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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Dual-Use Goods
Subject:	Intersection between export controls and research security: Presentation slides

Delegations will find attached the presentation slides by EECARO, on the 'Intersection between export controls and research security: Improvement of Intangible Technology Controls from an academia perspective', as presented during the Dual Use Goods meeting on 15 January 2025.



Intersection between export controls and research security

Improvement of Intangible Technology Controls from an academia perspective

Working Party on Dual-Use Goods

15 January 2025

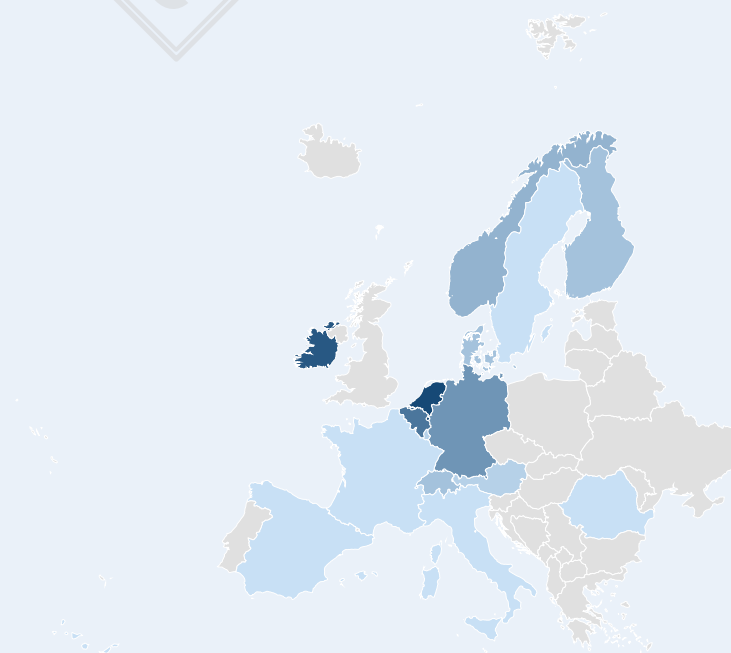
About EECARO

Founded in 2022

For research organisations from EU
Members States and Iceland,
Liechtenstein, Norway and
Switzerland



EECARO members December 2024



Series1
11

1

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EECARO Founding Members



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22 December 2023

Feedback on the Call for Evidence on enhancing research security in Europe

29 April 2024

Feedback on the White Paper on options for enhancing support for research and development involving technologies with dual-use potential



25 October 2024

Feedback on the Factsheet Research Security: Building blocks for risk appraisal

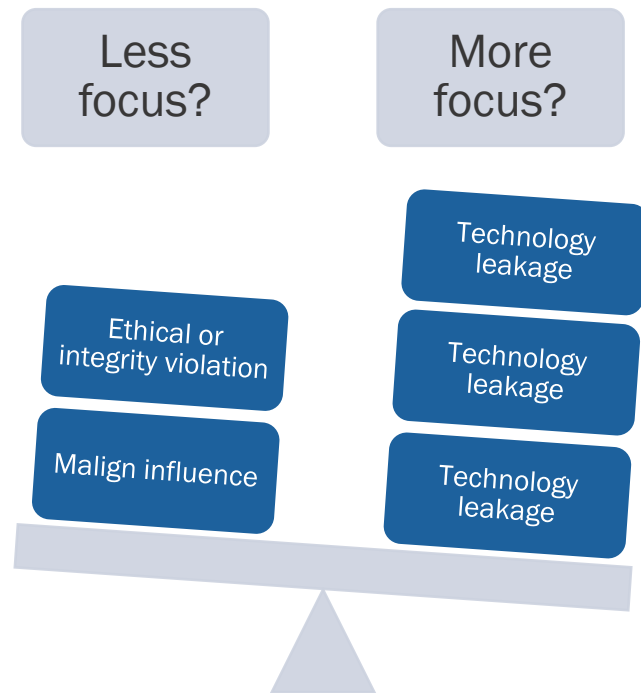
29 April 2024

Feedback on the White Paper on Export Controls

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Intersection between export controls and research security

Research security scope



- Manage risks, not behave risk-averse
- Avoid direct and indirect discrimination and stigmatisation
- Raising awareness and boosting resilience
- Balancing the commitment to research security and the commitment to academic freedom, openness and collaboration in research

Intersection between export controls and research security



Dual-use technologies

Dual-use research of concern

Dual-use dilemma between academic security and freedom

Research involving dual-use items

Military use (outside)

Misuse (outside)

Misconduct (inside)

Factsheet Research Security: building blocks for risk appraisal - questions proposed by the Commission

1. Your own organisation's profile

- What are your organisation's strengths and vulnerabilities?
- Is your institution known to be a scientific leader in the research domain or does it have a unique position in the world for other reasons, such as exceptional labs or facilities
- Does your organisation have any financial dependencies that could be related to the project?

2. Research domain

- Is the project focussing on a research domain or does it involve methodology or research infrastructure considered particularly sensitive from a security or ethical/human rights perspective?
- Does it involve dual-use technology? Please check the EU's Export Control regulation [\[link\]](#)
- Is it a key enabling technology?

3. Profile of the country of the partner organisation

- Does the project include partners based in or affiliated with third countries with a high risk profile, e.g.: flawed rule of law, aggressive civil-military fusion strategies or limited academic freedom (ref. international indices such as Rule of Law Index [\[link\]](#) and Academic Freedom Index [\[link\]](#))
- Is the country subject to sanctions with relevance to research and innovation (such as embargos on export of certain goods and technologies, as well as technical assistance related thereto) [\[link\]](#)
- Is the research domain of particular interest to the country in which the partner is based or to which it is affiliated? Is there an explicit government policy to become world leader in the field?

4. Profile of the partner organisation

- What do you know about the organisation you want to cooperate with?
- Is the organisation linked to the government; does it have links to the military?
- What is its governance structure? Where does it get its funding from?
- Has it been involved in any reported/ media covered scandals or security-related incidents?
- What do you know about background and affiliations of the researchers/staff involved?
- What do you know about the partner's intentions regarding the end-use or application of the research results? Is your interest in the cooperation as big as the interest from the partner?

Please keep in mind that if relevant basic information about the prospective partner cannot be found in the public domain, this usually should raise concerns.

Research security risk appraisal – feedback EECARO

Recommendation

1. Research security risks linked to collaborations with entities
2. Onboarding risk assessment
3. Research security in academia
4. Project collaboration focus
5. Research security risk appraisal closely linked to dual-use export control risk appraisal
6. Scientific leadership
7. Financial dependencies
8. Country-agnostic policies and country-agnostic/-country specific tools and resources

EECARO feedback

1. Research security risks linked to mobility of researchers and R&D staff
2. Risk assessment and risk mitigation during collaborations
3. Research security in industry context
4. Research collaborations are diverse
5. Stop-Go-Stop impact research security appraisal and export control risk appraisal
6. Metrics indicators
7. Collaborations with EU-based entities owned or controlled by entities or governments from non-EU high-risk countries (without triggering export controls)
8. Level-playing field for tackling similar technology security and leakage risks

How to engage together?

1

EECARO Annual Conference (12 February 2025)

- <https://eecaro.eu/conferences/>
- [Registration link](#)

2

European Flagship Conference on Research Security

- DG RTD
- Tentatively scheduled from 13 to 15 October 2025
- Intersection between export controls and research security

3

Harmonised framework

- Avoid duplication of efforts
- Ensure comprehensive risk management
- Address overlapping areas (e.g., dual-use technologies or foreign collaborations)

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Improving Intangible Technology Transfer Controls from an academia perspective

EECARO non-paper on the improvement of ITT controls

(25 October 2024)

- Common operational alignment on the risk-appetite (or red lines) for key ITT activities in the research context
- “export”, “exporter”, “technology”, “required”, “development”, “production”, “use”, “basic scientific research”, “in the public domain”
- Revision Regulation (EU) 2021/821 or revision of Commission Recommendation (EU) 2021/1700 or FAQ format in addition to this recommendation



"Development" is related to all phases prior to serial production, **such as**: design, [design research](#), [design analyses](#), design concepts, assembly and [testing of prototypes](#), pilot production schemes, design data, process of transforming design data into a product, configuration design, integration design, layouts.



"Production" means all production phases, **such as**: construction, production engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance.



"Use" means operation, installation (including on-site installation), maintenance (checking), repair, overhaul **and** refurbishing.

EECARO non-paper on the improvement of ITT controls (25 October 2024)

Technology transfers through research activities

Cloud-based storage outside the EU without making it available

Access to controlled technology by the researcher or other employee via a Virtual Private Network (VPN) of the own research organization outside the EU without making it available to another person in a third country

Publishing is a multi-step process, release in the public domain is only the end-phase

Cloud Infrastructure as a Service (e.g. for Cloud Computing), Platform as a Service (e.g. to develop software), or Software as a Service (without access to the source or object code)

Technology transfers via research output

Can publications realistically contain “technology” “required” for the “development”, “production” or “use” of a listed dual-use item?

Is a licence application for a publication with controlled technology possible? Who needs to be assigned as exporter in case of a controlled publication?

Are publications risk-wise to be treated differently compared to patents, as both are intended to become available in the public domain?

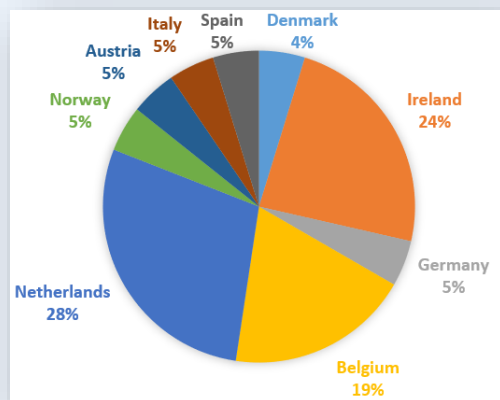
Other

Nature of technology format to invoke **Article 8 “technical assistance”** provision

Best practice guidance about the implementation of **Article 11(9)** for intra-Union transfer of dual-use technology resulting from academic research

Best practice concerning export controls for coordinators and consortium members in EU funded research

EECARO survey on publications (2024)

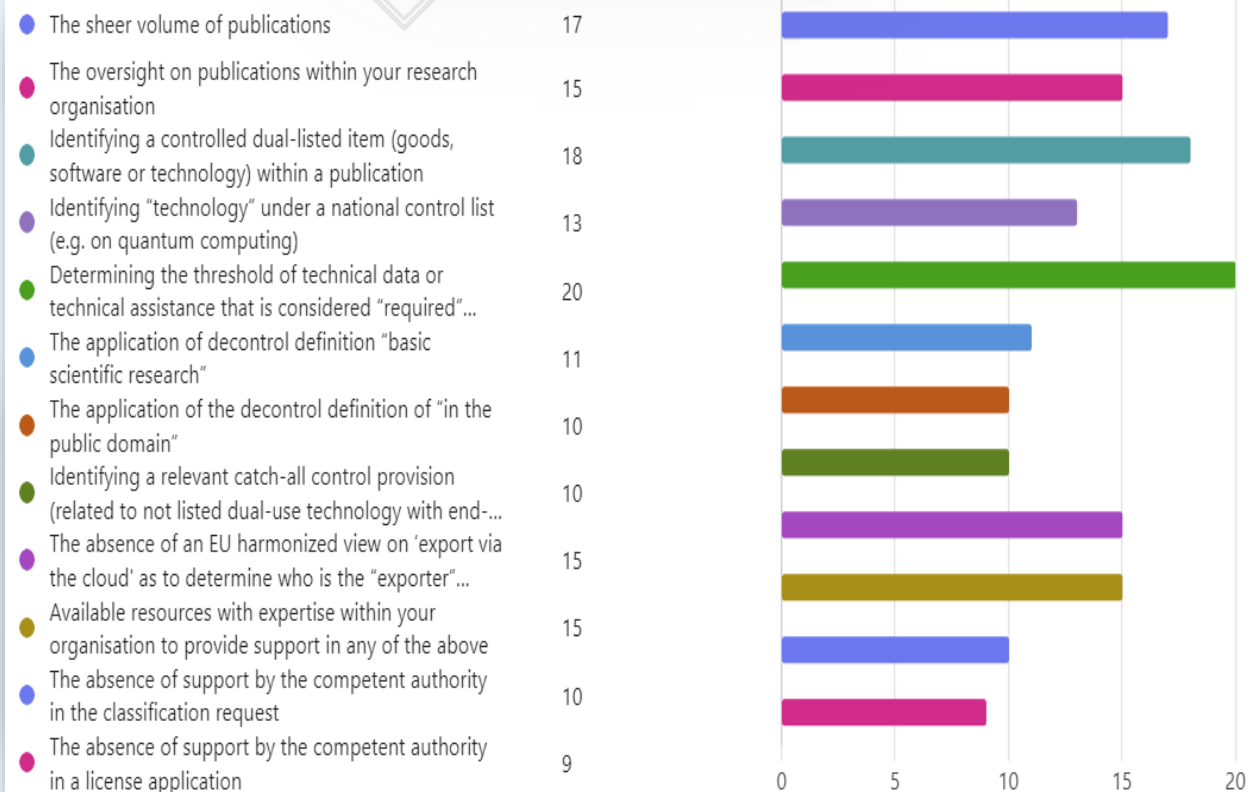


Who makes the publication available according to the interpretation of your research organisation?

The researcher	12
The research organisation	6
The publishing house	3
The cloud access provider	0
Other	3

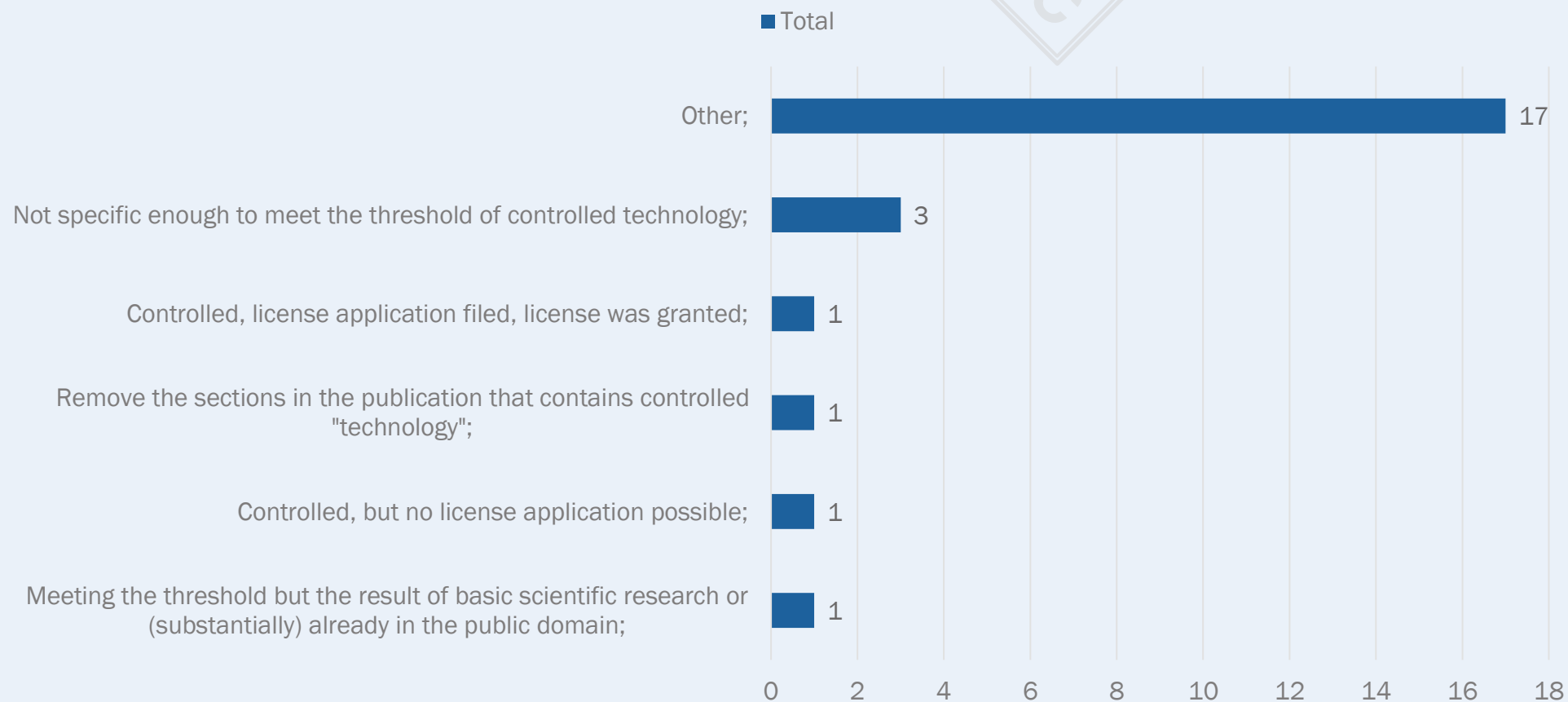


What are the main obstacles to implementing an export control procedure with regards to publications?



EECARO survey on publications (2024)

What was the reply from the competent authority?



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EECARO non-paper on the improvement of Intangible Technology Transfer controls

Conclusions

Actionable intelligence and insights are key to perform responsibility of researchers and institutions

Technology, country and research partner agnostic/specific risk indicators

What to look for? Too-Good-to-Let-Go versus Good-to-Go?

Research security skills

What does it take? How can export controls compliance skills be of support?

Outstanding ITT issues for export controls in an academic context challenge embedding good practice compliance for research security purposes



Discussion

<https://eecaro.eu/about>

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