
Commission welcomes agreement on the modernisation of EU export controls

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The Commission welcomes the agreement reached today by the European Parliament and the Council on its [proposal](#) for a modernisation of EU export controls on sensitive dual-use goods and technologies.

The changes agreed today will upgrade and strengthen the EU's export control toolbox to respond effectively to evolving security risks and emerging technologies.

Thanks to the new Regulation, the EU can now effectively protect its interests and values and, in particular, address the risk of violations of human rights associated with trade in cyber-surveillance technologies without prior agreement at multilateral level.

It also enhances the EU's capacity to control trade flows in sensitive new and emerging technologies.

This new Regulation provides a new basis for the coordination of controls on a wider range of emerging dual-use technologies between the Commission and Member States in support of the effective enforcement of controls throughout the EU. Due diligence obligations and compliance requirements for exporters have also been introduced, recognising the role of the private sector in addressing the risks posed by trade in dual use items to international security. Transparency will also be enhanced through the obligation to publish reports on the licenses granted.

Finally, the new Regulation provides a strong basis for the EU to engage with third countries in order to support a global level-playing field and enhance international security through more convergent approaches to export controls at global level.

Background

The Commission adopted its legislative proposal to modernise EU controls on exports of sensitive dual-use goods and technology in September 2016. Such items have many civilian uses but can also be used for defence, intelligence and law enforcement purposes (nuclear and special materials, telecommunication, electronics and computers, space and aerospace, marine equipment etc.).

The new Regulation includes many of the Commission proposals for a comprehensive “system upgrade”, and will make the existing EU Export control system more effective by:

- introducing a novel ‘human security’ dimension so the EU can respond to the challenges posed by emerging dual-use technologies – especially cyber-surveillance technologies – that pose a risk to national and international security, including protecting human rights;
- updating key notions and definitions (e.g. definition of an “exporter” to apply to natural persons and researchers involved in dual-use technology transfers);
- simplifying and harmonising licensing procedures and allowing the Commission to amend – by ‘simplified’ procedure, i.e. delegated act – the list of items or destinations subject to specific forms of control, thereby making the export control system more agile and able to evolve and adjust to circumstances;
- enhancing information-exchange between licensing authorities and the Commission with a view to increasing transparency of licensing decisions;
- coordination of, and support for, robust enforcement of controls, including enhancing secure electronic information-exchange between licensing and enforcement agencies;
- developing an EU capacity-building and training programme for Member States’ licensing and enforcement authorities;
- outreach to industry and transparency with stakeholders, developing a structured relationship with the private sector through specific consultations of stakeholders by the relevant Commission group of Member States experts;
- setting up a dialogue with third countries and seeking a level playing field at global level.

(European Commission)