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EXPORT CONTROL COMPLIANCE

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Analysis of the Formal
Requirements Governing the
Submission of Licence Applications
in the Member States of the
European Union.

EU EXPORT CONTROL REGIME

**DEFENCE PRODUCTS, DUAL-USE PRODUCTS AND
TECHNOLOGIES**

bln palao abogados, S.L.P.

Export control area

Belén Palao Bastardés	belen.palao@blnpalao.com
Javier Martín Palomino	javier.martin@blnpalao.com
Lucia Slutakova	lucia.slutakova@blnpalao.com

Foreword

International trade of defence equipment and dual-use goods and technologies has become increasingly important in recent years, positioning itself as one of the most sensitive aspects of the security chain. This phenomenon is part of an international context where strategic tensions are intensifying, conflicts remain open and allies are generally strengthening their military capabilities.

In this scenario, it is clear that the credibility of deterrence and the effectiveness of defence cannot be limited exclusively to the possession of advanced weapons systems or technologically modern platforms. The response capacity and operability of the Armed Forces depends largely on the fact that spare parts, components, equipment and technologies can be supplied on time and in the right conditions to the places where they are really needed. Thus, logistics and the agile flow of these elements become key factors in maintaining effectiveness and credibility in security and defence.

While the European Union has a common framework for the control of exports and dual-use goods and technologies, the responsibility for implementing such a framework lies with each Member State. This circumstance generates a multiplicity of national regimes, with significant differences in terms of the competent authorities, such as types of available licences, procedures to be followed, required end-user certificates and documentary obligations in each country.

For professionals who regularly participate in international cooperation programmes or in logistics operations of a certain magnitude, this regulatory and administrative diversity implies a considerable degree of complexity. This complexity can have a decisive impact on the efficiency and agility of any operation, conditioning results and responsiveness in contexts where speed and accuracy are essential.

From the perspective of Defence and Security, the regulatory complexity and the diversity of national regimes in the control of trade of defence material and dual-use goods and technologies generate very concrete consequences.

In no case is it a question of inciting or facilitating the start of an armed conflict, but of preserving and strengthening an adequate level of deterrence, in line with Spain's international position and the commitments made to its partners and allies. To achieve this goal, it is essential to ensure the smooth movement of goods, spare parts and technology.

Such logistical agility must always take place in the strictest respect for national and international law, as well as for the commitments assumed in the field of non-proliferation. In this sense, the effectiveness and operability of the Armed Forces is a "bible" for customs management and export control in the field of defence and dual-use goods. It will be very useful for companies in the sector, compliance and foreign trade departments, logistics operators, public administrations and the Armed Forces, who will find in its pages a clear and coherent map of the rules applicable in each Member State.

In a context that simultaneously requires strengthening the technological and industrial base of European defence, improving interoperability between allies and strengthening guarantees in the field of human rights and non-proliferation, having instruments such as this work is a real necessity. For all these reasons, it is only possible to express a sincere recognition of the effort of its authors and recommend its reading and daily use.

Madrid, December 2025

Teniente Coronel Interventor Carlos Domínguez Torres-Fontes

Doctor of Law. Associate Professor at the Complutense University of Madrid

Index

- 1.- Introduction
- 2.- EU Regulatory context
- 3.- National files by EU Member State
- 4.- Best practices for exporters
- 5.- Conclusions

1. Introduction

After several years dedicated to advising on export controls for defence goods and dual-use products and technologies, at **bln palao abogados, S.L.P.** we are aware of the growing regulatory complexity that exists in this area.

The guiding principle of the European system is simple: there is a harmonised common framework with all Member States setting out control obligations.

However, the Community legislator has delegated the development and practical application of this regulation to the different Member States so, although we could speak of theoretical harmonisation at European level, the truth is that, for practical purposes, there are disparate national criteria when it comes to interpreting and applying the standard, which makes the design of this type of operation extremely difficult and, in some cases, may lead to a loss of competitiveness.

Based on this premise, we consider it essential that exporters, manufacturers and distributors of this type of products are aware of the applicable rules in each Member State, as well as the competent authorities for the processing and management of the different licences/authorisations, or the applicable potential sanctions in the event of non-compliance.

With this guide we do not intend to replace the need for professional services, but to give operators an overview of the processes of applying for and processing the corresponding licences/authorisations in each Member State. The idea is to provide them with an initial tool for quick consultation, which allows them to identify potential risks and design the strategy to be followed.

We hope that this mini-guide is to your liking and we are at your disposal to provide any additional clarification or solve any doubts that may arise in this regard.

2.- EU Regulatory context

Within the European framework, the export control regime is based on two fundamental pillars: Regulation (EU) 2021/821 on dual-use goods and Council Common Position 2008/944/CFSP on exports of defence material. Both instruments establish common harmonised rules to ensure a uniform application of the standard. Notwithstanding the above, to the extent that each Member State is competent to apply and manage the corresponding controls, we find multiple particularities:

- Thus, in some Member States, the procedure for **processing and managing licences/authorisations is concentrated in a single agency**, while in others it is supported by collegiate structures that bring together several ministries, as is the case in Spain.
- **In terms of the way applications are processed**, there are Member States that have a high degree of digitalization while, in other cases, the systems are simpler and not as digitalised.
- As for **licences**, the typology is relatively homogeneous: all countries contemplate individual, global and general licences, but each one defines particular conditions. However, there are Member States where national general export authorisations (NGEAs) have been developed for use in routine operations or project licences linked to international programs.
- On the other hand, there are Member States that impose very strict requirements in terms of document traceability or establish requirements linked to democracy and

human rights criteria in the countries of destination.

- There were notable differences between Member States concerning the **administrative deadlines**.

All Member States have the same starting point that is based **on the correct categorisation of assets** to delimit whether they would be subject to control measures.

In addition, almost all Member States require an **end-user certificate** that guarantees the legitimate destination of the goods and that must be kept for several years in order to allow ex-post controls and audits and inspections to be carried out both at the exporter's headquarters and at destination.

As a result of the absence of a harmonised sanctioning regime, we find a disparity in sanctions, although there is a common denominator since, in the event of non-compliance, **the responsibility lies with both the companies and their managers**.

This reality means that, for operators, it is not enough to know the rules, but it is necessary to understand the particularities of each Member State, with a view to their practical application.

3. National files by EU Member State

- 3.1.- Germany
- 3.2.- Austria
- 3.3.- Belgium
- 3.4.- Bulgaria
- 3.5.- Croatia
- 3.6.- Czech Republic
- 3.7.- Republic of Cyprus
- 3.8.- Denmark
- 3.9.- Slovakia
- 3.10.- Slovenia
- 3.11.- Spain
- 3.12.- Estonia
- 3.13.- Finland
- 3.14.- France
- 3.15.- Greece
- 3.16.- Hungary
- 3.17.- Ireland
- 3.18.- Italy
- 3.19.- Malta
- 3.20.- Latvia
- 3.21.- Lithuania
- 3.22.- Luxembourg
- 3.23.- Netherlands
- 3.24.- Poland
- 3.25.- Portugal
- 3.26.-Romania
- 3.27.- Sweden

3.1. Germany

Regulatory framework

In Germany, two distinct regulatory frameworks coexist. On the one hand, the **War Weapons Control Act (KWKG) and the War Weapons List (KWL)**, which strictly regulate weapons of war such as nuclear, biological or chemical weapons, missiles, anti-personnel mines and battle tanks. Any activity with this type of weaponry requires a prior licence and, in the case of NBC weapons and mines, the prohibition is absolute.

On the other hand, the **Foreign Trade and Payments Act (AWG) and its regulations (AWV)** constitute the basis for the control of exports of conventional arms and, above all, dual-use goods and technologies. This regime is supported by the German Export List (AL) and the European Union's dual-use list, Regulation (EU) 2021/821.

Competent authority

The central authority is the **Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)**, which grants licences, publishes practical guides, manages exporters' registers and exercises control and auditing functions.

Registration and licensing

Under the KWKG/KWL, all operations with weapons of war are subject to individual licensing, with very limited exceptions for the armed forces (Bundeswehr) and the police.

Under the **AWG/AWV**, there are individual and collective licences and so-called general authorisations (**AGG**).



The latter, published by BAFA, simplify the most frequent operations: for example, EU001 (export of dual-use goods to safe allied countries), **AGG3** (military equipment to the EU/NATO), **AGG 36** (maritime equipment) or **AGG 42** (software and business services).

The use of an AGG does not require authorisation on a case-by-case basis, but it does entail prior notification through the **ELAN-K2** electronic system, which must be done before or within 30 days of the first use.

Administrative deadlines

Individual licences are resolved within a timeframe that can range from several weeks to a few months, depending on the sensitivity of the product and the destination.

AGGs, on the other hand, can be applied immediately once the notification has been registered, which brings agility to routine operations.

3.1. Germany

Certificates and end-destination control

An **End-Use Certificate (EUC)** is required for sensitive exports, to prove the end-user's identity, intended use, and commitment not to re-export without authorisation.

In addition, BAFA can carry out subsequent checks in the destination country to check the traceability of the operation.

Document retention

Companies must keep documentation for each export, including licences, notifications, and receipts, for at least five years.

In the case of AGG use, exporters have to keep an internal record demonstrating compliance with the conditions set by BAFA. In addition, all exports require an electronic customs declaration in the ATLAS system.

Supervision

BAFA has the power to review records, grant or revoke licences and audit companies.

For their part, customs authorities exercise physical controls at the border, while the Federal Criminal Investigation Office (BKA) and prosecutors' offices investigate the most serious violations. The legal framework gives them broad powers of inspection, seizure and confiscation, as well as the possibility of invalidating general licences if their conditions are breached.

Sanctions

The sanctioning regime is very strict. Violations of the KWKG, in the area of NBC weapons, can be punished with life imprisonment.

In the field of AWG/AWV, offences can carry up to ten years in prison, and administrative offences can lead to fines of several million euros. In addition, both natural and legal persons can be held liable and an improper use of AGGs could be equated to an illegal export.

Conclusion

Germany applies a double regime: the KWKG/KWL for weapons of war, with absolute controls, and the AWG/AWV for conventional and dual-use exports.

Almost every operation requires a licence, although the truth is that AGGs offer a simplified route under the responsibility of the exporter, since their use does not require prior authorisation but notification by the operator.

Traceability, EUCs and document preservation are essential elements, in an environment of strong supervision by BAFA and with a particularly severe sanctioning regime.

3.2. Austria

Regulatory Framework

The Austrian legal framework is found in the Foreign Trade Act **Außenwirtschaftsgesetz 2011 (AußWG 2011)**, which regulates both the export of defence material and dual-use goods and technologies. This national regime is complemented by EU, UN or OSCE sanctions and measures.

More specifically, the Second Foreign Trade Ordinance of 2019 (**Zweite Außenwirtschaftsverordnung 2019 – 2.AußWV 2019**), in its consolidated version as of 19 October 2025, constitutes the main regulatory provision that develops the AußWG 2011. The objective of this regulation is to develop and specify the obligations arising from European Union law.

This law not only delimits the objective scope that applies to "defence goods" but also regulates the countries subject to arms embargoes, both for export and import.

Competent authority

The authority in charge of implementing and supervising the export control regime in Austria is the **Federal Ministry of Economic Affairs, Energy and Tourism (Bundesministerium Wirtschaft, Energie und Tourismus – BMWET -)**, through its **Department of Export Control (Abteilung II/2)**.

This body acts as the national authority for the granting of licences/authorisations for most goods and technologies subject to control, including dual-use goods and technologies, defence material not classified as war material,



as well as goods linked to international sanctions or embargoes established by the European Union, the United Nations or the OSCE.

In the case of **war materiel**, competence lies with the **Federal Ministry of the Interior (Bundesministerium für Inneres)**, in accordance with the **Kriegsmaterialgesetz (KMG)**, in coordination with the **Ministry of European and International Affairs**, especially about foreign policy and the implementation of embargoes. Both institutions work closely with the BMWET and the customs administration to ensure effective export control.

Registration and Prerequisites

In order to use the national or EU General Authorisations (AGGs) – which share a name, but no function with German authorisations – companies must first register with the competent Federal Ministry and identify an authorised compliance officer.

3.2. Austria

As a rule, the application for registration is resolved within ten working days, unless there are grounds for refusal, such as prior loss of the right to use AGG.

In addition, brokerage operators and related activities must keep an administrative record, with an obligation to keep certain data for at least ten years.

Licences

Austria issues licences for the export and transit of defence material, category 1 and 2 chemicals and other goods subject to international sanctions.

The system includes:

- **National General Authorisations (National AGGs):** allow the export of certain goods and predefined destinations, with exclusions for sensitive operations.
- **Global Licensing:** simplify operations with several goods and/or the same recipient within a time frame.
- **Intra-Community regime for defence materiel:** AGG, global and individual licences are established, as well as the recognition of licences issued by other Member States and the certification of recipient companies.
- There is also a **catch-all clause**, which allows a licence to be required if the authority detects a risk of use in weapons of mass destruction, embargoes or military re-exports.

Administrative deadlines

The Außenwirtschaftsgesetz 2011 (AußWG 2011) and its implementing regulations establish certain deadlines applicable to the processing of notifications, the imposition of licensing obligations and the resolution of applications, with significant differences between dual-use and defence goods. There is no general deadline for all licences: deadlines are only set when the law itself expressly introduces them, and in the absence of sectoral provision, the processing is subject to the common administrative procedure.

In the field of dual use, the regulation does not establish deadlines for resolving export applications to third countries, but it does regulate specific deadlines in situations of enhanced control, notification or risk.

Article 19 of the regulation regulates the cases in which a transaction must be notified in advance to the authority (for example, when there are indications of a risk of diversion). In these cases: **the authority must confirm receipt within three working days**, during which time the operation cannot be carried out; if the confirmation warns that a licence may be required, the operation is suspended for a maximum of two weeks; **If a licence obligation is not imposed within that period, the transaction may be executed.**

As in other Member State systems, Article 15 allows the authority to require a licence for goods that were not initially subject to authorisation, when it is detected that they may be associated with sensitive end-uses (proliferation, embargoes, military activities).

3.2. Austria

The regulation requires the authority to notify this obligation within three working days of determining the need for control.

Finally, Article 20 empowers the Administration to temporarily suspend an operation of dual-use material, if there are indications that the authorisation criteria will be breached. In the case of air traffic with a stopover, the regulation establishes a maximum period of two weeks to adopt a final decision, avoiding indefinite suspensions.

Beyond the above assumptions, **the regulation does not establish resolution deadlines for export licences for dual-use goods to third countries.**

The authorisation regime is regulated, but no maximum decision time is set in the AußWG 2011 or in its implementing regulations. Likewise, the nuclear material control regime (SKG 2013) regulates licensing and notification obligations for this type of technology and material but does not provide for processing times for the resolution of licences.

Unlike in cases of dual use, in the case of defence products, the regulation incorporates clear deadlines and express legal effects, including several cases of tacit authorisation or positive silence.

Article 32 regulates the processing of licences for the shipment of defence material within the EU and expressly incorporates **positive silence by setting the obligation for the authority to resolve within a period of three weeks**, extendable to five if another ministry had to intervene. If the authority does not issue a decision within the period, the

licence is deemed to have been granted ("gilt als erteilt"), with **positive silence** governing this purpose.

Article 30 provides for the extension of a global intra-Community licence, which is deemed to have been approved if it is not refused within a period of one month from its application.

Finally, it is appropriate to address the deadlines related to notification. Where the procedure requires prior notification of an operation based on a licence issued by another Member State, the authority must confirm receipt within three working days, and if it notices that an additional authorisation could be imposed, a two-week block is triggered, identical to that provided for in Article 19. If the authority does not act within that period, the operation can continue.

Certificates and end-destination control

The authority may require end-user documents or *Import Certificates* to verify the legitimate destination of the goods.

Licences may also include conditions such as the obligation to notify any re-export or to provide proof of the actual arrival of the products to the final recipient.

3.2. Austria

Retention of documentation

All companies that manufacture or market this type of goods subject to control must implement an **Internal Compliance Program (ICP)** and appoint a compliance officer. When processing electronic applications, the original documentation must be archived.

Export documentation must be kept for at least five years (in some cases, three for EU economic measures).

Supervision

The national authority can inspect facilities, request documents, coordinate with customs and even carry out specific verifications within the framework of the Chemical Weapons Convention (CWC).

Sanctions

Failure to comply with the rules may result in criminal and administrative sanctions.

- **Criminal penalties:** imprisonment of up to three years for exporting without a licence or falsifying documents; up to five years if there is a profit motive or forgery; and up to ten years in cases related to weapons of mass destruction.
- **Administrative sanctions:** fines of up to €40,000 (or six-week arrest) for misuse of AGG, lack of registrations or notifications, and up to €20,000 for infringements of EU economic measures.

Conclusion

Austria combines a demanding pre-registration system, with the obligation to appoint a compliance officer, and a flexible framework that simplifies operations through AGG and global licensing.

The traceability of the destination and the preservation of documents are essential elements. Its sanctioning regime contemplates severe penalties, including imprisonment, in case of non-compliance.

The regulatory framework is complemented by the Zweite Außenwirtschaftsverordnung 2019 (2. AußWV 2019), which develops the Außenhandelsgesetz 2011 and establishes, in its consolidated version as of 19 October 2025, the definition of defence goods and the updated list of States subject to arms embargoes or import restrictions, in compliance with Austria's international obligations.

3.3. Belgium

Regulatory Framework

In Belgium, the regime for the export, transit and brokerage of defence goods, arms and dual-use goods is based on a mixed system combining federal regulations and regional competence. At the federal level, **the Act of 11 September 1962 is applied**, which constitutes the framework provision for these matters. Its implementation is complemented by federal regulations and by the **Act of 5 August 1991 on arms**, ammunition and materiel specially intended for military use or public order, which coexists with regional decentralization in this area.

From 2003 onwards, the power to issue licences for arms, defence goods and dual-use goods was transferred, with exceptions - such as army or federal police property - to the three Belgian regions: **Brussels-Capital Region, the Flanders Region and the Walloon Region.**

At the regional level, there are specific implementation instruments. In **Brussels-Capital**, for example, the **Ordonnances du 20 juin 2013 (and its Arrête d'exécution du abril 2014)** apply to defence products, military equipment, public order equipment and civilian weapons, as well as the application of the EU regime for dual-use goods.

In **Wallonia**, the Government Arrête of 6 February 2014 regulates the export, transit and transfer of dual-use goods and technologies.



In **Flanders**, the Decreet van 15 June 2012 regulates the import, export, transit and transfer of defence products, civilian weapons and ammunition. And the Decreet van 14 maart 2014 relating to the export, transit and transfer of dual-use goods and the provision of technical assistance.

Competent authority

The competent authority for processing licences for the export, transit and brokering of defence goods, arms and dual-use goods depends on the region in which the operator is established or where the operation originates. Specifically:

- For the Wallonia Region, the competent authority is the Direction de la gestion des Licences d'Armes (DLA).
- For the Flanders Region, the dienst Controle Strategische Goederen (Strategic Goods Control Service) is applicable.
- For the Brussels-Capital Region, the corresponding unit within the regional commercial service, the Licence Cell, is ordered.

3.3. Belgium

Exceptionally, when the operation involves the Belgian army or the federal police, the responsible authority is the **Dienst Vergunningen van de FOD Economie** (Department of Licensing of the Federal Public Service Economy).

Registration and authorisation

The registration of operators and access to electronic procedures are managed by the competent regional authority, in accordance with the division of competences established in 2003.

In the **Brussels-Capital Region**, they are exercised by the regional **Licence Cell**. Applications and operator profiles are processed directly with this service.

In **Flanders**, registration is carried out with the **Strategic Goods Control Unit**, under the Flemish Department of Chancellery and Foreign Affairs.

Applications and registrations are managed through the *Digital application for licences* available on the official website of the Flemish Government.

In the **Walloon Region**, registration is processed with the **Directorate de la gestion des licences d'armes (DLA)**.

Operators must register in the electronic eLicensing system and create an authenticated operator profile with EU Login.

Licences

Licences for the export, import, transit and transfer of defence goods, civilian weapons and dual-use goods are issued by the competent regional authority, in accordance with the division of competences established since 2003.

In the **Brussels-Capital Region**, the Ordonnance du 20 juin 2013 and its Arrête d'exécution du 3 avril 2014 establish the authorisation regimes for weapons, defence equipment and products for civilian or police use. Licences are divided into:

- Individual licences, valid for a single end user or destination.
- Global licences, applicable to several customers or countries within the same contractual framework. For dual-use goods, Regulation (EU) 2021/821 applies directly, which also provides for general Union authorisations (EU001-EU008), usable after prior registration.

In **Flanders**, the Strategic Goods Control Unit manages licences under Decreet van 15 juni 2012 and Decreet van 14 maart 2014 for dual-use goods and technical assistance. The system distinguishes:

- Individual and global licences, with validity determined by the nature of the contract.
- General EU authorisations, which can be used after electronic registration in the Flemish system.

3.3. Belgium

In the **Walloon Region**, the Arrêté du Gouvernement wallon du 6 février 2014 regulates the issuance of licences and the use of the eLicensing system, managed by the Directorate de la gestión des licences d'armes (DLA).

Individual and global licences of two years validity are used, in addition to the use of general EU authorisations with prior registration and annual reporting.

Likewise, these general authorisations have a particular characteristic:

- **Produit visé – Autorisation générale d'exportation de l'Union:** these authorisations do not require a licence. However, prior registration with the Service des Licences de Wallonie is required and such registration must be completed at least 10 days before the goods are dispatched.

Customs authorities or any other supervisory authority may request proof of registration.

In addition, the exporter registered to use the Union General Export Authorisation must provide the Administration, before 31 January of each year, with information relating to exports made under the authorisation during the previous year.

- **Attestation de non-visé:** if the product to be exported is not covered, but the destination is problematic or the customs code of the product is like that of a covered product, a non-covered certificate is required which is valid for 12 months.

In short, the denominations, formats and durations may vary slightly between regions, although they all apply the provisions of Regulation (EU) 2021/821.

Administrative deadlines

There is no guaranteed resolution period. Administrative practice indicates that decisions can take anywhere from a few weeks to several months, depending on the sensitivity of the product and the destination.

Certificates and documentation

Regional authorities may require an EUC, sometimes with authentication by a Belgian Embassy or Chamber of Commerce, depending on the risk of the destination country. Likewise, contracts, technical sheets for classification or financial documentation that accredits the operation can be requested.

Obligations of the operator

The exporter has the primary responsibility for classifying the product in accordance with Annex I of Regulation (EU) 2021/821, based on the fact that it is "*the one who knows best*" the nature of what it is exporting.

In addition, it must notify the authority in the cases of catch-all provided for in Articles 4, 5, 9 and 10 of the Regulation, and attend to warning signs such as inconsistencies in intermediaries, end users or sensitive destinations.

3.3. Belgium

Each region may issue internal compliance instructions and technical guidance.

Supervision and sanctions

Compliance with the export, transit and transfer of arms, defence goods and dual-use goods is mainly monitored by the regional authorities, who coordinate with the federal government on security, foreign policy and international sanctions issues.

- **Brussels-Capital Region:** infringements are punishable in accordance with Articles 56 et seq. of the Ordonnance, with fines or imprisonment for export without authorisation, forgery of documents or failure to comply with conditions.
- In **Flanders**, offences are punishable under Articles 29 to 33 of the 2012 Decree by fines or imprisonment, in accordance with the Federal Act of 11 September 1962 and the Financial Penalties Act of 8 June 2006.
- In **Wallonia**, the penalties provided for in Articles 35 et seq. of the Arrêté include fines, suspension or prohibition from operating, in addition to criminal liability arising from the 1962 Law.

At the federal level, the *SPF Justice* and the *SPF Économie* retain powers under the Weapons Act of 8 June 2006 and the Act of 11 September 1962, which provide for criminal and administrative penalties for offences, embargoes or unauthorised exports.

The three regions cooperate with federal authorities, customs and security forces to implement the EU, UN and OSCE

international restrictive measures, and ensure control of the destination of exported goods.

Conclusion

The Belgian system combines regional competences in export control with a common federal sanctioning framework.

Each region (Brussels-Capital, Flanders and Wallonia) monitors compliance with its licences, conducts inspections and applies administrative sanctions, while the federal state retains criminal power and control over economic and national security measures.

Failure to comply can result in significant fines, suspension of licences or prison sentences, especially in cases of unauthorised export, violation of international embargoes or falsification of documents.

3.4. Bulgaria

Regulatory Framework

The Bulgarian strategic export control regime is regulated by the **Defence-Related Products and Dual-Use Items and Technologies Export Control Act, promulgada en el State Gazette n.º 26 de 29 de marzo de 2011** (*Закон за контрол на износа на продукти, свързани с отбраната, и на стоки и технологии с двойна употреба, обнародван в Държавен вестник № 26 от 29 март 2011 г.*) and in force since 30 June 2012, with successive amendments published in the State Gazette No 26 of 29 March 2011 and in force since 30 June 2012, with successive amendments published in the State Gazette No 56/2012, No 93/2012, No 9/2014 and No 14/2015.

The regulation establishes the terms and procedures applicable to the export, import, transfer, transit, transport and brokerage of defence-related products, as well as the control of dual-use items and technologies. It implements Regulation (EU) 2021/821 (formerly Regulation (EC) No 428/2009) and Directive 2009/43/EC on intra-Community transfers of defence-related products into domestic law.

The Council of Ministers adopts and publishes national lists of defence goods and dual-use items subject to control. In addition, the law provides for the possibility of introducing **Restrictions or prohibitions** when the activities may threaten national security, public order or contravene international obligations.



Competent authority

The Bulgarian system is structured around three main authorities:

Interdepartmental Council for defence Industry and Supply Security (*Междуведомствен съвет по отбраната и сигурността на снабдяването*), dependent on the Council of Ministers:

- Issues licences for the export, import and transport of defence products, recipient certificates, certificates of registration for transfer and certificates for brokerage activities.
- Manage the public register of operators, licences and certificates.

Interdepartmental Commission on Export Control and Non-Proliferation of Weapons of Mass Destruction, attached to the Ministry of Economy:

3.4. Bulgaria

- It grants individual, global or general authorisations for the export, import, transfer, transit and brokerage of defence and dual-use items.
- It monitors the implementation of European Regulations and coordinates cooperation with other Member States and international bodies.

Ministry of Economy

- Registers operators involved in exports, transfers or brokerage activities of dual-use goods and technologies.
- Issues import and transfer certificates and registrations for transit operations.
- List of the personnel involved, with resumes, criminal certificates and notarized signatures.
- Certificate from the National Revenue Agency attesting to the absence of tax debts.
- Declarations of no outstanding obligations or links with sanctioned or infringing organisations or individuals in the field of defence or dual use.
- Information on planned business operations and description of the internal control and compliance system (*internal compliance system*).
- Proof of payment of fees in accordance with Article 71 of the Law.

Only natural or legal persons registered under the Bulgarian Trade Act and established in the country may operate.

Operator registration, requirements

Defence Products

Operators must obtain a **licence** from the **Interdepartmental Council**, with the aim of being registered as exporters or importers of defence products.

The maximum period for resolving these requests is **30 days**. The following documents must be attached to the application, among others:

- Unique identification code (*§ 23 of the Commercial Register Act*).

Dual-use products and technologies

In this case, operators must register as exporters of dual-use items with the **Ministry of Economy**. The application must be accompanied by documentation similar to that required for defence products, given that some of the requirements coincide, as well as the detailed list of dual-use items to be marketed, their categories, destinations and foreign partners.

The maximum period for resolving these requests is **10 days**.

3.4. Bulgaria

Types of licences and authorisations

Licences for defence-related products (arts. 13-31 of the Act):

- **Individual licences:** It is a single export operation licence to a specific country and with a maximum validity of one year, extendable for six months.
- **Global licence:** is a licence intended for multiple operations of a product category and/or with several destinations. It is valid for two years, extendable for an additional year.
- **Transport and transit licences:** are required for the movement of defence products through the national territory or between third countries.
- **Provisional licences:** are licences for the performance of temporary exports or imports (e.g. international exhibitions or fairs).

With regard to the movement regime applicable within the EU, a system of authorisations for intra-Community transfers is established (Articles 31 et seq.):

- **Individual:** they are provided for a specific delivery to a specific recipient, and are valid for two years, extendable for a further year.
- **Global:** It is intended for use for shipments to several recipients or for a single recipient with several categories of products, valid for three years, extendable once.

- **National general:** published by the Ministry of Economy, allow transfers to previously certified recipients in other Member States, to allied armed forces or for demonstration, maintenance or intergovernmental cooperation purposes.

About the authorisations with respect to dual products and/or technologies (chapter three of the Law), the same type of authorisations previously described applies.

It should be noted that this authorisation regime applies to the categories in Annex I and IV of Regulation (EU) 2021/821.

In addition, these exports may be subject to additional controls (“*catch-all clause*”) when there is a risk of use of weapons of mass destruction or for prohibited military purposes.

Administrative deadlines

The competent authority (Ministry of Economy or Interdepartmental Commission) must decide on applications for registration, licence or import certificate within a **maximum period of 30 calendar days from receipt of the complete application.**

The decision adopted must be communicated to the applicant within seven working days of its issuance.

The period may be extended only once for an additional period of up to 30 days, when the complexity of the case or the need to verify international information justifies it.

3.4. Bulgaria

If the administration requests additional information or documentation, the applicant has 60 days to submit it; if this is not done, the procedure may be archived.

In practice, the operator registration (forms 34-35) is usually completed in about four to six weeks.

Certificates and end-destination control

Exporters or importers must present, where applicable, an End-User Certificate (EUC) or an International Import Certificate issued by the competent authority of the destination country.

The Ministry of Economy can issue:

- Defence Product Transfer Certificates (valid for one year).
- Dual-use import certificates (valid for one year).
- Delivery Verification Certificates, valid for six months.

After the completion of the transaction or the expiry of the document, the original must be returned to the Ministry within a maximum period of 14 days.

Document retention

Licence or registration holders must:

- Maintain an internal control system and document traceability.
- Keep documentation relating to all transactions for at least ten years.
- Notify any relevant change in structure, activity or ownership.
- Ensure confidentiality, physical security and technical control of products.

Supervision and sanctions

Control functions are vested in the Interdepartmental Council, the Interdepartmental Commission, the Ministry of the Economy, the Ministry of the Interior, the National State Security Agency and the Customs Agency.

These authorities can carry out inspections at borders, warehouses and operator premises. Likewise, they suspend, revoke or deny licences and registrations in the event of non-compliance or falsification of documents.

Violations are punishable under the Law on Economic Crimes and the Bulgarian Criminal Code, with fines, revocation of registration, disqualification for up to two years from operating and even prison sentences.

3.4. Bulgaria

Conclusion

Bulgaria's system of export controls for defence and dual-use items is one of the most comprehensive in South-East Europe.

It centralizes management in the Ministry of Economy and the Council of Ministers, requires registration and prior licences.

A multitude of types of licences/authorisations are established according to the type of operations, with an extremely formalistic regime and obligations of registration and documentary conservation that allow the competent authorities to carry out a posteriori controls.

3.5. Croatia

Regulatory Framework

The Croatian system of strategic export control is based on a combination of national and European regulations.

In the field of dual-use goods, the current legal basis is the **Act on the Control of Dual-Use Goods** (Official Gazette No 83/2023), which has been in force since 29 July 2023. This law guarantees the application of Regulation (EU) 2021/821, establishing the regime for export control, brokerage, technical assistance, transit and intra-community transfers of dual-use goods, including catch-all cases for unlisted goods, when they can be used for sensitive uses.

The 2023 Act replaces the previous Act on the Control of Dual-Use Items (OG 80/2011 and 68/2013), while maintaining the regulations on licence and certificate application forms until the adoption of new implementing regulations.

The **Ordinance on Dual-Use Licence Application Forms** (OG 44/2014 and 20/2017) develops the practical application of the Act, setting out the forms, the documentation that must accompany applications, the requirements for global licences and the minimum elements of internal compliance programmes (ICPs)).

In the area of military equipment, the applicable regulatory framework is mainly articulated through various regulations with the status of law, namely:



- The **Act on Production, Repair and Trade of Arms and Military Equipment** (OG 33/2002, 173/2003, 146/2008, 17/2019), which requires approval from the Ministry of the Interior for the production and development of military weapons and equipment, subject to NATO standards and quality controls by the Ministry of Defence.
- The **Act on Explosive Substances and the Production and Trade of Weapons** (OG 70/2017, 141/2020, 114/2022), which regulates the requirements for obtaining permits for the production and trade of weapons, including brokering services.
- The **Act on Supervision of Trade of Military Goods and Non-Military Lethal Devices** (OG 80/2013), which establishes the authorisation regime for the import, export, brokerage and technical support of military goods, as well as the conditions and reasons for refusal of permits.

3.5. Croatia

These rules apply in a complementary way to the European Union framework (Common Position 2008/944/CFSP, Directive 2009/43/EC and EU military lists).

Competent authority

The authority responsible for managing licences is the **Ministry of Foreign and European Affairs** (*Ministarstvo vanjskih i europskih poslova*).

This body issues, at the proposal of the Commission for the Control of Dual-Use Goods, export licences for dual-use goods, transit, brokerage, technical assistance, intra-Community transfers and specific transit authorisations or transit prohibitions.

It also issues import, end-use and delivery verification certificates when required by the exporting country or for certain transfers within the EU.

The **Commission for the Control of Dual-Use Goods** is made up of representatives of the competent ministries of foreign affairs, interior, defence, customs and economy, and other bodies may be incorporated as the case may be.

The Commission advises the Ministry on the classification of goods and the end user, verifies internal compliance programmes and participates in monitoring activities.

The **Customs Administration** (*Carinska uprava, under the Ministry of Finance*), is responsible for border controls, transit control and verifying that exports, transfers and

services are carried out in accordance with the licences granted, regularly reporting to the Ministry of Foreign Affairs on the results of its inspections.

On weapons and military equipment:

- The **Ministry of the Interior** grants permits for the production, repair and trade of weapons and certain weapons for civilian use, verifying compliance with security, technical and personal requirements (including the suitability of the person responsible for the enterprise).
- The **Ministry of defence** oversees NATO standards, can inspect the production process and technical documentation, and has a central role in managing sensitive patents for national defence.
- The **Ministry of the Economy** is competent to grant, after the unanimous opinion of an inter-ministerial committee, import, export, brokerage and technical support permits relating to military goods and non-military lethal products.

3.5. Croatia

- The state-owned company **Agencia Alan d.o.o.** it acts as a specialised operator for the import and export of arms and military equipment for the Armed Forces and the Ministry of the Interior and can intervene as a contractor on behalf of producers.

Types of licences

For dual-use items, the 2023 Act distinguishes between several types of authorisation:

- **Individual export and transfer licence (intra-EU)** covers a specific transaction (or limited set of transactions) and a specific recipient. Its maximum validity is one year.
- **The global export licence**, for up to two years, allows multiple export operations with different recipients and/or EU Member States. Its granting takes into account the nature of the goods, the duration of the operations, the country of destination and the existence of an internal compliance programme (IDP) implemented by the exporter.
- **The Large Project Licence**, designed for long-term projects, as defined in Regulation (EU) 2021/821. Its maximum validity is four years.
- Licences for brokerage and technical assistance will be required for the provision of brokerage or technical assistance services linked to dual-use goods, including certain non-listed goods, when they can be used for sensitive uses. Its maximum validity is one year.

- **Transit licences/Transit Prohibition**, the Ministry may require a specific transit licence in particular cases or directly prohibit the transit of dual-use goods (including unlisted goods) when there is a risk of prohibited uses.
- **General Authorisations of the Union**, the Ministry may authorise the use of these Authorisations (EU001-EU008), issuing a prior confirmation of use. The exporter must register at least 20 days before the first use, and the Ministry has 10 days to issue the confirmation. Users of these authorisations must report twice a year (before July 15 and January 15) on the exports made, attaching a copy of the customs declaration.
- **National general licence**, the Law allows the Ministry to issue a national general export licence for certain cases, in accordance with Regulation (EU) 2021/821.

For defence products, the Act on the Supervision of Trade in Military Goods and Non-Military Lethal Goods:

Exports, brokerage activities and technical support with military goods require permission from the Ministry of Economy, based on the unanimous recommendation of the Inter-Ministerial Committee.

3.5. Croatia

In general, permits are valid for a single country of export, have a standard validity of one year, or up to three years in the case of temporary exports. Unlike other regulations, these permits are not renewable and require a new authorisation for a new operation.

When the same type of military good is exported to several countries, a global export licence may be issued with a validity of one year.

Procedure and deadlines

Applications for licences are submitted to the Ministry of Foreign and European Affairs using the official forms laid down in the Ordinance (Annexes I to IV).

All documentation must be written in Croatian or accompanied by a translation by a certified sworn interpreter.

The application must include the duly authenticated end-user certificate or declaration, the product data sheet, the contract or proforma invoice, the authorisation number to carry out the relevant activity, proof of payment of the administrative fee and, in the case of global licences, evidence of an internal compliance programme.

The procedure combines a technical assessment by the Commission with the administrative decision of the Ministry.

The legislation states that **the resolution must be adopted within a maximum of 30 days from the submission of a complete application, or 60 days if additional verifications are necessary.**

In practice, according to data from the Ministry itself, licences are usually processed in an average period of about **15 days**. If the Ministry requests additional documentation, the applicant has **15 days** to correct the deficiencies. In the event that a licence expires without having been used, the exporter must return it to the Ministry within a maximum of **8 days**, accompanied by a brief explanation.

There is no administrative appeal against the Ministry's decisions, although it is possible to lodge a contentious-administrative appeal before the courts.

In the case of military goods, applications are processed with the competent Ministry (Interior, Defence or Economy, depending on whether it is arms production/trade or trade in military goods), usually with the intervention of an inter-ministerial committee at the evaluation stage.

Certificates and end-destination control

Croatia issues various end-destination control documents.

The Ministry may issue, at the request of the exporter or the authority of another country, an **International Import Certificate (IIC)**, an **End-Use Certificate (EUC)** or a **Certificate of Verification of Delivery (DVC)**, in accordance with the Ordinance on the Amendment of Certificate Forms.

3.5. Croatia

Along with the licence application, the exporter must submit the original of the end-user certificate or declaration, the commercial contract, the technical documentation... etc.

After the issuance of the licence, exporters and assistance providers **are obliged to notify each export or service** provided to the Ministry, providing a copy of the licence and **customs declaration within 15 days of the operation.**

The Ministry may also require a confirmation of receipt from the importer, certified by the competent authority of the country of destination, or, in the case of technical assistance, **a report on the work performed**, which must be submitted within 15 days of its execution.

Any relevant change to the end-use, end-user or operating conditions that occurs after the licence has been issued must be communicated in writing to the Ministry within five days of the change occurring or becoming known. In the event of any of these alterations, the Ministry then decides whether the licence is still valid or whether it should be revoked or modified. Until this decision, the licence cannot continue to be used.

Retention of documentation

Exporters of dual-use items, as well as intermediaries and technical assistance providers, must keep records of their operations for at least five years from the end of the calendar year in which the export took place.

The legislation also requires global licence holders to submit semi-annual reports on activities carried out under such licences, using the standard "Export Carried Out Report" form (Izvješće o obavljenom poslu).

Supervision and sanctions

The monitoring and enforcement of the regulations is the responsibility of both the Ministry of Foreign and European Affairs and the Customs Administration.

The authorities may inspect the goods and documentation at the exporter's premises, and use external experts to verify the veracity of the information provided in the application.

The sanctioning regime distinguishes between crimes and administrative offences:

Criminal liability:

- Exporting dual-use goods without a licence, providing brokerage services or technical assistance without authorisation, failing to inform that an asset is dual-use or failing to communicate relevant changes in end-use that may jeopardise Croatia's international obligations or its foreign, security or defence interests, **is punishable by imprisonment for six to five years.**
- If the offence causes the death of several people or extensive property damage, the penalty can be increased to **more than five years' imprisonment.**

3.5. Croatia

Administrative Responsibility:

- Legal entities and individual entrepreneurs **can be sanctioned with fines of between 6,630 and 66,360 euros for exporting or providing services without a licence**, continuing operations after a ban or not reporting changes that affect the licence.
- For other infractions (not registering or keeping documentation, not communicating the use of general authorisations, not reporting on deadlines on exports made, etc.), **the fines range from 6,630 to 13,270 euros for legal entities and individual entrepreneurs, and between 130 and 6,630 euros for individuals.**

In certain cases, a temporary ban on the export of dual-use goods may also be imposed for a period of between six and twelve months.

Conclusion

Croatia implements the Law on the Control of Dual-Use Items (OG 83/2023), the Licensing Forms Ordinance (OG 44/2014, 20/2017) and Regulation (EU) 2021/821.

The Ministry of Foreign and European Affairs issues the licences with the support of an inter-ministerial commission and Customs monitors compliance.

The model integrates a wide range of licences – individual, global, large project, general of the Union, as well as authorisations for brokerage, technical assistance and transit – and establishes defined administrative deadlines of 30 and 60 days.

It also incorporates the obligation to have internal compliance programs in certain cases, a robust system of records, certificates and subsequent controls, and a strict sanctioning regime that provides for prison sentences and large fines.

At the same time, the trade in and production of arms and military equipment are subject to a specific framework involving the Ministries of the Interior, Defence and Economy, as well as the state-owned company Agencija Alan, in order to ensure consistency between internal obligations, Union law and Croatia's international commitments.

3.6. Czech Republic

Regulatory Framework

The regime applicable to export controls in the Czech Republic is regulated by two main regulations, **Law No. 594/2004** (Zákon č. 594/2004 Sb.), on dual-use goods and technologies, while trade in defence materials is set out in **Law No. 38/1994** (Zákon č. 38/1994 Sb.), which is implemented by Decree No. 210/2012 (Vyhláška č. 210/2012 Sb.), which updates and modifies the list of defence products.

Both provisions are complemented by European Union regulations, in particular Regulation (EU) 2021/821, which establishes the common regime for the control of exports, brokering, technical assistance and transit of dual-use items.

Competent authority

The competent authority is the **Ministry of Industry and Trade** (Ministerstvo průmyslu a obchodu – MPO -). It grants export licences, issues directives to operators, manages sanctions and embargoes, as well as exercises control and audit functions related to sensitive goods.

Registration and licensing

In cases of applications for **general Union licences**, the exporter must register with the MPO's Licence Administration Department, completing an application form and providing supporting documentation. The national system provides for **individual authorisations**, to concrete and global operations, spanning multiple countries/recipients and products.



The licence application must be accompanied by a range of documentation, including copies of commercial contracts, declarations by the end-user that they will not use the goods to produce weapons of mass destruction, an updated extract (maximum three months) from the commercial register and other product-specific documents.

Administrative deadlines

The ordinary deadline for resolving complete applications is **30 days**, extendable for a maximum of 60 additional days in justified cases.

3.6. Czech Republic

Certificates and end-destination control

The system uses a receipt control to confirm that the licenced goods are not diverted to third parties. The MPO may require a document proving the correct receipt of the goods, issued by the competent authority of the destination country. Likewise, exporters must report semi-annually, in the first 10 days of the month following each calendar semester, on the use of the authorisation through the MPO electronic form.

Retention of documentation

Operators are obliged to file the documentation of each operation, including invoices, licences, transport and final destination documentation, for a minimum period of **5 years** following the calendar year in which the export or technical assistance took place.

In addition, they must return the authorisation to the MPO once the operation is completed, together with the discharge sheet certified by the competent customs, within a maximum period of 15 days after the expiration of the licence or the conclusion of the export.

Supervision

Customs authorities may hold the goods in case of suspicion and should consult with the MPO, who will decide on further checks.

Sanctions

Failure to comply with the rules may result in criminal and administrative sanctions. These penalties are provided for in the law itself and in the national penal code.

- **Criminal penalties:** imprisonment of three to eight years for exporting without a licence; up to three years for failing to comply with export-related obligations; and up to two years or the prohibition of exercising economic activity for falsifying or omitting information/documentation.
- **Administrative sanctions:** fines of up to approx. €820,000 or confiscation of goods for exporting without a licence, failing to comply with prohibitions, providing technical assistance without authorisation, or providing false, incomplete or incorrect information; and financial fines of up to approx. 20,000 euros for formal breaches, including lack of records, document preservation, incorrect forms, among others.

Conclusion

The Czech Republic operates a dual system for dual-use goods and military equipment, with centralized control in the MPO, which grants licences, monitors final destination, and requires periodic reports. The regime combines strict documentary obligations, customs controls and severe penalties, both criminal (up to 8 years in prison) and administrative (fines of up to 820,000 euros).

3.7. Republic of Cyprus

Regulatory Framework

Cypriot export controls of military equipment and dual-use goods and technologies are governed by two key instruments:

- **Military Equipment:** Regulations on Export, Brokering and the Provision of Technical Assistance in Relation to Controlled Items (Strategic Equipment) of 2011 **Legislative Decree 522/2011** (Κ.Δ.Π. 522/2011).

This Regulation is issued pursuant to Article 21 of the Law on the import and export of controlled articles and the conduct of controlled activities (Law 1 (I)/2011) and transposes the rules of Common Position 2008/944/CFSP, Common Position 2003/468/CFSP and Joint Action 2000/401/CFSP on the control of exports of military equipment, brokering and technical assistance.

The standard covers material included in the European Union's Common Military List (ML1-ML22) and its amendments.

- **Dual-use goods and technologies:** Controlled items and activities (Dual-use Items) Regulations 2021, **Legislative Decree 528/2021** (Κ.Δ.Π. 528/2021), adopted by the Council of Ministers pursuant to Article 21 of the same Law 1(I)/2011, to implement Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021, on export control, brokerage, technical assistance, transit and transfer of dual-use goods.



Both instruments are to be applied in conjunction with Law 1 (I)/2011 and constitute a dual export control system in Cyprus.

Competent authority

The competent authority in both regimes is the **Ministry of Energy, Trade and Industry, through its Department of Commerce** (Διεύθυνση Υπηρεσίας Διεθνούς Εμπορίου, DITS).

The Ministry may convene a **Consultative Commission**, composed of representatives of:

- The Ministries of Defence, Foreign Affairs, Finance (Customs), Justice and Public Order, Labour, Health, Agriculture, Transport, and other technical departments;
- The Cyprus Enquiry Service; and
- The Office of the Attorney General of the Republic.

This Commission advises the competent authority (issues non-binding technical opinions) on the evaluation of licences and on technical or national security issues.

3.7. Republic of Cyprus

Types of licences and scope

Cyprus provides for different types of authorisations:

- **Individual authorisations**, for a given exporter and end-user;
- **Global authorisations**, valid for multiple shipments or recipients;
- **General EU authorisations**, according to Annex II to Regulation (EU) 2021/821.

The 2021 regime covers the export, brokerage, technical assistance, transfer and transit of dual-use goods.

The 2011 Regulations require prior licensing for any export, brokering or provision of technical assistance in respect of military equipment, including the intangible transfer of software or technology by electronic means (fax, telephone, email).

As in the rest of the Member States, certain exports are exempt from authorisation for operations such as: temporary transfers by the Armed Forces of the Republic of Cyprus and operations by international organisations or authorised foreign missions, provided that they are not permanent exports to third countries.

Procedure and deadlines

Applications must be submitted in writing to the Ministry of Energy, Trade and Industry (Υπουργείο

Ενέργειας, Εμπορίου και Βιομηχανίας), on the official forms available on the DINT website. They must include the description of the material or technology, destination country, end user, and supporting documentation (contracts, invoices, technical specifications, etc..).

In the case of military equipment, it is required:

- International Import Certificate or End-User Certificate, and
- Solemn declaration by the exporter undertaking to notify receipt in the country of destination within a maximum period of two months (post-shipment control).

The export licence is valid for six months, extendable for a further six months, and may be suspended, amended or revoked by the competent Minister.

The use of EU general authorisations requires prior registration and approval by the competent authority (DITS), which issues confirmation within ten working days.

Certificates and target control

Cypriot law requires, where appropriate,:

- An **End-User Certificate** issued by the competent authority of the destination country, and
- A **declaration of non-re-export** or diversion of military or dual-use equipment.

3.7. Republic of Cyprus

The authority may require official translation of these documents into Greek and carry out post-shipment checks with the support of other ministries and the Ministry of Foreign Affairs.

Retention of documentation

Exporters, intermediaries, and technical assistance providers must maintain detailed records of all operations, including:

- Contracts, invoices, transport documents, declarations and communications,
- Data on description, quantity, use, and end-user.

These records must be kept for at least seven years and available for inspection by the competent authority or customs.

Supervision and sanctions

Failure to comply with the provisions of the Regulations or Law 1(I)/2011 constitutes a criminal offence, punishable by imprisonment and/or a fine, in accordance with Article 14 of said Law.

In addition, disclosing confidential information related to licences or intergovernmental consultations without authorisation is punishable by up to three years in prison.

Cypriot customs verify the validity of export clearance licences and confirm the execution of the operation, returning the original to the competent authority for archiving and control.

Conclusion

Cyprus has a dual export control system regulated by Law 1 (I)/2011, which distinguishes between military equipment (Κ.Δ.Π. 522/2011) and dual-use goods and technologies (Κ.Δ.Π. 528/2021), in accordance with Regulation (EU) 2021/821).

The competent authority is the Ministry of Energy, Trade and Industry, through the Department of Commerce, with the support of an inter-ministerial advisory committee.

The same licensing structure is established as in the rest of the countries with the particularity that there are no pre-established administrative deadlines.

The only period set by the regulation is the approval of prior registration, validity of licences and conservation of records.

3.8. Denmark

Regulatory Framework

The regulatory framework is constituted by **Executive Order No. 712 of 5 July 2019** (*Bekendtgørelse nr. 712*) on export control, brokering and technical assistance of dual-use goods and technology, in force since 15 July 2019 and repealing the previous regulations of 2005.

It was subsequently amended by Executive **Order or Bekendtgørelse nr. 694 of May 29, 2024**. This regime applies in addition to Regulation (EU) 2021/821, which establishes common control in the European Union.

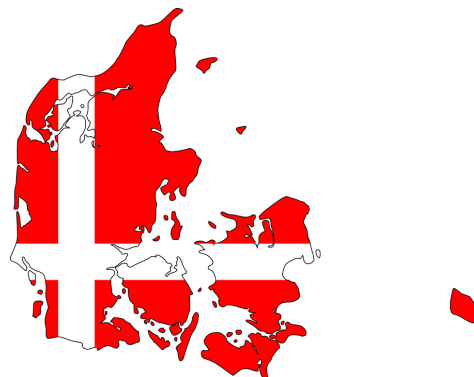
Competent authority

The Danish Business Authority (*Erhvervsstyrelsen*) is the authority responsible for processing export licences, national authorisations and supervising brokerage and technical assistance operations.

It also manages intra-EU transfers of goods included in Annex IV of Regulation (EU) 2021/821. Its decisions may be appealed to the Minister of Industry (*Erhvervsministeren*).

Registration and authorisation

There is no independent prior registration: operators submit the application for authorisation directly in digital format to the Erhvervsstyrelsen. The request must include a declaration of end use.



In specific cases, such as applications relating to certain cyber-surveillance equipment listed in Annex I to Regulation (EU) 2021/821, a declaration signed by the company's management is additionally required.

Licences

The following modalities are contemplated:

- **Individual licence:** issued on a case-by-case basis for a given exporter, product and destination.
- **National general licences:** available under specific conditions, with limited validity in time as defined by the authority.
- **EU Global and General Licences:** in line with Regulation (EU) 2021/821.

Administrative deadlines

The regulations do not establish maximum resolution periods. The procedure is entirely digital and must always be accompanied by the declaration of end use.

3.8. Denmark

The Erhvervsstyrelsen retains the power to suspend, modify or revoke licences when the conditions of their concession vary or non-compliance is detected.

Certificates and documentation

End-use declaration is mandatory in all applications.

The authority may require additional documentation (e.g., internal export control certifications or records of operations). The revocation or modification of a licence is applicable in the event of non-compliance with the established conditions or alteration of the authorisation criteria.

Retention of documentation

Exporters, intermediaries and technical assistance providers are responsible for full compliance with both national regulations and Regulation (EU) 2021/821.

They must maintain internal control systems, keep documentation of operations and be in a position to present it to the authority when required, although the regulations do not establish a specific period of conservation.

Supervision and sanctions

Supervision is carried out by the Erhvervsstyrelsen, which can suspend, modify or revoke authorisations if irregularities are detected. Administrative decisions may be appealed to the Minister of Industry. Although the regulatory framework does not detail specific pecuniary sanctions, it does establish corrective mechanisms of an administrative nature and control measures.

Conclusion

The Danish regime combines European regulations with **Executive Order (Bekendtgørelse) nr. 712**, amended in 2024. It is characterised by mandatory digital processing, the requirement of an end-use declaration in all applications and the possibility of requiring complementary documentation in sensitive cases. Licences can be individual, global or general, with validity determined on a case-by-case basis. The Erhvervsstyrelsen has extensive supervisory and revocation powers, and the system is based on the direct responsibility of the operator, with recourse possible to the Minister of Industry.

3.9. Slovakia

Main regulations

The legal framework governing trade in dual-use goods and technologies is set out in Law No 39/2011 (**Zákon č. 39/2011 Z.z.**), as subsequently amended. In addition, Law No 144/2013 (**Zákon č. 144/2013 Z. z.**) regulates trade in certain products, such as handguns, optical devices, explosives and other specific goods.

The control regime is complemented, in addition to national regulations, by the application of provisions, sanctions and measures adopted by the European Union, the UN and the OSCE.

Competent authority

The Ministry of Economy (MH SR) acts as the national competent authority, responsible for granting, revoking or amending licences, issuing guides and guidance documents, supervising exports and imports of dual-use goods, and imposing penalties for infringements.

Registration and licensing

Only companies established in Slovakia can export dual-use goods and technologies from Slovakia, without requiring prior registration as an exporter.

For the use of **general licences**, both Union and national, the exporter must first register with the MH SR. The national regulatory framework also provides for the granting of individual and global authorisations.



While individual licences are limited to a specific transaction, global licences can cover multiple dual-use items and multiple recipients.

There are also **brokerage licences** reserved for natural persons with permanent residence in Slovakia or for legal persons registered in the national commercial register carrying out the corresponding economic activity.

Administrative deadlines

The maximum period for resolving licence requests is **90 days**. Such applications can be submitted in person or by post and **must be accompanied by the payment of a fee equivalent to 0.2% of the total value of the goods subject to the application**, with a minimum amount of 70 euros and a maximum of 5,000 euros.

Certificates and end-destination control

The licence application must be accompanied by a **declaration of the recipient and end-use**, issued by the competent authority of the destination country.

3.9. Slovakia

In addition, the exporter is obliged to submit a document accrediting receipt of the goods to be exported, issued by the competent authority of the country of destination, within ten days of delivery.

Retention of documentation

Exporters must keep the documentation relating to each operation for a minimum period of **three years** following the calendar year in which the export was carried out.

On the other hand, they must return the licence to the MHSR within 15 days of the completion of the operation, along with a report on the quantity actually exported.

Supervision

The **MHSR**, together with the competent supervisory bodies, monitors regulatory compliance. Failure to comply may result in administrative sanctions and confiscation of property.

Sanctions

Failure to comply with regulations is typified in the law itself, which distinguishes between minor infractions, other administrative infractions and even crimes, imposing the corresponding sanctions depending on the seriousness of the actions.

- **Administrative sanctions: infringements can be fined up to 650,000 euros**, or the amount equivalent to three times the value of the goods (when this is higher), for exporting dual-use goods or technologies; **finest of up to €30,000 for minor infringements**, such as failure

to comply with obligations by the exporter.

- **Criminal sanctions:** when the actions constitute a crime, the penalties will be determined in accordance with the Penal Code, with prison sentences of up to eight years.

Conclusion

Slovakia operates a strict control regime, under the control of the Ministry of Economy, which grants licences, requires end-use guarantees, and monitors exports and imports.

Applications must be accompanied by a fee, depending on the total value of the licenced goods.

The sanctioning regime contemplates fines that can reach up to 650,000 euros or triple the value of the exported merchandise, in more serious cases prison sentences can be imposed.

3.10. Slovenia

Main regulations

The control of exports of dual-use goods in Slovenia is governed by the **Act on the Control of Exports of Dual-Use Goods** (*Zakon o nadzoru izvoza blaga z dvojno rabo – ZNIBDR -*) (*Uradni list RS No. 37/04, 8/10 and 29/23*). This law sets out the national measures applicable in areas not directly regulated by European Union law, and covers trade control, transit, brokerage, technical assistance and the issuance of import certificates, end-use and delivery verification.

The national legislation implements the provisions of Regulation (EU) 2021/821, on export control, brokerage, technical assistance, transit and transfers of dual-use items.

The most recent regulatory development is the **Regulation on Procedures in the Field of Export Control of Dual-Use Items** (*Uredba o postopkih na področju nadzora izvoza blaga z dvojno rabo; Official Gazette No 132/23*), adopted by the Government of the Republic of Slovenia and entered into force on 6 January 2024.

This text details the procedures for granting licences and certificates, cooperation between authorities, due diligence rules, the register of general authorisations of the Union, compliance procedures and the reporting obligations of exporters.



For military equipment, the **defence Law** (*Zakon o obrambi – Zobr -*, *Official Gazette No 103/04 – consolidated text, mod. 95/15 and 139/20*) establishes the legal basis for the competences of the Ministry of Defence (MORS) in the field of control and supervision of exports of defence material. This standard requires: prior consent for the production (including of components) and permission for the trade, export, import or transit of arms and military equipment.

MORS must report annually to the Government on permits issued and holders may be subject to additional obligations in wartime.

This Defence Act is developed through the *Regulation on Consents for Production and Permits for Trade in Arms and Military Equipment and Prior Authorisations for the Import, Export, Transit and Transfer of Defence Products*, which includes subcategories of permits, conditions for issuing certificates of reliability to recipients in Slovenia, and the reasons for limiting or revoking permits.

3.10. Slovenia

In general, production consent and trading permits are issued indefinitely, while permits for specific operations are granted per operation or set of operations.

In addition, the **Arms Act** (*Zakon o orožju*) regulates the acquisition, possession, carrying, trade and transfer of weapons for non-military use, in line with EU regulations, including permit requirements for cross-border trade and transfers of arms and ammunition.

As a supplementary framework, the **Law on the Control of Strategic Goods of Special Importance for Safety and Health** regulates the production and trade of certain strategic goods (chemicals, microorganisms, toxins, equipment and technologies capable of use in weapons of competent authority) or obtaining a permit, when required, normally valid for up to **five years**, renewable.

Competent authorities

The main authority is the **Ministry of Economic Affairs, Tourism and Sport** (Ministrstvo za gospodarstvo, turizem in šport). This ministry processes licences, permits and certificates and applies national and European regulations on dual use.

The Commission for the Control of Exports of Dual-Use Goods coordinates and supervises the practical implementation of controls, acting as an advisory and inter-ministerial body.

Slovenian customs physically control exports and transfers of dual-use items within the national territory, ensuring correspondence with issued licences.

For weapons and military equipment, the competent authority is the Ministry of Defence (MORS), which grants production consents, trade permits, and prior authorisations for import, export, transit and intra-EU transfers of defence products, within the framework of the Defence Law and its implementing regulations.

Types of licences

Export licences and permits are processed with the Ministry of Economy, Tourism and Sport, in accordance with Regulation (EU) 2021/821 and the Law on the Control of Exports of Dual-Use Goods (ZNIBDR).

There are three main types of licences:

- **Individual:** this type of licence is intended for a recipient and one or more specific goods or technologies. Also applicable to technical assistance or brokerage.
- **Global:** This type of licence is intended for the export of different types or categories of products to several countries. It requires an internal compliance program (ICP).

3.10. Slovenia

- **European Union General (EU001-EU008):** This type of licence applies to destinations and product categories defined in Regulation (EU) 2021/821. Requires a registered ICP.

Applications are submitted through the Ministry's electronic licensing system and must be accompanied by the documentation required by the European Regulation and national regulations: technical description of the good, destination and end user, end-use certificate, and any information on intermediaries or transit.

For defence products, the Regulations implementing the Defence Law provide:

- Production consent,
- Trade permit,
- Individual permission for a specific operation,
- Intra-EU transfer permit.

Production consent and trading permits are generally granted for an indefinite period, while permits for specific operations are issued for a particular transaction or set of transactions.

There are no administrative deadlines provided for in the law for the resolution of applications. The applicable fees are governed by the legislation on administrative fees.

End-Use Certificates and Control

Licence applications must include an End-User Certificate written in Slovenian and English, no more than six months old.

The Ministry may, at the request of the exporter or importer, issue:

- An International Import Certificate (IIC); or
- A certificate of verification of delivery (CVD/DVC), in accordance with Article 4 of the Regulation on Procedures (Official Gazette No 132/23).

Monitoring and compliance

Slovenian customs control exports and transfers of dual-use items within the national territory, verifying correspondence with the licences issued.

The Ministry may impose the licensing obligation by direct decision on the exporter. Licence holders must keep detailed records of their operations and keep them for at least 10 years, in accordance with national regulations and Regulation (EU) 2021/821.

Enhanced due diligence measures are in place for exports of cyber surveillance products and in cases of risk of diversion or misuse.

3.10. Slovenia

Sanctions

Failure to comply with control obligations is punishable by fines of between 1,200 euros and 125,000 euros for legal persons.

The heads of companies, individual entrepreneurs or individuals can be sanctioned with fines of 120 euros to 4,100 euros, for infractions such as:

- Export or support without a licence,
- Failure to inform the Ministry of a possible prohibited use,
- Misuse of a general Union authorisation,
- Failure to retain required records,
- Carrying out prohibited transit or exporting without authorisation after being warned by the competent authority.

In addition to fines, the competent authority may temporarily or permanently prohibit the use of certain licences (including general Union licences), limit the possibility of obtaining new licences and impose other corrective measures provided for in sectoral legislation.

Conclusion

Slovenia fully implements Regulation (EU) 2021/821 through its National Regulation No 132/23, in force since 6 January 2024, which implements export control procedures for dual-use goods and cyber surveillance items.

This text regulates the granting of licences and certificates, due diligence, internal compliance programmes (ICPs) and cooperation between the Ministry of Economy, Tourism and Sport, the Ministry of Defence, customs and other bodies involved in the implementation of the European Union's common control regime.

3.11. Spain

Regulatory Framework

The legal framework that regulates export control is found in **Law 53/2007 (Ley 53/2007)**, applicable to defence material, as well as dual-use goods and technologies.

On the other hand, Royal Decree 679/2014 (Real Decreto 679/2014) regulates the procedures, types of licences and establishes certain obligations. This national implementing regulation also develops the provisions of Regulation (EU) 2021/821 on dual use.

Competent authority

Although the competent authority to resolve applications is the Ministry of Industry, Tourism and Trade, there is a collegiate decision-making body, **Junta Interministerial Reguladora del Comercio Exterior de Material de Defensa y de Doble Uso (JIMDDU)**.

This has functions of supervision and prior evaluation of all authorisations and their corresponding applications, registrations in the register of exporters, issuance of reports, among others.

Registration and licensing

Operators wishing to carry out export, dispatch, import, introduction or brokerage of defence material, other material or dual-use goods and technologies must register, in advance, in the **Registro Especial de Operadores de Comercio Exterior de Material de Defensa y de Doble Uso (REOCE)**.



Registration in the REOCE is an essential requirement to be able to apply for any authorisation within the framework of foreign trade control, including the cases in which the "catch all" clause provided for in Law 53/2007 and Regulation (EU) 2021/821 is applicable.

The registration process is carried out at the electronic headquarters of the Secretary of State for Trade and is a prerequisite for the submission of applications for licences/authorisations.

The national regulatory framework provides for the following types of licences:

- **Individual licences**, used for a specific recipient/country, with a maximum validity of 12 months (extendable);
- **Global licences**, which authorize unlimited exports for multiple recipients/countries, up to a maximum set value; y,
- **Global project licences**, with similar characteristics.

3.11. Spain

On the other hand, and with respect to intra-Community movements, the following types of authorisations may be granted:

- **General Union authorisations**, in accordance with European regulations;
- **Brokerage authorisation**, and lastly,
- **Prior agreements**, used in pre-contractual phases, and which do not authorise the clearance of the goods.

Administrative deadlines

Registration in the REOCE

Once the application for registration has been submitted in form, the Secretary of State for Trade, following a mandatory report from the JIMDDU, must decide within a maximum period of **sixty working days** from its submission. Likewise, the applicant must communicate the modifications to the data provided within thirty working days.

Licences and authorisations

In relation to export, import or brokerage licences and authorisations, the regulatory framework establishes a **maximum period of six months** for their resolution, with negative silence operating if no express resolution is issued within the period.

It should be noted that both the Working Group and the JIMDDU hold meetings monthly, and this fact cannot be interpreted as a deadline for the resolution of applications for registration in the REOCE or licences, nor as a time limit for administrative decision-making.

Certificates and end-destination control

Applications for licences must always be submitted with the so-called control documents where the authorities of the country of destination or, where appropriate, the importer, certify that said destination will be the destination and final use of the product.

National legislation provides official models, such as Last Destination Declarations (DUDs), for dual-use goods and technologies; or an International Import Certificate (CII), which is signed by the competent authorities of the destination country. Although, as long as it is considered appropriate, additional documentation can be requested.

In certain cases, the exporter may be required to provide a document attesting that the licenced material has been imported into the country of destination.

Retention of documentation

Exporters are obliged to file the related documentation for a period of 4 years from the expiration of the validity of the licence in case of eventual inspections.

In addition, exporters of dual-use goods and technologies are subject to control measures, in particular to keep detailed records or extracts of their activities.

3.11. Spain

Supervision

The Secretary of State for Trade, together with the national customs authorities, is responsible for inspecting and controlling the movements of dual-use goods and technologies, defence material or others.

Sanctions

In relation to these types of goods, technologies and materials, Organic Law 12/1995 (LO) on the Suppression of Smuggling and Organic Law 10/1995 are applicable, which establishes the Criminal Code and regulates both the regulatory framework applicable to administrative and criminal sanctions.

– **Administrative punitive measures:**

Administrative offences of smuggling will be punished with a pecuniary fine proportional to the value of the goods, always with a minimum value of 500 euros and up to 350% of the value.

- **Criminal sanctions:** This type of sanctions will be applicable in those cases in which the customs value of the exported or imported goods exceeds 50,000 euros and provided that an unauthorised export has been carried out, among others, it is classified as a crime of smuggling, which is punishable by prison sentences of one to five years and a fine of six times the value of the goods.

Conclusion

In Spain, the control of foreign trade in defence material, other material and dual-use goods and technologies is articulated through Law 53/2007 and its implementing regulations, the application of which corresponds to the JIMDDU and the Secretary of State for Trade.

The performance of operations subject to control requires, in advance, registration with the REOCE, as well as obtaining the corresponding licence or authorisation where appropriate. Both the registration procedure and the processing of authorisations may require significant deadlines, given the technical nature and inter-ministerial assessment inherent in the system.

Failure to comply with the control regime may lead to administrative sanctions, including fines and the suspension or revocation of registrations and authorisations. When the facts fit into the cases of smuggling provided for in the applicable criminal and administrative legislation, custodial sentences may be imposed.

3.12. Estonia

Main regulations

The regulatory framework is set out in the **Strateegilise kauba seadus** (7 December 2011, RT I, 22.12.2011, 2), which regulates the export, transit, brokering and control of dual-use goods and strategic goods.

The management and registration of operations is carried out centrally through the **Stratlink** electronic platform, which acts as a one-stop shop for operators and authorities.



Competent authority

The Commission for the Control of Strategic Goods (Strateegiliste kaupade komisjon), an inter-ministerial body chaired by the Minister of Foreign Affairs, is responsible for evaluating applications and issuing licences.

The technical processing work is channelled through the Department of Strategic Goods of the Ministry of Foreign Affairs (*Välisministeeriumi strateegiliste kaupade büroo*).

Registration and authorisation

In order to use general licences, companies must register as operators with **Stratlink**. There is also the possibility of applying for a **strategic goods company certification**, which certifies compliance with conformity requirements, although it is not mandatory if the company already has equivalent accreditation in another EU Member State.

In addition, all information relating to the transport of strategic goods must be entered in the national database. A key detail is that the **use of general licences is reserved exclusively for legal entities established in Estonia**.

Licences

There are numerous types of licences:

- **Individual:** it is granted for a specific operation with a specific recipient. Validity: up to 1 year.
- **Global:** Covers multiple transactions with multiple countries and recipients. Validity: up to 3 years.
- **General:** applicable to broad categories of transactions, with unlimited validity. It can only be used by operators registered and certified in Estonia.
- **Transit:** applicable to the transit of strategic goods through the territory of Estonia. Validity: up to 6 months.

3.12. Estonia

- **Intermediation:** obligatory for the brokering and intermediation operations, even if the goods physically do not leave Estonia.
- **Transfer:** required for certain transfers within the EU.

All the licence applications must be filed online via *Stratlink* and are subject to review for a fixed administrative fee.

Administrative deadlines

The Commission must resolve the request within **30 working days** of receiving the complete documentation. This deadline may be extended if additional information is required, informing the applicant of the reasons and the new expected date of resolution. Once the operation is authorised, the licence is issued within a maximum period of **5 working days**.

Certificates and documentation

Regarding the need to provide certificates or any type of documentation, the following obligations are established:

- **Brokerage:** mandatory for brokerage or brokerage operations, even if the product does not physically leave Estonia.
- **Transfer:** required for certain movements within the EU.

In general, an **End-User Certificate (EUC)** is required, which in some cases must be signed by a state authority.

International import certificates and receipts are also used, in accordance with internationally recognised models.

Retention of documentation

Companies must keep all documentation relating to each transaction (invoices, licences, transport contracts, end-user certificates) for **10 years**, counting from 1 January of the year following the transfer.

Supervision and sanctions

Any non-compliance with export controls could lead to the imposition of administrative or criminal sanctions:

- **Minor infractions:** fines of up to 640 euros.
- **Serious offences:** These would be penalties under the Estonian Criminal Code, including possible prison sentences depending on the nature and severity of the offence.

3.12. Estonia

Conclusion

The Estonian regime stands out for its high degree of digitalisation and centralisation, for the mandatory use of the **Stratlink** platform and a flexible licensing system, with **well-defined durations adapted to the nature of the operation** (from 6 months to indefinite validity in general licences).

They are distinguished by the existence of clear administrative deadlines (30 days to decide, 5 days to issue) and by the requirement of documentary traceability for a decade.

The sanctioning regime includes the possibility of criminal sanctions, reflecting the severity that Estonia applies controls on strategic goods.

3.13. Finland

Main regulations

Finnish export controls on defence materiel and dual-use goods and technologies are governed by two main instruments:

- **The Law on the Control of Exports of Dual-Use Items (500/2024)**, in force since 15 September 2024, which develops and supplements Regulation (EU) 2021/821 of the European Parliament and of the Council; y
- **The Law on the Export of Defence Material (282/2012)**, applicable to the export, transfer, brokering and transit of military equipment in accordance with the Common Military List of the European Union (ML1-ML22).

Law 500/2024 repeals Law 562/1996 and introduces a national control list that complements the list in Annex I to Regulation (EU) 2021/821.

Both laws are implemented in coordination with the Administrative Procedure Act (434/2003) and the Criminal Code (39/1889, chap. 46), which provides for penalties for export control violations.

Competent authority

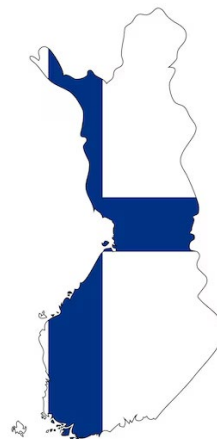
The competent authority for dual-use items is the **Ministry of Foreign Affairs** (Ulkoministeriö), through its Export Control Unit, which is responsible for:

- Issue individual, global and national general licences;
- Processing binding prior decisions;
- Impose conditions, revoke, or suspend licences;
- Monitor compliance with reporting obligations and impose periodic penalty payments (uhkasakko).

Finnish Customs (*Tulli*) supervises the export, transit and transfer of dual-use items and brokerage and technical assistance services.

In the field of defence, the competent authority is the Ministry of Defence, which grants export, transfer, brokerage and transit licences.

In cases of particular political or strategic relevance, licences are decided in a plenary session of the Finnish Government (Art. 20).



3.13. Finland

Both ministries participate in bodies of permanent cooperation: on the one hand, the **Advisory Council on Export Control** (Vientivalvontaneuvottelukunta) chaired by the Ministry of Foreign Affairs, and on the other hand, the **Working Group on Exports of Defence Material**, under the Ministry of Defence.

Types of licences and scope

The Finnish system provides for the following modalities:

- **Individual licence**, valid for a specific exporter, end-user and operation.
- **Global licence**, which authorizes multiple operations under specific conditions; their use must be notified annually to the Ministry of Foreign Affairs.
- **National General authorisation (F1001)**, which allows the export of certain items listed on the national list to designated countries, upon notification to the Ministry within 30 days of the first export.
- **European Union General Licences**, in accordance with Annex II to Regulation (EU) 2021/821.

In the area of defence, Law 282/2012 provides for export, transfer, transit and brokerage licences, which may be individual, global or general.

Global transfer licences are valid for three years and renewable, while general licences are officially published and remain in effect until revoked.

The use of general transfer licences requires **prior registration** with the Ministry of Defence, the approval of which is accredited by a **certificate of registration**.

Procedure and deadlines

Applications are submitted electronically to the Ministry of Foreign Affairs, accompanied by the information and documentation required by Regulation (EU) 2021/821 and Law 500/2024.

The Ministry may issue a binding **advance decision determining whether an operation requires authorisation**. This authorisation is valid for one year except for substantial changes or falsehood in the information.

In the case of the **transit of dual-use items**, when an authorisation obligation is imposed, the operator has a period of **90 days from the notification to apply for the licence**.

From 1 January 2025, administrative fees apply: €190 for individual licences and €900 for global licences or their extension.

The Act does not set a general maximum time limit for the resolution of individual or global licence applications.

3.13. Finland

Certificates and end-destination control

The Ministry may require an **End User Statement** and, where appropriate, additional information on the destination and use of the goods.

In the field of defence, the Ministry of Defence may **require an end-user certificate or certificate for use in its own production** and verify the reliability of the recipient by means of a certificate of reliability valid for a maximum of **five years**.

Retention of documentation

Exporters, brokers and technical assistance providers **must keep detailed records of their operations for at least five years**, in accordance with Regulation (EU) 2021/821 and Article 9 of Law 500/2024.

Global or general licence holders **must submit annual reports to the Ministry of Foreign Affairs on their use**, and defence licence holders must submit **semi-annual reports** on exports or transfers made. Failure to submit such reports constitutes an offence punishable under Chapter 46 of the Finnish Criminal Code.

Supervision and sanctions

Finnish Customs may detain goods in the event of a suspected infringement and must notify the Ministry, which decides on their return, prohibition or destruction.

The Ministry or Customs may impose **periodic penalty payments** (*uhkasakko*) to ensure compliance with notification or reporting obligations.

The Ministry of Foreign Affairs and Customs have the right to exchange information with other national authorities, even when it is confidential, as well as to transmit data to foreign authorities or international bodies provided that it does not contravene the national interest.

Offences are punishable in accordance with Criminal Code 39/1889, Cap. 46, sections 1-3 and 12.

Conclusion

Finland maintains a dual and centralised export control system like that of other Member States, but with some distinctive features. There is a national control list and a national general authorisation (FI001) as well as a list of defence materiel under the authority of the Ministry of Defence.

Unlike other systems, Finland allows binding **prior decisions valid for one year and establishes a 90-day deadline for applying for traffic licences**, as well as periodic reporting obligations and the possibility of imposing **periodic penalty payments**.

3.14. France

Regulatory Framework

The French regime is based on a principle of general prohibition: all operations with war materiel (manufacture, trade, import, export, transit) are prohibited unless expressly authorized.

The regulatory basis is found in the **Code de la sécurité intérieure (categories A and B)**, the **arrêté of 27 June 2012 (lists of defence equipment and similar items)**, and Regulation (EU) 2021/821 for dual-use goods. The framework is systematized in the **Mini-guide du contrôle export (2022)**.



Competent authority

- **DGA** (*Direction générale de l'armement*): classification and processing of A2/ML licences.
- **SCAE** (*Service central des armes et explosifs*, Ministry of the Interior): A1/B/C/D rating.
- **CIEEMG** (*Commission interministérielle*): Collegial analysis of applications.
- **SGDSN/Douanes**: adopts the final decision and notifies.
- **SBDU** (*Service des Biens à Double Usage*, Ministry of Economy and Finance): dual-use competent; sensitive cases are referred to the CIBDU (*Interministerial Commission on Dual-Use Goods*).

Registration and authorisation

Before applying for a licence on the **SIGALE** platform, the operator must be registered in the "opérateurs" and maintain an inventory of "matériels" (equipment, software, documents or services). For categories (A/B) an AFCI (manufacturing/trade/brokering) authorisation is also required).

Types of licence/authorisation

There are different types of licences/authorisations depending on the type of operation planned:

- **Individual**: this is a licence provided for a specific contract, with a limitation on quantity or amount and a validity period of up to 3 years.
- **Global**: this is a licence intended for the performance of multiple operations, materials and destinations, with no limit on quantity/amount and with a maximum validity of 3 years, renewable by tacit renewal.

3.14. France

- **General:** these are licences established by *arrêtés in the Journal officiel* (e.g. LGT FR 101-110, LGE FR 201). They require prior declaration in SIGALE and registration number. Some with additional conditions (CERTIDER, reports, etc.).
- **ATMG/AIMG:** these are specific authorisations for the transit or import of war materiel.

Product classification

A peculiarity of the French system lies in the fact that before applying for a licence, the exporter can apply to the *Direction générale de l'armement* (DGA) to obtain a **classification decision** (*demande de classement*).

As a result of this prior decision, it will be determined whether the property in question should be considered war material (subject to national regulations and control by the CIEEMG) or whether it falls into the category of dual-use item under Regulation (EU) 2021/821.

The classification offers prior legal certainty and serves as a binding reference in subsequent files.

The usual resolution period is about 15 days, except in technically complex cases that may require additional analysis.

Administrative deadlines

Once the classification of the materials has been validated, the application goes through the CIEEMG and then through the SGDSN/Douanes, which is the one who makes the final decision.

There is no legally guaranteed deadline for this cycle, although the government target set in the *Mini-guide du contrôle export* is to reach an average of 22 days from the submission of the application in SIGALE.

As for the duration of the licences, individual licences can be extended up to three additional years, while global licences are automatically renewed.

Certificates and documentation

The French system requires strict documentation. The *Certificat de non-réexportation (CNR)* is mandatory for certain licences, with the particularity that it must be transmitted to the administration in the case of individual licences, while for global and general licences it is sufficient to keep it on file. In some cases, authentication by a defence attaché is also required.

Since 2017, certain transactions must be accompanied by proof of arrival using the CERFA 15649 form. In addition, in projects with sensitive technology transfer, an obligation to develop an *Information Security Plan* (PASI) may be imposed.

Obligations of the operator

The operator must process all its procedures through the SIGALE platform and always in French. It is not permitted to accept orders or transmit technical information without a licence, even in cases of temporary demonstrations.

3.14. France

Retention of documentation

It is mandatory to submit half-yearly reports on the activity (before 1 September and 1 March), even if no transactions have been carried out, in which case an "état néant" is submitted.

In addition, there is an obligation to keep all documentation and certificates associated with the licences.

Supervision and sanctions

The French regime gives considerable weight to *a posteriori* control.

This can be done through documentary verification (*sur pièces*) or through on-site inspections (*sur place*). The Ministerial Committee for Ex-Post Control (CMCAP) may impose corrective measures, such as strengthening internal controls or requiring training, and has the power to suspend, modify or revoke licences. When serious violations are detected, the case may be referred to the prosecutor.

Conclusion

The French system is characterised by a highly structured inter-ministerial framework and the use of the SIGALE electronic platform, which centralises all procedures.

The diversity of licences (individual, global and general), the requirement of biannual reports and the recurrent use of certificates such as the CNR or the proof of arrival are defining features.

Supervision focuses on post-licence checks, with a sanctioning framework that combines corrective measures and formal sanctions.

Although the average processing target is 22 days, the involvement of multiple authorities gives the procedure a significant degree of administrative complexity.

3.15. Greece

Main regulations

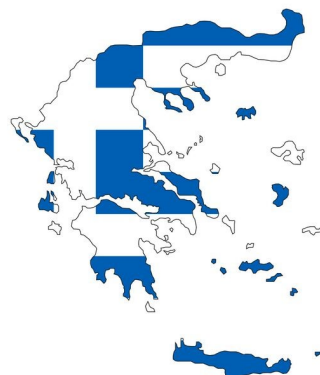
Greek export controls on military equipment and dual-use goods and technologies are governed by two main regulatory frameworks:

- **Military equipment: Law 2168/1993** ("Regulation of matters relating to weapons, ammunition, explosives and other devices") amended by Law 4028/2011, which incorporates the control of military materials listed in Article 1 and in the Common Military Catalogue of the EU.
- **Dual-use goods and technologies: Ministerial Decision 121837/E3/21837 (ΦΕΚ Β' 2182/2.10.2009)**, adopted by the Ministry of Economy and Finance, transposing Regulation (EC) No 428/2009 and regulating the export, transfer, brokering and transit of dual-use items.

Both instruments are issued pursuant to the provisions of Regulation (EC) 428/2009 (now 2021/821), Council Joint Actions 2000/401/KEΠΠΑ and Recommendation 2009/C11/01 on the control of technical assistance and good practice on end-user certificates.

Competent authority

The authority responsible for granting, suspending or revoking licences for the export, transit or brokerage of dual-use goods is the Directorate of Import-Export and Trade Defence Regimes of the Ministry of Economy and Finance.



In the field of military equipment, the Ministry of National Defence is responsible for the competence, specifically the Directorate-General for Armaments and Defence Investment (ΓΔΑΕΕ), which acts as the authority responsible for the processing and supervision of licences related to defence programmes and contracts.

Types of licences and scope

Greece contemplates different types of authorisations:

- **Individual authorisations**, valid for an exporter, an end-user and a limited product or set of goods.
- **Global authorisations**, which allow multiple shipments or recipients under a single licence.
- **General Community authorisations** applicable to the destinations approved in the Community Annex.

3.15. Greece

The licences cover both physical exports and intangible transfers of software or technology by electronic means.

In the military field, exports must correspond to products included in the Common Military Catalogue of the European Union (ML1-ML22) and require express approval from the Ministry of Defence. The control extends to transit, intermediation and technical assistance, including *brokerage* activities, which can only be carried out with specific authorisation.

Procedure and deadlines

Applications are submitted to the competent authority with the required documentation (standard forms and technical data).

The procedure includes verification of the use and end-user, as well as verification that the destination does not contravene the criteria of Common Position 2008/944/KEΠΠΑ on human rights, regional stability and diversion prevention.

The decision does not set out specific maximum time limits for authorisation or refusal.

Certificates and end-destination control

The Greek system does not impose a single end-user certificate format, but an End User Certificate may be required as a condition for granting the licence, in accordance with Council Recommendation 2009/C11/01.

Retention of documentation

Exporters and intermediaries must keep detailed records of their operations, including invoices, contracts, means of transport and electronic communications, which allow the type, quantity and destination of goods to be identified.

These records must be kept available to the inspection authorities for a minimum period of **three years**, in accordance with the administrative and customs control rules in force.

Supervision and sanctions

Failure to comply with the provisions or conditions of the licence constitutes an offence punishable under the **Criminal Code and Law 2168/1993** and may result in imprisonment and fines. Submitting false or incomplete information to obtain an authorisation invalidates the licence from its issuance.

The competent authorities (Ministry of Economy, Customs and Ministry of Defence) can carry out documentary or on-site inspections and audits to verify compliance with the regulatory framework.

3.15. Greece

Conclusion

Greece operates a dual and coordinated system of export controls, both regimes (military equipment and dual-use goods/technologies) require prior authorisation.

Traffic, brokerage and technical assistance are controlled, and registration, traceability and verification obligations are established.

Unlike other systems, administrative deadlines are not expressly included.

3.16. Hungary

Regulatory Framework

The export control regime for dual-use goods and technologies in Hungary is set out in **Government Decree No. 13/2011 on the Authorisation of Foreign Trade in Dual-Use Items** (13/2011. (II.22.) Korm. Rendelet a kettős felhasználású termékek külkereskedelmi engedélyezéséről), which implements Regulation (EU) 2021/821.

In the field of defence, the production, marketing and provision of services related to military products – weapons, ammunition, explosives, military vehicles, criminal investigation equipment, intelligence devices and other equipment for military use or for a coercive purpose – is governed by **Act CIX of 2005 and Government Decree 156/2017, which establish a specific licensing regime for defence-related industrial and commercial activities.**

Likewise, in nuclear matters and nuclear dual-use items, **Government Decree No. 144/2011 on nuclear goods and technologies and nuclear dual-use** (144/2011. (VII.18.) Korm. Rendelet).

These standards define the requirements, licences, controls and responsibilities of foreign trade with dual-use products and strategic technologies, in line with international non-proliferation regimes (Australia Group, MTCR, NSG, Wassenaar Arrangement, Zangger Committee, CWC, NPT and BTWC).



Competent authority

The national control authority is the **Department of Trade, Defence Industry, Export Control and Precious Metals Testing** (Kereskedelmi, Hadipari, Exportellenőrzési és Nemesfémhitelesítési Főosztály) of the Office of the Government of the Capital City of Budapest (Budapesti Főváros Kormányhivatala) for export registration and control.

This body acts as a management, control and licensing authority, in addition to supervising compliance with obligations, cooperates with the competent ministries in foreign policy, defence, economy and the interior.

All procedures are carried out free of charge and electronically through the Hungarian government platform.

Registration

Any natural or legal person wishing to carry out operations subject to 13/2011. (II.22.) Korm. rendelet must be registered as an authorized exporter with the *Budapesti Főváros Kormányhivatala*.

3.16. Hungary

Registration is processed electronically through the national system. To complete the registration, it is required:

- EORI number.
- Applicant's identity document.
- Document proving the signature of the authorized person on behalf of the company.
- Adószám (tax number / VAT).
- Belső megfelelési program / ICP – optional, except for global licences.

Licences

The Hungarian licensing system distinguishes the following dual-use types:

- **Individual export licence:** valid for one year, extendable for another, provided that the application for extension is submitted at least 30 days before expiry. In the case of products subject to sanctions, the maximum validity is six months.
- **Global export licence:** requires an approved CIP and the submission of semi-annual reports of the operations carried out. It is valid for three years, extendable for an additional year.
- **EU General Licence:** applicable to exports that meet the requirements of Annex II to Regulation (EU) 2021/821.

- **National general licence:** provided for in the decree, although it is not currently in use. There is an obligation to submit reports to *Budapesti Főváros Kormányhivatala* twice a year: before 31 January and 31 July.

In defence:

- **General activity licence:** authorising the production, storage, maintenance, destruction, transfer of know-how or provision of services related to defence equipment.
- **Operation-specific licence:** for a specific foreign trade transaction.

In addition, **certain activities require additional licences or permits**, including trading licences, to negotiate contracts in this area with third-country entities, licences for transfer and brokerage activities, as well as transit licences.

If the company holding a defence industrial activity licence changes ownership by more than 25%, or is extinguished by legal succession, it must apply for a **new licence** before continuing the activity.

Companies producing defence equipment can obtain a **reliability certificate** issued by the competent authority, recognised by other Member States. This certification allows you to benefit from the general transfer licensing regime.

3.16. Hungary

Deadlines and administrative obligations

Applications are submitted electronically using the official forms available online. The resolution period is 25 days from the receipt of a complete application.

An *End-User Certificate* (EUC) must be attached for dual-use items. Any relevant changes to the data declared in the EUC or certificates of delivery must be notified within 8 days.

Commercial documents (contracts, invoices, transport documents) must expressly indicate that the products are subject to the export control regime.

Finally, companies holding global licences must submit semi-annual reports to the National Tax and Customs Authority by January 31 and July 31.

Certificates and end-destination control

Exports require the presentation of an *End-User Certificate* (EUC) or equivalent document that guarantees legitimate end-use and non-re-export without authorisation.

In the case of imports of products subject to control by the exporting country, the *Budapesti Főváros Kormányhivatala* may issue a *Nemzetközi importbizonyítvány* (International Import Certificate) or a *Szállítási igazolás* (Delivery Certificate), which must be submitted to the customs authority for validation at the time of clearance.

Any changes to the details of the EUC or delivery certificates must be notified to the competent body within a maximum period of 8 days.

Supervision

The National Tax and Customs Authority (*Budapesti Főváros Kormányhivatala* and the *Nemzeti Adó- és Vámhivatal*) are empowered to carry out prior, periodic or subsequent inspections of controlled operations, PIC audits, as well as physical checks on premises and warehouses.

Companies must allow inspectors access to the premises and provide all documentation related to exports or transfers. In case of infractions, the authority can suspend or revoke the corresponding licence, in addition to imposing administrative or criminal sanctions.

Sanctions

There is a dual sanctioning regime in which administrative sanctions and criminal sanctions are provided for.

As for the **administrative sanctions**, these would be the following:

- HUF 100,000 – HUF 5,000,000: for providing false information, failing to comply with declaration or registration obligations, misapplying the CIP, or violating international sanctions.

3.16. Hungary

- HUF 500,000 – HUF 5,000,000: for placing dual-use items or chemicals on the market in violation of the licence.
- HUF 5,000,000 – HUF 10,000,000: where the infringement affects Hungary's foreign or security policy interests.

As for the **penalties of a criminal nature**, these would be the following:

- 1 to 5 years in prison for exporting dual-use items without a licence.
- Up to 8 years for nuclear materials or banned chemicals.
- Up to 10 years for violation of embargoes or international sanctions.

Conclusion

Hungary applies a system fully harmonised with Regulation (EU) 2021/821, managed by the *Budapesti Főváros Kormányhivatala* through *Kereskedelmi, Hadipari, Exportellenőrzési és Nemesfémhitelesítési Főosztály* (Department of Trade, Defence Industry, Export Control and Precious Metals Testing).

The model stands out for its digital processing and without fees and the existence of short administrative deadlines (25 days).

Of particular relevance is the requirement of traceability through end-user certificates and half-yearly reports, with a strict sanctioning regime being applicable.

3.17. Ireland

Main regulations

The applicable legal framework is the ***Control of Exports Act 2023*** (No. 27 of 2023), which replaced the 2008 law. This text gives internal effect to Regulation (EU) 2021/821 on dual-use items and Common Position 2008/944/CFSP on the export of military equipment, as well as regulating brokerage, technical assistance, transit and intra-EU transfers of strategic goods.



Competent authority

The system is managed by the *Minister for Enterprise, Trade and Employment*, which is the sole authority for exports of military and dual-use equipment. There is no prior registration of operators: the authorisation is obtained directly by granting an authorisation. The Minister may establish practical procedures (forms, electronic portal, etc.) by means of secondary legislation.

Licences

The Irish regime provides for authorisations for all sensitive activities:

- **Military equipment:** export, brokerage and transit authorisations, based on the national list aligned with the *EU Common Military List*.
- **Dual use:** authorisations under Regulation (EU) 2021/821, complemented by national catch-all measures, which allow unlisted products to be licenced when there is a risk of use in WMD or military purposes.

- **Brokerage and technical assistance:** subject to authorisation when they affect military equipment or dual-use items.
- **Intra-EU transit and transfers:** regulated with special attention to goods in Annex IV of the European Regulation.

As for the validity periods, individual authorisations are usually of a one-off nature, while global or brokerage authorisations can reach several years, as determined by the Minister in each case. There is no single deadline set in the law, which provides flexibility, but it also requires the operator to always verify the specific duration set out in the authorisation.

Deadlines and procedure

The Act requires the Minister to decide on applications "*as soon as may be*", i.e., as soon as possible, without setting an exact time limit. In sensitive cases, the authority may limit the reasons for the decision for reasons of national security.

3.17. Ireland

For dual-use brokerage operations, there is an obligation to give 60 days' notice; after that notice, the Minister may require a formal licence.

The system includes internal and external resources:

- **Internal review:** Must be requested within 14 days, and resolved within 21 days.
- **Appeal to adjudicator:** it is initiated within 30 days and the adjudicator may refer with instruction to resolve in an additional 30 days.

Certificates

The Minister may require End-User Certificates (EUC) as a condition of authorisation and regulate their format. **licences must retain documentation for 5 years**, notify any material changes within 30 days, and submit additional reports if required. authorisations are strictly personal and non-transferable.

Sanctions

The sanctioning regime is strict:

- **Serious offences (exporting, brokering or transiting without a licence):** summary class A fine and up to 6 months' imprisonment, or, on formal charges, up to €10 million or three times the value of the transaction (whichever is greater), plus up to 5 years' imprisonment.

- **Other infractions (non-compliance with registration, reporting, falsehood, obstruction):** fines of up to 50,000 euros and up to 3 years in prison. Liability extends to legal persons and their managers in the event of collusion or gross negligence.

Conclusion

Ireland concentrates strategic export management in a single ministry, operates without prior registration of operators and extensively regulates both military equipment and dual-use items, including brokerage, technical assistance and transit.

They highlight the obligation of prior notification in sensitive transactions, an appeals procedure with clear deadlines and one of the most severe sanctioning regimes in the EU.

3.18. Italy

Main regulations

The national framework is regulated by **Legge 185/1990**, in its subsequent and updated versions, as well as by **Legislative Decree 221/2017**, which ensures the adaptation of national regulations to the requirements of European Union law. There is also a guiding document, the **Vademecum R.N.I.**, which contains instructions and general information applicable to defence material and armaments. Finally, **Decree 90/2010 of the President of the Republic** regulates the National Register of Companies.

Competent authority

In Italy, the competent authority is the **Ministry of Foreign Affairs and Cooperation (MAECI)**, through the unit created for this purpose, *Unità per le Autorizzazioni dei Materiali di Armamento* called **UAMA**. This is responsible for the control and management of authorisations for both defence material and dual-use goods and technologies.

Registration and licensing

Only companies registered in the **National Registry of Companies (RNI)** may export, import, transit or intermediate weapons materials. The registration is valid for **three years** and must be renewed six months before its expiration. In addition to the required documentation, **an annual contribution of 500 euros is required**. The commission in charge of resolving the registration meets every sixty days.



The UAMA is the authority responsible for issuing licences. These can be **individual**, for a specific operation valid for six to twelve months; **global**, for multiple shipments to one or more recipients; **general**, applicable to certain categories of products or recipients, after notifying the UAMA; **global projects**, linked to international defence programmes and, finally, **transit and brokerage programmes**.

Administrative deadlines

Applications for licences must be resolved within **30 days**. In relation to registrations to the RNI, the Commission meets for deliberations every 60 days.

On 31 March of each year, the Government must submit to Parliament a detailed report on the operations authorised, revoked and refused.

3.18. Italy

Certificates and end-destination control

Operators must present, together with the application, an **End-User Certificate (EUC) or equivalent**, guaranteeing end-use and non-re-export without authorisation from the Italian authorities. The lack of adequate guarantees on the final destination prevents the granting of authorisations.

National authorities may require the exporter to provide proof of the correct delivery of licenced goods.

Registration and retention obligations

Global licence holders must report to the relevant ministry on the operations carried out within 180 days of their conclusion.

However, all operators must **file documentation** relating to dual-use goods and technologies, as well as military equipment, for a minimum period of **five years**, for inspection purposes. Global licence holders are required to submit semi-annual reports on transactions carried out.

Supervision

The competent authorities may inspect the exporter's documentation and/or facilities at any stage of the operation, in order to verify regulatory compliance.

Sanctions

All exports, including intangible exports, without the corresponding licence can be punished with prison sentences of up to six years and fines of between 25,000 and 250,000 euros.

Less serious offences, such as failure to comply with the conditions of a licence, may also carry prison sentences and monetary fines. Only those conducts that do not constitute a crime are punishable by an administrative fine of up to 20,000 euros.

Conclusion

Italy has a rigorous and centralized control system at the UAMA, which requires prior registration with the RNI and the obtaining of licences for all operations. The regime is characterized by strict requirements for authorisation, control of the final destination, information obligations and documentary archiving, together with a severe sanctioning framework that combines pecuniary fines and custodial sentences.

3.19. Malta

Main regulations

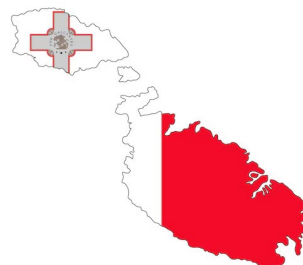
Maltese export controls on military equipment and dual-use goods and technologies are governed by two rules:

- **Military Equipment Regulations, Subsidiary Legislation 365.13**, in force since January 1, 2002 (*Legal Notice 269 of 2001*), as amended by Legal Notices 376/2003, 168/2006 and 425/2007; y
- **Dual-Use Items Regulationes, Subsidiary Legislation 365.12**, adopted by Legal Notice 416/2004 and amended by the Legal Notices 425/2007 y 300/2013.

Both regulations are issued under the **National Interest Act** and establish the obligation of prior authorisation for the export, transit and brokering of military equipment or dual-use goods, including intangible shipments of software or technology by electronic means.

Competent authority

The competent authority in both regimes is the **Director responsible for trade**, or the official designated by him, with the power to grant, refuse, suspend, modify or revoke export, transit or brokerage authorisations. The Director acts in consultation with the **Minister responsible for Trade** and, for customs purposes, with the **Minister responsible for Customs**. All exports must be accompanied by an **authorisation**, which must be presented to customs when the export declaration is formalized.



Licences

The Maltese regime provides for **individual, global or general authorisations** for both military equipment and dual-use goods.

Both frameworks allow the Director to impose specific conditions, set an expiration date and revoke the authorisation in the event of non-compliance. The control extends to goods in transit, brokerage services and technical assistance with possible military use. Brokers must be licenced to act and authorized for each specific operation.

Procedures and deadlines

Applications are submitted in the established forms (Second Annex or model of the corresponding Annex), accompanied by all the information required by the Director.

The Director has **90 working days** to resolve applications for the export or brokerage of dual-use goods, which may be extended for a further 90 days in justified circumstances.

3.19. Malta

Broker licence applications are resolved within **60 working days (extendable by 30)**.

Within **30 days of the first export**, the exporter must notify the Director of his name and the address where the records will be kept, as well as any subsequent changes.

Certificates and end-destination control

The regulatory framework does not impose a single **end-user certificate** format, but the Director may require a declaration of use and end-user as a condition for the granting of authorisation. Customs may require documentary proof of such authorisation upon clearance.

Registration and retention obligations

Exporters and brokers must maintain detailed records of their operations (invoices, transport documents, electronic communications, etc.) with sufficient information to identify description, quantity, exporter, consignee, use, and end-user.

These records must be kept for at least three years from the end of the calendar year of operation and made available to authorized personnel for inspection.

If records are kept on electronic or non-readable media, they should be reproducible in a readable format where required.

Supervision and sanctions

Failure to comply with the conditions of an authorisation or the obligations established in the Regulations constitutes a crime, punishable by up to five years in prison or a maximum fine of 116,468.67 euros.

Submitting false or misleading information to obtain an authorisation invalidates the document from its origin and is equally punishable.

Conclusion

Malta maintains a dual and coordinated system of export controls. Both regimes (military materiel and dual-use goods/technologies) require prior authorisation from the Director, provide for transit control, brokerage and technical assistance, and impose stringent registration, notification and inspection obligations.

The Maltese framework strengthens traceability, the prevention of military or proliferation uses, and the protection of the national interest, in line with the EU framework.

3.20. Latvia

Main regulations

The control of strategic goods in Latvia is governed by the **Law on the Circulation of Goods of Strategic Significance**, adopted on 21 June 2007 and amended several times.

This regulation establishes the legal principles for the export, import, transit, brokerage, intermediation and provision of services related to strategic goods.

The legal framework is complemented by **Cabinet of Ministers Regulations No. 645/2007**, as consolidated in February 2024, which contains the **National List of Goods and Services of Strategic Importance**.

The system incorporates the provisions of Regulation (EU) 2021/821 on dual-use items, Common Position 2008/944/CFSP and international control lists (MTCR, Wassenaar Arrangement, AG, NSG).

The system complies with international non-proliferation commitments (WA, MTCR, NSG, AG, CWC, BTWC, NPT, ATT) and implements **Regulation (EU) 2021/821** on dual-use items and **Directive 2009/43/EC** on intra-community transfers of defence products.

Competent authority

The law is implemented by the **Strategic Goods Control Committee**, an inter-ministerial body under the Ministry of Foreign Affairs.



The Committee examines applications, issues export, import, transit and brokerage licences, and coordinates the exchange of information with the Ministry of Defence, the Ministry of Internal Affairs, the State Security Service, the State Police, the Customs Administration and other sectoral authorities.

Each type of property may require authorisation issued by the specialized agency:

- **Nuclear or radioactive material:** Radiation Safety Centre of the State Environmental Service.
- **Military equipment and armaments:** Ministry of defence.
- **Firearms and explosives:** State Police.
- **Surveillance or interception equipment:** State Security Service.

Only companies registered in Latvia and authorized to operate in goods of strategic importance can apply for licences.

3.20. Latvia

Operators must meet reliability requirements and a track record of compliance, especially for military assets or sensitive technologies.

Licences

The Latvian system includes several types of licences and permits, adapted to the type of product and destination:

- **Individual licences:** authorize specific export, import or transfer operations to a specific end user. They are granted after documentary and security verification of the operator and the recipient.
- **General licences:** allow multiple operations within the categories and destinations defined by the Committee or by European Union regulations. They are valid for a maximum of one year, and are reserved for operators without prior infringements.
- **Special commercial licences:** regulate the marketing of equipment and software included in the National List of Goods and Services of Strategic Importance, such as defence material, interception software or surveillance technologies. They are valid indefinitely, but require an extension of their annual registration with the Committee.
- **Sector-specific permits:** Certain categories of goods require sectoral licences issued by the competent authorities (nuclear, military, explosives or technical surveillance).

The Committee may impose additional conditions, such as restrictions on destination, end-use or transport, and may suspend licences for reasons of national security or non-compliance with international commitments.

Procedure and deadlines

Applications must be submitted to the Control Committee, accompanied by technical and contractual documentation and, where applicable, the end-user certificate or delivery verification certificate. The general decision period is 30 working days from the complete receipt of the request, extendable in complex cases or when the participation of other institutions is required.

General and commercial licences can be renewed after the validity period has expired and the applicant's compliance history has been reviewed. In turn, it highlights that administrative fees set by the Cabinet of Ministers are applied for the processing of licences and permits.

Certificates and end-destination control

Any export or transfer of strategic goods requires an End-Use Statement or equivalent document, drafted in English and signed by the end user, validated by the competent authority of the destination country.

In cases of high risk or military equipment, the Committee may require a *Delivery Verification Certificate*, which confirms the actual receipt of the goods in the authorized country.

3.20. Latvia

On the other hand, for imports into Latvia, the verification certificate can be issued by the Customs Administration, which acts as the national enforcement authority.

Registration and retention obligations

licencees must maintain complete records of all operations performed, including contracts, licences, invoices, transportation documents, end-use certificates, and business correspondence.

The documentation must be kept for a minimum period of three years from the completion of the transfer.

The Control Committee, the Customs Administration or the law enforcement authorities may at any time require the submission of these records for verification or audit.

Sanctions

Compliance with the control regime is monitored in a coordinated manner between the Control Committee, the State Police, the Customs Administration and the relevant ministries.

Administrative offences are punishable by fines of between 56 and 600 fine units, which may include confiscation of property or revocation of licence.

Serious violations – such as exporting without a licence, falsifying certificates, or violating international embargoes – can constitute a

crime under the Criminal Code of the Republic of Latvia, with prison sentences and disqualification from operating with strategic goods.

The Committee may deny or suspend licences where there are risks to national security or non-compliance with international treaties.

Conclusion

Letonia dispone de un marco jurídico fuerte y actualizado que regula de forma exhaustiva el comercio y tránsito de bienes estratégicos.

The Committee for the Control of Assets of Strategic Importance centralizes the management of licences and coordinates inter-agency cooperation.

licences can be individual, general or special commercial, valid for up to one year or indefinite with annual review, and the resolution period is 30 business days. Document traceability is required for three years, as well as end-use control by means of certificates.

3.21. Lithuania

Main regulations

The Lithuanian legal framework for the export, import, transit and brokering of strategic goods is based on the **Law on the Control of Strategic Goods** (*Law on the Control of Strategic Goods, 5 April 1995, No. I-1022, as amended by Law No. X-545 of 2006*). This law is complemented by **Government Decree No. 932/2004** (*in its 2020 consolidated version*), which approves the Rules on Export, Import, Transit, Brokerage and Intra-EU Shipment Licensing of Strategic Goods and the Rules on End-Use Control and Certification.

The system complies with international non-proliferation commitments (WA, MTCR, NSG, AG, CWC, BTWC, NPT, ATT) and implements **Regulation (EU) 2021/821** on dual-use items and **Directive 2009/43/EC** on intra-community transfers of defence products.

Competent authority

The primary authority is the Ministry of Economy and Innovation, which is responsible for issuing export, import, transit, brokerage, and intra-community shipping licences.

Control is exercised in a collegial manner with an inter-ministerial commission made up of representatives of the Ministries of Defence, Foreign Affairs, Interior (Police and Arms Fund), Energy, Environment, Health, Agriculture and the Department of State Security, among others.



Licences

Applications are processed electronically through the **STATLES** system, which allows the management, monitoring and communication of licences and certificates. Likewise, operators may act directly or through a proxy duly accredited by the Ministry.

The Lithuanian system clearly distinguishes between licences for dual-use items and for military equipment:

Dual use

- **Individual export licence:** for single operations; requires contract, End-Use Certificate and international import certificate. Validity: 1 year.
- **Global licence:** for multiple exports to multiple recipients; it requires a six-monthly report and, preferably, an Internal Compliance Programme in accordance with the Commission's recommendations (EU 2019/1318). Validity: 2 years.

3.21. Lithuania

- **General licence or ministerial authorisation:** for categories and destinations defined in Regulation (EU) 2021/821.
- **Brokerage licence:** for brokerage operations with dual-use goods, based on contractual documentation and end-use validation.

Military equipment

Decree 932 regulates a wide range of licences:

- **Individual export and import** (ordinary or temporary for repair, demonstration or trade fairs).
- **Global export and import certificates**, valid for two years.
- **Transit licence**, mandatory for passage through Lithuanian territory.
- **Brokerage licence**, which authorizes brokering between third-country parties.
- **Intra-EU licences for the shipment of military equipment, which can be individual, global or general.** The general ones cover categories such as: sending to the armed forces of another Member State, certified companies, demonstration and evaluation, maintenance or fairs. Validity : 3 years on general intra-EU shipping licences and up to 2 years or less on temporary licences (repair, demonstration) if specified.

Procedure and deadlines

According to Law and Resolution 743/1997, upon receipt of the application, the **Ministry of Economy has 5 working days to verify the integrity of the documentation.** Once complete, **you must resolve within a maximum of 25 working days.**

In the old framework (still cited as a reference), the evaluation by the expert group could take up to 50 days, but Decree 932/2020 consolidated more agile deadlines under **STRATLES.**

Licences are issued in three copies: original for customs, copy A for the operator and copy B for the Ministry. In case of refusal, the **operator can appeal within 10 days.** Likewise, **leaves may be extended upon written request submitted 20 days before their expiration.**

Certificates and end-destination control

End-use control is articulated through several instruments:

- **Import Certificate:** certifies the destination and commitment not to transfer imported strategic goods; issued by the Ministry of Economy, valid for six months.
- **End-Use Certificate (EUC):** completed by the end user and validated by the importing country authority; mandatory for exports of military or dual-use equipment.

3.21. Lithuania

- **Statement of End-Use:** alternative document accepted when the importing country does not issue formal certificates.
- **For the Lithuanian Armed Forces,** the EUC is issued by the Ministry of Defence; and for weapons for civilian use, the Arms Fund of the Ministry of the Interior.

Registration and retention obligations

licencees must keep a detailed record of contracts, licences, invoices, transportation, and certificates for at least 5 years (Law art. 11 § 1-2). They must also report on the use of global licences every six months, notify changes in the contract or in the end user, return unused or expired licences and immediately report their loss or modification.

Sanctions

Supervision is exercised jointly by the Ministry of Economy and Innovation, State Customs and national security authorities.

Violations are punishable in accordance with the Code of Administrative Offences and the Criminal Code of the Republic of Lithuania, and may involve heavy fines, revocation of licences and prison sentences for cases of unauthorised export, falsification of documents or deliberate non-compliance with international restrictions.

The Ministry may also suspend or revoke licences when national security risks, documentation inconsistencies or breaches of international non-proliferation commitments are detected.

Conclusion

Lithuania has a system fully aligned with the European strategic export control regime and managed digitally through STRATLES. Its structure combines individual, global and general licences, together with mandatory end-use certificates and a rigorous documentary regime. The administrative deadlines are clear and the sanctioning framework and interministerial control guarantee compliance.

3.22. Luxembourg

Main regulations

Luxembourg's control of exports, transfers, brokering and transit of goods and technology is governed by the **Law of 27 June 2018 on the control of exports, transfers, brokering and transit of dual-use goods and defence material**, which transposes Regulation (EU) 2021/821 (and its predecessors, 428/2009 and 1334/2000) on dual-use goods, as well as Common Position 2008/944/CFSP and Directive 2009/43/EC on defence products.

Competent authority

The competent national authority is the **OCEIT (Office for the Control of Exports, Imports and Transit)**, under the Ministry of the Economy, which is responsible for receiving, evaluating and granting export, re-export, transfer, transit and brokerage authorisations.

The Ministry of Foreign and European Affairs participates in decisions on sensitive destinations or products, while the Ministry of Defence can intervene when it comes to military equipment.

The Ministry of Finance assists in the implementation of financial sanctions and embargoes, especially with regard to the consolidated EU and UN sanctions lists.

Types of licences and scope

The Luxembourg system provides for the following types of licences:



- **Individual authorisation:** granted to an exporter for a specific end-user or consignee, normally valid for **one year**.
- **Global authorisation:** allows multiple transactions with certain goods and recipients, valid for up to **three years**.
- **European Union General Export Authorisation:** applicable to goods and destinations specified in Annex II of Regulation (EU) 2021/821.

The control also covers, as in the rest of the Member States, the transit of dual-use goods or defence material through Luxembourg territory; brokerage activities carried out by persons or entities established in Luxembourg, even if the goods do not pass through its territory; and technical assistance that may contribute to the development or use of controlled material.

3.22. Luxembourg

Procedure

Applications are submitted to the **OCEIT** using the official forms available on the portal guichet.public.lu in its "*companies/import-export/exportation*" section.

As in the rest of the national systems of the Member States, the data required are the technical description and customs and export control classification of the good, end-user certificate or declaration, information on destination and intended use, and, where appropriate, the licence of the exporter or intermediary.

Administrative deadlines

The standard processing time is **60 working days** from receipt of a complete file, extendable for an additional **30 days** if the case requires consultations or supplementary information.

If the file is incomplete, the Ministry will require the necessary documentation or information, suspending the calculation of the period until the receipt of the required elements. Failure to respond within the established deadlines does not imply automatic concession or concession by positive silence, express resolution is needed.

Certificates and end-destination control

The legislation does not impose a single model end-user certificate (EUC), but **OCEIT** may require it as a condition for granting authorisation, along with declarations of use and destination.

Registration and retention obligations

Exporters are required to maintain document traceability and records of all operations subject to authorisation, including contracts, licences, invoices, and transport documents. Such records must be kept for at least **three years** from the end of the year in which the export or service took place, and kept available to OCEIT and designated authorities for inspection.

Sanctions

Failure to comply with the obligations set out in the 2018 Act constitutes a criminal or administrative offence, punishable by: imprisonment and/or heavy fines, confiscation of goods exported without authorisation and revocation or suspension of licences in progress.

Conclusion

In Luxembourg, the **OCEIT** acts as a one-stop shop and coordinates foreign policy and security decisions with other ministries.

Luxembourg has a system aligned with the European export control regime. Its structure combines individual, global and general licences, setting deadlines, being in any case necessary to obtain an express resolution, there being no single model of certificate.

3.23. Netherlands

Main regulations

The Netherlands strategic export control regime is set out in the **Strategic Goods Decision** (*Besluit strategische goederen*), adopted on 24 June 2008 and in force as amended.

This regulation develops the **Algemene Douanewet** and implements Regulation (EU) 2021/821 on dual-use items (formerly Regulation 428/2009) and Directive 2009/43/EC on intra-Community transfers of defence-related products into domestic law.

The text also incorporates provisions on brokerage control, technical assistance and transit of military equipment, as well as *catch-all* measures for non-listed goods when there is a risk of use in weapons of mass destruction or for military purposes.

Following the Commission's **Gedelegeerde Verordening (EU) 2025/2003** (8 September 2025), the Netherlands has had to adapt its internal rules to incorporate a significant extension of the EU dual-use list (Annex I to Regulation 2021/821).

This is executed by means of the **Regeling of November 20, 2025** (STCRT 2025, 38653), which:

- It completely repeals the **Regeling aanvullende controlematregelen op de Verordening producten voor tweërlei gebruik** (Article I).



- Replaces the technical list of the **Regulation on Advanced Semiconductor Production Equipment** (Article II).
- It establishes a transitional regime for existing licences, which are now based on Article 12 of Regulation (EU) 2021/821 (Article III).

In this way, most of the additional Dutch national controls are incorporated directly into the EU system, eliminating duplication and ensuring uniformity.

Competent authority

The 2025 novelties do not modify the distribution of powers, but they do generate new administrative tasks for the conversion of existing licences to align them with the European framework.

The competent authority is the Ministry of Economic Affairs and Climate (Ministerie van Economische Zaken en Klimaat) which exercises the central management of the system, including export, transit, transfer and operator recognition licences.

3.23. Netherlands

The *Centrale Dienst voor In- en Uitvoer (CDIU)*, under the same ministry, processes applications, issues authorisations and administers the register of operators.

Only natural or legal persons established in the country and recognized as "*beschikkingsbevoegden*", i.e. holders with legal capacity to dispose of military assets, can operate.

Registration is mandatory in order to use general licences, and the first use of such a licence requires a formal application for registration and simultaneous notification to the CDIU.

Registration obligations also do not change after the 2025 reform, but licences previously granted under the regulations must be reinterpreted as EU licences (art. 12 of Regulation 2021/821).

Licences

The *Besluit* distinguishes between individual, global and general authorisations, applicable both to the export and to the transfer or transit of military equipment.

- **General licences:** they are established by ministerial regulation and allow operations to predefined destinations and products. They may include specific conditions or restrictions, and the Minister may exclude specific operators on grounds of national security or public order. Use requires prior registration and notification prior to first shipment.

- **Global licences:** these are granted upon request and allow multiple operations with different recipients or product categories. It is valid for three years, extendable after ministerial review. May include periodic reporting and audit requirements.
- **Individual licences:** are granted for a specific operation, with a duration determined on a case-by-case basis. The application is evaluated considering the type of material, the destination and the end user, and conditions or restrictions may be imposed.
- **Transit licences:** mandatory for the passage of military equipment through Dutch territory, except in cases of non-stop air or sea transit, or between allied countries (EU, NATO, Australia, Japan, New Zealand or Switzerland). The Minister may require a licence or notification even in these cases if required by international commitments or the protection of essential national security interests.

In the 2025 reform, the general military licences are not modified, but the licences for dual-use items derived from the repealed rules are now fully governed by Regulation (EU) 2021/821.

That is, licences that previously covered products included in the *Regeling aanvullende controlemaatregelen or parts of the Regeling geavanceerde productieapparatuur* automatically become EU licences under Article 12 and remain valid for the remaining period.

3.23. Netherlands

Procedure and deadlines

The procedure is formalized by ministerial regulation and provides for specific deadlines for certain acts:

- Recognition of the recipient as a trusted recipient must be resolved within a maximum of **16 weeks**.
- Global licences are granted for **three years**, with the possibility of renewal.
- Use of general licences requires prior **notification prior** to first use.

Decisions are governed by the *Algemene wet bestuursrecht* (General Law on Administrative Procedure), which guarantees the possibility of appeal and administrative review.

The authority, after the 2025 modification, states that the conversion of licences will be carried out ex officio by Customs, without requiring new applications from companies.

Certificates and end-destination control

The system allows the recipient within the EU to obtain "*erkenning*" (recognition) as a reliable recipient, in accordance with Article 9 of Directive 2009/43/EC.

The recognition is valid for **five years**, and its award is published in the *Staatscourant*. The Netherlands automatically recognises equivalent certificates issued by other states of the European Economic Area.

Although the **Besluit** does not expressly mention a Certificate of Final Destination (EUC), the Minister may require end-use guarantees when justified by reasons of national security or international commitments.

Continuing with the implications of the 2025 amendment, the relevant changes of the replacement of national regulations mean that controls on advanced semiconductor equipment and certain technological products will now be governed by the definitions, technical notes and categories of Annex I of the Regulation (EU) that applies.

Registration and retention obligations

licencees must maintain rigorous documentary control. They must inform recipients of the conditions and limitations of the licences, report regularly on their use and keep all documentation for at least **seven years**, in accordance with **Article 10 of Book 2 of the Dutch Civil Code**.

They are also obliged to communicate any relevant changes in their situation or in the authorized operation and to provide the information required by the CDIU for verification and audit purposes.

Sanctions

The *Besluit strategische goederen* does not lay down its own criminal penalties, but refers to the general Dutch criminal and administrative legislation, in particular the Wet op de *economische delicten* (Law on Economic Crimes).

3.23. Netherlands

Violations – such as exporting or transferring without a licence, breaching the conditions imposed or falsifying information – can be punished with severe fines, administrative disqualification and prison sentences.

In addition, Article 28 of the **Besluit** provides for the possibility of refusing or withdrawing licences if the operator does not comply with the integrity requirements laid down in the *Wet bevordering integriteitsbeoordelingen door het openbaar bestuur (Wet Bibob)*, which makes it possible to assess risks of corruption or illicit links before authorising sensitive transactions.

Conclusion

The Dutch strategic export control system is one of the most structured in Europe. It centralizes management in the Ministry of Economic Affairs, requires prior registration to operate with general licences and combines individual, global and general licences with clear document traceability.

The recognition of trusted recipients lasts for five years, and global licences for three years. The regulation reinforces transparency and integrity through administrative controls, public review of recognitions and the possibility of exclusion for security reasons.

A significant reform resulting from the update of the European dual-use list is incorporated into this consolidated framework in November 2025.

Firstly, **there is the elimination of autonomous national controls**: the *Regeling aanvullende controlemaatregelen* is completely repealed when all its products are incorporated into Annex I of Regulation (EU) 2021/821, and the licences that depended on it are now considered EU licences under Article 12 of Regulation (EU) 2021.

Secondly, a reform of the control of advanced semiconductor production is carried out: only those pieces of equipment that have not been added to Annex I remain under national regulation, while the new **Bijlage** completely replaces the previous list and introduces updated technical descriptions.

As a practical consequence, an automatic conversion of licences is established whereby Customs replaces all existing authorisations ex officio and harmonises the previous SG-codes with those of Annex I of the European Regulation, without this entailing an increase in the administrative burden for companies. Finally, the reform enters into force on November 15, 2025, with the possibility of retroactive effect until that same date if the official publication occurs later.

Overall, the **Besluit strategische goederen** ensures a balance between facilitating legitimate trade and protecting the Netherlands' essential defence, security and compliance interests.

3.24. Poland

Main regulations

The regime is based on the **Law of 29 November 2000 on foreign trade in goods, technologies and services of strategic importance** (Ustawa z dnia 29 listopada 2000 r. o obrocie z zagranicą towarami, technologiami i usługami o znaczeniu strategicznym) and its regulatory development. The law defines object, controls, registrations and responsibilities for the obrót towarami o znaczeniu strategicznym (dual-use items and weapons), all within the framework of European regulations, Regulation (EU) 2021/821.

Among others, it establishes national lists (by regulation – *rozporządzenie* -) and allows additional restrictions by country based on security, defence or international commitments.

On the other hand, the **Law of 13 June 2019** on the exercise of economic activities in the field of production and circulation of explosives, weapons, ammunition and products and technology for military or police use, regulates the control of the circulation of these materials. This regulation requires a concession granted by the Ministry of the Interior and Administration to be able to operate in these areas. Such a concession can only be applied for by entrepreneurs or companies registered in Poland, whose directors, proxies and partners ($\geq 20\%$ of the capital or voting rights) meet certain personal requirements (EU, Swiss or EFTA citizenship, or certain residence statuses).

The frame is completed with:



- **The Order of the Minister of Development and Technology of 4 June 2024** on the list of military equipment subject to licence, which sets out the catalogue of military equipment subject to authorisation, considering the type of operation and international lists, particularly the EU Common Military List. This order incorporates Delegated Directive (EU) 2024/242, which amends Directive 2009/43/EC as regards the common list.
- The **Law of 26 June 2014** on certain agreements linked to contracts of fundamental importance for national security, which regulates industrial compensation agreements (offset) in key armament contracts.
- The **Law of 10 July 2015** on the Military Property Agency, which establishes the regime for the transfer, sale or donation of State movable property, dual-use goods and armaments to foreign armed forces.

3.24. Poland

Competent authority

The **competent authority** (organ kontroli obrotu) **is the Minister of Economy** (minister właściwy do spraw gospodarki, currently the Ministry of Development and Technology - MRiT - Ministerstwo Rozwoju i Technologii), which decides on licences and maintains the registration (*rejestr*).

The process involves the **consultative authority** (*organy opiniujące*) including the Ministry of Foreign Affairs, Interior, Finance, **SKW, SWW, ABW, AW** and, in the nuclear field, the **Państwowa Agencja Atomistyki**. The ABW also acts as a monitoring body for reporting and follow-up.

In the field of defence business activity, the authority granting concessions is the Minister of the Interior and Administration, in application of the Law of 13 June 2019. In addition, the Military Property Agency acts, at the discretion of the Minister of National Defence or the Minister of the Interior and Administration, as the entity responsible for selling or transferring dual-use goods and weapons that are no longer needed by subordinate units.

Before granting a licence, the Ministry may require additional documentation and the opinion bodies have the power to request clarifications directly from the applicant.

The law covers the entire cycle of strategic operations (export, import, transit, intermediation, technical assistance and intra-EU transfer where appropriate).

Registration and licensing

There are the following types of licences:

- **Individual licence:** for a specific operation and specific purpose.
- **Global licence:** covers categories of goods/services with multiple recipients; Also applicable to certain cases of *Uzbrojenie* (armaments) in intra-EU transfer, brokering and technical assistance.
- **General national licence:** allows operating without the need to apply for an individual or global licence for each operation, within its scope; requires prior notice of initiation.

For the arms trade (*Uzbrojenie*) an individual licence or a general national licence is always required; intra-EU transfers authorised in another Member State are valid in Poland.

Licence applications require a *wewnętrzny system kontroli* (internal compliance plan) certified in accordance with ISO 9000, valid for three years.

Deadlines and final destination control

- Resolution of complete applications: 30 days (extendable to 60 days in justified cases).
- *Wyjaśnienie wiążące* (binding clarification on the need for leave): 3-month period, extendable to 6 months in justified cases.

3.24. Poland

Certificates and end-destination control

Export or transfer may require an import certificate (*certyfiikat importowy*) or an EUC (*oświadczenie końcowego użytkownika*) issued in the destination country. The Polish body may also issue Import Certificates or confirm EUCs in import operations when requested by the exporting country.

The EUC should include country of destination, end-user, description and intended use, intermediaries and commitment not to re-export without authorisation; In addition, the importer must accept subsequent controls at destination.

The clearance of strategic goods can only be carried out at customs designated by *rozporządzenie* (the ordinance). For the transit of dual-use items from third countries, specific authorisation is required from the director of the border *urząd celny* (customs), with a detailed form (export licence, consignee, description, value, etc.).

Registration and retention obligations

Operators are obliged to:

- **Maintain *ewidencja obrotu*** (billing records) and retain documentation (licences, contracts, invoices, transportation, end-user certificates) for at least 5 years.

- Report to the control authority **every six months** the execution of operations carried out under a general or global licence.
- **Notify the ABW** (*organ monitorujący*) of certain changes and update data within 14 days.

Supervision

All strategic operations (*obróót*) are subject to control (*kontrola*), which includes verification of compliance with licences (including post-shipment checks), the operation of the internal control system (*wewnętrzny system kontroli*) and the accuracy of records (*ewidencja*).

The Ministry may set up an inspection team (*zespół kontrolny*) with access to facilities, documents and data, which must draw up an inspection report (*protokół pokontrolny*).

If violations are detected, the operator has one month to restore legality; otherwise, individual or global licences are revoked or the use of general licences is prohibited. In addition, access to new licences may be limited for a period of one year.

3.24. Poland

Sanctions

- **Criminal:** it is punishable to carry out strategic operations (*obrót*) without a licence or in breach of the conditions, with penalties of one to ten years in prison. If the offence is reckless and legality is restored, the penalty can be reduced to a fine, limitation of liberty or imprisonment of up to two years. Confiscation of property or means used may also apply.
- **Administrative:** fines of up to PLN 200,000 (€47,182.60) are foreseen for operating without a valid licence, up to PLN 100,000 (€23,591.30) for doing so in breach of its conditions or submitting false or incomplete information, and up to PLN 50,000 (€11,795.65) for failing to comply with information or registration obligations (e.g. failure to submit half-yearly reports).

The statute of limitations for imposing and enforcing sanctions is five years.

Conclusion

Poland applies a comprehensive system aligned with European Union regulations, based on individual licences (*licencje indywidualne*), global licences (*licencje globalne*) and national general licences (*krajowe zezwolenia generalne*).

The framework imposes obligations to have an internal control system, semi-annual controls, country restrictions and limited clearances to designated customs.

Administrative deadlines are relatively agile (30/60 days for licences, 3/6 months for clarifications), and the sanctioning regime combines prison sentences and high fines with corrective measures (revocation or prohibition of use), guaranteeing the traceability and legality of strategic operations (*obrót towarami or znaczeniu strategicznym*).

3.25. Portugal

Main regulations

The European standard is complemented by national laws: **Lei Nº. 49/2009**, which regulates the conditions of access to and trade in military goods and technology, and **Lei Nº. 37/2011**, which simplifies procedures and transposes European Union directives.

Control is also exercised through **Decreto-Lei Nº. 1/86**, on technology transfers, **Portaria Nº. 231/2025/1**, which establishes the national military list; **Portaria Nº. 290/2011**, which regulates general licences for automatic transfers; and, finally, **Portaria Nº. 109/2012**, which approves the procedure for issuing licences.

Competent authority

The national authority competent to authorise intra-Community transfers, exports, issue licences and certify companies established in Portugal is the **Directorate-General for Armaments and National Defence Heritage– DGRDN** - (*Direcção - Geral de Armamento e Património da Defesa Nacional – DGRDN - do Ministério da Defesa Nacional*).

Registration and licensing

The processing of licences is carried out electronically through the DGRDN web platform. Only companies registered with the DGRDN can apply for export licences.



Licensing requires proof of technical, financial and human suitability, as well as the corresponding security clearance. The **DGRDN** can issue the following types of licences:

- **General licences**, valid for certain types of products and destinations;
- **Global licences**, covering multiple products and multiple recipients, valid for three years (renewable);
- **Individual licences**, applicable to specific exports, valid for six to twelve months; and, finally,,
- **Transit licences**, which must be applied for thirty days before entering Portugal and allow a maximum period of stay in the territory of sixty days.

Administrative deadlines

The Ministry has **45 days to resolve** an application for a licence or certificate from its correct presentation.

3.25. Portugal

Certificates and end-destination control

The **End-Use Certificate** confirms that the receiving country is the end-user and that it will not be re-exported without Portuguese authorisation, its validity ceases when the good is transferred to any other Member State.

The **International Import Certificate (IIC)** authorizes the import of defence-related products. It can be issued at the request of an operator when required by an exporting third country. Its issuance obliges the importer to apply for the **Delivery Guarantee Certificate (CGE)**, which confirms the importation of the goods described in the CII.

Registration and retention obligations

Operators must keep all documentation relating to each transaction, including invoices, licences, transport, final destination, etc., for a **minimum period of ten years** following the calendar year in which the transfer or export took place. Global licence holders must also report regularly to the DGRDN on the operations carried out.

Supervision

The member of the Government responsible for the area of national defence and the DGRDN can supervise and ensure compliance with the regulations. It may also require verification of exported material, while customs authorities ensure proper compliance with customs procedures.

Sanctions

National legislation distinguishes between administrative offences and criminal offences.

- **Administrative:** Failure to provide information to the competent authorities, obligations or failure to comply with the deadlines set for the conservation of records and documentation, as well as other irregularities, may lead to administrative sanctions. This results in the temporary suspension of activity, the deprivation of the right to apply for subsidies and other incentives, as well as the temporary closure of the establishment. Also, in the event of an infringement, financial fines of up to 100,000 euros may be applied.
- **Criminal:** export without a licence is a serious offence, punishable by imprisonment of two to fourteen years or, in the case of legal persons, by financial fines, or even the dissolution of the entity.

Conclusion

The Portuguese system is based on centralised control by the DGRDN, which requires prior registration. The regime provides for different types of licences, final destination and import certificates, strict document retention obligations and a severe sanctioning framework that distinguishes between administrative offenses and criminal offenses, with penalties that can reach 14 years in prison.

3.26. Romania

Main regulations

The Romanian legal framework on dual-use items is underpinned by the **Methodological Rules of 12 May 2022 for the implementation of the Government's Emergency Ordinance N^o. 43/2022** on the control regime for dual-use transactions (*Norme Metodologice din 12 mai 2022 de aplicare a Ordonanței de urgență a Guvernului nr. 43/2022 privind regimul de control al operațiunilor cu produse cu dublă usare*), which establishes the control of such items and, in addition, develops **Emergency Ordinance N^o 43 on the control regime for dual-use transactions** (*Ordonanță De Urgență No 43 privind regimul de control al operațiunilor cu produse cu dublă usare*), which transposes and supplements Regulation (EU) 2021/821 of the European Parliament and of the Council.

This framework regulates not only exports, but also intermediation, technical assistance, transit and intra-community transfers. It extends to operations carried out from Romanian territory even by non-resident persons or entities, and introduces specific controls for cyber-surveillance products, when there is a risk of use for internal repression or serious human rights violations.

In parallel, the regime for the control of exports, imports and other operations involving military products is established in **Law N^o. 295/2004** on the regime of arms and ammunition, together with **Government Decision N^o. 11/2018** that approves its Methodological Standards, establishes the regime for the acquisition, possession and use of weapons in Romania and defines the list of



military products subject to control, in line with the EU's Common Military List.

In addition, **Emergency Ordinance N^o. 158/1999** on the regime for the control of exports, imports and other operations involving military products, as updated until 25 December 2004. (*Ordonanță de Urgență nr. 158 din 19 octombrie 1999 privind regimul de control al exporturilor, importurilor și altor operațiuni cu produse militare, actualizată până la data de 25 decembrie 2004*). This regulation subjects to control: export, import, re-export and other commercial transfer operations, on a permanent or temporary basis, from or to the territory of Romania; non-commercial operations of exit or entry of military products; the intermediation activity; international transit through Romanian territory and transshipments within Romanian territory.

3.26. Romania

Recently adopted, **Government Decision N^o. 464/2024** updates export licensing procedures and approves the List of Military Goods Subject to the Export Control Regime. This Decision transposes Delegated Directive (EU) 2024/242.

Finally, **Law N^o. 232/2016** establishes the organisation, operation and strategic support of the national defence industry, regulating the production, maintenance, repair and trade of military products and related services. This regulation allows companies to be authorised as Economic Operators of the National Defence Industry, with preferential access to defence contracts, financial support and legal protection in situations of crisis or mobilisation.

Competent authority

The national authority is the **Ministry of Foreign Affairs through the National Export Control Agency (ANCEX)**.

ANCEX manages the national control system, issues licences, coordinates the Inter-Institutional Council (made up of Defence, Interior, Economy, intelligence services, customs and the National Commission for Nuclear Activities) and can suspend or revoke authorisations.

In addition, in specific situations, ANCEX provides specialized advisory services in the field of dual-use products. These consultations are made through the form established for this purpose.

Applications must be submitted via the electronic **eLicensing** system, and any

changes to data must be notified to ANCEX within a **maximum of 10 working days**.

In the field of military products, ANCEX, regulated by **Law N^o. 387/2003**, assumes responsibility for the control of exports, imports and other operations with military products. Thus, this national agency coordinates the control system for such operations, authorizes persons to carry out foreign trade in military products, examines and approves applications with the opinion of the Interministerial Council, issues licences and can order the suspension or prohibition of operations when the control regime is violated.

Registration and licensing

In the dual-use area, operators must designate a contact person for communications with the national authority and, at the same time, knowledgeable about the legislation and empowered to coordinate potential exports, as well as to ensure the correct application of the control regime. **ANCEX** may carry out checks on the knowledge or qualities of these people, when it deems necessary.

Prior to the first licence application, operators must register with **eLicensing** by providing all the data and documents.

3.26. Romania

Typology of dual-use licences:

- **Individual export or transfer licence (intra-EU):** maximum validity of 2 years, extendable to 4 for large projects. Requires end-use declaration or End-Use Certificate. Obligation to submit documents proving delivery, via the eLicensing portal, such as invoices, SAD, transport documentation, etc., within a maximum period of 10 days from the date of export and a **Delivery Control Certificate** within 6 months of delivery.
- **Global export licence:** valid for up to 2 years (4 years on large projects). Requires implementation of an **Internal Compliance Program (PIC/ICP)** and submission of an annual report to ANCEX.
- **National General licence:** issued by ministerial order and published in the *Official Gazette*. It requires prior registration before its first use and notification to ANCEX within 30 days of the first export. Their use may be prohibited if there are doubts about the reliability of the exporter.
- **European Union General licences:** applicable to certain destinations and products. They also require prior registration and notification of their first use. In the case of EU007 and EU008, there are special deadlines (with 30 or 10 days' notice). Misuse may lead to suspension.
- **Brokerage licences:** valid for up to 1 year. Mandatory if there is knowledge or suspicion of use for prohibited purposes.

- **Technical assistance licence:** maximum validity 1 year, under conditions similar to intermediation.
- **Traffic licence:** valid for a maximum of 90 days, extendable for 30 days in justified cases. ANCEX may prohibit transit for safety reasons.

In addition, ANCEX issues **International Import Certificates and Delivery Control Certificates**, essential for traceability and accepted by the authorities of the exporting country.

In the field of military products, foreign trade operations can only be carried out on the basis of prior authorisation issued by ANCEX or other bodies authorised by law, and it is mandatory to obtain a licence or permit for each operation.

With a similar structure to dual-use, the validity of the authorisation is one year from its issuance, and that of licences and permits, except for transit and transshipment, is up to one year. Transit and transshipment permits are valid for a maximum of 45 days.

3.26. Romania

Administrative deadlines

Leave is terminated within a maximum of **45 days** from the submission of complete documentation, extendable up to an additional **60 days** when consultation with other Member States is necessary. Import certificates are issued in 10 working days and delivery control certificates in **30 days**.

In the military products regime, applications for authorisation are resolved within a maximum period of **60 days** from the submission of the documentation; Applications for leave or permit are resolved within a maximum of **30 days**, extendable by 15 days in special situations. Applications for transit or transshipment permits are resolved within a maximum of **5 days, extendable by 2 days in exceptional cases**.

Certificates and end-destination control

A requirement for the issuance of a licence is the presentation of an **end-use document, which can be a declaration, an end-use certificate or an international import certificate**.

In sensitive transactions, the exporter has the obligation to guarantee the complete traceability of the goods.

To do this, you must obtain a **Certificate of Delivery Control** (*Certificat de control al livrării*) from the destination country within a maximum of six months after delivery.

This document, together with any changes to the data it contains, must be submitted to ANCEX. In addition, holders of global, general national or general EU licences must submit to ANCEX an annual report detailing the operations carried out by **30 January of the following year at the latest**.

In the military field, the exporter is obliged to request from the external customer an International Import Certificate or equivalent document, issued or certified by the competent authority of the importing State, in which he undertakes to respect the declared destination and end use and not to re-export the products without prior written approval by the authority. This certificate, in original, must be attached to the application for an export licence.

Once the delivery has been made, and no later than 4 months from that moment, the exporter must obtain from the external partner a Delivery Control Certificate or equivalent document, issued or certified by the competent authority of the importing State, attesting that the goods have arrived at their destination, and present it to ANCEX in original within that period.

Registration and retention obligations

Romanian regulations require that all documentation relating to exports be kept for at least **five years**, counted from the year following the operation. For intra-Community transfers, the minimum archiving period is **three years**.

3.26. Romania

In addition, all commercial documents – contracts, invoices, orders or transport documents – must include an explicit warning that the goods are subject to export control as dual-use (*dublă utilizare*).

In the field of military products, legal persons and authorities with competence in the field must keep for 15 years the documentation relating to operations carried out with military products subject to control.

Supervision

Control over operations is actively carried out. **ANCEX** has inspection teams authorised to carry out audits at company headquarters, with access to facilities, equipment and documentation. To technically classify a product, it can rely on laboratories or specialized organizations.

At the border, the **Romanian Customs Authority** (*Autoritatea Vamală Română*) only accepts export declarations if the corresponding licence is registered in the **eLicensing** electronic system. In addition, ANCEX has the power to suspend export procedures for up to **30 (working) days** when in certain cases.

Sanctions

The sanctioning framework is characterised by its rigour. Export, transfer, transit, brokering or technical assistance operations carried out without a licence constitute an **offence, punishable by imprisonment for one to five years or a fine**. Likewise, numerous **administrative contraventions** are typified, such as the failure to submit delivery control certificates or annual reports, the failure to communicate changes in licences, the lack of warnings in commercial documents or the failure to comply with the deadlines for notification of general licences.

The financial penalties are between 4,000 and 30,000 lei (currently, approximately **€800 - 6,000**). In addition, ANCEX may suspend registrations or rights to use licences, and property involved in infringements may be confiscated. **The statute of limitations for these sanctions is five years.**

In the field of defence products, offences are punishable in accordance with the Penal Code. Failure to comply constitutes a contravention, punishable by a fine of between 20 and 100 million lei (currently, approximately **€4,000 – €19,600,000**).

ANCEX may suspend or withdraw authorisations, licences and permits when the infringement of the Ordinance is of such a nature that it may have serious consequences for the regime for exports and imports of military products.

3.26. Romania

Conclusion

Romania operates a system fully aligned with the European framework, in which **ANCEX** acts as the central authority. Mandatory digital management through **eLicensing**, the need for an internal compliance program for certain licences, customs control and the sanctioning regime ensure a homogeneous framework with respect to European standards.

At the same time, **Emergency Ordinance N°. 158/1999**, as updated, establishes a detailed and strict regime for the control of exports, imports and other operations with military products, also based on centralisation in ANCEX.

3.27. Sweden

Main regulations

The regulatory framework is structured around the parliamentary report **Strategic Export Controls in 2024 – Military Equipment and Dual-Use Items (Skr. 2024/25:114)**. The national legal basis is in the **Military Equipment Act (1992:1300) and its Ordinance (1992:1303)**, together with Regulation (EU) 2021/821 for dual use.

It also expressly mentions the application of the criteria included in *Council Common Position 2008/944/CFSP*, the Arms Trade Treaty (ATT), and since 2018 its own criterion on the democratic status and human rights of the destination country.

Competent authority

The lead authority is the **Inspectorate of Strategic Products (ISP)**, which manages the processing of military and dual-use equipment licences. In the nuclear field, the **Swedish Radiation Safety Authority (SSM)** is also involved.

Registration and authorisation

Companies that manufacture or supply military equipment must have a basic supplier licence. In 2024 there were around 450 holders, a figure that has doubled since 2018.

Use of general licences requires prior notification to ISP.



Licences (military equipment)

- **Individual licence:** for a specific operation, with a defined quantity and recipient.
- **Global Licensing:** Allows you to export unspecified quantities to multiple recipients and countries.
- **General licences:** mainly applicable to transfers within the EEA, with no limit on value or quantity (TFS modalities).
- **Traffic licence:** generally, requires a licence, with exceptions.

licences (dual use)

Regulation (EU) 2021/821 applies directly.

- **Intra-EU:** free movement, except Annex IV products, which require a licence.

3.27. Sweden

- **EU General licences (EU001-EU008):**
 - EU001 (US, UK, Japan, Norway, etc.): A one-time notification to the ISP is sufficient before the first use.
 - EU002-EU008: Require registration or prior notification.
- **Catch-all clause (Art. 4):** ISP may require licensing for unlisted products if there is a risk of use in WMD or in embargoed military destination.

Procedure and deadlines

In Sweden, before moving a commercial token with military equipment, PSI must be notified: companies inform at least four weeks in advance when they are going to submit an offer or sign a contract, and the authority can block the operation if it deems it necessary.

For sensitive destinations, it is common to ask ISP for an advance ruling to guide on the viability of the licence before starting the formal process.

In addition, since March 2022, post-shipment checks have been carried out on light weapons – they do not apply to fully trusted partner countries. There is no closed legal deadline for resolving the matter: decisions are taken on a case-by-case basis, with statistics on average times, but with no guarantee of completion.

According to the official *Swedish report (Skr. 2024/25:114)*, in 2024, most export licences for military equipment were resolved within an average of 6-12 weeks in standard cases.

In other words, Sweden does not guarantee deadlines, but as a practical reference we can speak of 2 to 3 months on average, with files that in sensitive cases exceed 6 months.

Obligations of the operator

The operator must communicate its offers and contracts to ISP in advance, regularly report its external marketing activity, declare deliveries made under each licence and maintain document traceability. All of this is assessed under a reinforced bar in terms of democracy and human rights in the country of destination.

Sanctions

ISP has a wide margin of oversight: it can deny licences, block contracts before they are signed, and inspect post-delivery. This control has been tightened in parallel with EU sanctions, especially those relating to Russia. When there are non-compliances, the consequences range from the suspension or revocation of licences to criminal liability, depending on the severity.

3.27. Sweden

Conclusion

Sweden applies one of the strictest regimes in Europe: it requires pre-notification even in the commercial phase, allows physical verifications after export and offers *advance rulings* to mitigate uncertainty in sensitive destinations.

In dual use, direct transposition is carried out into Regulation (EU) 2021/821, with prior notification of the first use of licences. NATO accession (March 2024) adds weight to the political and security justification for exports to Alliance allies.

4. Best practices for exporters

Companies operating in **defence goods or dual-use goods and technologies** should be fully aware that the **responsibility for regulatory compliance** lies directly with them and their management bodies. In a regulatory environment characterised by increasing technological sensitivity and the convergence of security, economy and innovation, compliance cannot be understood as a mere formal requirement, but as a structural element of responsible business management.

Regulation (EU) 2021/821 establishes the common legal framework for export controls, in addition to complementary instruments that strengthen the coherence, transparency and monitoring capacity of the European system. Among them, **Recommendation (EU) 2024/214**, currently the most recent, develops a **harmonised methodology** for the collection and processing of data relating to licences and control measures, allowing for a comparative and homogeneous analysis between Member States.

This technical and quantitative approach is complemented by the strategic vision of the **White Paper on Export Controls** (2024 version), which identifies companies as the first line of defence against the risks of diversion or misuse and promotes closer cooperation between authorities and operators, supported by digitalisation and smart information management.

In line with these guidelines, **good business practices focus on prevention,**

traceability and shared responsibility. Before the entire operation, the exporter must verify whether the products or technologies are included in **Annex I of Regulation (EU) 2021/821**, classify them according to the established technical categories (0-9) and identify, where appropriate, the need for a licence and the competent authority for its issuance. This practice of prior classification, in addition to ensuring the correct application of the regulations, contributes to the **harmonisation of data** on licences and destinations required by Recommendation 2024/214.

Control of the **end-user and declared destination** is another essential element of compliance. The authenticity of end-user certificates, consistency between destination and business operation, and early detection of suspicious transactions – such as unusual intermediaries, unjustified destination changes, or requests for equipment incompatible with the customer's technical profile – are key components of **due diligence**. In case of doubt, direct consultation with the national competent authority should be understood as a good preventive practice, as indicated in **Recommendation (EU) 2019/1318**.

The implementation of Internal Compliance Programs (ICPs) represents the operational basis of an effective control system. Recommendations (EU) 2019/1318 and 2021/1700 define its essential content,

4. Best practices for exporters

Compliance policies, periodic risk assessment, ongoing staff training, and internal audit mechanisms.

Recommendation 2024/214 reinforces this instrument by recognising that **ICPs** are a requirement directly associated with the assessment of global licences, consolidating their role as a guarantee element within the European system.

Document management and traceability are equally indispensable. Companies must retain licences, contracts, communications with authorities and any relevant documents for the duration of applicable national deadlines.

The methodology introduced by Recommendation 2024/214, which incorporates data on the effective use of licences, **refusals and sanctions, requires companies to maintain organized and auditable filing systems**, capable of responding quickly to requests for verification or administrative review.

Regarding electronic procedures, the European Union is moving towards a digital model of control and supervision.

Recommendation 2024/214 encourages the use of electronic licensing and management systems, which are already operating in most Member States. Platforms such as **SIGALE** (France), **ELAN-K2** (Germany), **STRATLINK** (Estonia) or **STRATLES** (Lithuania) illustrate this evolution towards interconnected and traceable structures, which reduce

administrative burdens and facilitate communication with authorities.

In several countries, these systems also function as **single window systems**, integrating export control procedures on a single platform. This model – which responds to the recommendations of the **White Paper** – reinforces transparency, improves interoperability between administrations and allows the exporter to centrally manage all its notification and licensing obligations.

Finally, the constant review of **restrictive measures and international embargoes** adopted by the EU, the UN or the OSCE, as well as any complementary national measures, is an essential practice to avoid indirect infringements.

The current framework promotes coherence between export controls and international sanctions, **reinforcing corporate responsibility in preserving European economic and technological security.**

Taken together, these practices reflect a transition towards a more agile, transparent and digitalised control system, where collaboration between authorities and operators is governed as the basis of a preventive, dynamic compliance model that is fully aligned with the Union's values and objectives.

5. Conclusions

The guide shows that, although there is a common European Union legal framework on export control – based on **Regulation (EU) 2021/821 and Common Position 2008/944/CFSP** – which provides a homogeneous structure, national administrative practices remain very different.

Licensing processing and decision times vary significantly between Member States. In some countries, processes are more streamlined and centralized, while in others there are inter-ministerial consultations or additional verifications that extend administrative deadlines.

It should be noted that almost all Member States envisage a dual system, differentiating the processing of licences linked to defence products from those related to dual-use goods and technologies.

This differentiation in the treatment of this type of licences/authorisations will be accentuated with the regulatory amendments that are intended to be implemented by 2027, aimed at facilitating intra-EU movements of military equipment and promoting cooperation between Member States in the context of rearmament and growth of the defence industry. conceived as one of the backbones of the EU's new defence and security policy.

The problems associated with the management of licences are a relevant concern for both authorities and industry. Proof of this is the recent high-level meeting held in November 2025 by the European Commission called "*Export Control Forum 2025*".

In the framework of this meeting, the Commissioner for Trade and Economic Security highlighted the existence of a Community regulatory framework that is not adapted to the geopolitical reality or to the security objectives set by the EU.

Consequently, it is expected that, in the short/medium term, certain aspects of the regulations analysed will be modified and exports of dual-use products and technologies will be controlled to a greater extent, in view of the high risk of diversion and the need to protect European industry.



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