

# Chaudfontaine Newsletter

on dual-use items trade controls



ISSUE #47  
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## LEGAL DEVELOPMENTS: EUROPEAN UNION

### Commission

On 24 June 2022, the Commission published the last update of the "Consolidated FAQs on the implementation of Council Regulation No 833/2014 and Council Regulation No 269/2014". Available [here](#).

On 4 May 2022, the 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 was published in the Official Journal L 130I. Available [here](#).



## LEGAL DEVELOPMENTS: INTERNATIONAL

### Canada

On 3 June 2022, Canada amended its export control list issuing the "Order Amending the Export Control List: SOR/2021-121", published in the Gazette, Part II, Volume 155, Number 13. Available [here](#).

### China

The Ministry of Commerce has released the draft Regulations on Dual-use Item Export Control ("Draft Regulations") for public comments on 22 April 2022. Available [here](#) (in chinese).

### Italy

On 21 June 2022, the Minister of Foreign affairs and international cooperation (MAECI) issued a communication telling to exporters that, starting from the 1 July 2022, they must obtain and keep the original EUS (End User Statement) – EUC (End User Certificate), while the digital copy has to be sent to the competent authority. Available [here](#) (in italian).

On 27 June 2022, Italy published in its Official Journal that the Italian e-licensing system will be effective from 1 July 2022. Available [here](#) (in italian).

The MAECI communicated that starting from the 1 July 2022, the e-licensing system will be efficient. The communication also provides indications on the procedures. Available [here](#) (in italian).

### Israel

The Ministry of Economy and Industry published "Call for Public Relations - Regulatory Impact Assessment (RIA) Control of Dual-Use Exports", 7 June 2022. Available [here](#) (in hebrew).

### Amnesty Campaign:

At the end of March, the Ministry of Economy launched a campaign to promote awareness of its dual-use export controls throughout Israeli industry and multinationals with R&D or production in Israel and to assist exporters to act legally. The regulator is offering amnesty from investigation and prosecution in exchange for self-

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disclosure under certain conditions. Available [here](#) (in hebrew).

## **Pakistan**

On 27 June 2022, the MOFA published the announcement titled “Pakistan Notifies Revised Control Lists under the Export Control Act of 2004”. Available [here](#).

## **UK**

On 27 April 2022, “The Export Control (Amendment) Order 2022” was published in the UK Statutory instruments. This Order amends the Export Control Order 2008 (S.I. 2008/3231), which implements the strategic export controls of the UK. Available [here](#).

On 19 May 2022, the Department for International Trade published the “NTE 2022/17: military end-use controls update”. Available [here](#).

On 26 April 2022, Department of International Trade published the “NTE 2022/16: updated list of dual-use controlled items”. Available [here](#).

## **United States**

BIS, “Addition of Entities, Revision and Correction of Entries, and Removal of Entities from the Entity List”, 30 June 2022. Available [here](#).

BIS, “Information Security Controls: Cybersecurity Items”, 26 May 2022. Available [here](#).

BIS “Commerce Control List: Controls on Certain Marine Toxins”, 23 May 2022. Available [here](#).

BIS, “Additions to the List of Countries Excluded From Certain License Requirements Under the Export

Administration Regulations (EAR)”, 12 May 2022. In this rule, the Department of Commerce adds Iceland, Liechtenstein, Norway, and Switzerland to the list of excluded countries. Available [here](#).

## MEMBERS' WORKS

ESU, “Latest Updates: EU reaction to Russian invasion of Ukraine (regularly updated)”, 7 June 2022. Available [here](#).

ESU, “Discover our new assistance application for the evaluation of sensitive dual-use research”, 2 June 2022. Available [here](#).

Chaufontaine Group, “How the new EU Dual-Use Regulation could benefit third countries?”, ESU, 12 May 2022. Available [here](#).

ESU, “Removing Russia from Annex II of the EU dual-use Regulation 2021/821”, 4 May 2022. Available [here](#).

A. Sánchez-Cobaleda, "El impacto del Brexit en los controles de exportaciones estratégicas", in Badia Martí, A. and Huici Sancho, L. (Dirs.), El Brexit y sus consecuencias, Marcial Pons, Madrid, 4 May 2022, pp.105-122. Available [here](#).

K. Brockmann & D. Stefanovich, “Hypersonic Boost-glide Systems and Hypersonic Cruise Missiles: Chal-

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allenges for the Missile Technology Control Regime”, SIPRI, April 2022. Available [here](#).



## STUDIES AND MORE: ARTICLES, REPORTS, LINKS

Ryan Fedasiuk, Karson Elmgren & Ellen Lu, “Silicon Twist - Managing the Chinese Military’s Access to AI Chips”, Centre for Security and Emerging Technology, June 2022. Available [here](#).

Peter Carlyon, “Science and security: setting the direction for the UK’s research relationship with China”, Higher Education Policy Institute, 27 June 2022. Available [here](#).

US Department of Commerce, “Memorandum for all export enforcement employees - Addressing the national security risk that foreign adversaries pose to academic research institutions”, 28 June 2022. Available [here](#).

White Paper by the Norwegian Government “Norwegian exports of defence-related products in 2021”, 3 June 2022. Available [here](#).

United States Government Accountability Office, Report to Congressional Requesters, “Export Controls - Enforcement Agencies Should Better Leverage Information to Target Efforts Involving U.S. Universities”, June 2022. Available [here](#).

Ben Murphy , “Chokepoints - China’s Self-Identified Strategic Technology Import Dependencies”, Center for Security and Emerging Technology, May 2022. Available [here](#).

Timothy Wright, “Hypersonic missile proliferation: an emerging European problem?”, Non-proliferation and disarmament papers, No. 80, May 2022. Available [here](#).

M. J. Mazarr, A. L. Rhoades, N. Beauchamp-Mustafaga et al., “Disrupting Deterrence Examining the Effects of Technologies on Strategic Deterrence in the 21st Century”, Indian Strategic Studies, 30 April 2022. Available [here](#).

UK Department of International Trade, “NTE 2022/15: data availability on the strategic export controls re-ports and statistics website, 1 October to 31 December 2021”, 25 April 2022. Available [here](#).

Congressional Research Service (CRS), “U.S. Export Controls and China”, 24 March 2022. Available [here](#).

Sam Weiss Evans, “When All Research Is Dual Use”, Issue in Science and Technology, VOL. XXXVIII, NO. 3, Spring 2022. Available [here](#).



Doug Lederman, “U.S. Plans to Help Universities Protect Security of Research”, Inside Higher Ed, 29 June 2022. Available [here](#).

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BIS OCPA, “BIS takes enforcement action against Belarusian air-line operating in violation of U.S. export controls”, 16 June 2022. Available [here](#).

D. Shepardson and K. Freifeld, “U.S. suspends three firms' export privileges for alleged illegal exports to China”, Euronews, 9 June 2022. Available [here](#).

“Temporary denial order issued for illegal export of satellite, rocket and defense technology to China”, BIS OCPA, 8 June 2022. Available [here](#).

BIS, “BIS issues charging letter against Roman Abramovich for violating U.S. export controls related to flights of his private jets”, June 6 2022. Available [here](#).

“China: Long-awaited draft implementing rules released pursuant to the new Export Control Law”, Global Compliance News, 3 June 2022. Available [here](#).

Maria Shagina and Emily Kilcrease, “Can Russia rebuild its tech sector with china’s help?”, War on the Rocks, June 2, 2022. Available [here](#).

Howard Altman, “Captured Russian Weapons Are Packed With U.S. Microchips”, The Drive, 27 May 2022. Available [here](#).

Ju-min Park, “With eye on China, and U.S. ties, Japan's universities to screen foreigners”, Reuters, 23 May 2022. Available [here](#).

“Taiwan Citizen Pleads Guilty to Conspiring to Export Missile Components from the U.S. to Iran”, US DoJ, 13 May 2022. Available [here](#).

David Gauthier-Villars, Steve Stecklow and John Shiffman, “Special Report: How military technology reaches Russia in breach of U.S. export controls”, Reuters, 29 April 2022. Available [here](#).

Amy J. Nelson, “How Emerging Technology Is Breaking Arms Control”, Lawfare, 24 April 2022. Available [here](#).

Science Business, “NATO to launch €1B fund for high tech start-ups in dual use technologies”, 12 April 2022. Available [here](#).

UK Department of International Trade, “NTE 2022/12: UK exporters fined for unlicensed strategic exports”, 4 April 2022. Available [here](#).



“OF INTEREST”

**EU Partner-to-Partner (P2P) webpage.**

Webpage available [here](#). Newsletters available [here](#).

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**EU Non-Proliferation and Disarmament Consortium**  
EUNPD Newsletter (monthly). Available [here](#).

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**TIM Dual-Use Web Platform** – Joint Research Centre  
(European Commission). Available [here](#).

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**European Export Control Association for Research Organisations (EECARO)**  
Webpage available [here](#).

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**Dual-use App Assistance - ESU**  
Available [here](#).