



# Amendments to General Export Authorizations regarding military and dual-use items

Economic  
Security

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The German Federal Office for Economic Affairs and Export Control (Bundesamt für Wirtschaft und Ausfuhrkontrolle – BAFA) has extended all General Export Authorizations (GEAs), which would have expired on 31 March 2025, until 31 March 2026. Some extended GEAs were amended, with the amendments taking effect on 1 April 2025. We provide an overview of the amendments.

GEAs are a special form of export authorization. They have the same effect as other export authorizations but do not have to be applied for. Instead, GEAs are issued ex officio and have the effect that all exports that meet the requirements of the respective GEA are automatically authorized. The exporter must only register with BAFA as a user of the respective GEA. The possibility of using a GEA benefits the exporter in terms of being able to deliver immediately and plan reliably.

## **1. Military items**

### Additional exceptions

An additional exception has been added to the GEAs Nos. 18, 19, 21, 23, 25, 26, and 35 regarding exports and transfers of certain military items. According to the exception, the GEAs do not apply if the exporter has been informed by BAFA that the goods in question are or may be intended, in whole or in part, for the support of Russian aggression or terrorist activities against representatives and institutions of the Ukrainian government or the Ukrainian civilian population, or if the exporter is aware that the goods are intended for these uses.

Furthermore, BAFA clarified that GEAs Nos. 19, 21, 22, 26, 27, 33, 35, and 36 do not apply if an individual authorization (Einzelgenehmigung), maximum amount authorization (Höchstbetragsgenehmigung), or global authorization (Sammelgenehmigung) was issued for the intended export or transfer before the respective GEA came into force, provided that the authorization has not yet expired and the authorized value of the goods has not been fully utilized. In practice, this means that the export declaration must contain the code for the individual, maximum amount or global authorization, rather than the code for the GEA.

### Editorial amendments regarding authorized destinations

In GEAs 19, 20, 21, 22, 23, 24, 26, 33, 34, and 36, authorized destinations within the customs territory of the Union have been deleted. However, this does not affect the scope of application of the GEAs. For almost all the GEAs, destinations within the customs territory of the Union are covered

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by another number or another indent in Section II. The only exception is GEA No. 20 (trafficking and brokering transactions). Here too, however, deleting the destinations does not ultimately restrict the scope of application, as there is no authorisation requirement for trafficking and brokering transactions regarding destinations within the customs territory of the European Union, according to Section 46 of the Foreign Trade and Payments Ordinance (Außenwirtschaftsverordnung – AWW).

#### Further amendments

In GEA No.25, the period during which the goods may remain in Germany after prior importation was doubled from 12 to 24 months.

In addition, the temporary export or transfer of software or technology that may not be made available to third parties is now only possible under GEA No. 25 if the goods are returned to Germany within 24 months. However, the BAFA may extend or waive this deadline upon application, if justified in the individual case. In any case, the exporter or transferor is obliged to provide evidence of the time of export or transfer and the return of the goods to Germany through suitable documents. These documents must be stored and submitted to BAFA upon request.

In addition, GEA No. 25 now clarifies that submitting zero reports (Nullmeldung) is only required in relation to case group No. 4.19, the only case group for which GEA No. 25 provides for a reporting obligation. If no exports or transfers, or no reportable exports or transfers pursuant to case group No. 4.19 were carried out in the reporting period, this must be reported electronically via a zero report.

The notes to GEA No. 27 now clarify that onward deliveries to consignees or end users in Iceland, Norway, and the United Kingdom are also permitted in accordance with Nos. 3 and 4 of GEA No. 25.

Furthermore, the use of GEA No. 33, which, unlike the other GEAs, generally requires an end-use certificate, now provides for exceptions to this requirement in certain cases. The requirement to obtain an end-use certificate does not apply if one of the exemptions applies that are listed in Section IV Nos. 2.1 or 2.2 of the “Notice on end-use documents pursuant to Section 21 (6) of the Foreign Trade and Payments Ordinance (AWV) for goods covered by Part I A of the Export List” dated 1 August 2017 (temporary exports and transfers at foreign trade fairs; re-exports after importation; technology for quotation purposes; exports and transfers of military equipment (except software and technology) that are not war weapons with a value of less than EUR 5,000 to EU Member States, NATO member states, Australia, Japan, New Zealand and Switzerland (so-called 1st group of

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countries)) or if, in accordance with Section III No. 2.2.1 sentence 3 of the Notice, an International Import Certificate can be submitted for final exports or transfers to the 1st group of countries mentioned therein.

GEA No. 35 (transfer and export of certain spare parts of military items) now contains a new indent in the exclusions of Section II No. 3.2, according to which the GEA does not apply if the original transfer or export of the main item for which the spare parts are intended was performed using GEA No. 25.

In addition, case group No. 5.2 in Section II of GEA No. 36 has been extended to include cases in which the goods are handed over to the naval forces or the state coast guard on behalf of the armed forces. The order to transfer the processed goods to the naval forces or the coast guard can therefore now also originate from other parts of the armed forces. This allows, for example, the involvement of government procurement offices or the Ministry of Defence.

## **2. Dual-use items**

### Extensions of GEAs Nos. 13, 14, 37, 38, and 40

In the area of dual-use items, the most significant change concerns GEA No. 13: Case group No. 4.14 lit. a now allows goods brought into the customs territory of the Union that have not yet been cleared for import to be re-exported unchanged to the country of dispatch within a period of 24 months (previously: 12 months). In addition, the case group contained in Section II, No. 4.19 has been expanded. It governs exports in connection with marine and polar science research. The case group was previously limited to the use of research vessels and has now been expanded to include the use of research aircraft from research centres that are institutionally funded by the Federal Republic of Germany.

Also, the group of authorised destinations in GEAs 14, 37, 38, and 40 was expanded to include Heligoland.

### Restriction of GEA No. 41

An additional exclusion has been added to GEA No. 41. The GEA no longer applies if the original export of the main item for which the spare parts are intended took place using GEA No. 13.

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### 3. Practical guidance

Exporters should review their export authorization applications already submitted and consider whether the use of a GEA is possible. If this is the case, the authorization applications may be withdrawn, and the goods be exported or transferred.

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