



An Roinn Gnó,
Fiontar agus Nuálaíochta
Department of Business,
Enterprise and Innovation

Report under the Control of Exports Act 2008

Covering the Period

1st January–31st December 2019

Minister's Foreword

I am pleased to present the eighth Annual Report on the operation of the Control of Exports Act 2008, covering the period 1st January to 31st December 2019.

Ireland pursues free trade and open market policies, while also recognising the vital importance of minimising the risks of proliferation of weapons of mass destruction, maintaining regional security and stability, preventing terrorism and protecting human rights. Balancing these important policy priorities underpins the export controls and trade sanctions administered by my Department. As a responsible member of the international community, Ireland upholds the highest standards of export control, in accordance with international law and best practice.

I am committed to the maximum openness and transparency in the operation of Ireland's export control regime. In keeping with the commitment in *Programme for Government – Shaping our Future*, I will provide as much information as possible on exports of controlled goods and technology. This report describes the licensing activity by my Department for the year ended 31st December 2019. It provides key data on the licences issued, including the number, value and destination, by category of goods.

The report also summarises changes to Irish and European export control legislation during 2019.

It is my intention to review the national legal framework for export controls as a matter of priority and to bring forward new legislation to update the Control of Exports Act 2008. This new legislation will ensure that Ireland has a comprehensive and effective enforcement capability. The Bill will give effect to the commitment in the Programme for Government to enable regulatory bodies to make greater use of administrative penalties in the context of export controls.

I will ensure that Ireland's export controls robustly support its humanitarian responsibility to prevent the proliferation of weapons of mass destruction, to promote regional stability and to protect human rights.

Leo Varadkar, T.D.

Tánaiste and Minister for Business, Enterprise & Innovation

Table of Contents

1. Introduction.....	1
2. Changes to European and Irish Legislation	1
3. EU Restrictive Measures adopted in 2019	3
4. Export Control Policy Review	3
5. Export Licences Data	4
6. Assessing Licence Applications	7
7. Outreach and Enforcement	9
Annex I – Irish Regulations in respect of EU Sanctions.....	10
Annex II – 2019 Export Licence Statistics	30
Annex III - Summary of Military List Codes	40
Annex IV – Summary of Dual-Use Categories	42
Annex V – Multilateral Nonproliferation Regimes.....	43
Annex VI – EU Restrictive Measures.....	44

1. Introduction

The Control of Exports Act 2008 requires that the Minister, as soon as practicable after the end of each year, prepare and lay before each House of the Oireachtas a report on the operation during the preceding year of matters within the Act.

This Report describes licensing activity by my Department for the year ended 31st December 2019 and also summarises key changes to Irish and European legislation over that period. Annex I provides supplementary information on Irish regulations for the enforcement of EU Restrictive Measures. Detailed statistics on the licences issued are provided in Annex II. Background information on military list codes, dual-use categories, multilateral non-proliferation regimes, and EU Restrictive Measures is set out in Annexes III-VI.

Previous reports on the operation of Ireland's export control regime are available on the Department's website.

2. Changes to European and Irish Legislation

Update to the Dual-Use Regulation

Council Regulation (EC) 428/2009 of 5 May 2009 (the "Dual-Use Regulation")¹ is the primary European legislation governing the export of dual-use items from the Europe Union. Annex I to the Dual-Use Regulation lists dual-use items subject to control and requiring authorisation for export outside the EU². Annex I to the Dual-Use Regulation is amended annually to take account of changes made to control lists by the principal multilateral export control regimes, described in Annex V to this report. Amendments to Annex I to the Dual-Use Regulation are implemented by means of European Commission delegated acts.

¹ Council Regulation (EC) 428/2009 of 5 May 2009 setting up a community regime for the control of exports, transfer, brokering and transit of dual-use items.

² Under Article 4 of the Dual-Use Regulation, items not listed in Annex 1 may also be subject to control and require a licence to authorise export outside of the EU.

On 31st December 2019 Commission Delegated Regulation (EU) 2019/2199³ amending the Dual-Use Regulation came into force. This Regulation made a number of additions, deletions and clarifications, to the notes and definitions used in Annex I to the Dual Use Regulation, in order to update the EU control list to reflect decisions taken in the multilateral export control regimes in 2018.

Updates to the Common Military List

The EU Common Military List⁴ sets out the definitions and technical specifications of defence-related equipment subject to Export Controls. This list is amended and updated periodically, most recently in 2018.

Intra-EU Transfer of Defence-Related Products

Directive 2009/43/EC of the European Parliament and of the Council establishes a simplified set of rules and procedures for intra-Union transfer of defence-related items to ensure the proper functioning of the internal market. Directive 2009/43/EC was amended through Commission Directive (EU) 2019/514 in March 2019 to reflect the 2018 changes in the EU Common Military List. S.I. No. 291/2019 - European Communities (Intra-Community Transfers of Defence Related Products) (Amendment) Regulations of 2 July 2019 gave effect, in Ireland, to the updating and amending of Directive 2009/43/EC.

³ Commission Delegated Regulation (EU) 2019/2199 of 17 October 2019 amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.

⁴ Statutory Instrument No. 346 of 2011 – European Communities (Intra-Community Transfers of Defence-Related Products) Regulations 2011 gives effect to this Directive in Irish law.

3. EU Restrictive Measures adopted in 2019

EU Restrictive Measures, i.e. sanctions, are political instruments to promote EU values and objectives. Restrictive Measures are designed to bring about change in undesirable policies or activities, for example violations of international law or of human rights or policies and practices that do not respect the rule of law or democratic principles (See Annex IV for further explanation).

The Department of Business, Enterprise and Innovation and the Department of Finance share responsibility for drafting Regulations (Statutory Instruments) to provide for penalties in national law for breaches of EU Restrictive Measures. Fifty new Regulations were made by the Minister for Business, Enterprise and Innovation and the Minister for Finance during 2019, in order to give full legal effect in Ireland to new and updated EU Restrictive Measures (see Annex I for full details of these Regulations).

The Department of Business, Enterprise and Innovation is also the national competent authority with responsibility for enforcing the trade elements of EU Restrictive Measures.

4. Export Control Policy Review

The European Union's control regime for dual-use goods has been under review for several years and new legislation is being prepared to modernize and update the controls. This review process has resulted in the publication of:

- A Green Paper on dual-use export controls in 2011⁵.
- A European Commission Communication to the Council and the European Parliament on export control policy in 2014⁶.
- An Industry Forum in 2014⁷.
- A report on a public consultation process followed by a European Commission report in 2015⁸.

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0393&from=EN>

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014DC0244&from=EN>

⁷ http://trade.ec.europa.eu/doclib/docs/2014/october/tradoc_152858.pdf

⁸ http://trade.ec.europa.eu/doclib/docs/2015/november/tradoc_154003.pdf

- A European Commission proposal, published in September 2016, to reform, update and modernise the Dual-Use Regulation⁹.

The European Commission's proposal is subject to consideration by the Council of the European Union and the European Parliament, the co-legislators, both of which must ultimately approve any update to the Dual-Use Regulation.

The European Parliament considered the Commission's proposal in January 2018 and put forward 98 amendments to the Commission's proposal¹⁰. In June 2019 the Council approved a negotiating mandate for Trilogue negotiations with the European Parliament and the European Commission¹¹. The Trilogue negotiations commenced in October 2019 and are still on-going at the time of publication of this report.

5. Export Licences Data

Individual Dual-Use Licences

Four hundred and forty-five individual dual-use licences were issued in 2019, marginally above the 444 licences issued in 2018. The value of exports on individual licences issued in 2019 increased by 10.6% compared with 2018, i.e., from €410.8 million to €454.2 million.

There was an increase in the value of licenses issued for Category 3 items (Electronics) of 44% from €147.3 million to €212.5 million and a marginal decrease in the number of licences, from 51 to 50. There was a decrease in the value of licenses issued for Category 5 items (Telecommunications and Information Security) of 9% from €258.4 million to €234.4 million and a 8% increase in the number of licences, from 315 to 341.

Many standard business ICT products, both hardware and software (e.g. data storage, networking, cybersecurity), incorporate strong encryption for security purposes and are therefore subject to Export Controls.

⁹ http://eur-lex.europa.eu/resource.html?uri=cellar:1b8f930e-8648-11e6-b076-01aa75ed71a1.0013.02/DOC_1&format=pdf

¹⁰ <https://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2018-0006&language=EN>

¹¹ <https://www.consilium.europa.eu/en/press/press-releases/2019/06/05/dual-use-goods-council-agrees-negotiating-mandate>

Global Dual-Use Licences

Global licences authorise multiple shipments of a specified range of goods and technology to one or more destination countries and may be issued by the Department to companies that have a very high volume of relatively low-risk exporters. However, they are only issued following a rigorous risk assessment of the goods and countries concerned and of the compliance history of the exporter. The goods and countries covered are subject to approval by the Department and are specified on the licence.

In addition, global dual-use export licences are issued subject to a number of strict conditions, such as a prohibition on their use for exports to military, police or State security end-users. Global licence holders must apply for an individual dual-use licence where they intend exporting to these categories of end-users.

Twenty-three global dual-use licences were in use in 2019, the same number as in 2018. The value of actual exports reported under dual-use global licences in 2019 was €1,897.8 million compared to €3,157.1 million, a decrease, predominantly in Category 5 items (Telecommunications and Information Security).

Military Licences

The EU maintains a list of military equipment, known as the EU Common Military List. The List consists of 22 categories of equipment (see Annex III). A licence is required for transfers of equipment on this list within the EU, as well as for exports to a third country (i.e. outside the EU).

During 2019, 99 military licences were issued, with a total value of €37.6. This compares with 96 licences in 2018, with a total value of €32.5m.

The largest category of licensed exports in 2019 was ICT for military applications, which accounted for €20 million of the licences. Eleven licences were issued in respect of exports of personal firearms for hunting or sporting.

Two global military licences were issued in 2019, the same number as 2018. The value of those exports in 2019, €4.7 million was marginally lower than the €4.8 million figure for 2018.

Brokering Licences

A brokering licence is required where a person or entity is negotiating or arranging a transaction for the purchase, sale or supply of dual-use or military items or items from a third country to another third country.

No licence applications for brokering licences were received during 2019.

Data Protection

This report is intended to provide as much transparency as possible on licensing activity. However, the Department also respects the commercial sensitivity and confidentiality of information provided by exporters. The Department also has a responsibility to protect exporters' personnel and facilities. Consequently, export data are reported in aggregated form.

The table below sets out summary information regarding the number and value of licences granted by the Department during 2018 and 2019. More detailed statistical information is set out in Annex II to this report.

Summary Data of Numbers and Values of Licence Issued

Type of Licence	Number by Year		Value by Year €	
	2019	2018	2019	2018
Individual Dual-Use	445	444	454.2m	410.8m
Global Dual-Use	23	23	1,897.8m	3,157.1m
Individual Military	99	96	37.6m	32.5m
Global Military	2	2	4.7m	4.8m
TOTAL	569	565	2,394.3m	3,605.2m

6. Assessing Licence Applications

The assessment of licence applications centres on verifying, as far as possible, that the item to be exported will be used by the stated end-user for the stated end-use, and will not be used for an illicit purpose, e.g., in connection with weapons of mass destruction or to violate human rights. The safeguards built into the licensing system facilitate robust checks and cross checks in this regard.

The Department consults with the Department of Foreign Affairs and Trade on all licence applications. It also consults with other EU and international export licensing authorities, as appropriate.

In 2019 thirty-eight export licence applications were denied, compared to 15 denials in 2018. These denials were made on the grounds of considerations about the intended end-use, the protection of human rights, the risk of diversion and EU sanctions.

Assessment Criteria

The Dual-Use Regulation sets out the criteria for deciding whether to grant or deny an individual or global dual-use licence. Article 12 requires that Member States shall take into account all relevant considerations including:

- a) The obligations and commitments they have each accepted as members of the relevant international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.
- b) Their obligations under sanctions imposed by a common position or a joint action adopted by the Council or by a decision of the Organisation for Security and Co-operation in Europe (OSCE) or by a binding resolution of the Security Council of the United Nations.
- c) Considerations of national foreign and security policy, including those covered by *Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment*.
- d) Considerations about intended end-use and the risk of diversion.

The Common Position, referenced in point (c) above, sets out common criteria against which applications for exports of military goods should be assessed. These are as follows:

Criterion One: Respect for the international obligations and commitments of Member States, in particular, sanctions adopted by the UN Security Council or the European Union, agreements on non-proliferation and other subjects, as well as other international obligations.

Criterion Two: Respect for human rights in the country of final destination as well as respect by that country of international humanitarian law.

Criterion Three: Internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.

Criterion Four: Preservation of regional peace, security and stability.

Criterion Five: National security of the Member States and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries.

Criterion Six: Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law.

Criterion Seven: Existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions.

Criterion Eight: Compatibility of the exports of the military technology or equipment with the technical and economic capacity of the recipient country, taking into account the desirability that states should meet their legitimate security and defence needs with the least diversion of human and economic resources for armaments.

7. Outreach and Enforcement

The Department maintained a sharp focus on outreach during 2019, to raise awareness about Export Controls among exporters and to support and incentivise compliance. These activities included visits to exporters' premises and participation at events such as *Taking Care of Business*.

The Department is particularly focused on assisting SMEs in complying with Export Controls, and to this end, it produced and distributed an introductory, plain English guide to Export Controls¹².

During 2019 the Department made over 50 compliance and inspection visits to exporters for the purposes of ensuring compliance with controls.

The Department monitors exports of controlled items in close co-operation with Revenue Customs. As part of this co-operation, details of certain pending export transactions to countries that are subject to trade sanctions are referred to the Department by Revenue Customs before being allowed proceed. During 2019 Revenue Customs referred 180 pending exports to the Department for review.

¹² <https://dbei.gov.ie/en/Publications/Export-Licensing-and-Control-Information-for-Exporters.html>

Annex I – Irish Regulations in respect of EU Sanctions

1. Restrictive Measures with Regard to Activities

Chemical Weapons

1. S.I. No. 538/2019 - European Union (Restrictive Measures against the Proliferation and Use of Chemical Weapons) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 2018/1542, as amended, regarding restrictive measures against the proliferation and use of chemical weapons. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Cyber-attacks

1. S.I. No. 453/2019 - European Union (Restrictive Measures against Cyber-attacks threatening the Union or its Member States) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 2019/796, as amended, regarding restrictive measures against cyber-attacks threatening the Union or its Member States. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.

- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

ISIL/Al-Qaeda

- 1. S.I. No. 87/2019- European Union (Restrictive Measures concerning ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them) Regulations 2019**
- 2. S.I. No. 574/2019- European Union (Restrictive Measures concerning ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them) (No. 2) Regulations 2019**
- 3. S.I. No. 696/2019- European Union (Restrictive Measures concerning ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them) (No. 3) Regulations 2019**

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 2016/1686, as amended, regarding restrictive measures concerning natural and legal persons, entities and bodies who have been identified by the Council as being associated with ISIL (Da'esh) and Al-Qaeda.

- 1. S.I. No. 88/2019 - Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) Regulations 2019**
- 2. S.I. No. 185/2019 - Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) (No. 2) Regulations 2019**

- 3. S.I. No. 267/2019 - Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) (No. 3) Regulations 2019**
- 4. S.I. No. 491/2019 - Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) (No. 4) Regulations 2019**
- 5. S.I. No. 575/2019 - Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) (No. 5) Regulations 2019**
- 6. S.I. No. 695/2019 - Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) (No. 6) Regulations 2019**

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 881/2002, as amended, regarding restrictive measures concerning natural and legal persons, entities and bodies who have been identified by the Council as being associated with ISIL (Da'esh) and Al-Qaeda.

The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on the provision of certain activities in relation to military goods and technology.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulations also create offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

There is also an arms embargo in place with regard to ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them.

Terrorism

- 1. S.I. No. 85/2019 - Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities with a view to Combating Terrorism) Regulations 2019**
- 2. S.I. No. 492/2019 - Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities with a view to Combating Terrorism) (No.2) Regulations 2019**

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EC) No 2580/2001, as amended, regarding specific measures to combat terrorism. The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibition on satisfying claims made by certain persons in connection with any contract or transaction affected by the measures imposed by the Regulation.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulations also create offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

2. Restrictive Measures with Regard to Countries

Afghanistan

1. S.I. No. 89/2019 - European Union (Restrictive Measures concerning Afghanistan) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 753/2011, as amended, regarding restrictive measures concerning Afghanistan. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on the provision of certain activities in relation to military goods and technology.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

There is also an arms embargo in place with regard to Afghanistan.

Burundi

1. S.I. No. 65/2019 - European Union (Restrictive Measures concerning Burundi) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) 2015/1755, as amended, regarding restrictive measures concerning Burundi. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.

- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibition on satisfying claims made by certain persons in connection with any contract or transaction affected by the measures imposed by the Regulation.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Central African Republic

1. S.I. No. 453/2019 - European Union (Restrictive Measures concerning Central African Republic) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 224/2014, as amended, regarding restrictive measures concerning Central African Republic. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on the provision of certain activities in relation to military goods and technology or armed mercenary personnel.
- Prohibition on satisfying claims made by certain persons in connection with any contract or transaction affected by the measures imposed by the Regulation.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

There is also an arms embargo in place with regard to Central African Republic.

Democratic People's Republic of Korea

- 1. S.I. No. 62/2019 - European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) Regulations 2019**
- 2. S.I. No. 168/2019 - European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) (No. 2) Regulations 2019**
- 3. S.I. No. 456/2019 - European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) (No. 3) Regulations 2019**
- 4. S.I. No. 498/2019 - European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) (No. 4) Regulations 2019**

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) 2017/1509, as amended, regarding restrictive measures concerning the Democratic People's Republic of Korea (DPRK). The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on the provision of certain activities in relation to military goods and technology.
- Prohibitions on the export and import restrictions on dual use goods and goods which could contribute to DPRK's nuclear or weapons programmes.
- Prohibitions on the export of luxury goods.
- Export and import restrictions in relation to gold, precious metals and diamonds and the provision of brokering, technical assistance or financial assistance in relation to these items.
- Export restrictions in relation to DPRK bank notes and coinage.
- Transport restrictions.
- Financial and investments sanctions.
- Sectoral prohibitions concerning the procurement of gold and certain ores and minerals.
- Prohibitions on the sale or supply of aviation fuel.

- a prohibition on the sale of natural gas liquids to DPRK.
- a prohibition on textile imports from DPRK.
- prohibitions on the sale of refined petroleum products and crude oil to DPRK.
- a prohibition on facilitating or engaging in ship-to-ship transfers to or from DPRK flagged vessels.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulations also create offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

There is also an arms embargo in place with regard to DPRK.

Democratic Republic of the Congo

1. S.I. No. 172/2019 - European Union (Restrictive Measures concerning the Democratic Republic of the Congo) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EC) No 1183/2005, as amended, regarding restrictive measures concerning the Democratic Republic of the Congo. The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on the provision of certain activities in relation to military goods and technology.
- Prohibition on satisfying claims made by certain persons in connection with any contract or transaction affected by the measures imposed by the Regulation.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

There is also an arms embargo in place with regard to the Democratic Republic of the Congo.

Egypt

1- S.I. No. 186/2019 - European Union (Restrictive Measures concerning Egypt) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 270/2011, as amended, regarding restrictive measures concerning the Egypt. The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Iran

1. S.I. No. 451/2019 - European Union (Restrictive Measures concerning Iran) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 359/2011, as amended, regarding restrictive measures concerning Iran. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on:
 - the sale/export of goods that might be used for purposes of internal repression and other listed equipment.
 - the provision of certain activities in relation to goods that might be used for internal repression or other listed equipment.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

2. S.I. No. 452/2019 - European Union (Restrictive Measures concerning Iran) (No. 2) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 267/2012, as amended, regarding restrictive measures concerning Iran. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on the provision of missile technology.
- Prohibition on satisfying claims made by certain persons in connection with any contract or transaction affected by the measures imposed by the Regulation.
- Authorisation regimes in relation to:
 - The provision of certain goods related to particular nuclear power activities.
 - Providing Enterprise Resource Planning software designed for use in nuclear and military activities.
 - The supply of certain metals.

There is also an arms embargo in place with regard to Iran.

Iraq

- 1. S.I. No. 84/2019 - European Union (Restrictive Measures concerning Iraq) Regulations 2019**
- 2. S.I. No. 187/2019 - European Union (Restrictive Measures concerning Iraq) (No. 2) Regulations 2019**
- 3. S.I. No. 272/2019 - European Union (Restrictive Measures concerning Iraq) (No. 3) Regulations 2019**
- 4. S.I. No. 359/2019 - European Union (Restrictive Measures concerning Iraq) (No. 4) Regulations 2019**

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EC) No 1210/2003, as amended, regarding restrictive measures concerning Iraq. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities and restrictions on trade in cultural goods.
- Prohibition on satisfying claims made by certain persons in connection with any contract or transaction affected by the measures imposed by the Regulation.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

There is also an arms embargo in place with regard to Iraq.

Libya

1. **S.I. No. 86/2019 - European Union (Restrictive Measures concerning Libya) Regulations 2019**
2. **S.I. No. 490/2019 - European Union (Restrictive Measures concerning Libya) (No. 2) Regulations 2019**

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) 2016/44, as amended, regarding restrictive measures concerning Libya. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibition on satisfying claims made by certain persons in connection with any contract or transaction affected by the measures imposed by the Regulation.
- Prohibitions on:
 - the sale/export and import of goods that might be used for purposes of internal repression.
 - provision of certain activities in relation to military goods and technology, goods that might be used for internal repression or the provision of armed mercenary personnel.
 - Activities related to certain vessels in order to prevent illegal export of crude oil from Libya.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulations also create offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

There is also an arms embargo in place with regard to Libya.

Maldives

1. S.I. No. 361/2019- European Union (Restrictive Measures concerning the Maldives) Regulations 2019

This Regulation revokes the enforcement of restrictive measures contained in Council Regulation (EC) No 2018/1001 regarding restrictive measures concerning the Maldives, which is no longer in force.

Myanmar/Burma

1. S.I. No. 83/2019 - European Union (Restrictive Measures concerning Myanmar/Burma) Regulations 2019

2. S.I. No. 268/2019 - European Union (Restrictive Measures concerning Myanmar/Burma) (No. 2) Regulations 2019

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EC) No 401/2013 regarding restrictive measures concerning Myanmar/Burma. The effect of these measures includes:

- Prohibitions on the provision of certain activities in relation to military goods and technology.
- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Restrictions on:
 - exporting items that might be used for internal repression.
 - exporting certain telecommunications monitoring and interception equipment, technology or software.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

There is also an arms embargo in place with regard to Myanmar/Burma.

Republic of Guinea

1. S.I. No. 61/2019 - European Union (Restrictive Measures concerning the Republic of Guinea) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 1284/2009, as amended, regarding restrictive measures concerning the Republic of Guinea. The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Russian Federation

1. S.I. No. 82/2019 - European Union (Restrictive Measures concerning Ukraine) Regulations 2019

2. S.I. No. 184/2019 - European Union (Restrictive Measures concerning Ukraine) (No. 2) Regulations 2019

3. S.I. No. 493/2019 - European Union (Restrictive Measures concerning Ukraine) (No. 3) Regulations 2019

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 208/2014 as amended, Council Regulation (EU) No 269/2014 as amended, Council Regulation (EU) No 692/2014 as amended, and Council Regulation (EU)

No 833/2014 as amended, regarding restrictive measures concerning the Russian Federation. The effect of these measures includes:

- A range of financial restrictions.
- Restrictions with regard to:
 - The provision of military related items and dual-use items to the Russian Federation.
 - The provision of certain activities relating to military related items and dual-use items.
 - The provision of certain goods and services related to infrastructure in certain sectors in Crimea, restrictions on investment in Crimea, and restrictions of imports from Crimea.
- Restrictions on the provision of certain items and technology to the Russian Federation relating to the energy sector.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulations also create offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.¹³

There is also an arms embargo in place with regard to the Russian Federation.

South Sudan

- 1. S.I. No. 64/2019 - European Union (Restrictive Measures concerning South Sudan) Regulations 2019**
- 2. S.I. No. 171/2019 - European Union (Restrictive Measures concerning South Sudan) (No. 2) Regulations 2019**

¹³ A 2014 Regulation, Council Regulation (EU) No. 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, imposed a licensing requirement for the sale, supply, transfer or export to Russia of certain energy-related equipment and technology. The equipment and technology subject to control is listed in Annex II to the Regulation. The Department issued 34 licences, with a total value of €37.6m, during 2019 under Article 3 of Council Regulation (EU) No. 833/2014. The licences issued were predominantly in respect of mining products for use in hard mineral (coal and metal ore) mines.

3. S.I. No. 500/2019 - European Union (Restrictive Measures concerning South Sudan) (No. 3) Regulations 2019

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 748/2014, as amended, regarding restrictive measures concerning South Sudan. The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on the provision of certain activities in relation to military goods and technology.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulations also create offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

There is also an arms embargo in place with regard to South Sudan.

Syria

1. S.I. No. 170/2019 - European Union (Restrictive Measures concerning Syria) Regulations 2019

2. S.I. No. 450/2019 - European Union (Restrictive Measures concerning Syria) (No. 2) Regulations 2019

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 36/2012, as amended, regarding restrictive measures concerning Syria. The effect of these measures includes:

- A wide range of financial and trade restrictions including freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibition on satisfying claims made by certain persons in connection with any contract or transaction affected by the measures imposed by the Regulation.
- Restrictions on:
 - exporting dual-use items that might be used for internal repression.
 - restrictions on exporting certain equipment for use in the oil and gas sectors and certain luxury items.
 - the provision of certain financial services and investment in certain infrastructural projects.
 - trade in cultural items; and import restrictions on crude oil, petroleum products, diamonds and precious metals.

These Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

These Regulations also create offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties

There is also an arms embargo in place with regard to Syria.

Tunisia

1. S.I. No. 169/2019 - European Union (Restrictive Measures concerning Tunisia) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 101/2011, as amended, regarding restrictive measures concerning Tunisia. The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Turkey

1. S.I. No. 694/2019 – European Union (Restrictive Measures Concerning Turkey) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 2019/1890, as amended, regarding restrictive measures concerning Turkey. The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Venezuela

- 1. S.I. No. 63/2019- European Union (Restrictive Measures concerning Venezuela) Regulations 2019**

- 2. S.I. No. 499/2019- European Union (Restrictive Measures concerning Venezuela) (No. 2) Regulations 2019**

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EC) No 2017/2063 regarding restrictive measures concerning Venezuela. The effect of these measures includes:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Restrictions on:
 - exporting items that might be used for internal repression.
 - exporting certain telecommunications monitoring and interception equipment, technology or software.

The Regulations provide that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

Zimbabwe

1. S.I. No. 449/2019- European Union (Restrictive Measures concerning Zimbabwe) Regulations 2019

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EC) No 314/2004, as amended, regarding restrictive measures concerning Zimbabwe. The effects of these measures include:

- The freezing of funds and economic resources of certain listed individuals and entities.
- Prohibitions on the provision of funds and economic resources to the listed individuals and entities.
- Prohibitions on the sale/export of goods that might be used for purposes of internal repression and on the provision of services related to that equipment.

The Regulation provides that competent authorities of the State may issue instructions for the purpose of giving full effect to the sanctions.

The Regulation also creates offences for breach of the Council Regulation or for failure to comply with the instructions of competent authorities of the State with regard to implementation of the sanctions and provides for appropriate penalties.

There is also an arms embargo in place with regard to Zimbabwe.

Annex II – 2019 Export Licence Statistics

Summary Data of Numbers and Values of Licence Issued

Type of Licence	Number by Year		Value by Year €	
	2019	2018	2019	2018
Individual Dual-Use	445	444	454.2m	410.8m
Global Dual-Use	23	23	1,897.80m	3,157.10m
Individual Military	99	96	37.6m	32.5m
Global Military	2	2	4.7m	4.8m
TOTAL	569	565	2,394.3m	3,605.20m

Individual Dual-Use Licences by Category

Category ¹⁴	2019		2018		2017	
	No.	Licence Value €	No.	Licence Value €	No.	Licence Value €
1	12	1.9 m	15	2.4 m	17	4.7 m
2	26	2.6 m	36	0.1 m	32	0.1 m
3	50	212.5 m	51	147.3 m	60	145.3 m
5	341	234.4 m	315	258.3 m	312	204.8 m
7	7	1.9 m	20	1.6 m	13	0.7 m
4,6, & 8	9	0.9 m	7	1.0 m	13	1.6 m
Total	445	454.2	444	410.8 m	447	357.1 m

¹⁴ The categories correspond to those set out in Annex I to the Dual-Use Regulation (see Annex IV of this report).

Global Dual-Use Licences by Category

Category ¹⁵	2019		2018		2017	
	No.	Value	No.	Value	No.	Value
1	0	0.0 m	2	0.0 m	2	0.0 m
2	0	0.0 m	2	0.1 m	2	0.0 m
3	13	1.0 m	5	2.5m	5	0.3 m
4	4	0.0 m	2	0.0 m	2	0.0 m
5	23	1,797.8 m	23	3,154.5 m	23	2,855.9 m
6	0	0.0 m	2	0.0 m	2	0.0 m
7	0	0.0 m	1	0.0 m	0	0.0 m
Total¹⁶	23	1,897.8	23	3,157.1 m	23	2,856.1 m

¹⁵ The categories correspond to those set out in Annex I to the Dual-Use Regulation (see Annex IV of this report).

¹⁶ A global licence may include items from more than one category and, where this is the case it is recorded in each category, e.g., a global licence including products in categories 3 and 4 will be included in the count of global licences for both categories. Therefore, the sum over the column of the number of licences will not agree with true number of licenses, recorded in the bottom row.

Individual Dual-Use Licences by Category and Destination 2019

Category	Destination	No. Issued	Value €
1			
	BANGLADESH	1	561,442
	CHINA	5	440,669
	COLOMBIA	1	148,932
	JORDAN	1	52,196
	KUWAIT	1	100,832
	SOUTH KOREA/REPUBLIC OF KOREA	1	124,455
	THAILAND	2	497,269
2			
	CHINA	7	2,042,593
	EGYPT	1	700
	INDONESIA	1	412
	ISRAEL	2	2,541
	KAZAKHSTAN	1	799
	MALAYSIA	3	295,791
	QATAR	2	12,322
	RUSSIA	1	851
	SAUDI ARABIA	2	854
	SOUTH AFRICA	1	290
	SOUTH KOREA/REPUBLIC OF KOREA	3	1,865
	UNITED ARAB EMIRATES	2	237,802
3			
	CHILE	1	4,100
	CHINA	23	30,629,703
	INDIA	3	69,941,344
	ISRAEL	1	224,550

	MALAYSIA	2	11,804,802
	MEXICO	1	15,650
	PHILIPPINES	7	37,765,342
	RUSSIA	3	371,894
	SINGAPORE	4	42,476,902
	SOUTH KOREA/REPUBLIC OF KOREA	4	19,203,310
	UNITED ARAB EMIRATES	1	14,300
5			
	AFGHANISTAN	1	291,429
	ALBANIA	1	17,532
	ARGENTINA	7	6,322,126
	ARMENIA	1	165,000
	AZERBAIJAN	1	1,481,873
	BAHRAIN	5	1,504,277
	BANGLADESH	5	3,779,823
	BELARUS	1	286
	BOTSWANA	1	100,000
	BRAZIL	7	10,574,888
	CHINA	30	30,774,923
	COLOMBIA	4	8,492,770
	COSTA RICA	1	451,855
	DEMOCRATIC REPUBLIC OF THE CONGO	1	15,659
	ECUADOR	4	4,665,066
	EGYPT	13	13,277,026
	EL SALVADOR	2	774,250
	GEORGIA	1	40,818
	GUAM	1	1,481,915
	HONDURAS	1	128,489
	HONG KONG (CHINA)	4	104,433

	INDIA	21	17,133,050
	INDONESIA	3	4,535,812
	IRAQ	1	27,648
	ISRAEL	13	4,339,155
	JORDAN	6	7,511,789
	KAZAKHSTAN	3	779,700
	KENYA	3	3,420,101
	KUWAIT	4	3,131,931
	LEBANON	6	4,680,890
	MALAYSIA	1	0
	MONTENEGRO	1	29,881
	MOROCCO	7	2,848,904
	NAMIBIA	1	1,548,020
	NIGERIA	1	23,481
	OMAN	9	4,063,836
	PAKISTAN	2	1,868,757
	PERU	1	1,513,901
	QATAR	17	12,730,189
	RUSSIA	3	8,132
	RWANDA	1	88,000
	SAUDI ARABIA	29	24,514,166
	SERBIA	1	350,000
	SINGAPORE	11	773,183
	SOUTH AFRICA	6	1,892,042
	SOUTH KOREA/REPUBLIC OF KOREA	6	6,312,580
	TAIWAN (CHINA)	8	8,696,811
	THAILAND	2	264,000
	TUNISIA	1	3,494
	TURKEY	35	16,622,053

	UKRAINE	10	3,325,216
	UNITED ARAB EMIRATES	32	15,089,437
	VIETNAM	2	350,000
	YEMEN	2	1,511,488
6			
	AZERBAIJAN	1	3,325
	CENTRAL AFRICAN REPUBLIC	1	283,000
	CHINA	3	95,723
	INDIA	1	2,603
	MALAYSIA	1	264,907
	PHILIPPINES	2	283,057
7			
	CHINA	1	50,000
	ISRAEL	1	128,550
	SOUTH KOREA/REPUBLIC OF KOREA	4	175,980
	TURKEY	1	1,550,355
	Total	445	€454,244,097

Individual Military Licences by Category¹⁷ and Destination 2019

Code	Destination	Number of Licences Issued	Value of Licences €
ML1	Australia	1	102,017
	Canada	1	50
	Croatia	1	4,500
	Kosovo	2	582
	New Zealand	1	9,887
	Switzerland	1	1,800
	United States	5	12,453
	Germany	1	34,613
ML3	Germany	1	4,075
ML4	United Kingdom	13	177,221
	Sweden	1	150,000
	United States	2	6,297,863
ML5	Australia	4	308,051
	Canada	3	842,075
	Finland	1	90,500
	Germany	1	393,240
	New Zealand	1	7,478
	South Korea/Republic of Korea	3	502,000
	Sweden	4	1,798,256
	Switzerland	2	400,000
	Turkey	6	2,802,874
	United States	18	13,259,103
ML6	Singapore	3	77,058
	Switzerland	1	93,200

¹⁷ Military List Categories are defined at Annex III.

	United Kingdom	1	1,000,000
ML9	Italy	1	67,460
ML10	France	1	160,000
	United Kingdom	1	556,200
	United States	4	11,746,504
	Norway	1	2,147
ML11	France	1	36,188
ML13	Canada	1	452,323
	Germany	1	6,875
ML17	United States	1	56,393
	Germany	1	17,856
ML19	United Kingdom	1	1,110
ML21	Australia	1	100,000
	Turkey	1	100,000
	United States	3	300,000
ML22	Australia	1	50,000
	United States	3	300,000
	Total	101	42,321,952

Aggregated Military Licences by Destination 2019

Destination	Number of Licences	Licence Values €
Australia	7	560,068
Canada	5	1,294,448
Croatia	1	4,500
Finland	1	90,500
France	2	196,188
Germany	5	456,659
Italy	1	67,460
Kosovo	2	582
New Zealand	2	17,365
Norway	1	2,147
Singapore	3	77,058
South Korea/Republic of Korea	3	502,000
Sweden	5	1,948,256
Switzerland	4	495,000
Turkey	7	2,902,874
United Kingdom	16	1,734,531
United States	36	31,972,316
Total¹⁸	101	42,321,952

¹⁸ This table includes global military licenses. A global licence may cover more than one destination country and, where this is the case is recorded in each country.

Annex III - Summary of Military List Codes

- ML1** Smooth bore weapons with a calibre of less than 20 mm, other arms and automatic weapons with a calibre of 12.7 mm (calibre 0.50 inches) or less and accessories, and specially designed components therefor.
- ML2** Smooth-bore weapons with a calibre of 20 mm or more, other weapons or armament with a calibre greater than 12.7 mm (calibre 0.50 inches), projectors and accessories, and specially designed components therefor.
- ML3** Ammunition and fuse setting devices, and specially designed components therefor.
- ML4** Bombs, torpedoes, rockets, missiles, other explosive devices and charges and related equipment and accessories, and specially designed components therefor.
- ML5** Fire control, and related alerting and warning equipment, and related systems, test and alignment and countermeasure equipment, specially designed for military use, and specially designed components and accessories therefor.
- ML6** Ground vehicles and components.
- ML7** Chemical or biological toxic agents, "riot control agents", radioactive materials, related equipment, components and materials.
- ML8** "Energetic materials" and related substances.
- ML9** Vessels of war (surface or underwater), special naval equipment, accessories, components and other surface vessels.
- ML10** "Aircraft", "lighter-than-air vehicles", unmanned aerial vehicles, aero-engines and "aircraft" equipment, related equipment and components, specially designed or modified for military use.
- ML11** Electronic equipment, not specified elsewhere on the EU Common Military List, and specially designed components therefor.
- ML12** High velocity kinetic energy weapon systems and related equipment, and specially designed components therefor.
- ML13** Armoured or protective equipment, constructions and components.
- ML14** 'Specialised equipment for military training' or for simulating military scenarios,

simulators specially designed for training in the use of any firearm or weapon specified by ML1 or ML2, and specially designed components and accessories therefor.

ML15 Imaging or countermeasure equipment, specially designed for military use, and specially designed components and accessories therefor.

ML16 Forgings, castings and other unfinished products specially designed for items specified by ML1 to ML4, ML6, ML9, ML10, ML12 or ML19.

ML17 Miscellaneous equipment, materials and 'libraries', and specially designed components therefor.

ML18 Production equipment and components.

ML19 Directed energy weapon systems (DEW), related or countermeasure equipment and test models, and specially designed components therefor.

ML20 Cryogenic and "superconductive" equipment, and specially designed components and accessories therefor.

ML21 "Software."

ML22 "Technology."

Annex IV – Summary of Dual-Use Categories

The Dual-Use categories referenced in this report correspond to those set out in Annex I to the Dual-Use Regulation as amended:

- Category 0:** Nuclear materials, facilities and equipment
- Category 1:** Special materials and related equipment
- Category 2:** Materials Processing
- Category 3:** Electronics
- Category 4:** Computers
- Category 5:** Telecommunications and information security
- Category 6:** Sensors and lasers
- Category 7:** Navigation and avionics
- Category 8:** Marine
- Category 9:** Aerospace and Propulsion

Annex V – Multilateral Nonproliferation Regimes

The global framework for export controls for dual-use items is underpinned by a number of global, multi-lateral non-proliferation regimes. These regimes are based on voluntary administrative agreements between participating countries to collaborate to protect global security. Each regime maintains a dynamic list of sensitive items within the scope of the regime, which participating countries are required to control due to the proliferation risks they pose. Technical experts from the participating countries propose and approve updates to the lists to reflect advances in technology and geo-political developments.

The EU list of dual-use items combines the individual lists produced by the regimes.

These regimes are:

- The **Wassenaar Arrangement** supports export controls related to conventional arms and dual-use items across a wide range of goods and technologies including, materials, chemicals, ICT, marine and aerospace.¹⁹
- The **Australia Group** aims to ensure that exports do not contribute to the development of chemical or biological weapons.²⁰
- The **Missile Technology Control Regime** aims to prevent proliferation of ballistic missiles and unmanned aerial vehicles systems capable of delivering weapons of mass destruction.²¹
- The **Nuclear Suppliers Group** aims to prevent nuclear proliferation by controlling the export of materials, equipment and technology that can be used to manufacture nuclear weapons.²²
- The **Organisation for the Prohibition of Chemical Weapons** aims to implement the provisions of the Chemical Weapons Convention to achieve a world free of chemical weapons.²³

Ireland participates in all five regimes.

¹⁹ See <<http://www.wassenaar.org>>.

²⁰ See <<http://www.australiagroup.net/en>>.

²¹ See <<http://mtr.info>>.

²² See <<http://www.nuclearsuppliersgroup.org/en>>.

²³ See <<https://www.opcw.org>>.

Annex VI – EU Restrictive Measures

Restrictive measures, or sanctions, are a tool of the EU's Common Foreign and Security Policy (CFSP). The EU implements all sanctions imposed by the UN. In addition, the EU may reinforce UN sanctions by applying stricter and additional measures. Where the EU deems it necessary, it may decide to impose autonomous sanctions.

Key objectives of EU sanctions

- Safeguarding EU's values, fundamental interests, and security;
- Preserving peace;
- Consolidating and supporting democracy, the rule of law, human rights and the Principles of international law;
- Preventing conflicts and strengthening international security.

EU sanctions are not intended to be punitive, but rather to bring about a change in policy or behaviour by the target country, entities or individuals, with a view to promoting the objectives of the CFSP. Sanctions can take the form of arms embargoes, travel bans and economic measures such as asset freezes and export controls. The sanctions are reviewed at regular intervals and the Council of the EU decides whether sanctions should be renewed, amended or lifted.

EU Sanctions are discussed at the Working Party of Foreign Relations Counsellors (RELEX)²⁴. The sanctions are enacted via EU Regulations, which have direct effect in Irish law. However, penalties for the breach of such Regulations, must be provided for through the enactment of statutory instruments under the European Communities Act 1972 (as amended).

The Department of Business, Enterprise and Innovation (D/BEI) is one of Ireland's three national competent authorities for EU Restrictive Measures, along with the Department of Foreign Affairs and Trade (D/FAT)²⁵ and the Central Bank²⁶. D/BEI does not participate in the formulation of EU sanctions and is notified of new sanctions by D/FAT.

²⁴ See <<http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/working-party-foreign-relations-counsellors>>.

²⁵ See <<https://www.dfa.ie/home/index.aspx?id=28519>>.

²⁶ See <<https://www.centralbank.ie/regulation/how-we-regulate/international-financial-sanctions>>.

- D/BEI is responsible for the implementation of Statutory Instruments in order to give full effect to the sanctions relating to specific countries (responsibility for implementing country-specific SIs is shared between D/BEI and the Department of Finance).
- D/BEI is responsible for enforcing trade (non-financial) sanctions and works closely with Revenue-Customs to this end.
- D/BEI also implements a unique sanction against Russia which requires prior authorisation for exports of certain goods to Russia.

For more information contact
exportcontrol@dbei.gov.ie

