



Permanent Mission of Italy  
OSCE

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#### NOTE VERBALE

The Permanent Mission of Italy to the Organization for Security and Cooperation in Europe presents its compliments to all Permanent Delegations and Missions to the Organization for Security and Cooperation in Europe and to the Conflict Prevention Centre of the OSCE, and has the honor to submit its return to the Questionnaire on Conventional Arms Transfers (FSC.DEC/20/95).

The Permanent Mission of Italy to the Organization for Security and Cooperation in Europe avails itself of this opportunity to renew to all Permanent Delegations and Missions to the Organization for Security and Cooperation in Europe and to the Conflict Prevention Centre of the OSCE the assurances of its highest consideration.



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To all Permanent Missions and Delegations to the OSCE  
OSCE- Conflict Prevention Centre  
VIENNA

**Questionario sulle politiche e sulle prassi e procedure nazionali degli Stati partecipanti in materia di esportazione di armamenti convenzionali e delle tecnologie connesse**

**(20.6.2021)**

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**1. I loro principi fondamentali, le politiche e/o le prassi nazionali in materia di esportazione di armamenti convenzionali e delle tecnologie connesse.**

*The Italian export control system is based on Law 185/1990, which states that the export, import and transit of military goods and the related export licenses are subject to authorization and control by the State. Decree 105/2012 has amended Law 185/1990 implementing the provisions of EU Council Directive 2009/43.*

*Italy also applies EU Common Position 2008/944 defining common rules for the control of exports of military technology and equipment. Italy is also compliant with the arms embargoes and other international restrictive measures adopted by the UN Security Council, EU and OSCE.*

**2. Le loro legislazioni nazionali regolanti l'esportazione di armamenti convenzionali e delle tecnologie connesse. Se del caso, notificare cambiamenti e/o aggiornamenti dei dati forniti nel 1995, inclusa qualsiasi legislazione aggiuntiva pertinente.**

*Based on the evolution of the European law, Italy has enforced its export licensing system for the intra-Community transfers. With the national implementation of Council Directive 2009/43 new export licenses and controls have been gradually introduced in our national system, under the general management of the National Authority for armaments licensing and controls of the Italian Ministry of foreign affairs and international cooperation.*

**- paesi soggetti ad embargo?**

**- differenziazione tra destinazioni (ad esempio, esiste un trattamento preferenziale di (gruppi di) paesi)?**

*The authorizations are released only after a scrupulous, thorough analysis of the request, adopting a case-by-case approach.*

**7. Requisiti per la fornitura di un certificato di utente finale in una domanda di licenza di esportazione, oppure clausole di non riesportazione, o qualsiasi altro tipo di certificazione prima e dopo la consegna per contratti di esportazione di armamenti convenzionali. Se del caso, si prega di specificare eventuali verifiche del certificato di utente finale e/o delle clausole di non riesportazione prima e dopo la consegna.**

*The national procedure for the export licensing of military goods is based on a previous authorization for the contractual negotiations and a second authorization for the final export of the goods. The End-User Certificate is a fundamental document in the authorization procedure and is carefully controlled, being validated by the Italian diplomatic network abroad.*

**8. Definizione nazionale del transito e della spedizione (inclusa la zona franca) di armamenti convenzionali, assieme alla legislazione nazionale connessa e alle procedure di osservanza.**

*The definition of transit can be found in article 1, letter d) and e) of the updated version of Law 185/1990, with the exception reported in article 16 for the transit on Italian territory of military goods that are subject to foreign trade transactions by non residents. In these cases, the Unified Text of Laws of Public Security is applied.*

**9. Le procedure da seguire da parte delle società che desiderano esportare armamenti. Per avviare negoziati contrattuali o sottoscrivere contratti con clienti stranieri, esiste per le società l'obbligo di richiedere un'approvazione ufficiale governativa?**

**14. Documenti per le licenze e qualsiasi condizione standard ad essi collegata.**

*The documentation requested for the release of a license for export, import or transit of military goods contain all relevant information about the supply (type and quantity of the materials); the potential components or parts involved in the operation; the deadline for final delivery of the items according to contract; the country of final destination of the materials; End-user; End-Use Certificate, etc.).*

**15. Diversi tipi di licenze (ad esempio, individuale, generale, limitata, integrale, permanente, ecc.) e scopo della loro utilizzazione.**

*In line with the relevant European system, the Italian authorizing system provides for individual, global and general licenses.*

**16. Consigli dati agli esportatori in materia di concessione di licenze, quali la probabilità di approvazione di una eventuale transazione.**

*The Italian National Authority for armaments licensing and controls does not provide this kind of assistance. Nevertheless, a constant dialogue with the national companies contributes to the problem solving approach of the licensing process.*

**17. Numero di licenze di esportazione rilasciate in media ogni anno e personale impegnato nelle procedure relative alle licenze di esportazione.**

*As far as the number of licenses is concerned, the National Authority for armaments licensing and controls annually provides the Parliament with a very articulated report on activities carried out within Law 185/1990.*

**18. Qualsiasi altra informazione pertinente relativa all'esportazione di armamenti convenzionali e alle tecnologie connesse, ad esempio leggi integrative, rapporti parlamentari, procedure speciali per talune merci.**