

Union General Export Authorisation for the export of certain dual-use items from the Union to the United Kingdom

2018/0435(COD) - 19/12/2018 - Legislative proposal

PURPOSE: to grant a Union General Export Authorisation for the export of certain dual-use items from the Union to the United Kingdom of Great Britain and Northern Ireland in the absence of an agreement to withdraw the United Kingdom from the Union.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure on an equal footing with the Council.

BACKGROUND: on 13 December 2018, the European Council (Article 50) renewed its call to intensify work on preparing, at all levels, for the consequences of the United Kingdom's withdrawal from the Union, taking into account all possible outcomes. In response to this call, this Regulation is part of a package of emergency measures proposed by the Commission in view of the uncertainty in the United Kingdom regarding the ratification of the withdrawal agreement.

[Regulation \(EC\) No 428/2009](#) provides for 'Union General export authorisations' which facilitate controls on low-risk exports of dual-use items to certain third countries. Currently, Australia, Canada, Japan, New Zealand, Norway, Switzerland, including Liechtenstein, and the United States of America are covered by Union General export authorisation No. EU001.

In the absence of a withdrawal agreement, all EU legislation on the import and export of goods shall apply to goods moving between the EU and the United Kingdom.

Considering that the United Kingdom is an important destination for dual-use items produced in the Union, it is appropriate to add the United Kingdom to the list of destinations covered by the Union General export authorisations No. EU001 in order to ensure a uniform and consistent application of controls throughout the Union, to promote a level playing field for Union exporters and to avoid an unnecessary administrative burden, while protecting Union and international security.

The Commission recalls that the United Kingdom is a party to relevant international treaties and a member of international non-proliferation regimes and that it maintains full compliance with related obligations and commitments, and applies proportionate and adequate controls to effectively address considerations about intended end use and the risk of diversion consistent with the provisions.

CONTENT: the proposal to amend Council Regulation (EC) No 428/2009 aims to **add the United Kingdom to the list of destinations covered by the Union General export authorisation for dual-use items** only in a situation where no withdrawal agreement is concluded with the United Kingdom.

Given the urgency entailed by the circumstances of the United Kingdom's departure from the European Union, it is necessary to allow for a prompt application of the provisions provided for in this Regulation, i. e. on the day following its publication in the Official Journal of the European Union.