

29 June 2018



ENGLISH only

LIETUVOS RESPUBLIKOS NUOLATINĖ ATSTOVYBĖ
PRIE TARPTAUTINIŲ ORGANIZACIJŲ VIENOJE

PERMANENT MISSION OF THE REPUBLIC OF LITHUANIA
TO THE INTERNATIONAL ORGANIZATIONS IN VIENNA

No. (79.1.1.2) SN79-73

Verbal Note

The Permanent Mission of the Republic of Lithuania to the International Organizations in Vienna presents its compliments to all Permanent Delegations and Missions to the OSCE and to the Conflict Prevention Centre of the OSCE and, in accordance with the Decisions No. FSC.DEC/13/97, FSC.DEC/8/98 and FSC/DEC/8/08, has the honour to provide information for the Information Exchange on Conventional Arms Transfers and, in accordance with the Decision No. FSC.DEC/20/95, responses to the Questionnaire on Conventional Arms Transfers for the year 2017.

The Permanent Mission of the Republic of Lithuania to the International Organizations in Vienna avails itself of this opportunity to renew to all Permanent Delegations and Missions to the OSCE and to the Conflict Prevention Centre of the OSCE the assurances of its highest consideration.

Vienna, 29 June 2018



To: All Permanent Delegations and Missions to the OSCE,
CPC of the OSCE
Vienna

**QUESTIONNAIRE ON POLICY AND/OR NATIONAL PRACTICES AND
PROCEDURES FOR THE EXPORT OF CONVENTIONAL ARMS AND RELATED
TECHNOLOGY**

REPUBLIC OF LITHUANIA

Reporting period: 2017

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

Lithuania controls transfers conventional arms and related technology nationally and regionally with the other European Union Members States, in line with Lithuania's commitments taken under relevant non-proliferation treaties and arrangements, international export control regimes - Wassenaar Arrangement on Export Control for Conventional Arms and Dual-Use Goods, Missile Technology Control Regime, the Nuclear Suppliers' Group and the Australian Group guidelines.

National legislation prohibits export of conventional arms and related technology to states under the UN, EU or OSCE embargoes.

All relevant applications for export licences are evaluated on a case-by-cases basis against the criteria and principles of the EU Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment. The Common Position sets up eight criteria to be taken into account when assessing a license application. These, *inter alia*, include evaluation of internal situation and respect for human rights in the country of final destination, preservation of regional peace, security and stability, existence of a risk that the military technology will be diverted or re-exported.

2. National legislation governing the export of conventional arms and related technology

Legislation currently in force:

No	Legislation	Scope	Text
1.	Law on the Control of Weapons and Ammunition (LCA) (last amended on 29 June 2016 No. 2528)	Groups weapons and ammunition into categories, consolidates the legal basis of the circulation of arms and ammunition and the control thereof, brokering activities, establishes the rights and duties of entities whose activities are related with arms and ammunition.	https://www.e-tar.lt/portal/lt/legalAct/TAR.389CB90C666D/JFdBinjBGZ (Lithuanian)

2.	Law on the Control of Strategic Goods No XI-1616 (LCSG) (last amended on 29 June 2017, No XIII-544)	Establishes conditions of control of export, import, transit, brokering and entrance and transfer of military equipment within the European Union as well as of activities that may contribute to the proliferation of weapons of mass destruction and conventional arms.	https://www.e-tar.lt/portal/lt/legalAct/TAR.AB5C4F8C996B/RljPSgwVHi (Lithuanian) http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=451914 (English, amendment from 11 October 2011)
3.	Law on the Control of Circulation of Explosives (last amended on 15 October 2016 – No IX-1315)	Sets the legal basis for the circulation of explosive materials and its control as well as establishes the rights and duties of entities whose activities are related with explosives.	https://www.e-tar.lt/portal/lt/legalAct/TAR.423D6799832E/ZqJDJrgRPb (Lithuanian)
4.	Law on the Implementation of the Economic and Other International Sanctions (LES) (last amended on 1 January 2012 – No IX-2160)	Lays down the procedure for implementing the non-military international sanctions in the Republic of Lithuania imposed by the United Nations and other international organisations, as well as the European Union.	https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.256251?jfwid=nz8qn8icb (English)
5.	Resolution of the Government of the Republic of Lithuania No. 1679 “On the Approval of Order for Supervision of International Sanctions Implementation” (last amended on 29 August 2012)	Regulates the functions, rights and duties of Lithuanian competent authorities as regards supervision of implementation of international sanctions being implemented under the LES.	https://www.e-tar.lt/portal/lt/legalAct/TAR.3AD8F16F4AAC/TAIS_432054 (Lithuanian)
6.	Resolution of the Government of the Republic of Lithuania on the Transportation of Weapons and Ammunition (RTAA) (last amended on 23 December 2016 No. 1470)	Specifies the provisions of LCA in relation to transportation of weapons and ammunition.	https://www.e-tar.lt/portal/lt/legalAct/1f8f8320ce6011e69e09f35d37acd719 (Lithuanian)
7.	Resolution of the Government of the Republic of Lithuania “On the Approval of the Licencing Rules for Export, Import, Transit, Brokering and Intra-EU Transfers of Strategic goods, the Rules on the Implementation of Control of Strategic goods and the Rules on the Certification of Recipient Undertakings Manufacturing Military Equipment” (RLR) (last amended on 29 July 2015, No 736)	Resolution specifies the provisions of LCSG and the competencies of national institutions involved in licencing administration and enforcement procedures. The resolution sets up the Commission for the Resolution of Issues Relating to the Licencing of Strategic Goods.	https://www.e-tar.lt/portal/lt/legalAct/TAR.0E9A4AB8CBCC/INWCntMsxK (Lithuanian, includes all amendments) http://www3.lrs.lt/pls/inter3/dokpaieska.susije_l?p_id=426206&p_rys_id=14 (English, amendment from 29 May 2012)

8.	Resolution of the Government of the Republic of Lithuania “On the Approval of Licensing Rules of Certain Activities Related to Circulation of Arms and Ammunition” (RLRA) (1 October 2011 – No. 1111)	Resolution specifies the provisions of LCA and the competencies of national institutions involved in licensing administration and enforcement procedures.	http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=407196 (Lithuanian)
9.	Resolution of the Government of the Republic of Lithuania No. 237, 1 March, 2005 „On the Approval of List of States Prohibited for Export or Transit of Goods Listed in the Common Military List, and other Arms and Ammunition, and of States Prohibited from Engaging in Brokering Negotiations and Transactions related to the Goods Listed in the Common Military List, and other Arms and Ammunition, and the Approval of List of States Prohibited to Purchase and Import from or Transit via Goods Listed in the Common Military List, and other Arms and Ammunition, and of States Prohibited from Engaging in Brokering Negotiations and Transactions on the Goods Listed in the Common Military List and on other Arms and Ammunition” (last amended 2016).	Establishes list of States subject to arms embargoes.	https://www.e-tar.lt/portal/lt/legalAct/TAR.B2BB4BA5AD90/PlviIdQXQM (Lithuanian)
10.	Order of the Minister of National Defence of the Republic of Lithuania on the Approval of the Common Military List (last amended on 25 January 2018 No. 89)	Establishes a list of Military equipment. This List must conform to the Common Military List of the European Union.	https://www.e-tar.lt/portal/lt/legalAct/dfb3cbf0027d11e88bcec397524184ce https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/f29163d3450f11e7b465dc41e35792b9?jfwid=9fbgsbri1 (Lithuanian)

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

Lithuania adheres to the following agreements and guidelines covering the export of conventional arms:

- Arms Trade Treaty;
- EU Common Position 2008/944/CFSP, defining common rules governing control of exports of military technology and equipment;
- EU Common Position 2003/468/CFSP on the control of arms brokering;

- EU Joint Action 2002/589/CFSP on the EU's contribution to Combating the destabilizing accumulation and spread of SALW;
- Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods;
- UN Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, Supplementing the United Nations Convention against Transnational Organized Crime;
- UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects.

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

LCA establishes 4 categories of arms – A, B, C and D – listed in its Articles 3, 4, 5 and 6. Category A arms are included into the Common Military List. Weapon's classification into categories A, B, C, D is harmonized with the European Union Council directive (91/477/EEC) of 18 June 1991 on Control of the acquisition and possession on weapons [Official Journal L 256, 13.09.1991].

Export, import, transit, brokering and transfer within the European Union of military equipment

(i) Exports of Military Equipment included into the Common Military List

Licences are required for the export, import, transit, brokering, and transfer within the European Union of military equipment included into the Common Military List. In accordance with the LCSG, the Ministry of Economy is responsible for the overall licensing process and controls of export, import, transit, brokering and transfer within the European Union of military equipment and exercises the control in conjunction with other state institutions and agencies. Up to 13 national institutions are involved in licensing administration and enforcement procedures. These, *inter alia*, Ministry of Foreign Affairs, Ministry of National Defence, State Nuclear Power Safety Inspectorate, State Security Department and Customs Department under the Ministry of Finance.

The RLR sets up the Commission for the Resolution of Issues Relating to the Licensing of Strategic Goods (hereafter –Commission).

A decision to issue a licence for export, import, transit, brokering or intra- EU transfer as well as to issue an import certificate is taken in accordance with the conclusions made by the state institutions involved in export control or by the Commission.

(ii) B, C and D category arms

LCA and relevant bylaws regulate the export, import, transit and brokering of the arms and ammunition falling under categories B, C and D.

The Police Department under the Ministry of Interior is authorized to issue single permits to export arms and ammunition that are not included in the Common Military List.

In case arms and ammunition is exported into the Member State of the European Union, a general permit is issued by the Police Department for up to 3 years, after receiving a prior consent by the Member state, to which arms and (or) ammunition is to be exported.

5. Lists of conventional weaponry under national export controls and the basis for their control

The list of Common Military Equipment is approved by the Order of the Minister of National Defence of the Republic of Lithuania on the Approval of the Common Military List. In essence, this List must conform to the Common Military List of the European Union.

6. Principles and national regulations on the destination or end-user of the equipment

The RAE establishes a list of states under arms embargo and is constantly updated. The states subject to UN, EU and OSCE arms embargoes are included in the list.

Under the EU Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment, Lithuania consults with the other EU Member States regarding destinations and end-users if an application for export license is deemed to be identical. In general, Lithuania pursues the no-undercut policy if denials for similar exports have been issued by other EU Member States to a particular destination or end-user.

7. Requirements for the provision of an end-user certificate in an export licence application, or of non-re-exportation clauses, or of any other types 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

National legislation requires a document attesting the end-use of military equipment, end-user obligations and non-transfer controls, issued or confirmed by a competent authority.

In order to obtain the individual export licence to export Category A military equipment, or individual intra-EU transfer licence authorising the transfer of military equipment a legal or natural person or a branch of foreign legal persons and other organizations, together with the application, must submit:

- a contract or other documents attesting to the sale and purchase of military equipment or copies of the said documents certified in accordance with the legislation;
- a document attesting the end-use of military equipment, end-user obligations and non-transfer controls, issued or confirmed by a competent authority. Where the importer and/or end-user are state institutions, a document issued or confirmed by a competent national authority to attest the end-use of military equipment, end-user obligations and non-transfer controls should be presented;
- a document held by a supplier in another Member State on military equipment export restrictions, where the military equipment to be exported has been brought in from another Member State;

Under RLRA and RTAA, a company requesting a permit for arms and ammunition of Categories B and C must present an end user's certificate of the importing country, together with an application. No end-user certificate is required for Category D equipment.

As a general rule, the Lithuanian export control authorities require that the end-user of military equipment or related technologies agrees to a non-transfer (re-export) clause.

In light of the human rights situation in a country of destination, the Lithuanian export authorities may require that an end user's certificate would contain additional commitment not to use that particular military equipment in actions that may violate human rights.

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

LCSG defines the term "transit" as „transit of military equipment shall mean a transport of military equipment entering from the territory of a third country and passing through the territory of the Republic of Lithuania to the territory of another third country“.

LCSG defines the term of „passage of military equipment“ as „ passage of military equipment shall mean a transport of military equipment through the territory of one or more Member States, with the exception of the Member State of origin and the receiving Member State“.

In case of transit of Category A military equipment, the Ministry of Economy is the institution in charge. End-user certificate is not required for transit.

A licence issued by the Ministry of Economy is not required for passage of military equipment from other Member States through the territory Republic of Lithuania or for entrance thereof from another Member State onto the territory of the Republic of Lithuania, with the exception of the cases when the Government, on grounds of public policy or public security, imposes the obligation to hold licences for entrance onto the territory of the Republic of Lithuania in respect of certain categories of military equipment.

In case of Category B, C and D arms, the Police Department is entitled to issue a permit. A copy of a contract specifying the types and quantities of arms, as well as an import license must be provided in order to receive a permit. RTAA specifies grounds when the permit can be refused.

The terms “transit” and “passage of military equipment” do not include military transit across the territory of Lithuania. The term “military transit” means “a transport of military equipment across the territory of Lithuania when a military institution is a holder (owner) of military equipment and military transportation is planned and coordinated by the military institution of a foreign state”. Military transit (transportation) is conducted according to NATO and national rules and procedures.

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

Companies wishing to export arms should follow the licensing procedures described in Question 4. No additional obligations for companies are foreseen.

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

In case of Military Equipment included into the Common Military List, the export/transit/other type of licence shall not be issued if (Art. 10 of LCSG):

- the issuance thereof is in contravention of international treaties of the Republic of Lithuania, sanctions implemented under the Law of the Republic of Lithuania on the Enforcement of Economic and Other International Sanctions, the criteria listed in the Arms Trade Treaty or Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment, provisions of international non-proliferation regimes and the foreign policy and national security interests of the Republic of Lithuania;
- there is an effective court judgment and unspent or unexpunged conviction in respect of the crimes against humanity and war crimes, criminal acts against the independence, territorial integrity and constitutional order of the State of Lithuania, public security, property, property rights and property interests, the economy and business practice, the financial system and government order as committed by the exporter, importer, supplier, recipient or broker;
- the circumstances related to the risk of the end-use of strategic goods or possible use thereof for the production of weapons of mass destruction transpire;
- the exporter, importer, supplier, recipient or broker of strategic goods has supplied misleading information or false data.

A licence shall be suspended if:

- information is received that the exporter, importer, supplier, recipient or broker of strategic goods does not fulfil the conditions specified in the licence or does not comply with the requirements set forth by the legal acts regulating control of strategic goods;
- it transpires that the exporter, importer, supplier, recipient or broker of strategic goods has supplied misleading information or false data;
- information, other than declared, has been received in respect of the end-use of strategic goods;
- foreign policy, national economy and national security interests of the Republic of Lithuania may be violated;
- a political and military conflict has broken out in an importing country;
- a state to which strategic goods are to be exported has been imposed international sanctions implemented under the Law of the Republic of Lithuania on the Enforcement of Economic and Other International Sanctions, where the licence has already been issued;
- a pre-trial investigation is being conducted in respect of the exporter, importer, supplier, recipient or broker of strategic goods suspected of any crime against humanity or a war crime, a criminal act against the independence, territorial integrity and constitutional order of the State of Lithuania, public security, property, property rights and property

interests, the economy and business practice, the financial system and government order, or a case related to these criminal acts has been referred to court.

Suspension of a licence shall be lifted where, within a time limit of not less than 60 working days as laid down by the Government, the circumstances leading to suspension of the licence disappear or are eliminated. A decision on lifting of suspension of the licence shall be taken in accordance with the procedure established by the Government within five working days upon verification of the information supplied by the exporter, importer, supplier, recipient or broker of strategic goods regarding elimination of the circumstances leading to suspension of the licence.

A licence shall be revoked if:

- the circumstances leading to suspension of the licence are not eliminated or do not disappear within the time limit laid down by the Government; or
- there is an effective court decision recognising the licence holder guilty of violating the requirements of the legal acts regulating the control of strategic goods, or there is an effective court judgment of conviction regarding the criminal acts referred to in point 7 of paragraph 2 of this Article;
- the undertaking holding the licence ceases due to liquidation;
- the natural person holding the licence is recognised as legally incapable, dies or is declared dead or missing.

In case of Category B, C and D items, the permit is refused if:

- the State Weaponry Fund provides a reasoned opinion to deny permit;
- the needed documents are missing or incorrect;
- it is necessary to assure foreign policy, state, public and human security interests, as well as compliance with international agreements and obligations;
- the licence is suspended;
- the Member State of the European Union refuses to allow entry of weapons into its territory;
- granting of permit would violate the criteria listed in the Arms Trade Treaty or Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment;
- if the information submitted is erroneous or no notification is provided about changes of such information.

11. The penal and administrative implications for any exporter failing to comply with national controls

Illegal (without license or permit) production, possession, transportation or trade in firearms, ammunition, explosives or explosive materials incurs arrest or up to 5 years of imprisonment (Criminal Code (CC), Article 253 (1) “Illegal disposal of firearms, ammunition, explosives or explosive material”).

Illegal (without license or permit) production, possession, transportation or trade of more than three firearms, high power or large number ammunition, explosives or explosive materials incurs from 4 years up to 8 years of imprisonment (CC, Article 253 (2) “Illegal disposal of firearms, ammunition, explosives or explosive material”).

Smuggling of firearms, ammunition, explosives, explosive, radioactive or other strategic goods shall bear a maximum sentence of imprisonment of 3 to 10 years (CC, Article 199 “Smuggling”).

Violation of the international sanctions implemented in the Republic of Lithuania and thus causing major damage to the interests of the Republic of Lithuania incurs deprivation of the right to be employed in a certain position or to engage in a certain type of activities or imprisonment for a term of up to 5 years. (CC, Article 123(1) “Violation of International Sanctions”)

Acting as a broker in transferring military equipment to a state non-Member State of the European Union, without an authorisation, incurs deprivation of the right to be employed in a

certain position or to engage in a certain type of activities or a fine or arrest or imprisonment for up to 3 years. (CC, Article 253(1) “Unauthorised [Brokering] in the Transfer of Military Equipment”)

Infringement of LCSG and other related legislation incurs a fine from 86 EUR up to 173 EUR for natural persons and from 289 EUR up to 579 EUR for administrators of legal persons (Code of Administrative Infringements (CAI), Article 189(9)).

Refusal to allow a representative of public authorities performing control of strategic goods to enter into the territory owned by a natural or legal person (except the residence of the natural person), where strategic goods are stored or used, when that is necessary to inspect strategic goods and carry out control tests and measurements; failure to provide with required data, information or provision with false data or information incurs a fine from 144 EUR up to 289 EUR for natural persons and from 189 EUR up to 579 EUR for administrators of legal persons (CAI, Article 189(9)).

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

A licence for export of military equipment included to the Common Military List to be issued by the Ministry of Economy, shall not be required:

- for re-export of military equipment for repair or maintenance, where repairs or maintenance is provided under contracts of purchase and sale or under warranty and where this equipment has been imported by the Ministry of National Defence or an authority authorised by this Ministry or the Lithuanian Army.

A licence for transfers of military equipment within the European Union to be issued by the Ministry of Economy shall not be required where:

- military equipment is transferred by the Ministry of National Defence, the Lithuanian Army, the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania or the Weaponry Fund;
- supplies are made by the European Union, the North Atlantic Treaty Organization (NATO), the International Atomic Energy Agency (IAEA) or other intergovernmental organisations for the performance of their tasks;
- the transfer is necessary for the implementation of a cooperative armament programme between the Member States;
- the transfer is linked to humanitarian aid in the case of disaster or as a donation in an emergency.

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

(i) Procedure in case of Military Equipment included into the Common Military List

Under RLR, individual licence for temporary export (for the purposes of repair, exhibition, inspection or temporary use) is defined as an authorization granting the exporter the right to temporarily export a certain amount of military equipment as specified in the licence to the specified importer or consignee in a third country and to bring it back (to reimport).

Licence for temporary export is valid for one year and can be obtained on a case-by-case basis, following the procedure described in Question 4.

In order to obtain the individual export licence to temporarily export military equipment – an agreement for temporary export of goods or other documents attesting temporary export of military equipment should be submitted together with the license application.

(ii) Procedure for category B, C and D items.

Under LCA any legal or natural person can temporarily (up to 24 months) import (export) arms and ammunition of B, C, D categories (demonstration, trial or other purposes).

Temporarily imported (exported) arms and ammunition could be returned without any permission. The relevant license should be issued by the Police Department.

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

(i) Procedure in case of Military Equipment included into the Common Military List

RLR specifies the following types of licenses:

Types of licences for the export, import, transit and brokering of military equipment:

- individual export licence, i.e. an authorization granting an exporter the right to export a certain quantity of military equipment specified in the licence in one or several shipments to one end-user or recipient in a third country;
- individual licence for temporary export (for the purposes of repair, exhibition, inspection or temporary use), i.e. an authorization granting an exporter the right to temporarily export a certain quantity of military equipment as specified in the licence to the specified importer or recipient in a third country and to bring it back (to re-import);
- global export licence, i.e. an authorization granting an exporter the right to export military equipment of a certain type as specified in the licence to one end-user in a third country;
- individual import licence, i.e. an authorization granting an importer the right to import a certain quantity of military equipment as specified in the licence in one or several shipments from a third-country exporter;
- individual licence for temporary import (for the purposes of repair, exhibition, inspection or temporary use), i.e. an authorization granting an importer the right to temporarily import a certain quantity of military equipment as specified in the licence from a third-country exporter or end-user and to return (re-export) this equipment to the specified third-country exporter or end-user;
- global import licence, i.e. an authorization granting an importer the right to import military equipment of a certain type specified in the licence from one or several exporters from one or several third countries;
- transit licence an authorization granting a carrier the right to transport in transit over the territory of the Republic of Lithuania the quantity of military equipment specified in the licence in one shipment sent by the specified third-country exporter to the specified importer from a different third country;
- brokering licence, an authorization granting a broker the right to negotiate, prepare or implement a transaction between the buyer and the seller specified in the licence on the transfer of the specified military equipment from the territory of the Republic of Lithuania or the territory of another Member State or third country to any other third country.

Types of licences for intra-EU transfer of military equipment:

- general licence for intra-EU transfer of military equipment to the armed forces of other Member States, i.e. an authorisation for suppliers established in the Republic of Lithuania and compliant with the conditions set out in the licence to transfer the military equipment specified in the licence to the armed forces of another Member State or to a contracting authority in the field of defence purchasing for the exclusive use by the armed forces of a Member State;
- general licence for intra-EU transfer of military equipment to certified undertakings in other Member States, i.e. an authorisation for suppliers established in the Republic of Lithuania and compliant with the conditions set out in the licence, to transfer the military equipment specified in the licence to a recipient certified undertaking located in another Member State;
- general licence for intra-EU transfer of military equipment for demonstration, evaluation or exhibition purposes, i.e. an authorisation for suppliers established in the Republic of Lithuania and compliant with the conditions set out in the licence to transfer the military equipment specified in the licence to another Member State for the purposes of demonstration, evaluation or exhibition on condition that this equipment will be returned after the demonstration, evaluation or exhibition;

- general licence for intra-EU transfer of military equipment for technical maintenance or repairs, i.e. an authorisation for suppliers established in the Republic of Lithuania and compliant with the conditions set out in the licence to transfer the military equipment specified in the licence for the purposes of technical maintenance or repairs to a recipient of military equipment located in another Member State, which is the originating supplier or producer of the military equipment, on condition that the equipment will be returned following technical maintenance or repairs;
- global intra-EU transfer licence, i.e. an authorisation granting a supplier the right to transfer military equipment of a certain type specified in the licence to one or several recipients in other Member States;
- individual intra-EU transfer licence, i.e. an authorisation granting a supplier the right to make one transfer of the quantity of military equipment specified in the licence in one or several shipments to one recipient in another Member State; the individual intra-EU transfer licence shall be issued when it is requested for a single transfer, where that is necessitated by security interests, the protection of public order or international commitments or where the supplier cannot conform to all the conditions for the issue of the global intra-EU transfer licence;
- individual licence for entrance from another Member State, i.e. an authorisation granting a recipient the right to bring in the quantity of military equipment specified in the licence from a supplier in another Member State; this authorisation shall be applicable only in case of entering of the military equipment listed under category ML7 of the Common Military List.

Forms of the abovementioned license applications are included in 1.

(ii) Procedure for category B, C and D items.

According to LCA, export licence (the application form is included in Annex 2) is a single permission to export a single lot of arms and/or ammunition. The document includes the names of exporter/importer/producer and an end-user, data on arms exported, a national border point through which shipment takes place, and other relevant information. An import license (authorisation) from the competent authority of importing state has to be submitted thereby. In addition, LCA allows to issue a multiple and global licenses as they are described in Regulation 258/2012.

Form of the abovementioned license application is included in Annex 2.

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

See Question 14.

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

Advice and consultations to exporters on whether or not goods are subject to export, import, transit or brokering controls are always provided by specialists involved in the licensing process in the Ministry of Economy, the Ministry of National Defence, the Ministry of Foreign Affairs, the State Weaponry Fund and other ministries and state institutions, involved in the licensing process.

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

The average number of export licences (including the temporary export licenses) issued annually is about 90-110. At the Ministry of Economy 3 persons are directly involved in the licensing procedure. Further 2 officials at the Ministry of Foreign Affairs and 3 officials at the Ministry of Defence review licence applications. The Commission for the Resolution of Issues Relating to the Licensing of Strategic Goods consists of 18 representatives.

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?

All national legislation and guidelines governing arms transfers are published officially in the Register of Legal Acts (<https://www.e-tar.lt/portal/en/index>). This information is also available on the Parliament's website (www.lrs.lt) as well as on the websites of ministries and state institutions involved in export controls.

For further information and clarifications, please contact:

Arms Control and Terrorism Prevention Division
Transatlantic Relations and Security Policy Department
Ministry of Foreign Affairs
J. Tumo-Vaižganto str. 2
LT-01511 Vilnius, Lithuania
Tel. +370 706 5 2938
Fax. +370 5 236 2519
E-mail: ieva.karpaviciute@urm.lt

ANNEX 1 - LICENCE FORMS FOR TRANSFERS OF STRATEGIC GOODS

**ANNEX 2 – LICENCE APPLICATION FORM
FOR EXPORT OF B, C, D CATEGORY ARMS**

B, C, D kategorijų ginklų, jų šaudmenų, jų dalių eksporto (išvežimo), importo (įvežimo) ir vežimo tranzitu per Lietuvos Respubliką taisyklių
I priedas

(Prašymo išduoti leidimą eksportuoti ginklus forma)

(juridinio asmens pavadinimas ar fizinio asmens vardas, pavardė)
(juridinio ar fizinio asmens adresas, telefono, fakso Nr., kodas (jeigu pareiškėjas – juridinis asmuo))

Policijos departamentui prie Vidaus reikalų ministerijos

PRAŠYMAS IŠDUOTI LEIDIMĄ EKSPORTUOTI GINKLUS

20 _____ Nr. _____

(vieta)

Leidimo rūšis (pažymėti reikiama):		
Vienkartinis <input type="checkbox"/>	Daugkartinis <input type="checkbox"/>	Bendrasis <input type="checkbox"/>
1. EKSPORTUOTOJAS: (juridinio asmens pavadinimas ar fizinio asmens vardas, pavardė) (juridinio ar fizinio asmens adresas, telefono, fakso Nr.)	2. IMPORTUOTOJAS: (juridinio asmens pavadinimas ar fizinio asmens vardas, pavardė) (juridinio ar fizinio asmens adresas, telefono, fakso Nr.)	
3. GALUTINIS VARTOTOJAS: (juridinio asmens pavadinimas ar fizinio asmens vardas, pavardė) (juridinio ar fizinio asmens adresas, telefono, fakso Nr.)		
4. TRANZITO VALSTYBĖS (jeigu taikoma):		
5. DABARTINĖ GINKLŲ LAIKYMO VIETA:		
6. Ginklų kategorija, rūšis, identifikaciniai duomenys; šaudmenų tipas (kalibras)	Kombinuotosios nomenklatūros (KN) kodas	Kiekis (vnt.)
7. Ginklų vežimo maršrutas		
8. Transporto rūšis		
9. Eksportuotojo pareiškimas: Aš, _____, pareiškiu, kad: (vardas, pavardė)		
1. Visa šiame prašyme pateikta informacija ir visi pateikti dokumentai yra tikri, teisingai ir išsamiai apibūdina eksporto sandorį.		
2. Eksporto sandorio dokumentus saugosiu ir, jeigu bus pareikalauta, pateiksiu Policijos departamentui prie Vidaus reikalų ministerijos ar Ginklų fondui prie Vidaus reikalų ministerijos.		
3. Pranešiu Policijos departamentui prie Vidaus reikalų ministerijos apie ginklų, asortimento ar kitų pateiktuose dokumentuose nurodytų duomenų pasikeitimus ir prašymo nagrinėjimo metu, ir gavęs leidimą eksportuoti ginklus.		
4. Žinau, kad valstybės institucijos, kontroliuojančios ginklų apyvartą, ar jų įgalioti asmenys turi teisę prirėkus kontroliuoti ginklų apyvartą.		
PRIDEDAMA:		
1. Sutartis arba sąskaita faktūra.		
2. Valstybės importuotojos kompetentingos institucijos išduota importo licencija (leidimas).		
3. _____		
(kita papildoma informacija)		
(Pareigos)	(Parašas)	(Vardas, pavardė)