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WK 2824/2020 INIT

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WORKING DOCUMENT

From:	FI Delegation
To:	Working Party on Dual-Use Goods
N° prev. doc.:	WK 2699/2020 INIT; 2695/2020 REV 1; 2697/2020 INIT
Subject:	Finland - comments - Recast of Dual Use Regulation: Art.20; EUGEA 007; EUGEA 008

Delegations will find attached the comments by Finland - Recast of Dual Use Regulation: Art.20; EUGEA 007; EUGEA 008.

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EN

FI proposals regarding the documents circulated in the Delegates' Portal on 6 March 2020:

WK 2699/2020 INIT

- Redraft the first line of 3. to read: The exchange of licensing data shall take place CONSTANTLY OR at least annually etc.

EU007

Part 2

- Do not oppose deletion of VN from country coverage

Part 3

- 1(1)
 - o Would the inclusion of the word “both” at the beginning be useful for clarity?
- 1(3)
 - o Comma needs to be deleted at the end of the deletion on the 2nd line
- 2(1)(b)
 - o Use wording from PRES proposal for EU 008 for consistency
- 2(1)(d)
 - o C.f. note to EU 008; same language should be used for both of these EUGEAs.
- 2(4)
 - o Suggest deletion in line with EU 008 as duplicates Part 3.2(1)(b) (taking note of Part 3.2(2))
- 6
 - o Acceptable

EU008

Part 1 last paragraph [in square brackets]

- Noting the addition of part 3.6 it would be preferable to delete this as this remains unclear to some MSs

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Part 2

Country coverage

- AFAIK some main reasons for arriving at this specific list have included
 - o Existing denials
 - o Current Sanctions
 - o The current US applicability of the ENC exception.
- One should note that any changes to this list, e.g. by removing China from b, are extremely likely to lead to a need to revise (limit) the scope of items covered by this EUGEA.
- Are there some specific concerns with the suggested list?

Text at the end of subpara c:

- Should be fine to change to “items”

Part 3

1(1)(b)

- Per PRES proposal EU 008 and EU 007 should have the same limitation; This should be in the form used in EU 008 i.e. including "...or by entities acting on behalf..."

1(1)(d)

- Per PRES proposal EU 008 and EU 007 should have the same limitation; A proper discussion on the exact text is needed; The shorter form is quite close in effect to the HR catch all criteria and thus accepting it might lead to an attack on the CONS position on said Catch all. Longer form might thus be preferable as it is also consistent. No hard position on this, though.

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- Keeping text deleted might be preferable as otherwise authorities might not be able to request this data after the first export has taken place.

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- "alternatively" adds clarity, maybe can be kept
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