

EU CONTROL LISTS

DUAL USE

Review procedure

Every year the Dual Use Working Party discusses how best to transpose into Annex I of the Dual Use Regulation any changes agreed by the export control regimes (Australia Group, Nuclear Suppliers' Group, Missile Technology Control Regime and the Wassenaar Arrangement) in their lists of controlled dual use items. Annex I to the Dual Use Regulation is in fact a compilation of the control lists for dual use items agreed in each of the regimes, as well as controls imposed by the Chemical Weapons Convention. Currently a technical expert from the United Kingdom assists the Working Party by suggesting changes to Annex I for consideration. Once delegations in the Working Party have agreed on a suggested updated Annex I, it is handed over to the European Commission Services for use as a basis for a Commission proposal for an amended Dual Use Regulation. Upon agreement by the Commission, the proposal for an amended Regulation is tabled at the Council for adoption. The European Commission is the only body entitled to propose changes to a Regulation.

Advice for non-EU countries considering adopting the EU list of dual use items in their domestic legislation

The list of dual use items annexed to the Dual Use Regulation implements dual-use controls agreed in the framework of the Wassenaar Arrangement, the MTCR, the NSG, the Australia Group and the CWC. Its adoption by non-EU countries can therefore have the advantage of reducing the amount of time spent by officials in consulting the various international control regime lists, and help ensure that no controls are overlooked.

The current version of Annex I to the Dual Use Regulation is available at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:325:0001:0251:EN:PDF>

An updated version of the Dual Use Regulation and its annexes was adopted on 5 May 2009 (cf. http://trade.ec.europa.eu/doclib/docs/2009/june/tradoc_143390.pdf).

This Regulation (Council Regulation (EC) No. 428/2009) enters into force on 27 August 2009 (on which date the previous version of the Regulation will be repealed).

Technical enquiries, including the dates of expected updates, should be addressed to:

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COMMON MILITARY LIST (CML)

Review procedure

The CML is based on the Munitions List of the Wassenaar Arrangement and forms the basis of the list of defence-related products annexed to Directive 2009/43/EC simplifying terms and conditions of transfers of defence-related products within the Community.

Advice for non-EU countries considering adopting the EU CML in their domestic legislation

The current version of the CML is available at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2009:065:0001:0034:EN:PDF>

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