Press release

European Parliament

Parliament agrees to new EU export rules on dual use items

- New EU criteria for granting export licences for dual use products
- Checks on the export of dual use products contribute to preventing human rights violations
- The export of cyber-surveillance tools will also be controlled

Parliament backed the new set of rules for exporting dual use products and technologies, including cyber-surveillance tools.

The reviewed rules govern the export of so-called dual use goods, software and technology - for example, high-performance computers, drones and certain chemicals - that can have legitimate civilian applications, but can also be used for the development of weapons of mass-destruction, terrorist acts and human rights violations. The update was adopted by 642 votes for, 37 against and 9 abstentions.

The current update, made necessary by technological developments and growing security risks, includes new criteria to grant or reject export licenses for certain items.

Human rights and cyber-surveillance

Thanks to Parliament's negotiators, the updated regulation will also have substantially stronger human rights considerations among those new criteria to avoid that certain surveillance and intrusion technologies exported from the EU contribute to human rights abuses.

It will lead to the establishment of an EU list of technologies that are subject to export restrictions. The list, which goes beyond international lists, also includes stricter export controls on certain cyber-surveillance tools in the interest of protecting human rights and political freedoms. The regulation sets up an EU-level coordination mechanism for the exports of cyber-surveillance items, new transparency and reporting obligations for member states, and will swiftly incorporate emerging technologies.

Quotes

"With the reform of the dual use regulation, the Parliament has put human rights and human security at the forefront of European export policy. The new rules for cyber-surveillance exports paired with companies' new due diligence requirements and meaningful transparency will make sure that our facial recognition technology and other European high-end surveillance do not end up in the hands of the Chinese Communist Party or other authoritarian regimes to violate human rights. EU countries now must implement the rules and apply the new tools we created to make this a reality"- said rapporteur Markéta Gregorová (Greens/EFA, CZ).

"This is an update long overdue. Parliament's perseverance and assertiveness against a blockade by some member states has paid off: respect for human rights will become an export standard. This new regulation, in addition to the one on conflict minerals and a future supply chain law, shows that we can shape globalisation according to a clear set of values and binding rules to protect human and labour rights and the environment. This must be the blueprint for future rule-based trade policy," chair of the trade committee Bernd Lange (S&D, DE) added.

Next steps

After the formal endorsement of the Parliament, Council has to officially agree to the updated regulation before it can enter into effect.

Background

Under international commitments, EU member states have to prevent the proliferation of nuclear, chemical or biological weapons. This obligation extends to the control of the export of dual use products the Commission proposed to update in 2016. Parliament adopted its negotiating mandate in January 2018, and was waiting for the Council's position to start talks until October 2019.

Further information

The final text will be available here (25.03.2021)
Video recording of the debate (25.03.2021)
The results of the roll call vote (25.03.2021)
Steps of the procedure
Review of dual-use export controls (Legislative Train)
EP Research: Review of dual use export controls (15.01.2021)
Dual-use trade controls (European Commission)

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