



COMMISSION OF THE EUROPEAN COMMUNITIES

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CORRIGENDUM

Nouvelle page de couverture
du document COM(2001) 557 du 4.10.2001
(ajout de l'acronyme).
Concerne les 11 versions linguistiques.

Proposal for a

COUNCIL REGULATION

**amending and updating Regulation (EC) No 1334/2000 setting up a Community regime
for the control of exports of dual-use items and technology**

(presented by the Commission)

EXPLANATORY MEMORANDUM

Under Council Regulation (EC) No 1334/2000 of 22 June 2000, dual-use items (including software and technology) are subject to effective control when they are exported from the Community.

To ensure that such control is fully effective and complies with Member States commitments at multilateral level, according to Article 3 of Regulation (EC) No 1334/2000, an authorisation shall be required for the export of dual-use items listed in Annex I.

Article 11 of Regulation 1334/2000 provides that the lists of dual-use items set out in Annex I and Annex IV shall be updated in conformity with the relevant obligations and commitments, and any modification thereof, that each Member State has accepted as a member of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.

During the year 2000, international non-proliferation regimes and export control arrangements adopted a number of changes in their dual-use lists. The most significant ones, in terms of controls have been rapidly taken into account in Regulation (EC) 458/2001 of 6 March 2001, before a consolidated version of Annex I integrating all changes and amendments adopted at multilateral level in 2000 would be proposed after sufficient technical examination.

This examination has now been done in order to integrate these amendments in a consolidated version of Annex I. Annexes II (Community General Export Authorisation n° EU001, referred to in Article 6 of Regulation 1334/2000) and Annex IV (list referred to in Article 21(1) of Regulation 1334/2000) are also republished in order to align them as well to these changes and offer a consolidated version of all annexes listing dual-use items referred to in Regulation 1334/2000.

Annex III referring to the model form of export authorisation remains unchanged but is being republished in order to facilitate consultation.

It is also appropriate, for the sake of clarity, to adapt the references made in Article 14 of Regulation (EC) No 1334/2000 to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code.

Commission proposal

In the light of the above considerations it is necessary to replace the Annexes to Regulation 1334/2000 and to modify its Article 14.

Proposal for a

COUNCIL REGULATION

amending and updating Regulation (EC) No 1334/2000 setting up a Community regime for the control of exports of dual-use items and technology

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission¹,

Whereas:

- (1) Under Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology², dual-use items (including software and technology) should be subject to effective control when they are exported from the Community.
- (2) In order to enable the Member States and the Community to comply with their international commitments, Annex I of Regulation (EC) 1334/2000 establishes the common list of dual-use items and technology referred to in Article 3 of that Regulation, that implements internationally agreed dual-use controls, including the Wassenaar arrangement, the Missile Technology Control Regime (MTCR), the Nuclear Suppliers Group (NSG), the Australia Group and the Chemical Weapons Convention (CWC).
- (3) Article 11 of Regulation (EC) 1334/2000 establishes that Annex I and Annex IV shall be updated in conformity with the relevant obligations and commitments, and any modifications thereof, that each Member State has accepted as a member of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.
- (4) In order to take account of changes adopted by the Wassenaar arrangement Plenary on 1 December 2000, by the Australia Group Plenary on 5 October 2000, by the Missile Technology Control Regime Plenary on 13 October 2000, and by the Nuclear Suppliers Group on 23 June 2000, Annexes I and IV need to be modified.

¹ OJ C ..., ..., p. ...

² OJ L 159, 30.6.2000, p. 1. Regulation as last amended by Regulation (EC) N°458/2001 (OJ L 65, 7.3.2001, p. 19).

- (5) In order to ease references for export control authorities and operators, it is necessary to publish an updated and consolidated version of the Annexes to Regulation (EC) No 1334/2000, taking into account all the amendments accepted by the Member States in international fora during the year 2000.
- (6) At the same time, it is appropriate, for the sake of clarity, to adapt the references made in Regulation (EC) N° 1334/2000 to Commission Regulation (EEC) N° 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) N° 2913/92 establishing the Community Customs Code³.
- (7) Regulation (EC) No 1334/2000 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) N°1334/2000 is amended as follows:

- 1) In Article 14, “The provisions of Articles 463 to 470 and 843 of Regulation (EEC) No 2454/93” is replaced by “The provisions of Articles 843 and 912a to 912g of Regulation (EEC) No 2454/93”.
- 2) The Annexes are replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the thirtieth day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

³ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) N° 2787/2000 (OJ L 330, 27.12.2000, p. 1).

FINANCIAL STATEMENT

1. **TITLE OF OPERATION:** Proposal for a Council Regulation (EC) amending and updating Regulation (EC) N° 1334/2000 setting up a Community regime for the control of exports of dual-use items and technology

2. **BUDGET HEADING(S) INVOLVED: A-7030**

3. **LEGAL BASIS : ARTICLE 133 OF THE EC TREATY**

4. **DESCRIPTION OF OPERATION :**
 - 4.1 **General objective : TECHNICAL AMENDMENT OF ARTICLE 14 AND ANNEXES I, II AND IV TO COUNCIL REGULATION (EC) NO 1334/2000 (DUAL-USE)**

 - 4.2 **Period covered and arrangement for renewal.**
Indefinite

5. **CLASSIFICATION OF EXPENDITURE OR REVENUE : NOT APPLICABLE**

6. **TYPE OF EXPENDITURE OR REVENUE : NOT APPLICABLE**

7. **FINANCIAL IMPACT : NOT APPLICABLE**

8. **FRAUD PREVENTION MEASURES : NOT APPLICABLE**

9. **ELEMENTS OF COST-EFFECTIVENESS ANALYSIS : NOT APPLICABLE**

10. **ADMINISTRATIVE EXPENDITURE (SECTION III, PART A OF THE BUDGET)**

This section of the financial statement must be sent to DGs XIX and IX; DG IX will then forward it to DG XIX with its opinion.

Actual mobilisation of the necessary administrative resources will depend on the Commission's annual decision on the allocation of resources, taking into account the number of staff and additional amounts authorised by the budget authority.

10.1 Effect on the number of posts

Type of post		Staff to be assigned to managing the operation		Source		Duration
		Permanent posts	Temporary posts	Existing resources in the DG or department concerned	Additional resources	
Officials or temporary staff	A	1		1		Indefinite
Other resources		non				
Total		1		1		

If additional resources are required, indicate the pace at which they will have to be made available.

10.2 Overall financial impact of additional human resources

(EUR)

	Amounts	Method of calculation
Officials	108 000 Euros	1 x 108 000 Euros
Temporary staff	No	
Other resources (indicate budget heading)	No	
Total	108 000 Euros	

The amounts given must express the total cost of additional posts for the entire duration of the operation, if this duration is predetermined, or for 12 months if it is indefinite.

10.3 Increase in other administrative expenditure as a result of the operation

(EUR)

Budget heading	Amounts	Method of calculation
A-7030 (meetings)	39 000 Euros	Four one-day meetings per year. Cost of one expert per meeting = €650. Average cost of one national expert per year = 4x15x650 = €39 000
Total	39 000 Euros	

The amounts given must correspond to the total expenditure arising from the operation if its duration is predetermined or expenditure for 12 months if it is indefinite.