Dual-use items: Community regime for the control of exports, transfer, brokering and transit, update of the EU control list

2011/0310(COD) - 03/04/2014 - Text adopted by Parliament, 2nd reading

The European Parliament approved, without amendment, the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending Regulation (EC) No 428/2009 setting up a community regime for the control of exports, transfer, brokering and transit of dual use items.

Parliament also approved a common statement of the European Parliament, the Council and the Commission on the review of the dual-use export control system.

The statement recognised the importance of continuously enhancing the effectiveness and coherence of the EU's strategic export controls regime, ensuring high level of security and adequate transparency without impeding competiveness and legitimate trade in dual-use items.

The three institutions undertook to:

- modernise and ensure further convergence of the system in order to keep up with new threats and rapid technological changes, to reduce distortions, create a genuine common market for dual-use items (uniform level playing field for exporters) and continue serving as an export control model for third countries. To this end, it is essential to streamline the process for updating the control lists (Annexes to the Regulation);
- focus on the issues regarding the export of certain information and communication technologies (ICT) that can be used in connection with human rights violations as well as to undermine the EU's security, particularly technologies used for mass-surveillance, monitoring, tracking, tracing and censoring, as well as for software vulnerabilities. Technical consultations have been initiated in this respect and actions continue to be taken to address situations of urgency through sanctions. Efforts will also be intensified to promote multilateral agreements in the context of export control regimes;
- further develop the existing catch-all mechanism for dual-use items falling outside the Annex I of the Regulation, in order to further enhance the export control system and its application within the European single market.

The Commission also made two statements in which it committed itself to: (i) provide to the Parliament full information and documentation on its meetings with national experts within the framework of its work on the preparation of delegated acts; and (ii) put forward a new proposal for updating the Regulation as expeditiously as possible.