

## Issue

No consistency across EU Member States in terms of number and content of GTLs because this topic is governed by an EU Directive which allows greater flexibility but lead to **significant divergences within the EU**

## Objective

Harmonising national measures on GTLs in order to **avoid obstacles to trade** and the distortion and restriction of competition within the Union, while allowing for a **greater efficiency and simplification of intra-EU trade** of defence-related products

## Key Takeaways

### 1. EU current framework

- GTLs: a request is not needed – **all movements that meet the legal conditions are authorised automatically**. However, suppliers must inform the competent authorities of their intention to use a GTL and shall provide them with a reporting *a posteriori*.
- **At least 4 GTLs shall be published** by all Member States :
  - for armed forces;
  - for certified defence enterprises (recipients);
  - for demonstration, evaluation or exhibition purposes; and
  - for repair or maintenance.
- EU Commission **non-binding recommendations** on the minimum scope of the 4 mandatory GTLs
- **CERTIDER** platform with the list of GTLs (not updated since 05.2024!)

### 2. (Non-exhaustive) Examples of national measures

- Germany : 16 available GTLs ; France : 10 available GTLs ; Austria : 9 available GTLs
- Belgium (Wallonia) : 2 available GTLs ; Slovenia : 1 available GTL ; Iceland & Ireland : no available GTLs
- 2016 Report: GTL registration most commonly relates to 'demonstration, evaluation or exhibition' (41% of all registrations) vs. 'certified defence enterprises' is relatively small (6%)

### 3. Omnibus Defence (under negotiation)

- **5th mandatory GTL** : projects funded under Union defence industrial programmes
- The **"certified entity"** mandatory GTL is **broadened** to encompass recipients OR SUPPLIERS

## Target Audience

- EU companies active in the Defence sector

## Non-Compliant ?

No use of GTLs → **loss of time, of efficiency, of money**

Sanctions → prison and/or fines

*E.g. : Luxembourg : prison (8 days- 3y.) and/or fine (5000-50.000€) if no prior registration or no reporting a posteriori*

## Key Dates

- Q4 2025: Expected review of EU Directive 2009/43
- 2025/2026 : Expected adoption of the Omnibus Defence

## To Do

- **Identification of transactions within EU** (type of products/recipients)
- **Assessment of relevant GTLs** (on the supplier side)
- **Registration before prior use** with competent authorities
- **Reporting a posteriori** to competent authorities
- **Update of your internal policies and processes** to prioritise the use of GTLs
- **Raise awareness** amongst relevant staff

## Support

Non-exhaustive examples

- **D-Wise Strategy**: Assessment of each EU Member State's GTLs & group structure/flows recommendations
- **D-Wise Consult**: Can my subsidiary in Germany rely on a GTL for our products ? What about transfers to the UK ? and to Norway ?
- **D-Wise Implementation**: summary of relevant local GTLs
- **D-Wise Academy**: on-site training or development of a dedicated e-Learning module
- **D-Wise News**: regulatory monitoring of the Omnibus initiative and current EU Directive 2009/43 public consultation