Dual-use items: Community regime for the control of exports, transfer, brokering and transit, update of the EU control list

2011/0310(COD) - 06/03/2014 - Commission communication on Council's position

The Commission communication concerns the position of the Council on the adoption of a Regulation of the European Parliament and of the Council amending Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual use items.

The Council's position endorses the core elements of the Commission’s proposal but envisages some amendments to the original Commission proposal with respect to the removal of certain destinations (countries) benefiting from facilitated export procedures and the scope of delegated acts.

The Council position:

- suggests aligning Parliament's scrutiny of delegated power to the agreement on "Trade Omnibus II". A "Commission statement on delegated acts", recalling the Commission’s commitment under the framework agreement to provide information to Parliament on expert groups, will be attached to the Regulation;
- also envisages certain amendments as regards the review and validity of the delegation of powers, which would be limited to 5 years and tacitly extended subject to presentation of a report, unless the European Parliament or the Council opposes such extension no later than 3 months before the end of the period.

Lastly, the Council position includes an accompanying "Joint Statement by the European Parliament, the Council and the Commission on the review of the dual-use export control system", as well as a "Commission statement on updating the Regulation".