Dual-use goods: Council agrees negotiating mandate

The EU wants to modernise the current EU regime for the control of exports, transfer, brokering, technical assistance and transit of dual-use items. The objective is to further strengthen the non-proliferation of weapons of mass destruction and their means of delivery, regional peace, security and stability as well as respect for human rights and international humanitarian law.

EU ambassadors today agreed the Council's negotiating position on a proposed recast of the regulation setting up a regime for the controls of exports, brokering, technical assistance, transit and transfer of dual-use items. On the basis of this mandate, the Council Presidency will start negotiations with the European Parliament.

The new rules will introduce a number of changes to the EU export control system of dual-use items to adapt it to the changing technological, economic and political circumstances. They will also simplify and improve the current rules and optimise the EU licensing architecture.

In particular, new provisions include:

- further harmonising licensing processes, through the introduction of new general export authorisations (EU GEAs), which are authorisations for exports to certain countries of destination available to all exporters who respect the conditions;
- harmonisation of the control of supplying the technical assistance related to sensitive items;
- a new mention of cyber surveillance items highlighting that the competent authorities have the possibility to control such items using the current regulation as for all non-listed dual-use items that could be used for directing or committing serious violation of human rights.

Background

Under international commitments, EU member states need to have domestic controls to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery. This includes controls over dual-use items, that is related materials, equipment and technology for export which can be used for both civilian and military purposes, including the purposes mentioned above.

To this end, the EU adopted in 2009 a regulation setting up a regime for the controls of exports, brokering, technical assistance, transit and transfer of dual-use items.

To adapt to the rapidly changing technological, economic and political circumstances the Commission presented a proposal in September 2016 to update and expand the existing rules.