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LIMITE

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CFSP/PESC 384
CONOP 30
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UD 117
ATO 18
COARM 119

OUTCOME OF PROCEEDINGS

From:	Working Party on Dual Use Goods
To:	Delegations
Subject:	Outcome of Proceedings of the Working Party on Dual Use Goods of 19-20 April 2017

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (15.06.2017)

1. 2017 update to the EU control list in Annex I to Regulation (EU) No 428/2009

The Commission updated the Group about the ongoing work regarding the 2017 update to the EU control list. It will consult Member States' experts as of the week of 24 April 2017, and the Dual Use Coordination Group will also be called to upon to address the matter at its meeting on 23 May 2017, with a view to the Commission proceeding to legal and linguistic finalisation of the Delegated Regulation during summer.

2. Export control and IEDs: ISIL procurement of commercial goods for manufacturing weapons

DELETED

3. Export control dialogue with Norway.

DELETED

4. Export control regimes – Information and exchange of views on recent and upcoming events and related EU coordination

The Commission informed the Group on its ongoing work preparing technical assessment on measures being discussed at the Nuclear Suppliers Group and Australia Group, which it intends to forward shortly for delegations' comments.

5. Other developments in Member States' dual-use export control policies – information from delegations.

No issues were raised by delegations.

6. Commission proposal for a Regulation setting up a Union regime for control of exports, transfer, brokering, technical assistance and transit of dual-use items

The Group continued the examination of the Commission proposal (doc. 12785/17) covering Articles 10(7) - 23. The Group flagged up a number of topics for further assessment, including:

- the scope of authorisations referred to in Art. 10(7) vis-à-vis Art 10(1);
- the scope of Union general authorisations for transfers between Member States vis-à-vis obligations arising from international export control regimes (Art. 12);
- the review of the denials, and the time period proposed (Art. 15(2));
- a possible deadline for replies to consultations on essentially identical transactions (Art. 15(5));
- the proposed move to an expanded and mandatory information exchange (Art. 20(2));
- coordination and inter-agency cooperation (18(5) and Arts 22(2));
- the role of proposed technical expert groups that could be set up by the Dual-Use Coordination Group (Art. 21(3));

- delegations called for further legal assessment of the proposed provisions on controls regarding brokering or provision of technical assistance by subsidiaries of EU companies in third countries (Art. 11(1)); the relationship between the criteria set out in Art. 14(1) and Common Position 2008/944/CFSP on exports of military technology and equipment; the definition of the scope of Commission delegated acts (Art. 16); and proposed the "anti-circumvention" Article 23;
- a number of delegations also recalled their scrutiny of the proposed new Section B of Annex I;

The Chair recalled his invitation delegations to provide written comments on the topics discussed.

7. AOB.

- **Firearms Regulation:** the Commission informed delegations on the ongoing public consultation the framework of an overall evaluation of Regulation 258/2012 on export, import and transit licensing or authorization systems of firearms, their parts and components (open until 24 May 2017), and encouraged Member States' authorities to participate in the consultation and also draw their economic operators' attention to this.
- **Trafficking of surveillance technologies:** the Commission drew delegations' attention to reports in the media concerning circumvention of export controls in the Middle East region.
- The **next meeting** of the Group is scheduled for 22 May 2017.
