

Allegato "A"

Stralcio delle Categorie dei Materiali d'ArmamentoD.M. 13 giugno 2003
del Ministero della Difesa

Il presente Stralcio indica le categorie dei materiali considerati d'armamento e le relative tecnologie ai sensi della legge n. 185 del 1990.

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

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

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A. LIST OF EU EMBARGOES ON ARMS EXPORTS**(i) Miscellaneous**

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

(ii) List of countries subject to embargoes

BURMA/MYANMAR
CHINA
COTE D'IVOIRE
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
DEMOCRATIC REPUBLIC OF CONGO
IRAN
IRAQ
LEBANON
LIBERIA
SIERRA LEONE
SOMALIA
SUDAN
UZBEKISTAN
ZIMBABWE

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

- Declaration on international terrorism by the Ministers for Foreign Affairs, 27 January 1986

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

- Common Position 2002/402/CFSP of 27 May 2002 (OJ No. L 139, 29.5.2002, p. 4)¹

Resume

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

(ii) Countries**BURMA/MYANMAR**

- Declaration by the General Affairs Council, 29 July 1991

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

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

Resume

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

¹ See UN Security Council Resolution 1390 (2002) page 19

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- Common Position 2003/461/CFSP of 20 June 2003 (OJ No. L 154 of 21.6.2003, p. 116).
Resume
Implementation of Article 2(2) (embargo on technical training or assistance) of Common Position 2003/297/CFSP
- Common Position 2004/423/CFSP of 26 April 2004 (OJ No. L 125 of 28.4.2004, p. 61).
Renewing Common Position 2003/297/CFSP as amended by Council Decision 2003/907/CFSP
Resume
Renewal of restrictive measures against Burma/Myanmar for a further twelve month period (taking effect on 30 April 2004).
- Common Position 2005/340/CFSP of 25 April 2005 (OJ No. L 108 of 29.4.2005, p. 88).
Renewing Common Position 2004/423/CFSP
Resume
Renewal of restrictive measures against Burma/Myanmar for a further twelve month period (taking effect on 25 April 2005).
- Common Position 2006/318/CFSP of 27 April 2006 (OJ No. L 116 of 29.4.2006, p. 77).
Renewing Common Position 2005/340/CFSP
Resume
Renewal of restrictive measures against Burma/Myanmar for a further twelve month period (taking effect on 30 April 2006). Exceptions for non-lethal military equipment or equipment for internal repression intended solely for humanitarian or protective use, or for institution-building programmes of the UN the EU and the Community, and for material intended for EU and UN crisis management operations; exception for sale, supply, transfer or export of demining equipment and material for use in demining operations...).
- Common Position 2007/248/CFSP of 23 April 2007 (OJ No. L 107 of 25.4.2007, p. 8).
Renewing Common Position 2006/318/CFSP
Resume
Renewal of restrictive measures against Burma/Myanmar until 30 April 2008 (taking effect on 23 April 2007).
- Common Position 2008/349/CFSP of 29 April 2008 (OJ No. L 116 of 30.4.2008, p. 57).
Renewing Common Position 2006/318/CFSP
Resume
Renewal of restrictive measures against Burma/Myanmar until 30 April 2009 (taking effect on 29 April 2008).

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CHINA

- Declaration by the Madrid European Council, 27 June 1989

Resume

Embargo on trade in arms with China.

COTE D'IVOIRE²

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

Resume

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

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

Exemption from prohibition for:

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

² See UN Security Council Resolutions 1572 (2004), 1643 (2005), 1727 (2006), 1782 (2007) and 1842 (2008), page 20 and 21

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- Common Position 2006/30/CFSP of 23 January 2006 (OJ No. L 19 of 24.1.2006, p. 36).
Applicable until 15 December 2006
Resume
Renewal of restrictive measures until 15 December 2006, unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.
- Common Position 2007/92/CFSP of 12 February 2007 (OJ No. L 41 of 13.2.2007, p. 16).
Applicable until 31 October 2007
Resume
Renewal of restrictive measures until 31 October 2007, unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.
- Common Position 2007/761/CFSP of 22.11. 2007 (OJ No. L 305 of 23.11.2007, p. 61).
Applicable until 31 October 2008
Resume
The measures imposed by Common Position 2004/852/CFSP and Common Position 2006/30/CFSP shall be applied until 31 October 2008, unless the Council decides otherwise in accordance with any future relevant United Nations Security Council Resolution.
- Common Position 2008/873/CFSP of 18.11. 2008 (OJ No. L 308 of 19.11.2008, p. 52).
Resume
The measures imposed by Common Position 2004/852/CFSP and Common Position 2006/30/CFSP renewed with effect from 1 November 2008. Common Position shall take effect on the date of its adoption. It shall be amended or repealed, as appropriate, in the light of determinations made by the United Nations Security Council.

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA³

- Common Position 2006/795/CFSP of 20 November 2006 (OJ No. L 322 of 22.11.2006, p. 32).
Resume
1. Prohibition of the direct or indirect supply, sale or transfer of the following items and technology, including software, to the DPRK by nationals of Member States or through or from the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether or not originating in their territories:
 - (a) *arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, with the exception of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the EU and its Member States in the DPRK;*

³ See UN Security Council Resolution 1718 (2006) page 21

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(b) *all items, materials, equipment, goods and technology as determined by the UN Security Council or the Committee in accordance with paragraph 8(a)(ii) of UNSCR 1718 (2006), which could contribute to DPRK's nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes.*

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

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

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

DEMOCRATIC REPUBLIC OF CONGO⁴

- Declaration N° 33/93 on Zaire, 7 April 1993
Embargo on arms sales.
- Common Position 2008/369/CFSP of 14 May 2008 (OJ No. L 127 of 15.05.2008, p. 84)
Concerns restrictive measures against the Democratic Republic of the Congo and repeals Common Position 2005/440/CFSP.

Extract

Article 1: The direct or indirect supply, sale or transfer of arms and any related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned to all non-governmental entities and individuals operating in the territory of the Democratic Republic of the Congo (DRC) by nationals of Member States or from the territories of Member States, or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.

⁴ See UN Security Council Resolutions 1493 (2003), 1596 (2005), 1771 (2007), 1799 (2008), 1807 (2008) and 1857 (2008) pages 21, 22, 23 and 24.

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Article 2: It shall also be prohibited to:

(a) grant, sell, supply or transfer technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, directly or indirectly to all non-governmental entities and individuals operating in the territory of the DRC;

(b) provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, for any sale, supply, transfer or export of arms and related materiel, or for any grant, sale, supply, or transfer of related technical assistance, brokering services and other services, directly or indirectly to all non-governmental entities and individuals operating in the territory of the DRC.

Article 1 shall not apply to:

(a) the supply, sale or transfer of arms and any related materiel or the provision of technical assistance, financing, brokering services and other services related to arms and related materiel intended solely for support of, or use by, the United Nations Organisation Mission in the DRC (MONUC);

(b) the supply, sale or transfer of protective clothing, including flak jackets and military helmets, temporarily exported to the DRC by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

(c) the supply, sale or transfer of non-lethal military equipment intended solely for humanitarian or protective use, or the provision of technical assistance and training, related to such non-lethal equipment.

The supply, sale or transfer of arms and any related materiel or the provision of services or technical assistance and training referred to in paragraph 1 shall be subject to prior authorisation by the competent authorities of the Member States.

Member States shall give the Sanctions Committee established pursuant to UNSCR 1533 (2004) (Sanctions Committee) advance notification of any shipment of arms and related materiel for the DRC, or any provision of technical assistance, financing, brokering services and other services related to military activities in the DRC, other than those referred to in paragraphs 1(a) and (b). Such notification shall contain all relevant information, including, where appropriate, the end-user, the proposed date of delivery and the itinerary of shipments.

Member States shall consider deliveries under paragraph 1 on a case-by-case basis, taking full account of the criteria set out in the European Union Code of Conduct on Arms Exports. Member States shall require adequate safeguards against misuse of authorisations granted pursuant to paragraph 2 and, where appropriate, make provisions for repatriation of the arms delivered and related materiel.

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IRAN⁵

- Common Position 2007/246/CFSP of 23 April 2007 (OJ No. L 106 of 24.4.2007, p. 67).

Resume

Embargo on sales of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts to Iran.

Exception for non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the EU and its Member States in Iran

IRAQ⁶

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

Resume

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

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

Resume

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

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

Resume

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

⁵ See UN Security Council Resolution 1747 (2007) page 25

⁶ See UN Security Council Resolutions 661 (1990), 1483 (2003) and 1546 (2004) pages 24 and 25

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LEBANON⁷

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

Resume

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

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

The above shall not apply provided that... :

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

LIBERIA⁸

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

Resume

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

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

⁷ See UN Security Council Resolution 1701 (2006), page 26

⁸ See UN Security Council Resolutions 1343 (2001), 1478, 1497, 1509 and 1521 (2003), 1647 (2005), 1683 (2006), 1731 (2006), 1792 (2007) and 1854 (2008) pages 27, 28, 29 and 30

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The above shall not apply to:

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

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

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

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

Resume

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

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

Resume

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

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

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- (a) *weapons and ammunition already provided to members of the Special Security Service (SSS) for training purposes and remaining in the custody of the SSS for unencumbered operational use, provided that their transfer to the SSS had been approved in advance by the Committee established by paragraph 21 of UNSC 1521 (2003) ('the Committee'), and technical and financial assistance related to such weapons and ammunition;*
- (b) *weapons and ammunition intended for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia, provided that such supplies have been approved in advance by the Committee, upon a joint request by the Government of Liberia and the exporting State, and technical and financial assistance related to such weapons and ammunition.*
- Common Position 2007/93/CFSP of 12 February 2007 (OJ No. L 41 of 12.2.2007, p. 17).
- Resume*
Renewal of measures imposed under Articles 1 and 2 of Common Position 2004/137CFSP until 22 December 2007 and additional exemption for supplies of non-lethal military equipment other than non-lethal weapons and ammunitions, as notified in advance to the Committee established by paragraph 21 of UNSCR 1521 (2003), intended solely for use by members of the Government of Liberia police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia in October 2003.
- Common Position 2008/109/CFSP of 13 February 2008 (OJ No. L 38 of 13.2.2008, p. 26).
- Resume*
In the light of the developments in Liberia, the United Nations Security Council adopted on 19 December 2007 UNSCR 1792 (2007) renewing the restrictive measures on arms and on travel for a further period of 12 months. All past measures imposed under Articles 1 and 2 of Common Position 2007/93/CFSP are renewed and take effect on the date of the adoption of the Common Position 2008/109/CFSP. It shall be amended or repealed as appropriate, in light of determinations made by the United Nations Security Council.

SIERRA LEONE⁹

- Common Position 98/409/CFSP of 29 June 1998 (OJ No L 187, 01.07.98, p.1).
- Resume*
Embargo on the sale or supply of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, in accordance with UNSC Resolution 1171. This embargo shall not apply to the Government of Sierra Leone or to sales or supplies for the sole use of ECOMOG or the United Nations.

⁹ See UN Security Council Resolutions 1171 (1998) and 1299 (2000), pages 30 and 31

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SOMALIA¹⁰

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

Resume

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

- Common Position 2007/94/CFSP of 12 February 2007 (OJ No. L 41 of 13.2.2007, p. 19).

Resume

Exemptions for:

- (a) *the supply or sale of arms and related material of all types and to the direct or indirect supply of technical advice, financial and other assistance and training related to military activities intended solely for the support of or use by the mission as stipulated in paragraph 3 of UNSCR 1725 (2006);*
- (b) *supplies of non-lethal military equipment intended solely for humanitarian or protective use, or of material intended for institution building programmes of the Union, Community or Member States, including in the field of security, carried out within the framework of the Peace and Reconciliation Process, as approved in advance by the Committee established by paragraph 11 of UNSCR 751 (1992), nor shall they apply to protective clothing, including flak jackets and military helmets, temporarily exported to Somalia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.*

¹⁰ See UN Security Council Resolutions 733 (1992), 1356 (2001), 1425 (2002), 1725 (2006), 1744 (2007), 1772 (2007), 1801 (2008) and 1811 (2008) pages 31, 32, and 33

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- Common Position 2007/391/CFSP of 7 June 2007 (OJ No. L 146 of 8 6.2007, p. 23).

Resume

Replacement of paragraph 3 of Article 1 of Common Position 2002/960/CFSP by the following:

"3. Paragraphs 1 and 2 shall not apply to:

- (a) the supply or sale of arms and related materiel of all types and to the direct or indirect supply of technical advice, financial and other assistance and training related to military activities intended solely for the support of or use by the mission as stipulated in paragraph 4 of UNSCR 1744 (2007);*
- (b) the supply or sale of arms and related materiel of all types and to the direct or indirect supply of technical advice intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in paragraphs 1, 2 and 3 of UNSCR 1744 (2007) and in the absence of a negative decision by the Committee established by paragraph 11 of UNSCR 751 (1992) within five working days of receiving the relevant notification;*
- (c) supplies of non-lethal military equipment intended solely for humanitarian or protective use, or of materiel intended for institution building programmes of the Union, Community or Member States, including in the field of security, carried out within the framework of the Peace and Reconciliation Process, as approved in advance by the Committee established by paragraph 11 of UNSCR 751 (1992), nor shall they apply to protective clothing, including flak jackets and military helmets, temporarily exported to Somalia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only."*

SUDAN¹¹

- Common Position 2005/411/CFSP of 30 May 2005 (OJ No. L 139 of 26.11.05, p.25).
It repeals Common Position 2004/31/CFSP

Resume

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

Prohibition of sale, supply or transfer of technical assistance, brokering services and other services related to military activities, and to the provision, manufacture, maintenance or use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, directly or indirectly to any person, entity or body for use in Sudan

¹¹ See UN Security Council Resolutions 1556 (2004) and 1591 (2005), page 34

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Prohibition to provide financing or financial assistance related to the above

Exceptions for:

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

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

UZBEKISTAN

- Common Position 2005/792/CFSP of 14 November 2005 (OJ No. L 299 of 16.11.2005, p. 72).

Resume

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

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

Prohibitions do not apply to

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

Allegato “B”

- (iii) *the sale, supply, transfer or export of equipment which might be used for internal repression, intended solely for humanitarian or protective use;*
- (iv) *the provision of financing, financial assistance or technical assistance related to equipment referred to at (i), (ii) and (iii), on condition that such exports and assistance have been approved in advance by the relevant competent authority,*

Nor do prohibitions apply to protective clothing, including flak jackets and military helmets, temporarily exported to Uzbekistan by United Nations personnel, personnel of the EU, the Community or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

- Common Position 2006/787/CFSP of 13 November 2006 (OJ No. L 318 of 17.11.2006, p. 43).

Resume

Extension of the measures set out in Articles 1 and 2 of Common Position 2005/792/CFSP for a period of 12 months.

- Common Position 2007/734/CFSP of 13 November 2007, OJ No. L 295 of 14.11.2007, p. 34).

Resume

Extension of the measures set out in Articles 1 and 2 of Common Position 2005/792/CFSP for a period of 12 months.

- Common Position 2008/843/CFSP of 10 November 2008, OJ No. L 300 of 11.11.2008, p. 55).

Resume

Extension of Common Position 2007/734/CFSP until 13 November 2009 (and repeal of Articles 3 and 4 of and Annex II to Common Position 2007/734/CFSP).

ZIMBABWE

- Common Position 2002/145/CFSP of 18 February 2002 (OJ No. L 50 of 21.2.2002, p. 1).

Resume

Prohibition of the supply or sale of arms and related material of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for aforementioned to Zimbabwe by nationals of Member States or from the territories of Member States, whether originating or not in their territories; prohibition of provision to Zimbabwe of technical training or assistance related to the provision, manufacture, maintenance or use of the above items. Prohibitions do not apply to supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, nor shall they apply to protective clothing, including flak jackets and military helmets, temporarily exported to Zimbabwe by United National personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.