



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 2018

Minister's Introduction

I am pleased to present the seventh Annual Report on the operation of the Control of Exports Act 2008, covering the period 1st January to 31st December 2018.

Ireland pursues free trade and open market policies, while also recognising the vital importance of minimising proliferation risks, maintaining regional security and stability, preventing terrorism and respecting 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.

My Department works closely with companies and encourages them to maintain effective internal compliance procedures. I welcome the shared commitment, between exporting companies and my Department, to promoting security, stability and human rights. I look forward to continued cooperation between exporters and my Department.

This Report describes licensing activity by my Department for the year ended 31 December 2018 and also significant changes to Irish and European legislative in that period. The Report provides data on the number of licence applications, the value and destination of licensed exports and summarises the various EU trade sanctions introduced or updated during 2018.

I am committed to promoting transparency in the operation of Ireland's export control regime. To this end, in addition to Annual Reports, every six months my Department publishes summary data on the export of controlled products on the Department's website.

Heather Humphreys, T.D.

Minister for Business, Enterprise & Innovation

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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 in the preceding year of matters within the Act.

This report covers licensing activity by the Department of Business, Enterprise and Innovation, and changes to European and Irish legislation, for the period 1st January-31st December 2018. 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 EU.² 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 further 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 15th December 2018 Commission Delegated Regulation (EU) 2018/1922³ amending the Dual-Use Regulation came into force. This Regulation made a number of additions, deletions and amendments 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 export control regimes in 2017.

Update to the Blocking Statute

Council Regulation (EC) No 2271/96⁴, also known as the Blocking Statute, is an EU Regulation enacted in 1996 to counteract the extra-territorial effect of US sanctions imposed on Cuba, Iran and Libya. The Blocking Statute nullifies extra-territorial effects such as penalties imposed by the USA on entities legally operating in the EU and which have commercial or trading links with Cuba and/or Iran.

The Blocking Statute includes a requirement that an EU entity adversely affected by the extra-territoriality of US sanctions shall inform the European Commission, either directly or via a national competent authority. The Blocking Statute includes provisions that, other than in exceptional circumstances, prevent EU entities from complying with any requirements imposed under certain US sanctions. EU entities can also be compensated for any damages, including legal costs, incurred by the imposition of restrictions and requirements by certain US sanctions which are subject to the Blocking Statute.

³ Commission Delegated Regulation (EU) 2018/1922 of 10 October 2018 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 Council Regulation (EC) No 2271/96 of 22 November 1996 protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom.

In 2018, the Commission updated this regulation to mitigate the impact of the re-introduction of US sanctions on Iran. The Commission Delegated Regulation of 6 June 2018⁵ amends the Annex to Council Regulation (EC) No 2271/96 to counteract the United States' restrictive measures having extra-territorial application and which are in force at the date of its adoption.

The Department of Business, Enterprise and Innovation is the national competent authority for the Blocking Statute in Ireland. The European Communities (Extra-territorial Application of Legislation Adopted by a Third Country) (Amendment) Regulations 2018 (S.I. No. 319 of 2018) amends the European Communities (Extraterritorial Application of Legislation Adopted by a Third Country) Regulations 1997 (S.I. No. 217 of 1997) to reflect the amendment made to the Council Regulation.

Statutory Basis for Appeals

The Control of Exports (Appeals) Regulations 2018 (S.I. No. 457 of 2018), established a statutory basis for exporters seeking to appeal denials of licence applications, or revocations of existing licences. While the Department's licensing procedures remain unchanged, a statutory basis provides greater legal certainty, transparency and consistency, for appeals of licencing decisions.

Intra-EU Transfer of Defence Related Products and Updates to the Common Military List

Directive 2009/43/EC of the European Parliament and of the Council, of 6 May 2009,⁶ establishes a licensing regime for the intra-EU transfer of defence-related products. The purpose of this Directive is to simplify the rules and procedures applicable to such intra-

⁵ Commission Delegated Regulation (EU) 2018/1100 of 6 June 2018 amending the Annex to Council Regulation (EC) No 2271/96 protecting against the effects of extra- territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom.

⁶ Directive 2009/43/EC of the European Parliament and of the Council simplifying terms and conditions of transfers of defence-related products within the Community.

Community transfers to ensure the proper functioning of the internal market. Directive 2009/43/EC includes an Annex which sets out the defence-related products subject to control (the “EU Common Military List”).⁷

The EU Common Military List is amended and updated periodically to update and revise definitions and technical specifications of defence related products subject to control. Updating the EU Common Military list implies also that Directive 2009/43/EC be similarly amended and updated.⁸ While there were no updates to Directive 2009/43/EC in 2018⁹, the European Communities (Intra-Community Transfer of Defence Related Products) (Amendment) Regulations 2018 (S.I. No. 39 of 2018) enacted Commission Directive (EU) 2017/2054, of 8 November 2017.

3. Trade Sanctions introduced in 2018

EU restrictive measures, also known as trade sanctions and described further in Annex VI, are instruments by which the EU seeks to bring about a change in the policies or activities of other countries such as tackling violations of international law or human rights or addressing policies that do not respect the rule of law or democratic principles. Sanctions are used, as one of a number of political instruments, to promote EU values and objectives.

The European Union introduced a number of new sanctions during 2018, in response to issues of international concern, for example concerns about regional conflict and human rights. The Department of Business, Enterprise and Innovation is the competent authority for the trade aspects of EU sanctions.

The Department of Business, Enterprise and Innovation and the Department of Finance share responsibility for drafting Regulations to provide for penalties in national law for breaches of EU sanctions. Fifty new Regulations were made by the Department of Business,

⁷ 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.

⁸ Directive 2009/43/EC, at Article 37, states that “the list of defence-related products set out in the Annex should be updated in strict conformity with the Common Military List of the European Union.”

⁹ Directive 2009/43/EC was amended and updated twice in 2017 through Commission Directive (EU) 2017/433, of 7 March 2017, and Commission Directive (EU) 2017/2054, of 8 November 2017

Enterprise and Innovation and the Department of Finance during 2018, the details of which are set out in Annex I to this report.

4. Export Control Policy Review

In recent years, as detailed in previous reports, the European Commission has reviewed the European Union's control regime for dual-use goods. This review process has resulted in the publication of:

- A Green Paper on dual-use export controls in 2011.¹⁰
- A European Commission Communication to the Council and the European Parliament on export control policy in 2014.¹¹
- An Industry Forum in 2014.¹²
- A report on a public consultation process followed by a European Commission report in 2015.¹³
- A European Commission proposal, published on 28 September 2016, to reform, update and modernise the Dual-Use Regulation.¹⁴

The European Commission's proposal is subject to consideration by the Council and the European Parliament both of which will ultimately approve any reform of the Dual-Use Regulation. The Council's consideration of the European Commission's proposal took place at working party level, where the Department represented Ireland at the Dual-Use Goods Working Party ("DUWP"). The DUWP's consideration of the European Commission's proposal was still ongoing at the close of 2018.

On 17 January 2018, the European Parliament, in plenary session, considered the report of the Committee for International Trade ("INTA").¹⁵ The European Parliament supported the

¹⁰ See <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0393&from=EN>>.

¹¹ See <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014DC0244&from=EN>>.

¹² See <http://trade.ec.europa.eu/doclib/docs/2014/october/tradoc_152858.pdf>.

¹³ See <http://trade.ec.europa.eu/doclib/docs/2015/november/tradoc_154003.pdf>.

¹⁴ See <http://eur-lex.europa.eu/resource.html?uri=cellar:1b8f930e-8648-11e6-b076-01aa75ed71a1.0013.02/DOC_1&format=pdf>.

¹⁵ INTA completed its review of the Commission's proposal, and reported to the European Parliament, in November 2017.

recommendations in INTA's report and proposed 98 amendments to the European Commission's proposal.¹⁶

5. Export Licences and Statistical Trends

Individual Dual-Use Licences

Four hundred and forty-four individual dual-use licences were issued in 2018, slightly less than the 447 licences issued in 2017.

Values of exports on individual licences issued in 2018 increased by 15% compared with 2017, i.e., from €357.1 million to €410.8 million.¹⁷ There were increases in the value of Dual-Use Regulation Category 5 items¹⁸ (telecommunications and information security equipment and components) of 26% from €204.8 million to €258.3 million and Category 3 items (electronics) of 1% from €145.3m to €147.3m.

Global Dual-Use Licences

Global dual-use export licences provide exporters with more administrative flexibility than individual export licences. They can be used to cover shipments of goods and technology listed on the licence to the countries of destination listed on the licence. Global dual-use export licences are issued to companies that have a very high volume of relatively low-risk exports.

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 forces end-users. Global licence holders must submit an application for an individual dual-use licence where they intend exporting to this category of end-user.

¹⁶ See <<https://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2018-0006&language=EN>>

¹⁷ See Annex II of this report.

¹⁸ See Annex IV of this report for a list of dual-use control categories in the Dual-Use Regulation.

Twenty-three global dual-use licences were in use in 2018, the same number as in 2017. The value of actual exports reported under dual-use global licences in 2018 was €3,157.1 million compared to €2,856.1 million in 2017, an increase of 11%.¹⁹

Military Licences

Licensing controls for military items cover military goods, military technology and also components for such items. Licences issued for military goods in 2018 involved components listed on the EU Common Military List, sports and hunting firearms, and controlled items to companies engaged in mining activity.

Given the relatively small cohort of exporters of military goods and technology in Ireland, a change in the licence requirements of one or two exporters may have a significant impact on the statistics. The number of individual military licences issued decreased by 19% from 118 in 2017 to 96 in 2018. The value of the exports on licences issued increased by 30% from €24.9m in 2017 to €32.5m in 2018. Two global military licences were issued in 2018 compared to one in 2017, with a corresponding increase in total value from €4.0 million to €4.8 million.

Brokering Licences

A brokering licence is required where a person or entity is negotiating or arranging transactions that involve the transfer of dual-use items or items listed on the EU Common Military List, or who buy, sell or arrange the transfer of such items in their ownership:

- From a non-EU country to a non-EU country.
- From Ireland to a non-EU country.
- From another EU Member State to a non-EU country.

No licence applications for the brokering of dual-use items were received during 2018. Three licences for brokering of military items were issued during 2018.

Data Aggregation and Commercial Sensitivities

¹⁹ See Annex II of this report.

This report seeks to provide as much transparency as possible on licence values, numbers, destinations and product categories in respect of exports of dual-use and military items. At the same time, the Department respects the commercial sensitivity and confidentiality of certain information provided by exporters and the security of workers 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 2017 and 2018. More detailed statistical information is set out in Annex II to this report.

Summary Data

Type of Licence	Number by Year		Value by Year ²⁰	
	2018	2017	€	
	2018	2017	2018	2017
Individual Dual-Use	444	447	410.8 m	357.1 m
Global Dual-Use	23	23	3,157.1 m	2,856.1 m
Individual Military	96	118	32.5 m	24.9 m
Global Military	2	1	4.8 m	4.0 m
TOTAL	565	589	3,605.2 m	3,242.2 m

6. Denials

The export licensing process centres on ensuring, 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., for use in connection with weapons of mass destruction. The

²⁰ The values reported for individual dual-use licences and military licences are the total values for approved licences and hence may therefore overstate the value of actual exports. The values reported for global dual-use licences relate to actual exports reported for 2017 and 2018.

safeguards built into the licensing system facilitate robust checks and cross checks in this regard.

The Department may refuse an export licence, following consultation with the Department of Foreign Affairs and Trade and other EU and international export licensing authorities, as appropriate, and having taken into account the considerations set out below. Exporters have a statutory right of appeal against licensing decisions by the Department.²¹

In 2018 fifteen export licence applications were denied. These denials were made on the grounds of considerations about the intended end-use, the risk of diversion and EU sanctions.

Considerations When Deciding Whether to Grant/Deny

Article 12 of the Dual-Use Regulation sets out the criteria for deciding whether or not to grant 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, referred to 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

²¹ The Control of Exports (Appeals) Regulations 2018 (S.I. No. 457 of 2018).

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. Enforcement and Investigations

As set out in previous reports, the Department monitors exports of controlled items in close co-operation with Revenue Customs. As part of this co-operation, details of certain proposed exports to countries that are subject to trade sanctions are referred to the Department by Revenue Customs before being allowed proceed. During 2018 Revenue Customs referred 229 proposed exports to the Department for review.

Annex I – Irish Regulations in respect of EU Sanctions

Afghanistan

1. S.I. No. 202/2018 - European Union (Restrictive Measures concerning Afghanistan) Regulations 2018

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.

Belarus

1. S.I. No. 143/2018 - European Union (Restrictive Measures concerning Belarus) Regulations 2018

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EC) No 765/2006, as amended, regarding restrictive measures concerning Belarus. 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.
 - the provision of certain activities in relation to military goods and technology or goods that might be used for internal repression.

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 Belarus.

Central African Republic

- 1. S.I. No. 244/2018 - European Union (Restrictive Measures concerning Central African Republic) Regulations 2018**
- 2. S.I. No. 459/2018 - European Union (Restrictive Measures concerning Central African Republic) (No. 2) Regulations 2018**

These Regulations provide 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.

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 Central African Republic.

Democratic People's Republic of Korea

- 1. S.I. No. 40/2018 - European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) Regulations 2018**
- 2. S.I. No. 246/2018 - European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) (No. 2) Regulations 2018**
- 3. S.I. No. 460/2018 - European Union (Restrictive Measures concerning the Democratic People's Republic of Korea) (No. 3) Regulations 2018**

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. 252/2018 - European Union (Restrictive Measures concerning the Democratic Republic of the Congo) Regulations 2018**
- 2. S.I. No. 458/2018 - European Union (Restrictive Measures concerning the Democratic Republic of the Congo) (No. 2) Regulations 2018**

These Regulations provide 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.

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 the Democratic Republic of the Congo.

Egypt

1- S.I. No. 147/2018 - European Union (Restrictive Measures concerning Egypt) Regulations 2018

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. 461/2018 - European Union (Restrictive Measures concerning Iran) Regulations 2018

This Regulations provide 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.
- 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.

2. S.I. No. 462/2018 - European Union (Restrictive Measures concerning Iran) (No. 2) Regulations 2018

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.

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

Iraq

- 1. S.I. No. 49/2018 - European Union (Restrictive Measures concerning Iraq) Regulations 2018**
- 2. S.I. No. 276/2018 - European Union (Restrictive Measures concerning Iraq) (No. 2) Regulations 2018**
- 3. S.I. No. 338/2018 - European Union (Restrictive Measures concerning Iraq) (No. 3) Regulations 2018**
- 4. S.I. No. 467/2018 - European Union (Restrictive Measures concerning Iraq) (No. 4) Regulations 2018**
- 5. S.I. No. 606/2018 - European Union (Restrictive Measures concerning Iraq) (No. 5) Regulations 2018**

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.

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.

ISIL/Al-Qaeda

- 1. S.I. No. 274/2018- European Union (Restrictive Measures concerning ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them) Regulations 2018**
- 2. S.I. No. 336/2018- 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 2018**
- 3. S.I. No. 468/2018- 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 2018**

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. 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 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 ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them.

Libya

- 1. S.I. No. 52/2018 - European Union (Restrictive Measures concerning Libya) Regulations 2018**
- 2. S.I. No. 140/2018 - European Union (Restrictive Measures concerning Libya) (No. 2) Regulations 2018**
- 3. S.I. No. 204/2018 - European Union (Restrictive Measures concerning Libya) (No. 3) Regulations 2018**
- 4. S.I. No. 273/2018 - European Union (Restrictive Measures concerning Libya) (No. 4) Regulations 2018**
- 5. S.I. No. 340/2018 - European Union (Restrictive Measures concerning Libya) (No. 5) Regulations 2018**
- 6. S.I. No. 465/2018 - European Union (Restrictive Measures concerning Libya) (No. 6) Regulations 2018**
- 7. S.I. No. 607/2018 - European Union (Restrictive Measures concerning Libya) (No. 7) Regulations 2018**

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.
- 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. 337/2018- European Union (Restrictive Measures concerning the Maldives) Regulations 2018

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EC) No 2018/1001 regarding restrictive measures concerning the Maldives. 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.

Myanmar/Burma

- 1. S.I. No. 201/2018- European Union (Restrictive Measures concerning Myanmar/Burma) Regulations 2018**
- 2. S.I. No. 277/2018- European Union (Restrictive Measures concerning Myanmar/Burma) (No. 2) Regulations 2018**
- 3. S.I. No. 341/2018- European Union (Restrictive Measures concerning Myanmar/Burma) (No. 3) Regulations 2018**

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:

- 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.

Republic of Guinea-Bissau

- 1. S.I. No. 247/2018 - European Union (Restrictive Measures concerning the Republic of Guinea-Bissau) Regulations 2018**

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 377/2012, as amended, regarding restrictive measures concerning the Republic of Guinea-Bissau. 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. 144/2018 - European Union (Restrictive Measures concerning Ukraine) Regulations 2018**
- 2. S.I. No. 272/2018 - European Union (Restrictive Measures concerning Ukraine) (No. 2) Regulations 2018**
- 3. S.I. No. 343/2018 - European Union (Restrictive Measures concerning Ukraine) (No. 3) Regulations 2018**
- 4. S.I. No. 466/2018 - European Union (Restrictive Measures concerning Ukraine) (No. 4) Regulations 2018**
- 5. S.I. No. 609/2018 - European Union (Restrictive Measures concerning Ukraine) (No. 5) Regulations 2018**

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.²²

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

Somalia

- 1. S.I. No. 50/2018 - European Union (Restrictive Measures concerning Somalia) Regulations 2018**
- 2. S.I. No. 141/2018 - European Union (Restrictive Measures concerning Somalia) (No.2) Regulations 2018**

²² 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 87 licences, with a total value of €60m, during 2018 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. 608/2018 - European Union (Restrictive Measures concerning Somalia) (No. 3) Regulations 2018

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 147/2003, as amended, and Council Regulation (EU) No 356/2010, as amended, regarding restrictive measures concerning Somalia. 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 import of charcoal.
- Prohibitions on the provision of certain activities in relation to military goods and technology.

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 Somalia.

South Sudan

1. S.I. No. 249/2018 - European Union (Restrictive Measures concerning South Sudan) Regulations 2018

This Regulation provides 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 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 South Sudan.

Sudan

- 1. S.I. No. 41/2018 - European Union (Restrictive Measures concerning Sudan) Regulations 2018**
- 2. S.I. No. 245/2018 - European Union (Restrictive Measures concerning Sudan) (No. 2) Regulations 2018**

These Regulations provide for the enforcement of restrictive measures contained in Council Regulation (EU) No 747/2014, as amended, regarding restrictive measures concerning 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 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 Sudan.

Syria

- 1. S.I. No. 243/2018 - European Union (Restrictive Measures concerning Syria) Regulations 2018**

- 2. S.I. No. 463/2018 - European Union (Restrictive Measures concerning Syria) (No. 2) Regulations 2018**

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.
- 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. 248/2018 - European Union (Restrictive Measures concerning Tunisia) Regulations 2018

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.

Venezuela

1. S.I. No. 42/2018- European Union (Restrictive Measures concerning Venezuela) Regulations 2018

2. S.I. No. 250/2018- European Union (Restrictive Measures concerning Venezuela) (No. 2) Regulations 2018

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.

Yemen

1. S.I. No. 275/2018 - European Union (Restrictive Measures concerning Yemen) Regulations 2018

This Regulation provides for the enforcement of restrictive measures contained in Council Regulation (EU) No 1352/2014, as amended, regarding restrictive measures concerning Yemen. 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 Yemen.

Zimbabwe

1. S.I. No. 251/2018- European Union (Restrictive Measures concerning Zimbabwe) Regulations 2018

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 – 2018 Export Licence Statistics

Overview Table

Type of Licence	Number by Year		Value by Year ²³	
	2018	2017	€	
	2018	2017	2018	2017
Individual Dual-Use	444	447	410.8 m	357.1 m
Global Dual-Use	23	23	3,157.1 m	2,856.1 m
Individual Military	96	118	32.5 m	24.9 m
Global Military	2	1	4.6 m	4.0 m
TOTAL	565	589	3,605.2 m	3,242.2 m

²³ The values reported for individual dual-use licences and military licences are the total values for approved licences and hence may therefore overstate the value of actual exports. The values reported for global dual-use licences relate to actual exports reported for 2017 and 2018.

Individual Dual-Use Licences by Category Table

Category ²⁴	2018		2017		2016	
	No.	Licence Value €	No.	Licence Value €	No.	Licence Value €
1	15	2.4 m	17	4.7 m	16	3.4 m
2	36	0.1 m	32	0.1 m	13	25.3 m
3	51	147.3 m	60	145.3 m	52	169.3 m
5	315	258.3 m	312	204.8 m	308	194.8 m
7	20	1.6 m	13	0.7 m	11	0.8 m
4,6, & 8	7	1.0 m	13	1.6 m	9	0.9 m
Total	444	410.8 M	447	357.1 m	409	394.6 m

²⁴ The categories correspond to those set out in Annex I to the Dual-Use Regulation as amended. See Annex IV of this report for a list of dual-use control categories in the Dual-Use Regulation.

Global Dual-Use Licences by Category Table

Category ²⁵	2018		2017		2016	
	No.	Value	No.	Value	No.	Value
1	2	0.0 m	2	0.0 m	2	0.0 m
2	2	0.1 m	2	0.0 m	2	0.0 m
3	5	2.5m	5	0.3 m	5	0.1 m
4	2	0.0 m	2	0.0 m	2	0.0 m
5	23	3,154.5 m	23	2,855.9 m	22	2,825.5 m
6	2	0.0 m	2	0.0 m	2	0.0 m
7	1	0.0 m	0	0.0 m	0	0.0 m
Total²⁶	23	3,157.1 m	23	2,856.1 m	22	2,825.6 m

²⁵ The categories correspond to those set out in Annex I to the Dual-Use Regulation as amended. See Annex IV to this report for a list of dual use item categories.

²⁶ A global licence may cover more than one category and, where this is the case it is recorded in each category. E.g., a global licence covering products in categories 3 and 4 will be included in the number of global licences category 3 and category 4. Therefore, the total figure for global licences is not the sum of the figures shown for each category.

**Dual-Use Exports by Category, Destination, Number
and Licenced Value 2018 (made under individual licences)**

Category	Destination	No. Issued	Value €
1			
	China	3	85,046
	Indonesia	2	643,515
	Iran	1	52,500
	Jordan	2	7,580
	Kazakhstan	1	18,366
	Morocco	1	2,453
	Saudi Arabia	1	320,147
	Singapore	1	21,612
	Somalia	1	20,403
	South Africa	1	960,000
	Uzbekistan	1	258,912
2			
	Bahrain	2	4,570
	China	7	3,008
	Egypt	1	1,500
	Israel	2	6,593
	Malaysia	3	2,315
	Mali	1	270
	Morocco	4	19,498
	Qatar	4	11,702
	Russia	1	808
	Saudi Arabia	3	17,377
	South Africa	1	4,035
	Tanzania	1	677

	Thailand	2	1,904
	Tunisia	1	1,160
	United Arab Emirates	3	11,585
3			
	China	21	2,788,845
	India	2	25,970,392
	Israel	1	328,750
	Malaysia	2	11,130,240
	Philippines	5	28,596,907
	Russia	2	401,065
	Singapore	5	24,522,560
	South Korea/Republic of Korea	5	12,117,065
	Taiwan	6	41,468,323
	Turkey	2	3,150
5			
	Afghanistan	1	1,486,981
	Algeria	1	1,481,176
	Azerbaijan	1	15,000
	Bahrain	5	1,192,213
	Bangladesh	2	2,943,482
	Brazil	6	8,675,263
	China	33	84,815,438
	Colombia	1	1,460,045
	Ecuador	1	1,456,039
	Egypt	11	9,442,796
	Georgia	1	4,425
	Guatemala	1	1,469,716
	India	20	23,946,043
	Indonesia	1	262,000
	Iraq	1	23,708
	Israel	22	2,358,662

	Jordan	5	166,822
	Kazakhstan	3	295,500
	Kuwait	4	3,261,009
	Lebanon	2	3,267,279
	Macedonia	6	77,532
	Maldives	2	6,400
	Morocco	13	1,767,803
	Oman	8	3,231,637
	Pakistan	1	1,223
	Peru	2	2,775,343
	Philippines	1	466,251
	Qatar	16	10,471,890
	Russia	4	14,912
	Saudi Arabia	37	19,710,654
	Serbia	2	83,600
	Singapore	6	787,885
	Somalia	2	10,017
	South Africa	6	3,982,582
	South Korea/Republic of Korea	6	7,589,599
	Sudan	1	253,852
	Taiwan	2	17,590,546
	Thailand	3	1,749,045
	Tunisia	1	1,463,198
	Turkey	26	19,997,957
	Ukraine	6	50,742
	United Arab Emirates	35	9,555,070
	Vietnam	3	4,405,865
	Yemen	3	4,144,634
	Zambia	1	85,000
6			
	India	2	181,351

	Malaysia	1	241,278
	Philippines	2	265,970
	Saudi Arabia	1	257,986
7			
	India	1	110,000
	Israel	1	379,000
	Russia	3	44,500
	South Korea/Republic of Korea	8	648,488
	Thailand	1	28,400
	Turkey	6	434,366
8			
	China	1	86,000
	Total	444	410,779,006

Military Exports by Category²⁷, Destination, Number and Licenced Value²⁸ 2018

Code	Destination	2018 Number of Licences Issued	2018 Value of Licences €
ML1	Australia	4	126,885
	Canada	5	7,070
	New Caledonia	1	2,500
	Pakistan	2	1,836
	Switzerland	1	1,500
	United States	11	160,166
ML4	United Kingdom	6	230,866
ML5	Australia	2	246,223
	Canada	2	343,284
	Finland	1	90,318
	France	1	27,944
	Germany	1	4,304,545
	Italy	2	191,490
	Romania	1	17,363
	South Korea/Republic of Korea	1	128,000
	Sweden		30,788
	Switzerland	1	566,300
	Turkey	6	3,843,966
	United States	25	13,007,518

²⁷ Military List Categories are provided at Annex III.

²⁸ The statistics in this table represent the value listed on the export licence, and not the actual value of the goods/technology exported under the licence.

ML6	Germany	1	276,520
ML9	Germany	1	750,000
	Italy	1	71,210
	Qatar	1	78,310
ML10	France	2	645,281
	United Kingdom	2	525,273
	United States	6	10,238,913
ML11	United Kingdom	2	10,351
ML13	Canada	1	16,937
ML 15	United Kingdom		2,609
ML17	Germany	1	5,056
ML21	Australia	1	100,000
	Kuwait	1	55,000
	Turkey	1	100,000
	United States	3	300,000
ML22	Australia	1	50,000
	Canada	1	50,000
	Turkey	1	100,000
	United Kingdom	1	126,881
	United States	3	300,000
	Total	96	37,344,172

Aggregated Military Licences by Destination 2018

Destination	Number of Licences	Licence Value ²⁹ €
Australia	8	523,108
Canada	9	417,291
Finland	1	90,138
France	3	673,225
Germany	4	5,336,121
Italy	3	262,700
Kuwait	1	55,000
New Caledonia	1	2,500
Pakistan	2	1,836
Qatar	1	78,310
Romania	1	17,363
South Korea/Republic of Korea	1	128,000
Sweden	1	30,788
Switzerland	2	567,800
Turkey	8	4,043,966
United Kingdom	9	1,109,249
United States	48	24,006,597
Total³⁰	96	37,344,172

²⁹ The statistics in this table represent the value listed on the export licence, and not the value of the goods/technology actually exported under the licence.

³⁰ 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. Therefore, the total figure for global licences is not the sum of the figures shown for 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.³¹
- The **Australia Group** aims to ensure that exports do not contribute to the development of chemical or biological weapons.³²
- The **Missile Technology Control Regime** aims to prevent proliferation of ballistic missiles and unmanned aerial vehicles systems capable of delivering weapons of mass destruction.³³
- 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.³⁴
- 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.³⁵

Ireland participates in all five regimes.

³¹ See <<http://www.wassenaar.org>>.

³² See <<http://www.australiagroup.net/en>>.

³³ See <<http://mtcr.info>>.

³⁴ See <<http://www.nuclearsuppliersgroup.org/en>>.

³⁵ 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)³⁶. 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)³⁷ and the Central Bank³⁸. D/BEI does not participate in the formulation of EU sanctions and is notified of new sanctions by D/FAT.

³⁶ See <<http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/working-party-foreign-relations-counsellors>>.

³⁷ See <<https://www.dfa.ie/home/index.aspx?id=28519>>.

³⁸ 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 technologies to Russia.

For more information contact
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