

Removing Russia from Annex II of the EU dual-use Regulation 2021/821

Today, it has been published the EU Commission Delegated Regulation (EU) 2022/699¹ (hereinafter “the Delegated Regulation”) amending Annex II of the EU dual-use regulation 2021/821² by removing Russia as a destination from the scope of Union general export authorisations (EUGEAs).

The Annex II has been amended in light of Russia’s illegal invasion of Ukraine and the respective threats to the Union’s essential security interests. It aligns with and adds up to other export restrictions adopted so far by the EU (e.g. Council Regulation (EU) 2022/328; Council Regulation (EU) 2022/394; Council Regulation (EU) 2022/428; Council Regulation (EU) 2022/576)³.

More specifically, the Delegated Regulation amends three of the eight EUGEAs provided in the Annex II, which previously allowed certain exports to Russia and that now removes it from the “privileged destinations”. The EUGEAs in questions are more precisely the following:

- EU003 : re-export of items after repair or replacement in the EU;
- EU004 : export of items for fairs or exhibitions;
- EU005 : exports of telecommunications equipment.

In light of the grave situation and the threats posed to the EU peace and security, the EU considered this act to be adopted in urgency and therefore applied the urgency procedure set by Article 19 (1) of Regulation 2021/821. Such a procedure provides for the adoption of delegated acts to enter into force without delay.

The Delegated Regulation will enter into force tomorrow, which is the day following that of its publication in the Official Journal of the European Union, according to article 2 of the Delegated Regulation.

The act will reinforce and give full coherence to the EU’s restrictive measures taken so far in response to Russia’s attack by ensuring to prevent Russia from gaining access to critical technologies and dual-use items.

¹ COMMISSION DELEGATED REGULATION (EU) 2022/699 of 3 May 2022 amending Regulation (EU) 2021/821 of the European Parliament and of the Council by removing Russia as a destination from the scope of Union general export authorisations. Available [here](#).

² REGULATION (EU) 2021/821 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items (recast). Available [here](#).

³ Please consult the ESU’s note on the issue [here](#).