

Chaudfontaine Newsletter

on dual-use items trade controls



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LEGAL DEVELOPMENTS: EUROPEAN UNION

Commission

On 23 February 2023, the European Commission adopted a Delegated Regulation updating the EU dual-use export control list in Annex I to Regulation (EU) 2021/821. Subject to the Council and the Parliament raising no objections within a period of two months, the Commission Delegated Regulation (Ref. C(2023)1164) will be published and will enter into force on the day following that of its publication. Available [here](#).

On 24 January 2023, the Commission opened the public consultation "Guidelines for data collection and preparation of the EU annual report on dual-use export controls under Regulation (EU) 821/2021". The consultation deadline was 28 February 2023. Available [here](#).

On 11 January 2023, the Commission Delegated Regulation (EU) 2023/66 of 21 October 2022 amending Regulation (EU) 2021/821 of the European Parliament and of the Council as regards the list of dual-use items has been published. Available [here](#).

Council

Council Decision (CFSP) 2023/434 of 25 February 2023 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine. Available [here](#).



LEGAL DEVELOPMENTS: INTERNATIONAL

UK

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Export Control Joint Unit, "Open general export licences (OGELs)", 15 February 2023. Available [here](#).

United States

Code of Federal Register, "Supplement No. 4 to Part 744 - Entity List", Title 15. Available [here](#).

BIS, "Commerce Adds 37 to Entity List for Unsafeguarded Nuclear and Missile-Related Activities, Supporting PRC Military Modernization, Violations of Human Rights, and Support for Russia's Military and/or Defense Industrial Complex", 2 March 2023. Available [here](#).

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MEMBERS' WORKS

Ian Stewart, "Export Controls in an Era of Strategic Competition: Implications for the Existing Landscape and the Need for a New Multilateral Trade Review Regime", James Martin Centre for Nonproliferation Studies, 2 March 2023. Available [here](#).

"Clipping Tehran's Wings: How Supply-Side Controls Can Impede the Iranian Drone Program", Iran Watch expert roundtable discussion (hosted by the Wisconsin Project), report published on 15 February 2023. Available [here](#).

ESU ULiège, "Publication of the updated Annex I to Regulation 2021/821: Commission Delegated Regulation (EU) 2023/66 of 21 October 2022 amending Regulation (EU) 2021/821 of the European Parliament and of the Council as regards the list of dual-use items", 11 January 2023. Available [here](#).

Enzo Caponetti, "LATEST UPDATES: EU reaction to Russian invasion of Ukraine (regularly updated)", ESU ULiège, 4 January 2023. Available [here](#).

STUDIES AND MORE: ARTICLES, REPORTS, LINKS

Hyuk Kim, "Intangible Transfer of Technology (ITT): Open-source Information Analysis for the Implementation of Sanctions on North Korea", 14 March 2023. Available [here](#).

Lindsay Rand, "Reducing Strategic Risks of Advanced Computing Technologies", Arms Control Today, January/February 2023. Available [here](#).

Kevin Wolf, "Advancing National Security and Foreign Policy Through Sanctions, Export Controls, and Other Economic Tools", Testimony before the Senate Committee on Banking, Housing, and Urban Affairs, 28 February 2023. Available [here](#).

"ESARDA, Connector", Joint Research Centre, Issue 7, Autumn 2022. Available [here](#).

WorldECR, *Dual-use export controls In Europe*, 6 February 2023. Available [here](#).

NEWS

WorldECR, "Dutch confirm additional semiconductor export controls", 9 March 2023. Available [here](#).

BIS, "Remarks as Prepared for Delivery by Assistant Secretary for Export Enforcement Matthew S. Axelrod to the Academic Security and Counter Exploitation Program's Seventh Annual Seminar", 8 March 2023. Available [here](#).

BIS, DOJ, OFAC, "Publication of Tri-Seal Compliance Note: Cracking Down on Third-Party Intermediaries Used to Evade Russia-Related Sanctions and Export Controls", 2 March 2023. Available [here](#).

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Sophia Nina Burna-Asefi, “Just Passing Through: Kazakhstan’s Parallel Trade Predicament”, The Diplomat, 27 February 2023. Available [here](#).

Kevin Chenney, “US Technical Data Management - can your organisation afford to be non-compliant?”, Australian Defence Magazine, 23 February 2023. Available [here](#).

BIS, “BIS imposes \$2.77 million penalty on 3D printing company for exports to China and Germany, including aerospace and military design documents”, 27 February 2023. Available [here](#).

BIS, “Justice and Commerce Departments Announce Creation of Disruptive Technology Strike Force”, 16 February 2021. Available [here](#).

The State Duma, “Appeal of the Federal Assembly of the Russian Federation to the parliaments of the countries of the world in connection with the military-biological activities of the United States in foreign states”, 15 February 2023. Available [here](#).

Tom Jowitt, “ASML Data Theft By Ex China Staffer Violated Export Controls”, Silicon UK, 15 February 2023. Available [here](#).

Mathieu Duchâtel, “Europe in the New World of Export Controls”, Institut Montaigne, 15 February 2023. Available [here](#).

Steven Chase, “Ottawa ends all research funding with Chinese military and state security institutions”, the Globe and mail, 14 February 2023. Available [here](#).

ECJU, “Notice to exporters 2023/03: compound settlements issued for unlicensed exports”, 14 February 2023. Available [here](#).

Export Control Joint Unit (ECJU), “Strategic export controls: licensing statistics, 1 July to 30 September 2017”, 9 February 2023. Available [here](#).

ECJU, “Strategic export controls: licensing statistics, 2020”, 9 February 2023. Available [here](#).

ECJU, “Strategic export controls: licensing statistics, 2021”, 9 February 2023. Available [here](#).

ECJU, “Strategic export controls: licensing statistics quarterly reports”, 9 February 2023. Available [here](#).

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Jocelyn Kaiser, “U.S. scientists brace for tighter scrutiny of potentially risky research”, Science, 30 January 2023. Available [here](#).

US Attorney’s Office, “Castro Valley resident pleads guilty to illegally exporting american aviation technology to Beijing University”, 17 January 2023. Available [here](#).

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Tobias Gehrke, Julian Ringhof, “Caught in the crossfire: Why EU states should discuss strategic export controls”, ECFR, 11 January 2023. Available [here](#).



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Journal of Strategic Trade Control

Webpage available [here](#).

EU Partner-to-Partner (P2P) webpage.

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

EU Non-Proliferation and Disarmament Consortium

EUNPD Newsletter (monthly). Available [here](#).

TIM Dual-Use Web Platform – Joint Research Centre

(European Commission). Available [here](#).

European Export Control Association for Research Organisations (EECARO)

Webpage available [here](#).

Dual-use App Assistance - ESU

Available [here](#).