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The Permanent Mission of Iceland to the OSCE presents its compliments to all Delegations and Permanent Missions 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).

As regards reporting on Exchange of Conventional Arms Transfers (FSC.DEC.13/37, FSC.DEC.8/98, FSC/DEC.8/08) Iceland submits NIL report.

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.

Permanent Mission of Iceland
to the OSCE
Vienna, 30 June 2020



To all Delegations/Permanent Missions of the OSCE participating States
and 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*
- *COUNCIL COMMON POSITION 2008/944/CFSP of 8 December 2008 defining common rule governing control of exports of military technology and equipment*
- *COUNCIL REGULATION (EC) No. 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.*
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see under export control and sanctions:

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

- *UNSC Resolutions and EU restrictive measures on arms embargos*

see

<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 on the Control of Services and Items that may have Strategic Significance No 58/2010, as amended until 5 July 2019*
- *International Sanctions Implementation Act No. 93/2008
Implementing regulations, including, regulation of the Control of Services and Items that may have Strategic Significance No 361/2016e with subsequent amendments 189/2017, 1012/2018 and 794/2019*

See websites listed under item 1 above.

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.

See Directive 2009/43/EU of the European Parliament and of the Council on defence products (incorporating the latest changes to the Common Military List)

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?

For a list of embargoed countries see:

government.is/topics/foreign-affairs/legal-affairs see under Sanctions

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

There is certain preferential treatment for exports to EEA States.

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.

Iceland sets the requirement in end-user declarations that items should not be exported or re-exported without prior consent of the Government of Iceland and on-site inspection must be authorised by representatives of the GOI. For forms

government.is/topics/foreign-affairs/legal-affairs see under 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.

Export licenses may be revoked if premises change, a licensee has not met licensing conditions or in case of dire necessity, see references to legislation listed under item 2 above.

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 etc., see legislation listed in item 2 above.

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 conditions are shown in the legislation listed under item 2 above and below government.is/topics/foreign-affairs/legal-affairs under **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 as explained in the legislation listed under item 2 above.

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

Iceland does give such advice to exporters.

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

Iceland issues 10-12 licenses annually. Five 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?

Guidelines are published, see legislation listed under item 2 above.

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