



Permanent Mission of the Republic of Poland
to the United Nations Office and
the International Organizations in Vienna

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The Permanent Mission of the Republic Poland to the United Nations Office and International Organisations in Vienna presents its compliments to all Delegations and Permanent Missions to the OSCE and to the Conflict Prevention Center and has the honor to submit in accordance with Decision 13/97, 08/98 and 08/08 of the Forum for Security Cooperation Information Exchange on Conventional Arms Transfers of the Republic of Poland as well as in accordance with the Decision No 20/95 of the Forum for Security Cooperation responses to the Questionnaire on Conventional Arms Transfers for the year 2017.

The Permanent Mission of the Republic of Poland to the United Nations Office and the International Organizations in Vienna avails itself of this opportunity to renew to the all Delegations and Permanent Missions to the OSCE and to the Conflict Prevention Center the assurances of its highest consideration. *M.K.*

Vienna, 29 June 2018



To:

**All Delegations and Permanent Missions to the OSCE in Vienna
The Conflict Prevention Center**

Vienna

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

Reporting country: **POLAND**

1. Basic principles, policies and/or national practices on the export of conventional arms and related technology.
2. 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.
[This is an update of the information submitted in 2016. The following legal acts have been published in 2017:](#)
 - i. [Regulation of the Minister of Entrepreneurship and Technology of 28 February 2018 on the list of military goods, for which trade in requires authorisation \(OJ no. 482\), which is consistent with the Common Military List of the European Union adopted by the Council on 6 March 2017 \(OJ C 97, 28.3.2017, p. 1–33\);](#)
 - ii. [Regulation of the Minister of Economic Development and Finances of 25 May 2017 on national general authorisation \(OJ no. 1045\), which established four new national general export authorisations, i.e.:](#)
 - a) [technical assistance to the EU Member States,](#)
 - b) [export after repair, maintenance, replacement and technical assistance to certain countries outside the EU,](#)
 - c) [export to the armed forces, certified recipients and for the purposes of demonstration, exhibition, repair, maintenance, replacement to Norway and Iceland,](#)
 - d) [export by the Polish Armed Forces.](#)
3. Any international agreements or guidelines, other than OSCE commitments, covering the export of conventional arms to which they are a party.
4. The procedures for processing an application to export conventional arms and related technology:
 - who is the issuing authority?
 - what other authorities are involved and what is their function?
 - who deals with compliance?
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.
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?
 - embargoed countries?
 - differentiation between destinations (e.g., is there any preferential treatment of (group of) countries)?

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.
8. National definition of transit and transshipment (including free zones) of conventional arms, together with associated national legislation and compliance procedures.
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?
10. Policy on the revocation of export licences once they have been approved; please list any published regulations.
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.
12. Any circumstances in which the export of arms does not require an export licence.
13. Licences for temporary export (e.g., demonstrations or testing), the period allowed and any special conditions attached to the licence, including verification of return procedures.
14. Licence documents and any standard conditions attached to it (copies to be provided).
15. Different types (e.g. individual, general, restricted, full, permanent, etc.) of licences and what they are used for.
16. Advice given to exporters as to licensability, such as the likelihood of approval for a possible transaction.
17. The average number of export licences issued annually and the staff engaged in the export licensing procedure.
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.
19. Are all guidelines governing conventional arms transfers nationally published?