Union General Export Authorisation for the export of certain dual-use items from the Union to the United Kingdom

2018/0435(COD) - 27/03/2019 - Final act

PURPOSE: to grant a Union General Export Authorisation for the export of certain dual-use items from the Union to the United Kingdom of Great Britain and Northern Ireland in the absence of an agreement to withdraw the United Kingdom from the Union.

LEGISLATIVE ACT: Regulation (EU) 2019/496 of the European Parliament and of the Council amending Council Regulation (EC) No 428/2009 by granting a Union general export authorisation for the export of certain dual-use items from the Union to the United Kingdom.

CONTENT: this Regulation amends Council Regulation (EC) No 428/2009 establishing a common regime for the control of exports of dual-use items in order to include the United Kingdom in the list of low-risk third countries covered by Union general export authorisations.

Dual-use items are materials, equipment and technologies that can be used for both civilian and military purposes, including the proliferation and delivery of nuclear, chemical or biological weapons. Regulation (EC) No 428/2009 provides for ‘Union General Export Authorisations’ which facilitate the control of exports of low-risk dual-use items to certain third countries.

Currently, Australia, Canada, Japan, New Zealand, Norway, Switzerland, including Liechtenstein, and the United States of America are covered by Union general export authorisation No EU001 set out in Annex IIa to Regulation (EC) No 428/2009.

The United Kingdom is a party to the relevant international treaties and a member of international non-proliferation regimes, maintains full compliance with related obligations and commitments. The United Kingdom applies proportionate and adequate controls to effectively address considerations about intended end uses and the risk of diversion.

Considering that the United Kingdom is an important destination for dual-use items produced in the Union, it is appropriate to add the United Kingdom to the list of destinations covered by Union general export authorisation No EU001 in order to ensure the uniform and consistent application of controls throughout the Union, to promote a level playing field for Union exporters and to avoid an unnecessary administrative burden, while protecting Union and international security.

ENTRY INTO FORCE: 28.3.2019. The Regulation shall apply from the day following that on which the Treaties cease to apply to the United Kingdom pursuant to Article 50(3) of the TEU.