provisions will assist with more consistent implementation of the Regulation throughout the Community.

1.4 Transparency and Accountability

The Parliamentary Committees on Arms Export Controls (CAEC) continued to scrutinise export licensing decisions and policy throughout 2009. The Government continued to provide the Committees with as much information as possible in response to requests, including classified information relating to the Government's Quarterly Reports. While the Government sought to make as much information as possible available to the public, it was obliged to protect some information, much of which is commercially sensitive, which it received as part of the licensing process.

In addition, the Government continued to make Ministers available to give oral evidence to the Committees. The then Economic and Business Minister Ian Pearson gave evidence to the Committees on 21 January 2009 and Bill Rammell, the then Minister of State at the Foreign and Commonwealth Office, gave evidence on 22 April 2009. Transcripts of each of those sessions are available on the Committees on Arms Export Controls (CAEC) pages of the Parliamentary website – (http://www.Parliament.gov.uk).

On 8 June 2009 the Government launched an online searchable database of export licensing statistics. The database contains information to the same level of detail as previously provided in the Annual and Quarterly Reports but in addition the website allows users to produce and manipulate data in user-friendly, bespoke reports, using data published from 1 January 2008 onwards. For example, users can produce reports for non-standard time periods (subject to a 30 day minimum period) and also sort data by categories of equipment for individual destinations to which that category has been licensed. The Government's previously published Quarterly and Annual Reports on Strategic Export Controls are also available for download from the website in a read-only format.

The Strategic Export Controls: Reports and Statistics website can be accessed at https://www.exportcontroldb.berr.gov.uk. Users must register in order to make use of the full functionality of the site but this only takes a few minutes. Comprehensive help and guidance on using the site is also available from the home page.

1.5 Awareness

As part of the Government's extensive awareness campaign on export controls for industry around the UK, 42 seminars and training courses were held nationwide during 2009, attended by over 820 people from 340 organisations.

These comprised: Beginners' Workshops for those new to export controls; Intermediate-level seminars, covering a number of issues including: exporting technology, the different sorts of licences available, company compliance with export control legislation and the UK control lists; an Open Licences and Compliance seminar; a seminar on Exporting Cryptographic Items; a new seminar on the revised Trade controls; a series of workshops on Control List Classifications and seminars on "Making Better Licence Applications" using the on-line licence application system SPIRE.

On-site training was delivered to 16 companies. Export Control Organisation (ECO) staff also gave a number of presentations over the past year to other Government Departments such as HM Revenue and Customs and UKTI, Trade Associations and conferences.

In addition to these general awareness-raising activities, the Government seeks to provide updates on specific countries of concern. The Government continues to publish, on the ECO website, a list of Iranian entities of potential WMD concern. The list is intended to help exporters judge which exports might potentially be of concern on WMD end-use grounds, based on previous licensing decisions, and when they should contact the ECO for advice. Inclusion of an entity on the list does not necessarily indicate that an export licence would be refused, nor does non-inclusion mean that there are no end-use concerns. Exporters are encouraged to contact the ECO whenever they have any suspicions regarding possible WMD end-use.

Exporters continue to make good use of ECO's two web-based search tools which help to identify which products need a licence ("Goods Checker") and, if licensable, whether an Open General Export Licence (OGEL) potentially covers the proposed exports ("OGEL[1] Checker"). "Goods Checker" provides a web-based search function across the Consolidated UK Strategic Export Control List. "OGEL Checker" assists users who know the rating (control list classification) of their goods and the destination country for the proposed export to find out which OGEL(s) may cover the export, provided all the conditions can be complied with.

In 2009, over 2700 individuals from more than 50 countries registered to use the checker tools. There was an average of 154 visits per day to the website, an increase of 41% on the number of visits in 2008. Both of these tools can be accessed at http://www.ecochecker.co.uk.

1.6 Compliance

ECO's Compliance Officers continued to visit companies and individuals holding Open Individual Export Licences (OIELs) and OGELs, both for exports and trade activity. The purpose of the visits was to establish whether the terms and conditions of the licences were being adhered to.

The table 1.2 shows the instances of non-compliance found at scheduled Compliance visits between 2007 and 2009. In most cases these errors, and their causes, had been rectified by the time of the revisit 3-6 months later.

1 A full explanation of the different UK export licences currently available is included in Section 3 of this report

Table 1.2 Details of Compliance Visits to Open Individual and Open General Licence Holders

Year	Number of Companies and sites holding open licences	Number of visits undertaken	Number of misuses identified in a year	Categories of misuse found		
				Administrative errors	Unlicensed shipments [1]	General lack of knowledge leading to errors
2007	1600 (approx)	587	220	186	34	58
2008	1600 (approx)	675	219	179	40	59
2009	1800 (approx)	836	290	235	55	39

[1] These are cases where the company had no valid licence to cover the goods at the time of the shipment, but did not imply a licence would not have been granted e.g. the company had sent goods to its parent company in an EU country under a licence which only allowed sales to Governments.

Since May 2008, ECO has had formalised procedures for suspending a company's use of OGELs, where non-compliance on the same issue was found on consecutive visits. During 2009, 56 warning letters were issued informing Company Directors of the errors which had been found during visits of the steps necessary to ensure compliance at revisit. On two occasions, companies had shown little or no improvement when they were revisited and some of the OGELs the companies were using were suspended for a period of three months. One of these companies had improved their procedures following this suspension and their licences were re-instated. The other company's licences were still under suspension pending a revisit in January 2010. In all other cases, the companies were found to be fully compliant with the terms of their licences when revisited.

1.7 HM Revenue and Customs Resources on enforcement and outreach

HMRC, in partnership with the United Kingdom Border Agency (UKBA), enforces the UK's strategic export controls using a combination of multi-functional teams and specialist strategic export control teams. The majority of HMRC local compliance and UKBA border officers are multi-functional, covering a wide range of fiscal controls as well as other regimes that prohibit or restrict goods imported and exported to and from the UK. All officers are equipped to carry out a range of duties and are supported by specialist teams when necessary.

HMRC has a full-time permanent Headquarters Policy Unit dealing with strategic export control and sanctions enforcement. In addition, HMRC has two specialist operational teams carrying out criminal investigations and intelligence work in this field. Officers at HMRC's National Clearance Hub undertake checks on customs export declarations and supporting documentation for exports from the UK, including checking BIS export licences. Officers within HMRC's Large Business Service and Local Compliance teams audit UK exporters and also carry out pre-export licence checks on intra-EC transfers of controlled goods.

Staff within UKBA Frontier Detection Units carry out physical examinations of cargo at ports and airports, and also enforce passenger controls.

HMRC has continued to strengthen its links with other enforcement agencies in the field of strategic export control, participating in national and EU export control outreach and capacity-building events with a number of key partner countries, including: Albania, Central & South American States, China, Croatia, Ireland, Pakistan, Ukraine and the United Arab Emirates.

1.8 Enforcement actions taken by HMRC

Enforcement of export controls and sanctions continues to be a priority for HMRC. HMRC has enforcement functions in relation to both physical goods and the export of military and WMD technology by intangible means, which encompasses electronic transfer such as e-mail and fax. HMRC is also responsible for enforcing the trade controls and controls on the provision of technical assistance in relation to the development of WMD.

HMRC, in partnership with the UKBA, aims to prevent and deter the illegal trade in goods subject to export licensing, by seizing goods found to be in breach of export controls and criminally investigating where appropriate.

HMRC, as part of the wider Government awareness campaign on export controls gave a number of seminars and outreach events to the financial and insurance sector covering the extension to Trade Controls contained within the recently implemented Export Control Order 2008.

HMRC continued to work with a number of Governments and international counterparts to implement the Proliferation Security Initiative (PSI), which is designed to prevent the proliferation of WMD and their missile delivery systems.

1.9 HMRC Seizures

Table 1.3 outlines the number of cases where HMRC and UKBA action resulted in the seizure of strategic goods since 2005.

Table 1.3 HMRC Strategic Exports and Sanctions

Financial Year	Number of Seizures
2005-06	34
2006-07	44
2007-08	55
2008-09	50
2009-10	115

In addition to seizing goods at the frontier, in 2009 HMRC and UKBA took action in 81 cases to prevent the export of goods that could have assisted in countries acquiring a WMD capability.

1.10 Revenue and Customs Division (RCD) within the Central Fraud Group CPS (CFG CPS)

The Revenue and Customs Prosecutions Office (RCPO) was established as an independent prosecuting authority in April 2005 and was a specialist prosecutor whose cases encompassed income tax and value added tax (VAT) fraud, excise and duty fraud on oils, tobacco and alcohol, money laundering, strategic exports and drug smuggling. However, in April 2009 the Attorney General's Office announced that RCPO would merge with the Crown Prosecution Service (CPS), and this merger was completed on 1 January 2010. Within the newly merged organisation, three teams, prosecuting cases referred to them by HM Revenue and Customs, have been established, with prosecutors who have expertise in prosecuting any strategic export case referred to them by HMRC.

Revenue and Customs Division (RCD) successfully conducted three strategic export prosecutions during the 2009 to 2010 financial year.

During the same period, a number of investigations by HMRC resulted in criminal proceedings being commenced by RCD and these cases await trial in the Crown Court. At the time of writing, a number of other serious cases are still at the investigative stage and RCD prosecutors are providing HMRC investigators with legal advice in respect of them.

Export control cases often require protracted investigation, including obtaining evidence from abroad and liaison with international partners. RCD recognises the importance of dealing effectively with unlawful arms trafficking, deploying staff with the right skills and expertise to prosecute the cases effectively.

RCD contributes to a number of cross-Government multidisciplinary groups in relation to the UK's policy on strategic exports. In addition, in 2009, RCD contributed to the SIPRI and EU Outreach programmes in South East Europe providing knowledge and assistance to countries developing their own export control programmes. RCD also continued to work with a number of Governments and international counterparts to implement the Proliferation Security Initiative (PSI), which is designed to prevent the proliferation of WMD and their missile delivery systems

Table 1.4 outlines successful prosecutions for breaches of UK strategic export controls in the last five years.

Table 1.4 HMRC Prosecutions for strategic exports offences

Financial Year	Goods	Destination	Individual or company	Offence	Penalty
2005-06	Body armour	Pakistan	Praetorian Associates	Exportation of goods contrary to the Customs and Management Act 1979, Section 68 (1)	£2,500 fine
2005-06	Body armour	Kuwait Iraq Saudi Arabia	Vestguard UK Ltd	Exportation of goods contrary to the Customs and Management Act 1979, Section 68 (1)	£10,000 fine
2006-07	Body armour and helmets	Kuwait and Iraq	Peace Keeper International Ltd	Exportation of goods contrary to the Customs and Management Act 1979, Section 68 (1)	£10,000 fine
2006-07	Military helmets and flak jackets	Kuwait	Winchester Procurement Ltd	Exportation of goods contrary to the Customs and Management Act 1979, Section 68 (1)	£8,000 fine
2007-08	100g of 2-Diisopropylaminoethyl chloride hydrochloride and 10g Hafnium	Egypt	Avocado Research Chemicals Ltd	Exportation of goods contrary to the Customs and Management Act 1979, Section 68 (1)	£600 fine plus £100 costs
2007-08	MPT9 Sub-machine Guns	From Iran to Kuwait	John Knight of Endeavour Resources Ltd	Trafficking weapons contrary to Article 9(2) of The Trade in Goods (Control) Order 2003.	4 years imprisonment and confiscation order of £53,389.51
2007-08	Gyro-compasses	Iran	Mehrdad Salashor	Exportation of goods Contrary to the Customs and Excise Management Act 1979, Section 68 (2)	18 months imprisonment and £432,970 confiscation order under the Proceeds of Crime Act 2002
2008-09	3 Military Land Rovers and 2 Military Unimog Lorries	Sierra Leone	Milestone Trading Ltd	Attempted exportation of goods contrary to the Customs and Management Act 1979, Section 68 (1)	£671 fine plus £200 costs.
2009-10	15 Military personnel carriers	Sudan	L Jackson & Co	Exportation of goods Contrary to the Customs & Excise Management Act 1979 Section 68	2 years 8 months imprisonment.
2009-10	Supply of military equipment to Iran in contravention of a UK arms embargo	Iran	Mohsen Akhaven Nik, Mohammad Akaven Nik & Nithish Jaitha	Attempted plot to supply military equipment for Iranian F-14 'Tomcat' fighter jets.	Total of 10 years imprisonment.
2009-10	Trading in controlled goods with intent to evade prohibition.	Sri Lanka, Israel	Gideon Sarig & Howard Freckleton	Supply of bombs, armour-piercing ammunition and other weapons to Sri Lanka's and Israel.	Total of 16 years imprisonment.

Section 2

International Policy

2.1 Non Proliferation Treaties and Export Control Regimes

For domestic policy to be effective, it must reflect the UK's commitments and obligations under international non-proliferation treaties, and the regimes and arrangements that supplement them. We rigorously implement UK commitments and work actively with partners to ensure that controls are effective.

2.2 Export Control Commitments in 2009

Table 2.1 lists the UK's non-proliferation commitments, and their areas of coverage. Also shown in the list are other international organisations involved directly in export controls.

Table 2.1 Export control regimes

Areas of coverage	Commitment
Nuclear:	• Treaty on the non-proliferation of Nuclear Weapons (NPT) • The Zangger Committee • Nuclear Suppliers Group (NSG)
Chemical and Biological:	• The Chemical Weapons Convention (CWC) • Organisation for the Prohibition of Chemical Weapons (OPCW) • The Biological and Toxins Weapons Convention (BTWC) • The Australia Group
WMD Delivery Systems	• The Missile Technology Control Regime (MTCR)
Conventional Weapons	• The Wassenaar Arrangement (WA) • The Ottawa Convention • The UN Convention on Certain Conventional Weapons
Other Organisations involved directly in Strategic Export Controls	• United Nations (UN), including the UN Security Council • G8 Initiatives • European Union (EU) • Organisation for Security and Co-operation in Europe (OSCE)

Table 2.2

Table 2.2 shows countries which are subject to UN, EU, OSCE and other restrictions on the export of items.

Table 2.2 Export restrictions by country

Country	Source	Instrument
Armenia & Azerbaijan	OSCE	Decision of the Committee of Senior Officials of the OSCE 28/02/92
Burma	EU	Common Position 2006/318/CFSP (27/04/2007) last amended by Common Position 2009/615/CFSP (13/08/2009) Regulation 194/2008 most recently amended by 747/2009 (14/08/2009) *(though due to be renewed at the end of April)*
China	EU	Declaration by the Madrid European Council 27/06/89.
Cote d'Ivoire	UN EU	UNSCR 1572 (2004) latest renewal 1893 (2009) Common Position 2004/852/CFSP (15/12/2004) Regulation 174/2005
DRC	UN EU	UNSCR 1533 (2004) most recently updated by UNSCR 1896 (2009), UNSCR 1807 (2008) Common Position 2005/440/CFSP most recent renewal 2009/66/CFSP (27/01/09) EC Regulation 1209/2005 (27/07/2005) most recently amended by 242/2009

Table 2.2 *(continued)*

Country	Source	Instrument
Eritrea	UN	UNSCR 1907 (2009)
Guinea	EU	Common Positions and Council Decisions 2009/788/CFSP, 2009/1003/CFSP, 2010/186/CFSP EC Regulations 1284/2009, 279/2010
Iran	UN EU	UNSCR 1803 (2008) UNSCR 1747 (2007) UNSCR 1737 (2006) Common Position 2007/140/CFSP most recently amended by Council Decision 2009/480/CFSP (18/11/2009) Council Regulation (EC)No 423/2007 most recently amended by 1228/2009
Iraq	UN EU	UNSCR 1546 (2004) UNSCR 1483 (2003) UNSCR 661 (1990) UNSCR 1905 (2009) Common Position 2003/495/CFSP most recently amended by 2010/128/CFSP
Lebanon	UN EU	UNSCR 1701 (2006) Common Position 2006/625/CFSP (15/09/2006) Regulation 1412/2006 (25/09/2006)
Liberia	UN EU	UNSCR 1792 (2007) Common Position 2008/109/CFSP EC Reg 234/2004 (10/2/2004)

Table 2.2 *(continued)*		
Country	**Source**	**Instrument**
North Korea	UN	UNSCR 1718 (2006) and 1874 (2009)
	EU	Common Position 2006/795/CFSP 2009/573/CFSP
		Council Decision 2009/599/CFSP 2009/1002/CFSP
		EC Reg 329/2007 most recently amended by 1283/2009
Sierra Leone	UN	UNSCR 1171 (1998)
	EU	EU Common Position 1998/409/CFSP (29/06/1998)
Somalia	UN	UNSCR 733 (1992) Latest renewal 1872 (2009)
	EU	Common Position 2002/960/CFSP last updated by 2009/138/CFSP and 2010/126/CFSP
Sudan	UN	UNSCR 1556 (2004) amended by 1672 (2006) last update 1891 (2009)
	EU	EU Common Position 2005/411/CFSP added to by 2006/386/CFSP
		Regulation 1184/2005 last amended by 970/2007
Zimbabwe	EU	Common Position (2004/161/CFSP)
		last amended by 2010/92/CFSP and 2010/121/CFSP
		Regulation 314/2004 last amended by 173/2010

In addition, it is UK policy to take into account the moratorium by ECOWAS (the Economic Community of West African States) on the import, export and manufacture of light weapons when considering relevant licence applications to export small arms and light weapons to ECOWAS Member States (Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo). The ECOWAS moratorium applies to pistols, rifles, shotguns, sub-machine guns, carbines, machine guns, anti-tank missiles, mortars and howitzers up to 85mm and ammunition and spare parts for the above. The moratorium was declared on 1 November 1998, and a code of conduct on its implementation was agreed on 24 March 1999.

2.3 Assessment of Export Licence Applications

The Consolidated EU and National Arms Export Licensing Criteria (Since December 2008 an EU Common Position) (Annex A) sets out eight criteria against which every export licence application (ELA) is assessed. If an ELA does not meet the strict measures of the criteria, then the export will be refused.

Table 2.3 Consultation requirements

Criterion One

When assessing an ELA under Criterion One, the International Organisations Department (IOD) at the Foreign and Commonwealth Office are consulted to confirm whether the country of final destination is currently subject to any embargoes or other relevant commitments.

Criterion Two

When assessing an ELA under Criterion Two, British Diplomatic Posts, Geographical Desks and the Human Rights and Democracy Department (HRDD) at the Foreign and Commonwealth Office are consulted if the end destination of a proposed export is of concern.

Criterion Three

When assessing an ELA under Criterion Three, British Diplomatic Posts and Geographical Desks at the FCO are consulted to assess the risk of a potential export provoking or prolonging armed conflict or aggravating existing tensions or conflicts in the country of final destination.

Criterion Four

When assessing an ELA under Criterion Four, the views from staff at the British Diplomatic Post(s) in the country of destination and Geographical Desks at the FCO are sought to assess the peace, security and stability of the region.

Table 2.3 *(continued)*

Criterion Five

When assessing an ELA under Criterion Five, the Ministry of Defence (MOD) is consulted to consider whether a proposed export could have an impact on the security of the UK, UK assets overseas and the security of allies, EU member states and other friendly countries.

Criterion Six

When assessing an ELA under Criterion Six the FCO is consulted to assess the behaviour of the buyer country with regard to the international community, in particular its attitude to terrorism, the nature of its alliances and respect for international law.

Criterion Seven

When assessing an ELA under Criterion Seven, staff at the MOD and FCO are consulted if the proposed export could have a military end-use or if there are concerns about the military capabilities of the importing country. An assessment is also made of whether the goods could be diverted to an undesirable end-user in either the importing country or to an undesirable end-user in another state.

Criterion Eight

When assessing an ELA under Criterion 8, the Department for International Development (DFID) must be consulted if the importing country is on the International Development Association (IDA) list (Annex B), and the value of the application exceeds the threshold set by the Criterion 8 methodology. DFID then considers the potential impact of the proposed export on the sustainable development of the recipient country.

2.4 Case Studies

Cameroon

While there have been some improvements in Cameroon's human rights record the Government continued to have concerns surrounding the use of excessive force by security forces against political opponents and unarmed civilians, and that the culture of impunity in respect of such actions had not been fully addressed by the Cameroonian authorities.

The UK continued to press the Government of Cameroon to implement judicial reforms and put an end to the culture of impunity in the security forces; it has done so both bilaterally, and in co-ordination with the international community including the European Union, the Commonwealth and the United Nations.

Cameroon *(continued)*

In this context, all UK export licence applications involving Cameroon are carefully considered against Criteria 2 (human rights), 3 (internal situation) and 7 (risk of diversion).

In 2009 an export licence was refused for small arms ammunition for the Cameroonian Ministry of Defence. The application stated the ammunition was for use with weapons by the Cameroon Armed Forces. In February 2008 there had been civil unrest and rioting in Douala which had spread to other provinces. The situation had been dealt with poorly by the Cameroonian security forces, resulting in a number of civilian deaths and serious injuries. The application was, therefore, subject to a high degree of scrutiny by advisors in the FCO. In assessing the risk of this equipment being used in similar human rights abuses, we consulted our post in Yaoundé, the FCO's Cameroon geographical desk and its Human Rights and Democracy Department. MOD was also consulted and contributed to the risk assessment. After consideration of a number of information sources, it was concluded that the application was inconsistent with Criterion 2 based on the information available at the time.

Kazakhstan

The Government remained concerned over some areas of Kazakhstan's record on human rights particularly in respect of arbitrary arrest and detention, and freedom of expression, assembly and the media. But it recognised that the Kazakhstani Government had made a number of steps in the right direction. Recent positive reforms include legislation on domestic violence, gender equality, and a reduction in the number of crimes carrying the death penalty. There was also an increase in the number of active NGOs which were actively involved in developing Kazakhstan's National Human Rights Action Plan last year.

Kazakhstan continued to participate in the human rights dialogues established under the EU's Central Asia Strategy, which support good governance, the rule of law and human rights, and to which the UK contributes views. The UK continued to encourage Kazakhstan to respond in full to the recommendations raised at the UN Human Rights Council's Universal Periodic Review earlier this year. The UK and its international partners continue to raise issues of concern with the Kazakhstani authorities and urge them to press ahead with reforms, many of which they themselves had identified as necessary.

All export licence applications involving Kazakhstan are considered against Criteria 2 (human rights) and 7 (risk of diversion).

Kazakhstan *(continued)*

In 2009, an export licence application was received for military rated radio jamming equipment. In view of the capacity of the equipment to jam satellite broadcasts, this application raised concerns regarding Kazakhstan's human rights record, including internal repression of the media, and freedom of speech.

A detailed risk assessment of this licence application was carried out which included consultations with the FCO's Human Rights and Democracy Department, on the capability of the goods, and a review of previous consultations with the British Embassy in Astana in respect of identical goods.

The technical assessment of the equipment revealed that, whilst the equipment could be used for satellite jamming, this would be technically difficult. The technical assessment also revealed the wide availability globally on the open market of a number of systems which could be used to jam satellites and which were cheaper and more effective at satellite jamming. It was therefore concluded that this equipment would not have been sourced for that purpose. In light of this assessment the application was approved because the goods were likely to be used for their stated end use and accordingly, there was no clear risk that they might be used for internal repression.

Paraguay

Paraguay is a land locked country in the heart of South America. It is a possible transit country for drugs, smugged goods, counterfeiting and money laundering. In addition, there continue to be concerns about human rights in Paraguay. While human rights have improved markedly in the previous decade, there continue to be a number of areas of particular concern, including the welfare of prisoners (especially juvenile offenders), under-age conscripts, and accusations of police heavy-handedness. It is against this backdrop that the UK carefully considers all export licence applications for Paraguay against Criterion 2 (human rights) and 7 (diversion).

In 2009 an export licence application was received for sniper rifles with components and weapon sight mounts. The stated end use of those goods was for test and evaluation purposes by a private company in Paraguay. Due to the lethal nature of the equipment and a lack of detail on the end user the FCO consulted the British Embassy in Buenos Aires (which also represents the UK in Paraguay), the FCO Geographical Desk in London and the FCO Human Rights and Democracy Department.

Paraguay *(continued)*

Although the FCO's Human Rights Department could find no evidence of human rights abuses on the part of the stated end user, information gathered by FCO advisers on the stated end user's parent company, indicated that it was involved in the retail industry (mainly foodstuffs, cosmetics and cleaning products). As such, the parent company had no direct dealings in firearms and this raised concerns over the legitimacy of the stated end user and end use of the equipment. In order to further assess the risk of diversion of the goods, the Embassy therefore raised questions about the final use of the equipment and what would happen to the goods following the completion of the stated trial and evaluation. Further requests for documentation revealed that the end user had links to other countries of concern in the region and had a trade licence valid for only six months. It also revealed a stated end use which differed from the information provided in the licence application.

Based on the information available at the time, and conflicting information and concerns over the legitimacy of the end user, we assessed that the risk of the equipment being diverted under undesirable conditions was sufficient to warrant refusal of the application under Criterion 7.

2.5 Arms Trade Treaty

The UK acknowledges that states have an inherent right of self-defence and therefore that responsible trade in arms is legitimate. But the UK is committed to securing a legally binding international Arms Trade Treaty (ATT) that would help to prevent unregulated and irresponsible trade in conventional arms.

The UK wants measures introduced to prevent arms traded on the global market ending up in the wrong hands where they can be used for undesirable ends including exacerbating conflict, for external aggression, and the violation of human rights and international humanitarian law.

What has the UK done to take forward an ATT in 2009?

The UK participated in two UN Open Ended Working Groups (OEWG) on the ATT in March and July 2009. During the second OEWG in July, agreement was reached for the first time by all UN Member States that the problems related to the unregulated trade in conventional arms need to be addressed.

In October 2009, the UK and co-authors (Argentina, Australia, Costa Rica, Finland, Japan and Kenya) submitted a new resolution to the UN General Assembly (UNGA) First Committee that sought to set a timetable for negotiations on an ATT. An overwhelming majority of 153 states voted in favour of the new resolution and 19 abstained. Only one state, Zimbabwe, voted against the resolution. The resolution was subsequently adopted by the UN General Assembly in December 2009.

The UN resolution on an ATT was an historic event which sets a clear negotiating timetable for future work on the ATT. There will be preparatory committee meetings, held in 2010 and 2011, ahead of a UN Conference on an ATT in 2012.

Why do we need an Arms Trade Treaty?

An ATT would help to regulate the international trade in conventional arms, setting global, legally binding standards for the arms trade, and ensuring greater respect for human rights, international humanitarian law and sustainable development.

It would also close the gaps and address the inconsistencies that exist between the current range of national and regional arms export control mechanisms, helping to stem the flow of weapons to the illicit market and into the hands of terrorists, insurgents and human rights abusers.

Non-Governmental Stakeholders

Engagement with key UK stakeholders on ATT has been a priority for the UK Government. Throughout 2009, we continued to work with a wide range of non-Governmental stakeholders on ATT, including NGOs, industry, faith and youth groups. 2009 saw a number of meetings with NGO and industry representatives to discuss strategy and technical issues related to ATT.

In 2009, the FCO held an ATT Youth Event with Amnesty International and Oxfam, attended by over 150 young activists and hosted by the then Minister for Armed Forces and former Foreign Office Minister, Bill Rammell. The FCO also supported NGO activities in India, Africa, China and the Middle East.

"We must do all in our power to shutdown the unregulated arms trade. That is why the UK is driving forward the plans for an Arms Trade Treaty, to ensure that there is a responsible, regulated, international arms trade."

Bill Rammell, then Minister for Armed Forces, at the ATT Youth Event.

Also, in 2009, we held an interfaith meeting to discuss some of the issues surrounding the ATT and their relevance to faith communities in the UK. Representatives of all the UK's main faith groups attended the meeting and there are plans underway for a series of follow up meetings.

On 10 November 2009 L'Osservatore Romano (the Vatican newspaper) published an article by then Foreign Secretary David Miliband and his French counterpart Bernard Kouchner setting out why an ATT is necessary. This was important given the newspaper's global reach and influence in Catholic countries around the world. The article was also re-printed in a number of national newspapers.

The FCO and MOD supported an ATT seminar held by representatives of the UK defence industry during the Defence Systems and Equipment International event in September 2009. Quentin Davies, then Minister for Defence Equipment and Support, spoke at the event to representatives from the international defence industry raise awareness of the benefits of an ATT.

2.6 Small Arms and Light Weapons (SALW)

The uncontrolled spread and accumulation of Small Arms and Light Weapons, together with illicit trade in these and other conventional arms, provides no shortage of evidence of the problems that the proliferation of these weapons cause.

In the hands of criminal gangs, armed groups or terrorists, Small Arms and Light Weapons are responsible for the killing and injuring of hundreds of thousands of people worldwide every year. Additionally, the violence perpetrated with these weapons destroys livelihoods, displaces entire communities and hampers social and economic development.

The main international instrument for tackling these issues is the UN Programme of Action (UNPoA) to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects (http://www.poa-iss.org/poa/poahtml.aspx). The UK is committed to its full implementation.

The UK also supports the work carried out by the EU as part of their SALW Strategy to combat illicit accumulation and trafficking of SALW and their ammunition. The EU produces six monthly and annual reporting to illustrate the work being done to implement the Strategy (http://www.consilium.europa.eu/showPage.aspx?id=718&lang=en#Bookmark12).

In June 2010, the UK will attend and contribute to the fourth Biennial Meeting of States (BMS), at which States will consider the national, regional and global implementation of the UN PoA. The UK has been represented at all three previous BMS's and at the UNPoA Review Conference.

Transparency, which the UK firmly supports, is another component in the overall effort to curb the illicit trade in conventional weapons. Transparent systems are less vulnerable to manipulation by groups that view rigorous export controls as an impediment to their often self-serving goals. To promote transparency, the UK provides details of UK imports and exports of conventional arms annually to the UN Conventional Arms Register (http://disarmament.un.org/UN_REGISTER.NSF) (Annex C).

The UK is working closely with NGOs and international partners and organisations, including the EU and the OSCE, to contribute further to reducing the destabilising effect of SALW. Additionally the FCO is working closely with DFID and MOD partners to; address the long term structural causes of conflict; manage regional and national tension and violence; and support post-conflict reconstruction.

2.7 Cluster Munitions

In December 2008, the UK signed the Convention on Cluster Munitions (CCM), which is recognised as one of the most significant new arms control agreements of recent years. It prohibits the use, production, stockpiling and transfer of cluster munitions. The simultaneous ratification by Burkina Faso and Moldova on 16 February 2009 brought the number of ratifications to 30, triggering the Convention's entry into force on 1 August 2010.

On 4 May 2010 the UK became the 32nd country to ratify the Convention. The Convention will enter into force for the UK on 1 November 2010. In compliance with Article 9 of the Convention the UK has put in place legislation to give effect in domestic law to the Convention's prohibitions: the Cluster Munitions (Prohibitions) Act received Royal Assent on 25 March 2010, entering into force with immediate effect.

This new legislation will operate alongside the Export Control Order 2008, under which cluster munitions will remain in Category A. On the Bill's introduction, guidance for industry was issued, which is available on the Department for Business, Innovation and Skills website http://www.bis.gov.uk/assets/biscore/eco/docs/notices-to-exporters/2010/nte201015.doc.

2.8 Wassenaar Arrangement (WA)

The 15th Plenary Meeting of the WA was held in Vienna in December 2009. Delegates discussed the issue of "Destabilising Accumulation of Conventional Weapons", MANPADS, re-export controls and outreach activities.

The Plenary discussed the issue of destabilising accumulations of conventional arms in order to address current and future challenges to regional and international security and stability. These discussions will continue in the framework of a newly-established Ad-Hoc Group on Destabilising Accumulation of Conventional Arms, commencing in April 2010.

The WA continues to place a high priority on transparency and outreach to non-participating states and international organisations, with the aim of promoting robust export controls throughout the world.

The Plenary also agreed to a number of changes to the WA control lists. These included changes to entries for Submersible Vehicles and new controls relating to Jamming Equipment for Improvised Explosive Devices. UK experts played a leading part in the Technical Working Groups that drew up the recommendations.

WA General Working Group Meetings will take place in April and October 2010, ahead of the next WA Plenary meeting in Vienna in December 2010. For further information see http://www.wassenaar.org/.

2.9 UN Register of Conventional Arms

The UN Register of Conventional Arms is a voluntary global reporting instrument, intended to create greater transparency in international arms transfers and help identify any excessive build-up of arms in particular countries or regions. The United Nations Register currently covers seven categories of conventional weapons, namely: battle tanks; armoured combat vehicles; large-calibre artillery systems; combat aircraft; attack helicopters; warships (including submarines); and missiles and missile-launchers (including Man-Portable Air Defence Systems). There is an additional background section of the Register for countries to report national holdings of Small Arms and Light Weapons.

The UK reports annually to the UN on all exports of military equipment in these categories and will again provide this information by June 2010 (Annex C). Whilst all reporting to the UN Register is voluntary, the UK continues to view regular and comprehensive reporting as important, and actively encourages all UN member states to participate with similar levels of transparency.

2.10 Nuclear Suppliers Group (NSG)

Since its foundation in 1975, the NSG has sought to reduce global nuclear proliferation by controlling the export and re-transfer of materials that may be applicable to nuclear weapons development. It also promotes effective safeguards and the protection of existing nuclear materials. The NSG has 46 members; Iceland joined in 2009.

The 19th Plenary meeting of the NSG took place in Budapest on 11 and 12 June 2009. The Plenary reiterated its firm support for the NPT, and welcomed the outcome of the third Preparatory Committee for the 2010 Review Conference of the NPT. The Plenary discussed the proliferation implications of the nuclear test conducted by North Korea on 25 May 2009, and those of Iran's nuclear programme. The Plenary agreed to continue work to strengthen the NSG Guidelines on the transfer

of enrichment and reprocessing technologies, equipment, materials, and facilities. The 22nd Consultative Group (CG) meeting of the NSG was held in Vienna in November 2009. The CG conducted further discussions on the Guidelines covering special controls on sensitive exports and controls on exports of enrichment facilities, equipment and technology. The CG also received updates from members on their engagement with India and updates from technical working groups. UK experts continue to support the work of technical working groups to ensure that the NSG Trigger and Dual-Use Lists are kept up to date.

The 2010 Plenary will be held in Christchurch, New Zealand from the 21-25 June 2010.

2.11 Academic Technology Approval Scheme

The Academic Technology Approval Scheme (ATAS) was introduced in November 2007. The scheme seeks to protect certain sensitive technologies relating to WMD and their means of delivery from possible misuse by proliferators.

It is operated with the co-operation of those Institutes of Higher Education (HEIs) that teach sensitive subjects at masters level or higher. Foreign students seeking to study such subjects must first obtain an ATAS certificate. This can be achieved through an online application at no cost to the applicant. An ATAS certificate is usually processed within 20 working days of receipt of a completed application.

The scheme makes a small but significant contribution to UK counter proliferation efforts. Since the introduction of the scheme in 2007 there have been over 23,000 applications processed, of which fewer than 200 have had to be refused.

2.12 Australia Group

The Australia Group was established in 1985 to prevent the proliferation of chemical and biological agents and dual-use manufacturing equipment. It is not legally binding. The Group's principal objective is to use export licensing measures to ensure that exports of certain chemicals, biological agents, and dual-use chemical and biological manufacturing facilities and equipment, do not contribute to the spread of chemical and biological weapons. There are currently 41 participants in the Australia Group, including the European Commission.

All Australia Group member states are also states parties to the Chemical Weapons Convention (CWC) and Biological and Toxin Weapons Convention (BTWC), and support for these conventions and their aims remains the overriding objective of the Group.

The UK is one of the most active participating governments within the Group in helping to ensure the Group's control lists are kept up to date. Cooperation under the CWC and BTWC is the key defeating the threat of chemical and biological weapons. By working through the Australia Group, the export of materials that could be used to produce chemical and biological weapons are monitored and better controlled, helping to prevent them from falling into the hands of proliferators and terrorists.

2.13 Missile Technology Control Regime (MTCR)

MTCR is a voluntary association of countries who work together through the coordination of export licensing efforts to prevent the proliferation of WMD capable unmanned delivery systems.

In November 2009, the MTCR plenary meeting was held in Rio de Janeiro, Brazil. The 34 members discussed the threat posed by the Iranian and North Korean missile programs and re-affirmed their commitment to conduct outreach visits to key technology holders outside of the regime. Additional materials and systems were added to the controlled goods list as a response to developments in the use of relevant technology. Information on future threats was also shared amongst partners, with these findings reported back to the plenary session. These efforts continued to keep the MTCR relevant and up to date.

2.14 Export Control Outreach

Establishing the highest possible arms export control standards across the world is one of the UK's highest priorities, as our work towards an international Arms Trade Treaty demonstrates. In addition, the UK carries out a range of work bilaterally with certain countries and with our partners, for example in the EU. Much of this work is also done through our membership of the export control regimes, which all conduct outreach activities in their specific areas.

In 2009, we undertook significant outreach work with Pakistan in the field of export controls. This included jointly hosting an outreach event in London with the US, to work with Pakistani customs and licensing officials on identifying controlled goods. This work compliments an ongoing project to advise Pakistan on improving their export control legislation.

We also worked closely with the EU on outreach to China. This multilateral effort allows us to make use of experts across the EU who can bring their own national perspectives to the discussions. We also organised an industry event in China at which we presented information on export licensing issues to a broad range of Chinese businesses and in November 2009, the FCO hosted a delegation of Chinese export control experts for bilateral discussions. Initial plans have also been put in place to run similar events in Malaysia, UAE and the Balkans in 2010.

The UK's focus on export licensing outreach is designed to demonstrate the counter proliferation benefits of

export controls and the positive effects they can have on domestic industry. Establishing a strong international reputation for export controls allows a country greater access to world markets and contributes significantly to counter-proliferation efforts. The UK sees outreach as a key step in halting the spread of proliferation networks and we continue to work closely with international partners on such programmes.

2.15 Gifted Equipment

The UK may agree to gift new and surplus equipment to overseas governments in support of wider security and foreign policy aims. All gifting proposals are assessed against the Consolidated EU and National Arms Export Licensing Criteria by relevant Government departments. Where gifts are approved, the transfer of the equipment from the UK takes place under Crown immunity. The list of gifts approved by the Government in 2009 is set out in Table 2.4.

Table 2.4 Equipment gifted by the Government in 2009

Country	Recipient	Total cost	Description
Sierra Leone	Sierra Leone Armed Forces and Sierra Leone Police	Not Recorded	21 vehicles (Land Rover and Toyota), 1 outboard motor, diesel generator spares, vehicle spares.
Afghanistan	Afghan Government	£50,000 £40,000 $44,620	84 sets of detention equipment. 150 pistols. 18 encrypted radios, 30 ballistic vests, torches and multi-tools.
Pakistan	Pakistan Armed Forces	£173,250 £3,421,000 £497,850	Counter-IED equipment spares and suits. Counter-IED equipment. 870 sets of body armour.
Ghana	Ghana Police Service	Nil	23,000 hand-held analogue radios and associated base station equipment.
Lebanon	Lebanese Armed Forces	£375,000	600 sets of public order equipment.

Section 3

Export Licensing Decisions during 2009

3.1 Background to export licence decisions

In assessing applications for individual licences, on the basis of the information supplied by the exporter, officials in the Export Control Organisation (ECO) will first determine whether or not the items are controlled and, if so, under which entry in the relevant legislation; the relevant alphanumeric entry is known as the "rating" of the items. Items and activities subject to control for strategic reasons are as follows:

- Exports of items listed in Schedule 2 of the Export Control Order 2008[2] (the UK Military List).
- Exports of items listed in Schedule 3 of the Export Control Order 2008 (UK Dual-Use List).
- Trade activities as specified in Articles 20 – 25 of the Export Control Order 2008. The three risk-based categories of goods (A, B and C) are specified in Article 2 and Schedule 1 of the Export Control Order 2008, and "embargoed destinations" are specified in Parts 1 and 2 of Schedule 4 of the Export Control Order 2008.
- The provision of technical assistance is controlled where the provider knows or has been made aware that the technical assistance will be used for "any relevant use" outside the EU.
- Items that the exporter has been told, knows or suspects are or may be intended for "WMD Purposes". This is the "WMD end-use" or "catch-all" control and goods controlled for these reasons are given the rating "End-Use".
- The transfer of technology by any means is controlled where the person making the transfer knows or has been made aware that the technology is for "WMD Purposes"[3] outside the EU.
- Exports of items listed in Council Regulation (EC) 428/2009 (The Dual-Use Regulation) setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. This replaced the previous Dual-Use Regulation, (EC) 1334/2000 on 27 August 2009.
- Brokering services or items listed in Annex I of the Dual-Use Regulation where the broker has been informed by the competent authorities of the Member State where he is established that the items are or may be intended for "WMD Purposes". If the broker is aware of such an end use the broker must contact the relevant national authorities who will decide whether or not it is expedient to make the transaction subject to a licence.
- Exports of items entered in Council Regulation (EC) 1236/2005 (the "torture" Regulation) setting up a Community Regime concerning trade in certain equipment and products which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment.

2 The Export Control Order 2008 replaced the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003, Trade in Goods (Categories of Controlled Goods) Order 2008 and Trade in Controlled Goods (Embargoed Destinations) on 6 April 2008. See 2008 Annual Report for further details.

3 "WMD Purposes" means use in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons or other nuclear explosive devices, or the development, production, maintenance or storage of missiles capable of delivering such weapons. Please note that this definition changed from "any relevant use" from 6th April 2009.

- Components or production equipment that the exporter has been told, knows or suspects are or may be intended for a military end-use[4] in a country subject to certain types of arms embargo, or for use as parts or components of military list items which have been exported in breach of United Kingdom export controls. This is the "Military End-Use" control.
- Transit or transshipment of controlled items through the UK as set out in Article 17 of the Export Control Order 2008.

Where an item or activity is controlled, the exporter or trader must apply to the ECO for an export or trade control licence.

Notes on Refusals Data

A simple comparison of the numbers of licences issued or refused in this period compared to that reported in previous Annual Reports is not necessarily an indicator that circumstances have changed, or concerns increased, in the destination in question. Levels of refusals can be affected by a number of factors: they might for example be influenced by companies taking the view that an application was likely to be refused when assessed against the published criteria and so deciding not to apply; companies are now better able to judge that likelihood given the publication of refusal statistics by destination. More generally, the number and nature of the applications received in total, or in relation to particular destinations can vary widely from one period to the next, and this is driven by many factors, including business factors outside the Government's control.

General Note on Licensing Data

3.2 Standard Individual Export Licences (SIELs), Standard Individual Transhipment Licences (SITLs), Open Individual Export Licences (OIELs), Standard Individual Trade Control Licences (SITCLs) and Open Individual Trade Control Licences (OITCLs).

Data about the SIELs, SITLs, OIELs, SITCLs, and OITCLs, granted, refused and revoked during 2009 is available via the new Strategic Export Controls: Reports and Statistics Website https://www.exportcontroldb.berr.gov.uk/.

This section of the Report gives information on the various types of licences as well as information on appeals against licensing decisions during this period. Information on the number of applications processed can be found at the end of this section, as well as a breakdown by final licence status.

SIELs generally allow shipments of specified items to a specified consignee up to the quantity or value specified by the licence. SIELs are generally valid for two years where the export will be permanent. Where the export is temporary, for example for the purposes of demonstration, trial or evaluation, a SIEL is generally valid for one year only and the items must be returned to the UK before the licence expires.

A licence is not required for the majority of controlled goods being transhipped through the UK en route from one country to another **pre-determined** destination as these are exempt from control providing certain conditions are met. Where these conditions cannot be met a transhipment licence will be required. A transhipment may be made under the provisions of one of the Open General Transhipment Licences (OGTL) provided, in all cases that the relevant licence conditions are met including **goods or destinations restrictions.** If the OGTL cannot be used a SITL must be applied for (there is no Open Individual Transhipment Licence).

The information on SIELs included in this section of the report has been compiled using the Export Control Organisation's computer databases. The databases were interrogated during the compilation of the report to identify the status of all applications on which a decision was taken during the period covered by the Report. In a small number of cases, there may be a subsequent change of status. There are two main reasons for such changes: a licence issued during the period may have been revoked, for example because of the imposition of new sanctions or an arms embargo; or a decision during the reporting period to refuse a licence might be overturned because the applicant later appealed successfully. In addition, information is also provided in Annex C on the number of items of equipment in the UN Register of Conventional Arms categories covered by SIELS issued during the period, where the contract in question has come into force.

OIELs are concessionary licences that are specific to an individual exporter and cover multiple shipments of specified items to specified destinations and/or, in some cases, specified consignees. OIELs are generally valid for a period of five years, with the exception of "Dealer to Dealer" OIELs which allow firearms dealers to export certain categories of firearms and ammunition solely to other gun dealers in the European Union only. These are valid for three years. It should be noted that the refusal of an application for an OIEL, amendment to exclude particular destinations and/or items, or the revocation of an OIEL does not prevent a company from applying for SIELs covering some or all of the items concerned to specified consignees in the relevant destinations. Clearly, however, the factors that led to the original decision would be taken into account in the decision on any such application.

4 i.e. a: incorporation into military items listed in the military list; b: use of production, test or analytical equipment and components therefore, for the development, production or maintenance of military list items; or c: use of any unfinished products in a plant for the production of military list items.

A SITCL is specific to a named trader and covers involvement in the trading of a specified quantity of specific goods between a specified overseas source country, and between a specified consignor, consignee and end-user in an overseas destination country. SITCLs will normally be valid for two years. Upon expiry, either by time or because the activity has taken place, the licence ceases to be valid. Should further similar activity need to take place, a further licence must be applied for. Trade Controls only apply to Category A, B and C goods as specified in Article 2 and Schedule 1 of the Export Control Order 2008. They do not apply to software and technology.

An OITCL is specific to a named trader and covers involvement in the trading of specific goods between specified overseas sources and overseas destination countries and/or specified consignor(s), consignee(s) and end-user(s). OITCLs are generally valid for two years. It should be noted that the refusal of an application for an OITCL, amendment to exclude particular destinations and/or items, or the revocation of an OITCL does not prevent a company from applying for SITCLs covering some or all of the items concerned to specified consignees in the relevant destinations. Again, however, the factors that led to the original decision would be taken into account in the decision on any such application.

Information on licences processed during 2009:

Table 3.1 Number of SIELs:	2009
Issued	10850
Revoked	14
Refused	230
NLR*	1294
Withdrawn/Stopped**	1799

*No Licence Required
**In Tables 3.1-3.5 "Withdrawn" applications will generally be because an application was withdrawn by the exporter. "Stopped" applications will generally be because an exporter has not provided adequate information to allow the application to proceed, following a Request for Information (RFI) from a Case Officer.

Table 3.2 Number of SITLs:	2009
Issued	5
Revoked	0
Refused	0
NLR	2
Withdrawn/Stopped	8

Table 3.3 Number of OIELs***	2009
Issued	133
Revoked/Reduced	0
Rejected/Removed****	26
NLR	16
Withdrawn, Stopped or Unsuitable (where an exporter does not meet the criteria for an OIEL)	153

***Includes Dealer to Dealer OIELs

****A rejected OIEL application does not mean that if an exporter applies for a SIEL to make the export, that application will be refused. In many cases where OIEL applications are rejected, exporters are asked to apply for SIELs because these allow closer scrutiny of individual exports, but this does not necessarily mean that this closer scrutiny will result in rejection.

Table 3.4 Number of SITCLs	2009
Issued	106
Revoked	0
Refused	6
NTLR*****	1
Withdrawn/Stopped	66

*****No Trade Licence Required

Table 3.5 Number of OITCLs	2009
Issued	6
Revoked	1
Refused	1
NTLR	0
Withdrawn/Stopped	19

3.3 Information on SIELS, SITLS, OIELS, SITCLs and OITCLs

The entry for each destination on the Strategic Export Controls: Report and Statistics website: https://www.exportcontroldb.berr.gov.uk/ contains the following information:

For SIELs:

- Total value of all applications in respect of which a SIEL was issued for the export of items to the destination concerned during the period, whether the export concerned was permanent or temporary. It should be noted that the value of exports that are actually made under the licences concerned may be less than shown because some of these licences will not be used to make all of the exports authorised and others will not be used at all. In addition, some items are exported only temporarily and later returned to the UK.
- The number of licences issued, refused or revoked, split into Military List, dual use items and both (covering licences with military and dual use goods) categories. A (T) at the beginning of a line indicates a Temporary export licence.

For Incorporation:

- Information on goods licensed under SIELs for incorporation and onward export from the destination country is provided in the same format as that for all other SIELs, and includes the same level of information. An aggregated summary of the ultimate destinations for the goods after incorporation is also provided.

For Items covered by Council Regulation 1236/2005 (the "Torture" Regulation):

- Information provided under this heading is displayed in the same way as for standard SIELs.

For SITLs:

- Information on SITLs is provided in the same format as for SIELs. The licensing information can be found within each destination, under "SIELs – Transhipments". As the items covered by SITLs issued only pass through the UK, it would be misleading to include a 'value' for these licences in the report.

For OIELs:

- The number of licences issued, refused or revoked. A (T) indicates a Temporary export licence.
- As OIELs cover multiple shipments of specified goods to specified destinations or specified consignees, exporters holding OIELs are not asked to provide details of the value of goods they propose to ship and it is therefore not possible to provide information on the total value of goods licensed under OIELs issued.

For SITCLs:

- A summary of the items or activities authorised by the licence is given.
- As SITCLs cover the trading of specific goods between overseas source and destination countries, there is no physical export from the UK and traders are not asked to provide information on values.

For OITCLs:

- A summary of the items or activities authorised by the licence are given.
- As OITCLs cover the trading of specific goods between overseas source and destination countries, exporters holding OITCLs are not asked to provide details of the value of goods they propose to trade and it is therefore not possible to provide information on the total value of goods to which those trading activities related.

Special OIELs:

There are four special categories of OIELs:

Media OIELs

Media OIELs authorise the export of protective clothing and equipment, mainly for the protection of aid agency workers and journalists, in areas of conflict. In addition to military helmets and body armour, the OIELs include NBC protective items, non-military 4WD civilian vehicles with ballistic protection and specially designed components for any of these items. The OIELs permit these items to be exported to all destinations on a temporary basis only, i.e. the items must be returned to the United Kingdom when no longer required. During this reporting period, one Media OIEL was issued.

Continental Shelf OIELs

Continental Shelf OIELs authorise the export of controlled goods to the UK sector of the Continental Shelf for use only on, or in connection with, offshore installations and associated vessels. During the period of this report, six Continental Shelf OIELs were issued.

Cryptographic OIELs

Cryptographic OIELs authorise the export of specified cryptography hardware or software and the transfer of specified cryptography technology, to the destinations specified in the licence. These OIELs do not cover hardware, software or technology which includes certain types of cryptanalytic functions. During the period of this report, five Cryptographic OIELs were issued.

Global Project Licences

Global Project Licences (GPLs) are a form of licence introduced by Framework Agreement (FA) partners (France, Germany, Italy, Spain, Sweden and the UK) to streamline the arrangements for licensing military goods and technologies between FA Partners where these transfers relate to their participation in specific collaborative defence projects. In relation to the collaborative project, each Partner State will, as appropriate, issue their own GPLs to permit transfers of specified goods and technology where these are required for that programme. The GPLs operate on a similar basis to UK Open Individual Export Licences, and applications for GPLs are assessed against the Consolidated Criteria in the UK, and against the EU Common Position in other Framework Partner countries. None were issued in 2009.

3.4 Transfer of Technology and Technical Assistance Licences

OIELs and SIELs:

These licences are issued for the transfer of technology and provision of technical assistance under Articles 19 of the Export Control Order 2008, as amended. During this reporting period, two such OIELs were issued, none were refused, revoked, or rated as no licence required. No such SIELs were issued, refused, revoked or rated as no licence required.

3.5 Refusals and revocations

There were 250 refusals or revocations of SIELs and SITCLs in 2009. Within the information relating to each destination, refusals and revocations for both Military and Dual Use goods are grouped by reference to the Rating (control entry) and, where applicable, the Consolidated EU and National Arms Export Licensing Criteria (attached at Annex A) which justified their refusal. In addition, table 3.6 gives a consolidated overview of the number of times each Criterion was used to refuse an export licence application to all destination countries. In a number of cases, the refusals/revocations were made for more than one reason; therefore the Criteria that are quoted may exceed the number of refused cases.

Table 3.6 Reasons for Refusals and Revocations of SIEL & SITCL applications

Reason*	Number
Criterion 1 – UK's international obligations and commitments under non-proliferation Treaties and Conventions and export control regimes, particularly with regard to proliferation of weapons of mass destruction or ballistic missiles.	118
Criterion 1 – UK's commitments and obligations to observe UN, EU or OSCE arms embargoes.	17
Criterion 1 – Existence of national embargoes or policy commitments.	1
Criterion 1 – UK's obligations under the Ottawa Convention and the 1998 Land Mines Act.	0
Criteria 2 – Risk of use for internal repression.	61
Criteria 3 – Risk of contributing to internal tensions or conflict in the recipient country.	11
Criteria 4 – Preservation of regional stability.	4
Criteria 5 – National security of the UK, of allies, EU Member States and other friendly countries.	21
Criteria 6 – Behaviour of the buyer country with regard to the international community.	1
Criteria 7 – Risk of diversion or re-export to undesirable end-users.	43
Criteria 8 – Compatibility of the arms exports with the technical and economic capacity of the recipient country.	0

* The total will be higher than the number of refusals as more than one Criteria can be used to refuse an application.

The information above does not include decisions to refuse OIELs or OITCLs in full or in part, to amend the coverage of an OIEL to exclude particular destinations and/or goods, or to revoke an OIEL. This is because OIELs and OITCLs are concessionary licences, and a decision to exclude a particular destination does not preclude a company from applying for SIELs or SITCLs covering some or all of the goods concerned to specified consignees in the relevant destinations.

3.6 Appeals

This section provides information on all appeals against a decision to refuse an application for a SIEL or SITCL, or against a decision to revoke a SIEL or SITCL. An appeal is featured based upon the date of the appeal, not the date of the original licence application. During 2009, the government processed 60% of appeals within 20 working days from receipt of all relevant information from the appellant and 95% in 60 working days. Decisions to refuse licences are not taken lightly, and only in those cases where refusal is clearly justified is a decision taken to refuse. In this context, appeals against refusals will often raise difficult and complex issues. Appeals are considered at an independent and more senior level than the original licence application, and any new information not available at the time of the application will be taken into account. Every effort is made to deal with all appeals as expeditiously as possible. However, the time taken to decide an appeal can be lengthy due to the need to examine afresh all relevant information.

There is no provision in the licensing procedure for a formal appeal against refusal or revocation decisions on OIELs or OITCLs. This is because such decisions do not prevent a company from applying for SIELs or SITCLs.

In total, there were 44 appeals against the original decision to refuse an application for a SIEL, and one against the decision to refuse a SITCL, completed in 2009. There were two appeals against the revocation of a SIEL. The appeals against the original decisions on 35 applications were refused; the appeals against the original decisions on seven applications were upheld, one of which was against a revocation, and licences were issued. Two appeals were withdrawn by the exporter.

Where appeals resulted in the original decision being overturned, the exporter was able to provide information not available at the time of the original decision which was sufficient to enable ECO and OGDs to consider that the level of risk was not strong enough to warrant sustaining the refusal. In some cases, this evidence was supported by meetings between the exporter, ECO, and advisers.

3.7 Open General Export Licences (OGELs)

OGELs allow the export or trade of specified controlled goods by any qualifying company, removing the need for exporters to apply for an individual licence, provided the shipment and destinations are eligible under the OGEL and that certain conditions are met. Most OGELs require the exporter or trader to register with the ECO in advance before they use them, and the companies are subject to compliance visits from the ECO to ensure that all the conditions are being met. Failure to meet the conditions can result in their ability to use the licence being withdrawn. There are also a small number of Open General Transhipment Licences (OGELs) for which registration is not required. All OGELs remain in force until they are revoked. A complete list of OGELs is at Table 3.7.

Annex II of the Council Regulation (EC) 428/2009 is the Community General Export Authorisation (CGEA). The CGEA is the Community equivalent of a UK OGELs and is directly applicable in all EU Member States. This allows the export of a range of Dual-Use goods controlled under EC Reg 428/2009 to those countries listed in the CGEA.

Table 3.7: List of open general export licences

Name		Made	Into Force	Revoked
1.	Military Goods: Government or Nato End-Use	11.06.08 18.03.09	20.06.08 06.04.09	06.04.09
2.	Military Components	11.06.08 18.03.09	20.06.08 06.04.09	06.04.09
3.	Technology for Military Goods	11.06.08 18.03.09 20.11.09	20.06.08 06.04.09 30.11.09	06.04.09 30.11.09
4.	Export After Repair/replacement under warranty: Military Goods	11.06.08 11.12.08 18.03.09 20.11.09	20.06.08 02.01.09 06.04.09 30.11.09	02.01.09 06.04.09 30.11.09
5.	Export After Exhibition or Demonstration: Military Goods	11.06.08 11.12.08 18.03.09 20.11.09	20.06.08 02.01.09 06.04.09 30.11.09	02.01.09 06.04.09 30.11.09
6.	Export for Exhibition: Military Goods	11.06.08 18.03.09	20.06.08 06.04.09	06.04.09

Table 3.7: List of open general export licences *(continued)*				
Name		**Made**	**Into Force**	**Revoked**
7.	Military Surplus Vehicles	29.09.06 18.03.09 20.11.09	02.10.06 06.04.09 30.11.09	06.04.09 30.11.09
8.	Export For Repair/Replacement Under Warranty: Military Goods	11.06.08 18.03.09 20.11.09	20.06.08 06.04.09 30.11.09	30.11.09
9.	Historic Military Goods:	11.06.08 18.03.09	20.06.08 06.04.09	06.04.09
10.	Vintage Aircraft	01.05.04 18.03.09	01.05.04 06.04.09	06.04.09
11.	Accompanied Personal Effects: Sporting Firearms	01.05.04 18.03.09	01.05.04 06.04.09	06.04.09
12.	Military Goods: For Demonstration	24.05.07 18.03.09 20.11.09	11.06.07 06.04.09 30.11.09	06.04.09 30.11.09
13.	Exports or transfers in support of UK Government Defence contracts	11.06.08 18.03.09	20.06.08 06.04.09	06.04.09
14.	Access overseas to Software Technology for Military Goods: Individual Use Only	11.06.08 18.03.09 20.11.09	20.06.08 06.04.09 30.11.09	06.04.09 30.11.09
15.	Military and dual-use Goods: UK Forces Deployed in non-embargoed destinations	11.06.08 30.03.09 20.11.09	20.06.08 06.04.09 30.11.09	06.04.09 30.11.09
16.	Military and dual-use Goods: UK Forces Deployed in embargoed destinations	11.06.08 31.03.09	20.06.08 06.04.09	06.04.09
17.	Turkey	01.05.04 11.12.08 18.03.09 12.08.09	01.05.04 02.01.09 06.04.09 27.08.09	02.01.09 06.04.09 27.08.09
18.	Computers	04.04.07 18.03.09	23.04.07 06.04.09	06.04.09 30.09.09
19.	Technology for Dual-Use Items	01.05.04 11.12.08 18.03.09 12.08.09	01.05.04 02.01.09 06.04.09 27.08.09	02.01.09 06.04.09 27.08.09
20.	Export After Repair/replacement Under warranty: Dual-Use Items	01.05.04 11.12.08 18.03.09 12.08.09	01.05.04 02.01.09 06.04.09 27.08.09	02.01.09 06.04.09 27.08.09 27.08.09
21.	Export After Exhibition: Dual-Use Items	04.04.07 11.12.08 18.03.09 12.08.09	23.04.07 02.01.09 06.04.09 27.08.09	02.01.09 06.04.09 27.08.09
22.	Low Value Shipments	01.05.04 11.12.08 18.03.09 12.08.09	01.05.04 02.01.09 06.04.09 27.08.09	02.01.09 06.04.09 27.08.09
23.	Specified dual-use items	11.06.08 18.03.09 12.08.09	20.06.08 06.04.09 27.08.09	06.04.09 27.08.09

Table 3.7: List of open general export licences *(continued)*				
Name		**Made**	**Into Force**	**Revoked**
24.	Chemicals	11.06.08 18.03.09 12.08.09	20.06.08 06.04.09 27.08.09	06.04.09 27.08.09
25.	Export For Repair/Replacement under Warranty: Dual-Use Items	04.04.07 11.12.08 18.03.09 12.08.09	23.04.07 02.01.09 06.04.09 27.08.09	02.01.09 27.08.09
26.	Cryptographic Development	04.04.07 11.12.08 18.03.09 12.08.09	23.04.07 02.01.09 06.04.09 27.08.09	02.01.09 06.04.09 27.08.09 27.08.09
27.	Dual-Use Items: Hong Kong Special Administrative Region (HKSAR)	07.03.05 11.12.08 18.03.09 12.08.09	11.03.05 02.01.09 06.04.09 27.08.09	02.01.09 06.04.09 27.08.09
28.	Oil and Gas Exploration: Dual-Use Items	04.04.07 11.12.08 18.03.09 12.08.09	23.04.07 02.01.09 06.04.09 27.08.09	02.01.09 06.04.09 27.08.09
29.	OGTL (Dual-Use Goods: HKSAR)	04.04.07 11.12.08 18.03.09	23.04.07 02.01.09 06.04.09	02.01.09 06.04.09
30.	Open General Transhipment Licence	11.06.08 11.12.08 18.03.09 20.11.09	20.06.08 02.01.09 06.04.09 30.11.09	02.01.09 06.04.09 30.11.09
31.	Open General Transhipment Licence (Sporting Guns)	04.04.07 18.03.09	23.04.07 06.04.09	06.04.09
32.	Open General Transhipment Licence (Postal Packets)	04.04.07 18.03.09	23.04.07 06.04.09	06.04.09
33.	Open General Trade Control Licence (Category C Goods)	25.09.08 26.03.09	01.10.08 06.04.09	06.04.09
34.	Software and Source Code for (Category C Goods)	11.06.08 18.03.09 20.11.09	20.06.08 06.04.09 30.11.09	06.04.09 30.11.09
35.	Exports of non-lethal military and Dual-use goods: To UK Diplomatic Missions or Consular Posts	11.06.08 11.12.08 18.03.09	20.06.08 02.01.09 06.04.09	02.01.09 06.04.09
36.	Open General Trade Control Licence (Small Arms)	25.09.08 26.03.09	01.10.08 06.04.09	06.04.09
37.	Vintage Military Vehicles*	26.05.09 26.10.09	26.05.09 01.11.09	01.11.09

*Name changed to "Historic Military Vehicles and Artillery Pieces", when amended on 01.11.09.

3.8 Performance in processing licence applications

The Export Control Organisation sets out the Government's commitments to exporters in a Service and Performance Code. The performance target is to provide a response on 70% of applications for SIELs within 20 working days, and 95% within 60 working days. The targets apply as soon as the applicant has supplied full documentation necessary to support their application. Table 3.8 gives a breakdown of the performance of Government in the period against the two main published SIELs targets (70% in 20 working days and 95% in 60 working days). The table also highlights the number of applications processed compared to previous years. Table 3.9 presents an illustration of the number of applications completed within the specified timeframe.

Table 3.8 SIELs Processing Performance

	2009	2008	2007
Number Finalised (with % increase on previous year)	14,187 (+11%)	12,729 (+32%)	9,647
Finalised within 20 working days	73%	73%	79%
Finalised within 60 working days	94%	95%	98%

The performance target for SITCLs is to provide a response within 20 working days, and 60% of all SITCL applications were dealt with within this target.

The targets do not apply to applications for:

- OIELs – because of the very wide variation in the goods and destination coverage of such licences.
- OITCLs – because of the wide variation in goods or activities, sources and destinations covered by such licences.
- applications for licences to export goods that are subject to control solely because of United Nations sanctions.

Rating requests

Where full technical specifications are provided, the Export Control Organisation also responds to requests from exporters for advice on whether or not a licence is required to export specific goods. During 2009, 4475 such requests were received. 59% of these were completed within our published target time of ten working days or twenty in cases where consultation with colleagues in other Government Departments is necessary.

Table 3.9 Time taken by HMG to process export licence applications

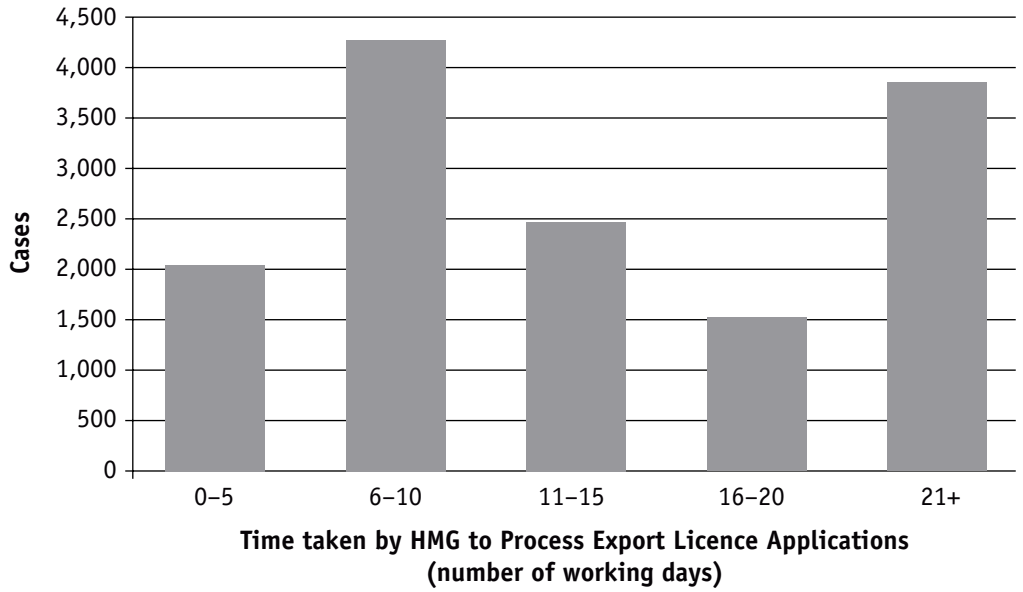

Table 3.10 Appeals performance			
	2009	2008	2007
Appeals finalised within 20 working days	68%	69%	61%
Appeals finalised within 60 working days	91%	90%	100%

The Government has a target of processing 60% of appeals within 20 working days from receipt of all relevant information from the appellant and 95% in 60 working days. These targets do not apply to appeals concerning goods that are controlled solely because of UN Sanctions. Of the 44 appeals decided in 2009, none fell into this category. Two appeals were withdrawn by the exporter. The figures provided in Table 3.10 cover the remaining 42 appeals heard in 2009.

Section 4

Military Equipment

4.1 Government to Government Exports

Disposals

The Government disposes of certain military equipment that is surplus to the requirements of the UK Armed Forces. Such disposals are arranged by the Ministry of Defence's (MOD) Disposal Services Authority (DSA). UK export licensing coverage for these is obtained either by industry or by the customer. Tables 4.1 and 4.2 give, by destination, the equipment type and quantity of such exports in 2009.

Table 4.1 Disposals

Country	Type of Equipment	Quantity
Belgium	Spares for military helicopters	–
Belize	Blank ammunition	–
Brazil	Royal Fleet Auxiliary – former-Sir Bedivere	1
	Naval spares	–
Denmark	Spares for military helicopters	–
Chile	Naval spares	–
Estonia	Sandown Class Mine Counter Measure Vessel (MCMV) – former-HMS Bridport	1
Germany	Spares for military helicopters	–
Netherlands	Spares for military helicopters and ground support	–
Norway	Spares for military helicopters	–
Romania	Naval spares	–
Saudi Arabia	Spares for military aircraft and naval spares	–

Table 4.2 Other Overseas Transfers

Country	Type of Equipment	Quantity
Belgium	World War II 'Fort' Class – merchant cargo ship – Rame Head	1
	Royal Fleet Auxillary – former-Brambleleaf	1
	Both vessels sold to Van Heyghen Recycling, Belgium (for recycling)	
Turkey	Type 42 Destroyer – former-HMS Glasgow sold to Leyal Ship Recycling, Turkey (for recycling)	1

Government-to-Government projects

The Government has agreements with the Governments of Saudi Arabia and Kuwait for the supply of equipment and services.

Saudi Arabia – The UK's main Government-to-Government supply agreement is with the Kingdom of Saudi Arabia. This has provided for the supply of Tornado, Hawk and PC-9 aircraft and mine countermeasure vessels with their associated weapons, in-service support and facilities. During 2009, the project continued to provide substantial support for equipment already in service. Additionally, the UK began deliveries of Typhoon aircraft to the Royal Saudi Air Force under arrangements for the eventual supply of 72 Typhoon to Saudi Arabia.

Kuwait – There is also a Government-to-Government supply agreement in place with Kuwait. It covers refurbished and repaired Hawk engines and modules, support to the Starburst and Sea Skua missile systems and Wargame Support Services. The current supply agreement completed and the project office closed in March 2010.

Table 4.3 is a summary of exports that arose in 2009 from activity by the MOD project offices for Saudi Arabia and Kuwait. All goods were exported under export licence obtained by industry. Where a Standard Individual Export Licence (SIEL) was issued that information is included in Section 3 of this Report and the corresponding Quarterly Report.

Government-to-Government transfers of equipment between 1 January and 31 December 2009

Table 4.3 Government-to-Government Projects

Country	Type of Equipment	Quantity
Kuwait	Refurbished and repaired Hawk engines and modules, Starburst and Sea Skua missile system support and Wargame Support Services	–
Saudi Arabia	Typhoon aircraft and initial in-service support.	8
	Components, spares and munitions for aircraft and their systems.	–
	Components and spares for naval vessels and their systems.	–
	Missiles and Missile launchers.	20

Annex A

The Consolidated EU and National Arms Export Licensing Criteria

26 Oct 2000: Column: 200W

Laura Moffatt: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government have taken to consolidate the UK's national criteria against which the Government assess licence applications to export arms and dual-use equipment with those of the EU Code of Conduct on Arms Exports; and if he will make a statement. [135683]

Mr. Hain: Licences to export arms and other goods controlled for strategic reasons are issued by the Secretary of State for Trade and Industry, acting through the Export Control Organisation of the DTI. All relevant individual licence applications are circulated by DTI to other Government Departments with an interest, as determined by those Departments in line with their own policy responsibilities. These include the Foreign and Commonwealth Office, the Ministry of Defence and the Department for International Development.

In the Foreign Secretary's reply to my hon. Friend the Member for East Ham (Mr. Timms) on 28 July 1997, *Official Report*, column 27, he set out the criteria which would be used in considering advance approvals for promotion prior to formal application for an export licence, applications for licences to export miliary equipment, and dual-use goods where there are grounds for believing that the end-user will be the armed forces or internal security forces of the recipient country. As my right hon. Friend said then, the Government are committed to the maintenance of a strong defence industry as part of our industrial base as well as of our defence effort, and recognise that defence exports can also contribute to international stability by strengthening collective defence relationships; but believe that arms transfers must be managed responsibly. We have since taken a range of measures designed to ensure the highest standards of responsibility in our export control policies. These include the adoption during the UK's Presidency of the EU of a Code of Conduct on Arms Exports; the publication of Annual Reports on Strategic Export Controls which are among the most transparent of those of any arms exporting country; the ban on the export of equipment used for torture; the ratification of the Ottawa Convention on anti-personnel landmines and the passage of the Land Mines Act; and our many efforts to combat illicit trafficking in and destabilising accumulations of small arms.

Since the Council of the European Union adopted the EU Code of Conduct on Arms Exports on 8 June 1998, all relevant licence applications have been assessed against the UK's national criteria and those in the Code of Conduct, which represent minimum standards that all member states have agreed to apply. The criteria in the EU Code of Conduct are compatible with those which I announced in July 1997. At the same time there is a large degree of overlap between the two. It is clearly in the interests of Government Departments involved in assessing licence applications, British exporters and other interested parties that the criteria which are used should be set out as clearly and unambiguously as possible.

With immediate effect, therefore, the following consolidated criteria will be used in considering all individual applications for licences to export goods on the Military List, which forms Part III of Schedule 1 to the Export of Goods (Control) Order 1994; advance approvals for promotion prior to formal application for an export licence; and licence applications for the export of dual-use goods as specified in Annexe 1 of Council

Text taken from House of Commons statement available in the House of Commons Hansard Written Answers Index for 26 October 2000 – Column 200W – 203W – regarding the Ministry of Defence, Foreign & Commonwealth Office and Department of Trade and Industry (2000) The Consolidated EU and National Arms Export Licensing Criteria ("Consolidated Criteria"). The text is reprinted in Strategic Export Controls, Annual Report 2001 (London: FCO), Appendix F, pp. 413-416.

Decision 94/942/CFSP when 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, or that the goods will be used to produce arms or other goods on the Military List for such end-users. The criteria are based on those in the EU Code of Conduct, incorporating elements from the UK's national criteria where appropriate. As before, they will not be applied mechanistically but on a case-by-case basis, using judgment and commonsense. Neither the fact of this consolidation, nor any minor additions or amendments to the wording of the two sets of criteria used before, should be taken to imply any change in policy or in its application.

An export licence will not be issued if the arguments for doing so are outweighed by the need to comply with the UK's international obligations and commitments, by concern that the goods might be used for internal repression or international aggression, by the risks to regional stability or by other considerations as described in these criteria.

CRITERION ONE

Respect for the UK's international commitments, in particular sanctions decreed by the UN Security Council and those decreed by the European Community, agreements on non-proliferation and other subjects, as well as other international obligations.

The Government will not issue an export licence if approval would be inconsistent with, inter alia:

a. The UK's international obligations and its commitments to enforce UN, OSCE and EU arms embargoes, as well as national embargoes observed by the UK and other commitments regarding the application of strategic export controls;

b. The UK's international obligations under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention;

c. The UK's commitments in the frameworks of the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group and the Wassenaar Arrangement;

d. The Guidelines for Conventional Arms Transfers agreed by the Permanent Five members of the UN Security Council, and the OSCE Principles Governing Conventional Arms Transfers and the EU Code of Conduct on Arms Exports;

e. The UK's obligations under the Ottawa Convention and the 1998 Land Mines Act;

f. The UN Convention on Certain Conventional Weapons.

CRITERION TWO

The respect of human rights and fundamental freedoms in the country of final destination.

Having assessed the recipient country's attitude towards relevant principles established by international human rights instruments, the Government 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.

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, arbitrary or extra-judicial executions; disappearances; arbitrary detentions; and other major suppression or 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.

The Government considers that in some cases, the use of force by a government within its own borders, for example to preserve law and order against terrorists or other criminals is legitimate and does not constitute internal repression, as long as force is used in accordance with the international human rights standards described above.

CRITERION THREE

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

The Government will not issue licences for export which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

Text taken from House of Commons statement available in the House of Commons Hansard Written Answers Index for 26 October 2000 – Column 200W – 203W – regarding the Ministry of Defence, Foreign & Commonwealth Office and Department of Trade and Industry (2000) The Consolidated EU and National Arms Export Licensing Criteria ("Consolidated Criteria"). The text is reprinted in Strategic Export Controls, Annual Report 2001 (London: FCO), Appendix F, pp. 413-416.

CRITERION FOUR

Preservation of regional peace, security and stability.

The Government 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. However, a purely theoretical possibility that the items concerned might be used in the future against another state will not of itself lead to a licence being refused.

When considering these risks, the Government 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.

The need not to affect adversely regional stability in any significant way, taking into account the balance of forces between the states of the region concerned, their relative expenditure on defence, the potential for the equipment significantly to enhance the effectiveness of existing capabilities or to improve force projection, and the need not to introduce into the region new capabilities which would be likely to lead to increased tension.

CRITERION FIVE

The national security of the UK, or territories whose external relations are the UK's responsibility, and of allies, EU Member States and other friendly countries.

The Government will take into account:

a. The potential effect of the proposed export on the UK's defence and security interests or on those of other territories and countries as described above, 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 the goods concerned being used against UK forces or on those of other territories and countries as described above;

c. The risk of reverse engineering or unintended technology transfer;

d. The need to protect UK military classified information and capabilities.

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

The Government 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 international humanitarian law applicable to international and non-international conflicts;

c. its commitment 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 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.

The Government will pay particular attention to the need to avoid diversion of UK exports to terrorist organisations. Proposed exports of anti-terrorist equipment will be given particularly careful consideration in this context.

Text taken from House of Commons statement available in the House of Commons Hansard Written Answers Index for 26 October 2000 – Column 200W – 203W – regarding the Ministry of Defence, Foreign & Commonwealth Office and Department of Trade and Industry (2000) The Consolidated EU and National Arms Export Licensing Criteria ("Consolidated Criteria"). The text is reprinted in Strategic Export Controls, Annual Report 2001 (London: FCO), Appendix F, pp. 413-416.

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.

The Government will take into account, in the light of information from relevant sources such as United Nations Development Programme, World Bank, IMF and Organisation for Economic Cooperation and Development reports, whether the proposed export would seriously undermine the economy or seriously hamper the sustainable development of the recipient country.

The Government 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, and its public finances, balance of payments, external debt, economic and social development and any IMF- or World Bank-sponsored economic reform programme.

OTHER FACTORS

Operative Provision 10 of the EU Code of Conduct specifies that Member States may where appropriate 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 criteria in the Code.

The Government will thus continue when considering export licence applications to give full weight to the UK's national interest, including:

a. the potential effect on the UK's economic, financial and commercial interests, including our long-term interests in having stable, democratic trading partners;

b. the potential effect on the UK's relations with the recipient country;

c. the potential effect on any collaborative defence production or procurement project with allies or EU partners;

d. the protection of the UK's essential strategic industrial base.

In the application of the above criteria, account will be taken of reliable evidence, including for example, reporting from diplomatic posts, relevant reports by international bodies, intelligence and information from open sources and non-governmental organisations.

Text taken from House of Commons statement available in the House of Commons Hansard Written Answers Index for 26 October 2000 – Column 200W – 203W – regarding the Ministry of Defence, Foreign & Commonwealth Office and Department of Trade and Industry (2000) The Consolidated EU and National Arms Export Licensing Criteria ("Consolidated Criteria"). The text is reprinted in Strategic Export Controls, Annual Report 2001 (London: FCO), Appendix F, pp. 413-416.

Annex B

International Development Association Borrowers

Africa
Angola
Benin
Burkina Faso
Cape Verde
Cameroon
Central African Republic
Chad
Comoros
Congo, Democratic Republic of
Congo, Republic of Cote D'Ivoire
Ethiopia
Eritrea
Gambia
Ghana
Guinea
Guinea-Bissau
Kenya
Lesotho
Liberia
Madagascar
Malawi
Mali
Mauritania
Mozambique
Niger
Nigeria
Rwanda
Sao Tome and Principe
Senegal
Sierra Leone
Somalia
Sudan
Tanzania
Togo
Uganda
Zambia
Zimbabwe

East Asia
Cambodia
Kiribati
Laos, PDR
Mongolia
Myanmar
Papua New Guinea
Samoa
Solomon Islands
Timor-Leste
Tonga
Vanuatu
Vietnam

Europe and Central Asia
Armenia
Azerbaijan
Bosnia-Herzegovina
Georgia
Kyrgyz Republic
Moldova
Tajikistan
Uzbekistan

Latin America and Caribbean
Bolivia
Guyana
Haiti
Honduras
Nicaragua
Dominica
Grenada
St Lucia
St Vincent

Middle East and North Africa
Djibouti
Yemen, Republic of

South Asia
Afghanistan
Bangladesh
Bhutan
India
Maldives
Nepal
Pakistan
Sri Lanka

Annex C

Information Required for the UN Register of Conventional Arms

Standardized form for reporting international transfers of conventional arms (exports)[a]

EXPORTS

Report of international conventional arms transfers

(according to United Nations General Assembly resolutions 46/36 L and 58/54)

Reporting country: United Kingdom

National point of contact: Foreign and Commonwealth Office, Counter Proliferation Department,
Tel: +44 (0) 20 7008 1793 email; Eric.Spicer@fco.gov.uk
(Organization, Division/Section, telephone, fax, e-mail) (FOR GOVERNMENTAL USE ONLY)

Calendar year: 2009

A		B	C	D[b]	E[b]	REMARKS[c]	REMARKS[c]
Category (I-VII)		Final importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
I.	Battle tanks	Australia	2			Chieftain	
		Belgium	1			M3A1 Stuart	
		Netherlands	1			M3A1 Stuart	
		New Zealand	1			Abbot	
		Russia	1			M3A1 Stuart	
		Switzerland	1			M3A1 Stuart	
		USA	1			T-72	

A		B	C	D[b]	E[b]	REMARKS[c]	REMARKS[c]
Category (I-VII)		Final importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
II.	Armoured combat vehicles	Czech Republic	2			Ferret	
		Czech Republic	1			Saracen	
		Finland	1			Patria	
		France	1			M8 Greyhound	
		Germany	2			Ferret	
		Ireland	1			OT-90	
		Jordan	1			Fox CVR(W)	
		Thailand	1			Sabre CVR(T)	
		USA	1			Humber	
		USA	2			Ferret	
III.	Large-calibre artillery systems						
IV.	Combat aircraft	Australia	1			Hawker Fury	
		Belgium	1			C-130	
		Canada	4			Hawker Hunter	
		Canada	1			Sea Harrier	
		Denmark	2			C-130	
		India	1			Hawk	
		Saudi Arabia	8			Typhoon	
		South Africa	2			T55 Vampire	
		South Africa	1			FB6 Vampire	
		USA	1			Me 262-A	
		USA	1			P-39 Aircobra	
		USA	1			Supermarine Spitfire	
V.	Attack helicopters	Cameroon	2			Westland Gazelle	
		Denmark	6			EH101	
		Ghana	1			Westland Wessex	
VI.	Warships						

A		B	C	D[b]	E[b]	REMARKS[c]	REMARKS[c]
Category (I-VII)		Final importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
VII.	Missiles and missile launchers[d]	Liberia	9			Carl Gustav	
		Malaysia	31			Seawolf	
		Singapore	24			Rapier	
		Sweden	4800			CRV7	Missiles exported to Sweden are for disposal.
		Sweden	150			Starstreak	
		Sweden	407			Rapier	

National criteria on transfers:_____

[a] [b] [c] [d] See explanatory notes.

The nature of information provided should be indicated in accordance with explanatory notes e and f.

Statistics on exports of weapons and small arms in 2009.

Information on international transfers of small arms and light weapons[a,b] (exports)

EXPORTS

Reporting country: United Kingdom

National point of contact: Foreign and Commonwealth Office, Counter Proliferation Department,
Tel: +44 (0) 20 7008 1793 email; Eric.Spicer@fco.gov.uk
(Organization, Division/Section, telephone, fax, e-mail) (FOR GOVERNMENTAL USE ONLY)

Calendar year: 2009

A		B	C	D	E	REMARKS	
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
SMALL ARMS							
1.	Revolvers and self-loading pistols	Afghanistan New Zealand Norway San Marino Spain Switzerland	16 2 1 2 11 1			Pistol	
		Afghanistan Australia Austria Bahrain Barbados Belgium Bermuda Brazil Bulgaria Canada Croatia Falkland Islands France Grenada Hong Kong Ireland Italy Jordan Kenya Kuwait Lesotho Malta Morocco New Zealand Oman Pakistan Poland Qatar	323 1 1 3 3 3 1 22 4 4 5 10 1 1 4 2 15 5 7 4 50 7 11 24 196 6 5 1			Semi-Automatic Pistol	

A		B	C	D	E	REMARKS	
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
1.	Revolvers and self-loading pistols *(continued)*	Serbia Seychelles Switzerland Trinidad & Tobago UAE USA	1 24 6 35 28 591			Semi-Automatic Pistol	
		Germany UAE	1 1			Sporting Pistol	
		Australia Austria Belgium Bermuda Bulgaria Canada Grenada Hong Kong Italy Jordan Malta New Zealand Norway Oman Spain Switzerland USA	1 4 2 1 1 8 2 2 1 10 5 7 13 1 10 9 41			Revolver	
2.	Rifles and carbines					Automatic rifles	
		Australia Austria France Netherlands Norway Serbia Spain USA Zambia	3 1 1 2 3 2 1 1 2			Combination rifle shotguns	
		Afghanistan Australia Belgium Brazil Canada Czech Republic Finland Hong Kong Italy Netherlands New Zealand Norway Oman	16 104 17 3 12203 1 2 10 4 3 78 4 2			Rifles	

A		B	C	D	E	REMARKS	
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
2.	Rifles and carbines *(continued)*	Serbia Spain Trinidad & Tobago USA	21 54 2 21226			Rifles	
		Argentina Australia Austria Bahrain Barbados Belgium Bulgaria Canada Cyprus Denmark Falkland Islands Finland France Germany Ghana Gibraltar Greece Iceland Iraq Ireland Italy Japan Kazakhstan Kenya Latvia Lebanon Libya Malta Moldova Morocco Netherlands New Zealand Norway Pakistan Poland Portugal Romania Russia Serbia South Africa Spain Switzerland Tanzania Thailand Turkey UAE Ukraine USA Zambia	27 29 7 9 2 18 3 22 75 17 1 21 13 27 1 6 11 1 6 14 85 34 1 2 1 4 4 3 3 4 33 91 185 14 3 8 1 83 114 66 13 9 1 1 135 44 2 74 21			Shotguns	

A		B	C	D	E	REMARKS	
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
2.	Rifles and carbines *(continued)*	Antigua	4			Sporting Rifle	
		Australia	23				
		Austria	5				
		Bahrain	2				
		Barbados	2				
		Belgium	2				
		Botswana	2				
		Canada	72				
		Denmark	2				
		Finland	1				
		France	13				
		Germany	27				
		Ghana	1				
		Gibraltar	6				
		Greece	11				
		France	2				
		FRY Macedonia	1				
		Germany	4				
		Gibraltar	5				
		Iceland	1				
		Iraq	6				
		Ireland	14				
		Italy	85				
		Japan	34				
		Kazakhstan	1				
		Kenya	2				
		Iceland	2				
		Ireland	8				
		Italy	44				
		Kenya	1				
		Lebanon	10				
		Mexico	2				
		Nepal	2				
		Netherlands	2				
		New Zealand	8				
		Norway	15				
		Poland	3				
		Portugal	1				
		Russia	14				
		Saudi Arabia	1				
		Serbia	30				
		South Africa	64				
		Spain	43				
		St Helena	2				
		Switzerland	11				
		Tanzania	17				
		Thailand	1				
		UAE	61				
		Ukraine	71				
		USA	45				
		Zambia	73				

A		B	C	D	E	REMARKS	
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
2.	Rifles and carbines *(continued)*	Australia	124			Sniper Rifle	
		Austria	3				
		Bahrain	2				
		Belgium	4				
		Brazil	2				
		Bulgaria	1				
		Canada	79				
		Czech Republic	7				
		Denmark	2				
		Djibouti	8				
		France	13				
		Germany	5				
		Greece	1				
		Hong Kong	10				
		Hungary	2				
		Iceland	1				
		Ireland	1				
		Italy	5				
		Japan	1				
		Jordan	16				
		Kazakhstan	9				
		Korea, South	11				
		Lithuania	4				
		Malaysia	7				
		Netherlands	20				
		New Zealand	10				
		Norway	8				
		Oman	3				
		Philippines	4				
		Poland	15				
		Portugal	15				
		Qatar	6				
		Russia	10				
		Saudi Arabia	25				
		Singapore	17				
		Slovakia	6				
		Spain	23				
		Sweden	16				
		Switzerland	15				
		Thailand	2				
		Trinidad & Tobago	13				
		Turkey	5				
		UAE	1				
		Ukraine	38				
		USA	7057				

A		B	C	D	E	REMARKS	
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
3.	Sub-machine guns	Bahrain Belgium Bermuda Brazil Canada Chile Grenada Hong Kong Indonesia Jordan Korea, South Kuwait Malta Netherlands New Zealand Oman Poland Qatar South Africa Spain Switzerland UAE USA	52 3 25 3 97 2 2 1 61 16 48 330 35 1 52 5 1 102 64 30 3 108 1			Sub Machine Gun	
4.	Assault rifles	Afghanistan Australia Bahrain Belgium Brazil Bulgaria Canada Chile Croatia France Germany Grenada Hong Kong Indonesia Iraq Italy Jordan Korea, South Lesotho Malta Netherlands New Zealand Oman Poland Serbia Seychelles South Africa Spain	2555 250 102 14 2 5 1202 2 2 143 2 3 14 122 290 3 75 85 300 3 28 75 1 2 5 18 18 19			Assault Rifles	

A		B	C	D	E	REMARKS	
		Importer State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
4.	Assault rifles *(continued)*	Switzerland Taiwan Trinidad & Tobago Turkey UAE USA Uruguay	3 63 2 1 6 7600 220			Assault Rifles	
5.	Light machine guns					Light Machine Gun	
LIGHT WEAPONS							
1.	Heavy machine guns	Afghanistan Belgium Bulgaria Egypt Hong Kong Iraq Jordan Kuwait Lesotho Malta New Zealand Poland Saudi Arabia Serbia Seychelles Spain Switzerland Uruguay	359 16 1 2 3 120 1 1 13 10 65 1 1 1 8 10 1 26			General Purpose Machine Guns	
		France Kuwait Lesotho Pakistan Philippines Poland South Africa Spain Switzerland UAE	1 1 6 2 6 1 6 2 1 34			Heavy Machine Guns	

National criteria on transfers:_____

[a] The standardized forms provide options for reporting only aggregate quantities under the generic categories of "Small arms" and "Light weapons" and/or under their respective subcategories. See the United Nations Information Booklet 2007 (http://disarmament.un.org/cab/register.html) for questions and answers regarding the reporting of small arms and light weapons.

[b] The categories provided in the reporting form do not constitute a definition of "Small arms" and "Light weapons".

Standardized form for reporting international transfers of conventional arms (imports)[a]

IMPORTS

Report of international conventional arms transfers

(according to United Nations General Assembly resolutions 46/36 L and 58/54)

Reporting country: United Kingdom

National point of contact: Foreign and Commonwealth Office, Counter Proliferation Department,
Tel: +44 (0) 20 7008 1793 email; Eric.Spicer@fco.gov.uk
(Organization, Division/Section, telephone, fax, e-mail) (FOR GOVERNMENTAL USE ONLY)

Calendar year: 2009

A			B	C	D[b]	E[b]	REMARKS[c]	
Category (I-VII)			Exporter State(s)	Number of items	State of origin (if not exporter)	Intermediate location (if any)	Description of item	Comments on the transfer
I.	Battle tanks							
II.	Armoured combat vehicles		Italy	115		BAES Newcastle	Panther Cmd/ Liaison Vehicle	
			Sweden	32		Depot	Viking Front car	
			Sweden	20		Depot	Viking Rear car (TCV)	
			Sweden	9		Depot	Viking Rear car (RRV)	
			Sweden	5		Depot	Viking Rear car (CV)	
III.	Large-calibre artillery systems							
IV.	Combat aircraft							
V.	Attack helicopters							
VI.	Warships							
VII.	Missiles and missile launchers[d]	a) b)	USA	34				

National criteria on transfers:_____

[a] [b] [c] [d] See explanatory notes.

The nature of information provided should be indicated in accordance with explanatory notes e and f.

THE UN REGISTER OF CONVENTIONAL ARMS

MILITARY HOLDINGS

Reporting Country: United Kingdom

For reporting period: **2009**

Category	Definition	Number
Category I **Battle Tanks**	Challenger 2	345
Category II **Armoured Combat Vehicles**	Viking Front car Viking TCV Rear Viking CV Rear Viking RRV Rear FV430 Series CVT(T) Scimitar CVR(T) Spartan CVR(T) Sultan CVR(T) Sturgeon CVR(T) Salamander Saxon Warrior Panther	117 75 (6 fitted with Ambulance modification) 31 (2 fitted with Ambulance modification) 14 1430 322 478 203 35 32 147 793 352
Category III **Large Calibre Artillery Systems**	105mm Light Gun AS90 SP Howitzer MLTR launchers MLRS RRV	126 145 36 4
Category IV **Military Aircrafts**	Harrier GR7/9 Tornado GR4 Tornado F3 Nimrod MR2 Nimrod R1 Sentry Typhoon Reaper	68 137 53 11 2 7 62 1
Category V **Attack Helicopters**	Gazelle[1] Lynx AH7 Lynx AH9 Apache AH1 Sea King HC4 Sea King HAS 6 (CR) Puma HC1[2] Merlin HC3/3A Chinook HC2/2a Chinook HC3 Lynx Mk3 Lynx Mk8 Merlin Mk1 Sea King Mk7	39 64 22 67 37 5 34 28 38 8 27 33 42 13

Category	Definition	Number
Category VI **Warships**	Submarines[3] Aircraft Carriers[4] Frigates/Destroyers[5] Amphibious Ships Survey Vessels Offshore Patrol Vessels Aviation Training Ship Repair and Maintenance Ship Tanker/Replenishment Ship Mine Countermeasures Vessels[6]	11 2 25 3 5 4 1 1 14 16
Category VII **Missiles and Missile Launchers**	**TOTAL**	5893

[1] We cannot explain the lower figure last year for Gazelle

[2] The 43 quoted last year included 9 Puma Helicopters (currently held on Cat 4 & Cat 5) that are unlikely to be restored to HC1 standard

[3] HMS TRAFALGAR removed from service in December 2009.

[4] HMS INVINCIBLE has been held in a state of very low readiness since 2005 prior to final withdrawal from service in 2010 and is not counted here.

[5] Two Type 45 Destroyers were delivered to the Ministry of Defence but are not yet in active service with the Royal Navy.

[6] Corrects an error in last years return which should also have read 16 vessels.

THE UN REGISTER OF CONVENTIONAL ARMS

PROCUREMENT FROM NATIONAL PRODUCTION

Reporting Country: **United Kingdom**

For reporting period: **2009**

Category (I-VII)	Number of Items	Details of model, type, variant
I. Battle Tanks		
II. Armoured Combat Vehicles	24	Viking Mk2 (22 x TCV & 2 x CV)
III. Large Calibre Artillery Systems		
IV. Combat Aircraft		
V. Attack Helicopters		
VI. Warships		
VII. Missiles & Missile Launchers	191 260	Dual Mode Seeker Brimstone HVM Starstreak missiles

Procurement from national production is defined as complete weapon systems purchased by the Government from suppliers within the United Kingdom or from programmes in which the UK is a collaborative partner.

Government to Government transfers of equipment between 1 January and 31 December 2009

Country	Type of Equipment	Quantity
Kingdom of Saudi Arabia	Combat Aircraft (1)	8
Kingdom of Saudi Arabia	Missiles & Missile Launchers	20

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