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LIMITE

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CONOP 50
ECO 60
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ATO 51
COARM 115
TTC 13

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
To: Delegations

Subject: Outcome of proceedings of the Working Party on Dual Use Goods of 29 June 2022

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (03.08.2022)

1. Implementation of the Dual Use Regulation (EU) 2021/821:

a) Progress of the Technical Expert Groups and meetings schedule

DUWP took note of the progress in technical expert groups, established to bring forward implementation of the Dual Use Regulation. COM (DG Trade) updated on planned July meetings of the Surveillance technology expert group (STEG), the Emerging technology expert group (ETEG) and the Dual Use Coordination group. All these groups are crucial to ensure effective implementation of the Dual Use Regulation, including sanctions regulation, and to pave the way for an effective cooperation with third partners, including in the framework of the EU-US Trade and Technology Council Export control working group.

Furthermore, DUWP took note of a recent meeting of the Technical group on Transparency (28 June). The work of this group is advancing well. Discussions are ongoing on the methodology for reporting. The main objective is to find the right balance between improved transparency and protection and confidentiality of exporters' data.

As a next step, experts will provide written comments to the revised draft method by the end of July, in view of its discussion at the next meeting, scheduled for 8 September. The aim is to publish guidelines for reporting early 2023.

Concerning the Capacity building expert group, DUWP noted that a first meeting took place at the beginning of June with the aim to collect first ideas from experts and raise questions with regard of the type of trainings to be provided in the future.

Member States took note of the planning of the technical expert groups meetings, however concerns were raised about the dates announced at short notice and meetings taking place during the summer holiday period. Delegations reiterated call for timely preparations, called on COM to ensure advance planning, in order to be able to coordinate internally and contribute effectively, and asked if some of these meetings could be organised virtually. COM took due note of the comments and assured, where possible, to circulate meeting dates of the DUCG and the technical groups in advance.

b) Delegated Act to update Annex I of the Regulation (EU) 2021/821

COM announced that the update of the Annex I is ongoing according the timeline. The draft of the delegated act was shared with DUCG on 25 May with a deadline for comments until 2 June. No comments were received, however, discussions are ongoing and are not yet finalized on one entry. A special session and presentation of the key changes will be organised on 14 July at DUCG, with the participation of the European Parliament. Internal horizontal consultations will be launched by COM in July. The Delegated act will be translated in August, while the adoption is planned in September.

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4. DUWP cooperation with academia

a) Presentation on export controls and sanctions by University of Liege.

DUWP took note of a presentation by Quentin Michel, professor at University of Liege, on differences between sanctions and trade (export) controls.

b) Update of Vade Mecum on Dual Use exports

Prof. Michel informed the group about the activities of University of Liege in the field of export control. He mentioned the work of Chaudfontaine group, within University of Liege: a think tank gathering actors from academia, industry and public authorities (European, national & regional level) dealing with strategic trade control issues. The group meets annually and the topic of discussion of this year's edition will be "Strategic Trade Control Compliance Tools". Prof. Michel also briefly presented publications of the Chaudfontaine group, the most recent focuses on how the new Dual use regulation could help export controls of third countries.

Furthermore, he presented the Chaudfontaine group newsletter on dual-use items trade control, informing subscribers regularly on legal developments in the field at EU and international level, studies and reports, difficulties on export controls and sanctions and other related issues.

In relation to support to researchers in their discernment process, a “Dual-Use App Assistance” has been created and made available to several universities.

Additionally, following adoption of new Dual Use regulation, the European Studies Unit of the University of Liege will update its Dual-Use Vade Mecum. Delegations were invited to share their experience on implementation process through a questionnaire that would be available via a link/website. The document will be subsequently updated and publicly available, and broadly used by industry and exporters.

In the discussion, MS welcomed the presentation, pointed to the lack of awareness of universities and research institutions, and suggested exploring synergies between DUWP and Working Party on research, to create awareness on ITT, also in relation to sanctions.

5. Multilateral Export Control Regimes

a) *Nuclear Suppliers Group*

The Presidency, on behalf of Poland, the NSG Plenary Chair, reported on the outcome of the plenary meeting that took place on 20-24 June, including on decisions for additional control items. Plenary session was preceded by the Consultative group and other working sessions, such as Information Exchange meeting, and Licensing and Enforcement Experts meeting. Reports of both IEM and LEEM were presented to the Plenary and are available on NISS. Despite numerous efforts by the president of the NSG, the Plenary was not able to adopt, for the first time, a Public Statement, due to the political tensions, since Russia objected any reference to Ukraine, and together with China, contested the language on the DPRK and Iran/JCPOA. Next Plenary 2022-2023 will be chaired by Argentina.

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6. Third country cooperation

a) Outcome of the dialogue with Norway (13 June 2022)

Postponed to next meeting

b) Outcome of the dialogue with Taiwan (2 June 2022)

Postponed to next meeting

7. Incoming CZ Presidency

CZ delegation informed about the planned meeting dates of DUWP meetings under CZ Presidency. These are: 13 July, 7 September, 12 October, 9 November and 14 December (tbc, back to back with Export control forum).

8. AOB

Farewell to IT delegate.

Next DUWP meeting: 13 July in Brussels (physical meeting)