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**LIMITE**

**COMER 67**  
**INTER-REP 37**  
**CONOP 51**  
**CFSP/PESC 773**  
**ECO 49**  
**COARM 126**  
**ATO 31**

**'I' ITEM NOTE**

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From: Presidency/General Secretariat of the Council  
To: Permanent Representatives Committee (Part 2)  
Subject: Draft revised Mandate of the Working Party on Dual-Use Goods - Approval

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1. The Council's Working Party on Dual-Use Goods (DUWP) was set up more than 30 years ago, with a view to increase the coordination and convergence of Member States' export controls of dual-use goods and technologies <sup>1</sup>.
2. The recent revision of the EU Dual-Use Regulation<sup>2</sup>, which sheds light on developments in dual-use technology, and current economical and political circumstances has motivated the Working Party on Dual-Use Goods to revise and streamline its mandate.
3. In light of the above, the Presidency launched a review process of the DUWP mandate on 19 January 2023. On the basis of a Presidency draft text, the DUWP examined its revised mandate at a number of meetings.

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<sup>1</sup> 4882/92

<sup>2</sup> 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), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02021R0821-20230112>

4. On 31 May 2023, DUWP Delegates agreed on a consolidated text for the revised draft mandate.
5. The Permanent Representatives Committee (COREPER) is therefore invited to approve the draft revised mandate of the Working Party of Dual-Use Goods, as set out in the Annex to this note.

**Working Party on Dual-Use Goods**

<b>Code</b>	C.23
<b>Council configuration</b>	<p><b>The Working Party on Dual-Use Goods</b> operates under:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> General affairs</li> <li><input checked="" type="checkbox"/> Foreign affairs</li> <li><input type="checkbox"/> Economic and financial affairs<sup>3</sup></li> <li><input type="checkbox"/> Justice and home affairs<sup>4</sup></li> <li><input type="checkbox"/> Employment, social policy, health and consumer affairs</li> <li><input type="checkbox"/> Competitiveness (internal market, industry, research and space)<sup>5</sup></li> <li><input type="checkbox"/> Transport, telecommunications and energy</li> <li><input type="checkbox"/> Agriculture and fisheries</li> <li><input type="checkbox"/> Environment</li> <li><input type="checkbox"/> Education, youth, culture and sport<sup>6</sup></li> </ul>
<b>Sub-areas or subgroups (if applicable)</b>	Non applicable
<b>Policy areas</b>	<p>Under the authority of Coreper<sup>7</sup>, the Working Party is responsible for EU work in the area of dual-use controls.</p> <p>This work shall be carried out in conformity with the relevant international obligations and commitments that EUMS, and where applicable, the Union, have accepted, mainly regarding non-proliferation, regional peace, security and stability and respect for human rights and international humanitarian law.</p> <p>In particular, the Working Party will, respecting the division of competences:</p> <ul style="list-style-type: none"> <li>- Focus on work relating to and resulting from the EU Dual-use Regulation, as it evolves in subsequent recasts, including exchange on policy, best practice, and information sharing and dual-use items.</li> <li>- Take into account the linkages of the existing multilateral export control regimes to the EU Dual-Use Regulation.</li> <li>- Provide policy guidance in the area of dual-use controls.</li> </ul>

<sup>3</sup> Including budget<sup>4</sup> Including civil protection<sup>5</sup> Including tourism<sup>6</sup> Including Audio-visual affairs<sup>7</sup> In accordance with Article 240(1) TFEU and the Council's Rules of Procedure

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- Maintain and develop dialogue and cooperation with third countries in the field of dual-use controls.
  - Where appropriate, provide technical guidance, including on restrictive measures, in a transparent manner and acknowledging the distinct legal and other features of the respective frameworks
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**Type of work**

The Working Party is mainly in charge of the following: (if applicable):

- Work on Union legal acts (i.e. legislative acts and other legal acts)
- Policy preparation

In particular, the Working Party is in charge of:

- legislative act(s):
- other Union legal acts:
  
- external documents or instruments:
  - policy document(s):
  - other:

Supporting and contributing to the European Commission work on Guidelines in accordance with the EU Regulation on Dual-Use items, and related activities.

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**Chairing arrangement**

The Working Party is chaired by:

- the six-monthly Presidency
  - a representative of the High Representative
  - other, namely:
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**Observations**

- Date of establishment: 1992
- Date of revision of the mandate: 2023
- The Working Party can meet in a secured environment and can deal with classified information up to EU SECRET level.

Main links with other Working Parties:

- Working Party on Non-Proliferation and Arms Exports (CONOP and COARM);
  - Working Party on Law Enforcement (Customs) on enforcement of the dual-use framework; *cross reference*
  - Working Party on Trade Questions, regarding trade and export control instruments; *cross reference*
  - Relevant geographical Council WPs regarding restrictive measures and on dual-use export control
  - Foreign Relations Counsellors Working Party (C.1), regarding technical comments on dual-use aspects of restrictive measures
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