

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2020/0313(COD) Awaiting committee decision
Export of certain dual-use items from the EU to the United Kingdom	
Subject 6.10.03 Armaments control, non-proliferation nuclear weapons 6.20.02 Export/import control, trade defence, trade barriers 6.20.05 Multilateral and plurilateral economic and trade agreements and relations	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 International Trade		09/11/2020
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	 Foreign Affairs	 LANGE Bernd The committee decided not to give an opinion.	

Key events			
04/11/2020	Legislative proposal published	COM(2020)0692	Summary
11/11/2020	Committee referral announced in Parliament, 1st reading/single reading		

Forecasts	
23/11/2020	Vote in plenary scheduled

Technical information	
Procedure reference	2020/0313(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 207-p2
Stage reached in procedure	Awaiting committee decision
Committee dossier	INTA/9/04569

Documentation gateway					
Legislative proposal		COM(2020)0692	04/11/2020	EC	Summary

2020/0313(COD) - 04/11/2020 Legislative proposal

PURPOSE: to amend Council Regulation (EC) No 428/2009 by granting 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.

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 and on an equal footing with the Council.

BACKGROUND: Council Regulation (EC) No 428/2009 establishes a common system for the control of exports of dual-use items in accordance with the international commitments and obligations of the Member States and the EU. Under this regulation, an authorisation is required for the export of dual-use items to third countries. This authorisation may take the form of an individual, global or general authorisation.

In particular, Annex IIa to the Regulation provides for a Union General Export Authorisation (EU001) for certain low-risk transactions, e.g. exports to Australia, Canada, Japan, New Zealand, Norway, Switzerland (incl. Liechtenstein), and the United States of America.

The withdrawal of the United Kingdom from the EU has consequences for trade in dual-use items between the EU and the UK: under Council Regulation (EC) No 428/2009, the export of dual-use items from the EU to the UK will, as from 1 January 2021, require an export authorisation issued by the national competent authority of the Member State where the exporter is established. This would create a considerable administrative burden for the competent authorities of the Member States and for EU exporters, which would be detrimental to their competitiveness.

CONTENT: in order to avoid disproportionate trade disruptions and an excessive administrative burden for exports of dual-use items from the EU to the UK, it is proposed to add the UK to Annex IIa of the Regulation and thus to control exports to the UK under EU General Export Authorisation No EU001.

The addition of the United Kingdom to the list of countries covered by EU General Export Authorisation EU001 should not have a negative impact on EU and international security, while ensuring uniform and consistent application of controls throughout the Union and ensuring a level playing field for EU exporters.

This proposal is consistent with the general approach to contingency measures to address a withdrawal of the United Kingdom without agreement.