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The Permanent Mission of Iceland to the OSCE presents its compliments to all Delegations and Permanent Mission to the OSCE and to the Conflict Prevention Centre and has the honour to attach Iceland's replies to the Questionnaire on Policy and/or National Practices and Procedures for Export of the Conventional Arms and related Technology (FSC.DEC/20/95).

The Permanent Mission of Iceland to the OSCE avails itself of this opportunity to renew to Delegations and Permanent Missions to the OSCE and to the Conflict Prevention Centre the assurances of its highest consideration.

Vienna, 14 November 2023



To all Permanent Missions and Delegations to the OSCE
to the Conflict Prevention Centre
V i e n n a

**Questionnaire on Participating States' Policy and/or National Practices
and Procedures for the Export of Conventional Arms and Related Technology**

OSCE participating States are requested to provide details of:

1. Their basic principles, policies and/or national practices on the export of conventional arms and related technology.

Iceland implements:

- *Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community.*
 - *Commission Delegated Directive (EU) 2021/1047 of 5 March 2021 amending Directive 2009/43/EC of the European Parliament and of the Council as regards the updating of the list of defence-related products in line with the updated Common Military List of the European Union of 17 February 2020*
- *COUNCIL COMMON POSITION 2008/944/CFSP of 8 December 2008 defining common rule governing control of exports of military technology and equipment.*
 - *COMMON MILITARY LIST OF THE EUROPEAN UNION adopted by the Council on 17 February 2020 (equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment)*
- *Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items..*

- *UNSC Resolutions and EU sanctions including arms embargos.*

Further information can be found here:

- <https://www.government.is/topics/foreign-affairs/legal-affairs/export-control/>
- <https://www.government.is/topics/foreign-affairs/legal-affairs/sanctions/>

2. Their national legislation governing the export of conventional arms and related technology. If applicable, report changes and/or updates to the data provided in 1995,

including any relevant subsidiary legislation.

Iceland's legislation includes:

- *Act No. 67/2023 on disarmament, arms control and export control.*
- *The Weapons Act No. 16/1998.*
- *Act No. 68/2023 on implementation of international sanctions and freezing of assets.*

3. Any international agreements or guidelines, other than OSCE commitments, covering the export of conventional arms to which they are a party.

Iceland implements:

- *UNSC Resolutions on arms embargos*
- *Guidelines under export control regimes, including Wassenaar*
- *European Code of Conduct on Arms Exports (2008/944/CFSP)*

4. The procedures for processing an application to export conventional arms and related technology:

- who is the issuing authority?

The Ministry for Foreign Affairs issues export licenses.

- what other authorities are involved and what is their function?

Local police authorities issue export licenses for certain SALW (mostly for sporting purposes).

- who deals with compliance?

The National Commissioner of Police and local police authorities.

5. Lists of conventional weaponry under national export controls and the basis for their control. If applicable, report changes and/or updates to the data provided in 1995.

Iceland implements the EU Common Military list which governs which weapons and toher defense related products are subject to export control/licensing requirements in Iceland.

6. Principles and national regulations on the destination or end-user of the equipment. Is there a complete *erga omnes* system or a published list of

- destinations of concern?

There is no published list of destinations of concern.

- embargoed countries?

A list of embargoed countries is published on the Ministry's website (in Icelandic only):

<https://www.stjornarradid.is/verkefni/utanrikismal/lagamal/thvingunaradgerdir/>

- differentiation between destinations (e.g., is there any preferential treatment of (groups of) countries)?

There is certain preferential treatment for exports to EEA States in accordance with directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence- related products within the Community.

7. Requirements for the provision of an end-user certificate in an export license application, or of non-re-exportation clauses, or of any other type of certification before and after delivery for conventional arms export contracts. If applicable, please specify any verification of the end-user certificate and/or non-re-exportation clauses before and after delivery.

Pursuant to the applicable law exporters are required to provide an end-user certificate. Further the applicable law stipulates that the Ministry can request detailed information from exporters as a part of the export control process and further can conduct on-side inspections for export control verification process.

End user-certificate can be found here:

<https://www.government.is/topics/foreign-affairs/legal-affairs/export-control/>

8. National definition of transit and transshipment (including free zones) of conventional arms, together with associated national legislation and compliance procedures.

Transit and transshipment issues are addressed in the legislation listed under item 2 above.

9. The procedures governing companies wishing to export arms. Are companies obliged to seek official governmental authority to enter into contract negotiations or to sign contracts with foreign customers?

Iceland does not have such requirements.

10. Policy on the revocation of export licenses once they have been approved; please list any published regulations.

The applicable legislation and implementing regulations stipulate the authority of the Ministry to revoke and recall export licenses issued by the Ministry if it becomes aware that information provided, and which has lead to the issuance of the license is wrong.

11. The penal and administrative implications for any exporter failing to comply with national controls. If applicable, report changes and/or updates to the data provided in 1995.

Violations of laws and regulation are punishable by fines and / or prison up to 6 years.

12. Any circumstances in which the export of arms does not require an export license.

Icelandic laws allow exemptions for relief and emergency operations.

13. Licenses for temporary export (e.g., demonstrations or testing), the period allowed and any special conditions attached to the license, including verification of return procedures.

Any export license can be made conditional. Temporary licenses and their terms would be decided on an ad-hoc basis.

14. License documents and any standard conditions attached to it (copies to be provided).

License forms and guidance is available here: <https://www.government.is/topics/foreign-affairs/legal-affairs/export-control/>

15. Different types (e.g. individual, general, restricted, full, permanent, etc.) of licenses and what they are used for.

Iceland issues individual, general and global export licenses.

16. Advice given to exporters as to license ability, such as the likelihood of approval for a possible transaction.

Guidance is provided to exporters on ad-hoc basis when request by an exporter.

17. The average number of export licenses issued annually and the staff engaged in the export licensing procedure.

The Ministry issues under 10 licenses annually. Two staff members are involved in licensing, although none full time.

18. Any other relevant information pertaining to the export of conventional arms and related technology, e.g., additional laws, reports to Parliament, special procedures for certain goods.

N/A

19. Are all guidelines governing conventional arms transfers nationally published?

No specific guidelines are provided beyond the legal text and the preparatory works that accompany the legal act. Information is however published on the Ministry website: <https://www.government.is/topics/foreign-affairs/legal-affairs/export-control/>

NB: Participating States that do not export conventional arms and related technology will so inform all other participating States.