

STUDY

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# EU trade in dual-use items with conflict-affected regions



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## STUDY

# EU trade in dual-use items with conflict-affected regions

### ABSTRACT

This study examines the extent to which the EU's legal framework and Member States' practices on dual-use export controls align with their respective legal obligations, particularly as they relate to conflict-affected regions.

There is a lack of high-quality data on EU trade in dual-use goods. While the EU's annual report has improved in recent years, it continues to lack granularity regarding what is actually exported. Some Member States produce annual reports, including a few that offer a good level of data granularity. Customs trade data including from Eurostat COMEXT is also examined. However, the limited correlation between this data and specific dual-use goods means that it does not significantly close the gap.

Despite this, the current dual-use Regulation 2021/821 does provide Member States with a sufficient basis to implement their international commitments for listed items. The situation is different for non-listed items. Many conflict-affected countries are not subject to UN or EU arms embargoes. While sanctions issues are usually considered separately from dual-use export control issues, there is an important provision in Regulation 2021/821 which allows for the control of non-listed goods to military end uses which is only available to Member States when the country is subject to an arms embargo.

The study concludes that the EU should improve reporting so that trade in dual-use goods with conflict-affected regions can be monitored, should discourage the use of open and general licences for conflict-affected regions, should solidify its ability to add items to the EU list outside of the multilateral export control regimes, and should issue additional guidance on interpreting licensing criteria when assessing exports to conflict-affected regions, including how to integrate IHL considerations. Overall, the EU should shift to a more proactive approach to risks associated with dual-use trade with conflict-affected regions.

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## List of abbreviations

CAR	Central African Republic
CFSP	Common Foreign and Security Policy
CHPL	Common High Priority List
CNC	Computer Numerical Control
COMEXT	Eurostat reference database for international trade in goods
DG Trade	Directorate-General for Trade
EU	European Union
EU27	The 27 European Union Member States
HS Code	Harmonised System code
IHL	International Humanitarian Law
OSCE	Organization for Security and Co-operation in Europe
PRIO	Peace Research Institute Oslo
UAE	United Arab Emirates
UAVs	Uncrewed Air Vehicles
UCDP	Uppsala Conflict Data Program
UN	United Nations

# 1 Introduction

This study examines EU trade in dual-use items with conflict-affected regions to evaluate the extent to which the EU's legal framework and Member States' practices on dual-use items align with the EU's legal obligations. To support this, various definitions and approaches are set out in the methodology section that follows. The study concludes that while the current legal basis in Regulation 2021/821 (regulation)<sup>1</sup> is largely sufficient to control trade in listed goods, controls on non-listed items to conflict-affected regions may be insufficient to address International Humanitarian Law considerations.

At the outset, it is important to recognize that the EU has multiple mechanisms to prevent EU-origin dual-use goods from furthering conflict, including its dual-use export control regulation and its sanctions regime. These mechanisms are fundamentally different in purpose, scope and competence. This study focuses on the export control framework for dual-use goods—specifically, Regulation (EU) 2021/821—since export controls for military goods remain a national rather than EU competence.

There is limited existing literature on the interaction between the EU's dual-use regime and conflict-affected regions as defined in this paper. There is significant literature on important subsets of this issue, including EU trade in cyber-surveillance technology<sup>2</sup>, EU trade with Israel<sup>3</sup>, and how EU and western-origin goods reach specific conflict regions, such as Russian procurement of electronics for its war machine<sup>4</sup>. While this literature was reviewed in the preparation for this paper, the purpose of this study is to examine specifically how the EU dual-use regime affects trade in conflict-affected regions, which is a broadly different question.

The evolution of the EU's dual-use mechanism dates from the 1990s when Member States first agreed to the coordination of dual-use export controls through the Union<sup>5</sup>. In the decades that followed, the members of the Union expanded, while the competences of the EU increased through various treaties, including the Treaty of Lisbon, which introduced a role for the European Parliament as a co-legislator on dual-use export control issues. The dual-use mechanism was also iteratively strengthened through the adoption of successively stronger regulations, including most recently through the adoption of Regulation 2021/821<sup>6</sup>. However, the process to amend the regulation can take years, with the recast of Council Regulation 428/2009 beginning in 2011 with the issuing of a Commission green paper, thus highlighting the

<sup>1</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), OJ L 206, 11.6.2021, p. 1. URL: <https://eur-lex.europa.eu/eli/reg/2021/821/oj/eng> (accessed 12 October 2025)

<sup>2</sup> See for example, *Making the most of the EU catch-all control on cyber-surveillance exports*, SIPRI, 18 October 2024. Available online at: <https://www.sipri.org/commentary/topical-backgrounder/2024/making-most-eu-catch-all-control-cyber-surveillance-exports> (accessed 12 October 2025) and *Export Controls and Spyware: Enhancing Oversight, Transparency and Restraint*, SIPRI, September 2025. Available online at: <https://www.sipri.org/publications/2025/other-publications/export-controls-and-spyware-enhancing-oversight-transparency-and-restraint> (accessed 12 October 2025)

<sup>3</sup> See for example, *How top arms exporters have responded to the war in Gaza: 2025 update*, SIPRI, 3 October 2025. Available online at: <https://www.sipri.org/commentary/topical-backgrounder/2025/how-top-arms-exporters-have-responded-war-gaza-2025-update> (accessed 31 October 2025)

<sup>4</sup> See for example, *Tracking the Components of Missiles and UAVs Used by Russia in Ukraine: What Lessons for Control Regimes?*, IISS, 25 September 2025. Available online at: <https://www.iiss.org/research-paper/2025/09/tracking-the-components-of-missiles-and-uavs-used-by-russia-in-ukraine-what-lessons-for-control-regimes/> (accessed 31 October 2025)

<sup>5</sup> See for example, Council Regulation (EC) No 3381/94 of 19 December 1994 setting up a Community regime for the control of exports of dual-use goods (OJ L 367, 31.12.1994, p. 1). Available online at: <https://eur-lex.europa.eu/eli/reg/1994/3381/oj/eng> (accessed 13 October 2025)

<sup>6</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) (OJ L 206, 11.6.2021, p. 1). Available online at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32021R0821> (accessed 10 October 2025)

decade-long process of updating the regulation<sup>7</sup>. At its core, the regulation's purpose remains the implementation of EU member obligations to the multilateral export control regimes and to broader nonproliferation instruments in general.

To provide an illustration of the difference between dual-use goods and military goods, it is useful to consider parts for the F-35 aircraft. Several EU countries are involved in the supply chain of the F-35. The program operates a European Regional Warehouse which also supplies Israel, among others<sup>8</sup>. For example, Dutch companies reportedly produce a number of F-35 parts, including wiring harnesses, control surfaces and laminates<sup>9</sup>. These items are generally benign on their own and may usually be considered dual-use items. However, the fact that they are manufactured specifically for a military list item (the F-35) generally means that they are controlled on the EU Common Military List, rather than the dual-use list. The licensing of such items is a national competence, but it is coordinated through Council common position 2008/944/CFSP governing the export of military technology and equipment, which sets out the criteria governing the export of military technology and equipment<sup>10</sup>. They are thus also outside the scope of this study. In fact, many of the most controversial exports from Member States to Israel, including the Diamond Back folding wings for GBU-39 glide bombs, are similarly military items rather than dual-use goods<sup>11</sup>. Despite this, it is clear that there is some overlap in dual-use goods and military list goods considerations. This overlap will be used as a point of exploration in this study. There are occasional cases in which dual-use goods are intercepted *en route* to military end uses. In one important case which will be examined further in this study, a Flemish court ordered a shipment of tapered bearings to be stopped because it was destined to the Israeli defence industry<sup>12</sup>.

There is also some overlap between dual-use export control and sanctions regimes which can lead to confusion about the purpose and scope of the two measures. The dual-use regulation provides a country-agnostic framework to control dual-use goods with potential military and security related applications. The purpose of this regulation is principally to implement EU (and EU Member State) obligations in the four main multilateral export control regimes which cover nuclear items, missiles and Uncrewed Air Vehicles (UAVs), chemical and biological weapons related items and military and other dual-use goods that have military application. The EU has opted to expand on these commitments in two ways: by allowing for the control of human security<sup>13</sup> items (which are generally not covered by the export control regimes), and

<sup>7</sup> *The dual-use export control system of the European Union: ensuring security and competitiveness in a changing world*, European Commission, 30 June 2011. Available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0393> (accessed 13 October 2025)

<sup>8</sup> *Aanhangsel van de Handelingen*, House of Representatives of the States General, 19-12-2023. Available online at: <https://zoek.officielebekendmakingen.nl/ah-tk-20232024-661.html> (accessed 10 October 2025)

<sup>9</sup> See for example, *GKN Fokker and Lockheed Martin Aeronautics collaborating on future F-35 long term agreement*, Airframer.com, 1 February 2019. Available online at: [https://www.airframer.com/news\\_story.html?release=69126](https://www.airframer.com/news_story.html?release=69126) (accessed 10 October 2025), and *Fokker Elmo Expands Global Leadership in Harness Technology*, Dit-MCO International. Available online at: <https://www.ditmco.com/case-studies/fokker-elmo-grows-its-global-leadership-in-wire-harness-technology> (accessed 10 October 2025)

<sup>10</sup> Council Common Position 2008/944/CFSP of 8 December 2008 (OJ L 335, 13.12.2008, p. 99). Available online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32008E0944> (accessed 13 October 2025)

<sup>11</sup> *European missile maker linked to deadly Gaza bombings*, Follow the Money, 17 July 2025. Available online at: <https://www.ftm.eu/articles/european-weapon-manufacturer-delivers-israel-gaza-bombs> (accessed 10 October 2025)

<sup>12</sup> *Flanders must stop transfer of military gear to Israel, Brussels court orders*, Politico, 17 July 2025. Available online at: <https://www.politico.eu/article/brussels-court-orders-flanders-belgium-stop-transfer-military-equipment-israel-palestine-dual-use> (accessed 10 October 2025)

<sup>13</sup> Human security is a relatively recent concept, at least when used in connection with export controls and represents the idea that export controls should address not only the traditional risks that technology could be used for military or weapons of mass destruction end uses but also the risk that technology could be used to harm individuals such as through mass surveillance or violations of international humanitarian law. See for example, *Export Controls, Human Security and Cyber-surveillance Technology: Examining the Proposed Changes to the EU Dual-use Regulation*, SIPRI, December 2017. Available online at: [https://www.sipri.org/sites/default/files/2018-01/sipri1712\\_bromley.pdf](https://www.sipri.org/sites/default/files/2018-01/sipri1712_bromley.pdf) (accessed 31 October 2025)

most recently by allowing for the control of certain additional items with security implications that are not controlled by the multilateral export control regimes. Since the dual-use regulation controls a wide range of technology on a global basis, including technology that is truly dual-use in nature, its purpose cannot be to prevent trade. Instead, the purpose is to provide a framework for assessing the risks associated with trade against set criteria. The dual-use regulation sets factors to be taken into account when assessing such authorisations (i.e. licences) as detailed below.

A recent complicated dynamic relates to some Member States' decisions to restrict arms exports to Israel. Generally, export control obligations inform when states cannot authorize exports rather than when they should authorize exports. Member States thus enjoy broad discretion to restrict exports even when they are not under an international obligation to do so. A complexity comes from the fact that such national policies targeting specific countries are more akin to sanctions than export controls. From an export control perspective, licensing officials would usually work to understand the obligations and risks associated with a specific transaction rather than outright prohibit exports to certain jurisdictions. Such analysis usually focuses not only on the specific item, but who will be the specific user and what their purpose will be. For example, instead of a blanket restriction on exports of surveillance equipment to a national police force, such analysis will often seek to understand the role of the specific subunit of the police force, including their past roles in surveillance and repression. Of course, there is also a risk of goods being diverted from a benign end use to a problematic end use, and assessing the risk of diversion is an integral part of the licence assessment process.

The dual-use regulation is principally concerned with listed items. The EU control list is nearly one inch thick when printed, meaning that there is a substantial number of items that are controlled. It should be recognized that no such list of technology can ever be complete. There will always be non-listed items that could contribute to end uses of concern. To account for this, the EU regulation includes several so-called catch-all mechanisms (or end use controls) which make non-listed items controlled under specific circumstances. These circumstances are generally that the item is destined for a military or weapon of mass destruction program. The EU also added both terrorism related end use controls and human security related end use controls in its 2021 recast of the dual-use regulation. The result is that there is at least some expectation that EU trade with conflict-affected regions should be controlled and subject to review.

This said, it is necessary also to keep in mind the purpose of the sanctions regime and how it differs from the dual-use regulation. Generally, sanctions are measures that restrict trade with particular countries and jurisdictions. This is a fundamentally different premise from the export control regulation, which is globally applicable. There is some overlap between the export control and sanctions regime, in part because in some cases the sanctions regime prohibits the export of export-controlled items to specific countries, such as in the case of Iran, North Korea and Russia. Sanctions are often imposed on countries affected by conflict. The decision to impose sanctions is a political one taken by the Council of the EU (or by the UN Security Council) rather than an automated decision taken based on the existence of conflict. As such, while there is an overlap between countries subject to sanctions and countries experiencing conflict, this overlap is not complete as shown in Annex 2 of this study.

It is perhaps for this reason that some may look to the export control regulation when considering the adequacy of EU restrictions on exports to conflict-affected regions. However, since the EU export control regulation has a specific purpose (i.e. applying globally, facilitating trade whenever specific exceptions do not apply), there should not be an expectation that the dual-use regulation prevent all trade with conflict-affected regions.

This study examines the adequacy of the dual-use regulation principally by examining both listed and non-listed items. In relation to listed items, there are few documented examples of listed items being exported without authorisation even though there are long-standing concerns about inadequate implementation of dual-use export controls in the EU, which is a national competence. Instead, for listed goods, the principal

concern may be that Member States authorize exports to conflict-affected regions when they should not – or that they allow exports to conflict-affected regions through open or general licences when they should not. The key challenge here is that licences are usually assessed on a case-by-case basis as the circumstances of each case vary. One cannot reasonably conclude from statistics alone whether a Member State decision to authorize an export was an incorrect one (or indeed, a correct one). Indeed, removing the discretion from Member States to assess licences on a case-by-case basis would be tantamount to turning the dual-use mechanism into something more akin to a sanctions regime. Such a change would be redundant since the Council of the EU could anyway simply adopt a sanctions regime to achieve this purpose. Nonetheless, it is clear that Member States should lean towards individual licence review when exporting to conflict-affected regions rather than relying on open or general licences.

The situation with regard to non-listed items is different. Presently, there are limited circumstances under which non-listed items will be restricted to conflict-affected regions. In fact, the principal circumstances are probably when the country is subject to a full-scope arms embargo as under these circumstances Member States have access to the military end use control contained in Article 4 of the regulation. Many important conflict-affected regions are not subject to an arms embargo, as shown in Annex 2 of this study, meaning that the full-scope arms embargo does not apply.

In examining these issues, this study proceeds as follows. First, the methodology is set out including the definition of conflict-affected regions and how data was collected for this study. The methodology also sets out the limitations of the data related to dual-use export controls. The study then examines the legal commitments of the EU and Member States and assesses whether they can be fulfilled through the dual-use regulation. Next, the study examines the extent to which the EU's legal obligations are reflected in EU and Member States export control legislation. After this, the study analyses the EU's and Member State exports to conflict-affected regions. The study then presents broader analysis before presenting conclusions and recommendations.

The main conclusion of this study is that there is a need for the EU and Member States to be more proactive in mitigating the risks associated with trade in dual-use goods with conflict-affected regions. Based on available information, the dual-use regulation does seem to provide Member States with a sufficient legal basis for listed goods, but it may not provide a sufficient basis for non-listed goods. Nonetheless, such is the significance of the lack of granular data on trade in dual-use goods in the EU and Member State national reports that it is not possible to conclude whether problematic trade is taking place. Resultingly, this study makes several recommendations to the EU, the European Parliament, and to Member States. These focus on broadening the military end use control contained in Article 4 of the regulation, to solidifying the EU's ability to control items not listed in the main export control regimes, to further improve reporting, including specifically for conflict-affected regions, and discouraging the use of open and general licences to conflict-affected regions.

## 2 Methodology

This study leverages a number of approaches to analyse EU trade with conflict-affected regions. This includes a textual review of the regulation, a review of the EU and national reports, a review of Eurostat COMEXT data showing exports from EU27 countries to conflict-affected regions, a review of open source information concerning potentially problematic transfers from the EU to conflict-affected regions and discussion with officials from DG Trade to confirm factual and interpretation issues.

This methodology section sets out the approach taken on specific aspects of the study, including the definition of conflict-affected regions and the gathering and analysis of Eurostat COMEXT data. It also sets out which national reports were examined.

It should be noted that case study 1 reproduces charts and analysis produced in a separate piece by the author. As that work was undertaken separately and is only reproduced here in the case study, the

methodology for production of that data is not included in this section. Instead, a footnote is included in the case study describing the approach and linking to the underlying analysis.

It is important to note that the author is an expert in dual-use export controls but is not a legal scholar. As such, to the extent that there is analysis of the legal instruments in the study, it should be understood as a practitioner's analysis of the legal basis rather than a true legal analysis.

## 2.1 Definition of conflict-affected regions

This study examines EU trade with conflict-affected regions to provide insight into overall EU and EU Member State compliance with international legal obligations. The principal unit of analysis used here is exports to individual parties involved in conflicts rather than to regions, *per se*. The principal reason is that export licensing assessment should be undertaken in relation to the specifics of each case, which means examining national circumstances. Additionally, there is presently considerable diplomatic concern and effort related to the possibility that dual-use export controls may interfere with peaceful uses of science and technology including for economic development<sup>14</sup>.

Defining conflict-affected regions is challenging. This study leveraged Uppsala Conflict Data Program/Peace Research Institute Oslo (UCDP/PRI) Armed Conflict Dataset v24.1, which lists parties to conflicts per year. The rationale for using this approach was that it provides a global snapshot of countries involved in conflict down to the individual year. As much of the data examined in this study related to 2024, it was important to restrict the list of conflict-affected countries to conflicts active during that reporting period. The list of countries considered in conflict is provided below. Admittedly this list contains a number of oddities that need to be accounted for. For example, the dataset lists Australia, Canada, France, Norway, Singapore, Sri Lanka, New Zealand, United Kingdom, United States of America as being in conflict as a result of naval action against the Houthis in the Red Sea.

Conflict-affected regions: Afghanistan, Angola, Bahrain, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Central African Republic (CAR), Colombia, Congo (Democratic Republic of), Ethiopia, Haiti, India, Indonesia, Iran, Iraq, Israel, Kenya, Libya, Mali, Mozambique, Myanmar, Niger, Nigeria, North Korea, Pakistan, Philippines, Russia, Rwanda, Saudi Arabia, Somalia, Sudan, South Sudan, Syria, Thailand, Togo, Türkiye, United Arab Emirates (UAE), and Yemen.

Countries in conflict that were excluded for this analysis: Australia, Canada, France, Norway, Netherlands, Singapore, Sri Lanka, New Zealand, United Kingdom, United States of America.

Several African countries that were listed as parties to regional conflicts were also excluded, including: Lesotho, Malawi, South Africa, Tanzania, Uganda, Zambia.

Ukraine is also not analysed given its unique circumstances at present.

Belarus, Russia and North Korea are also not analysed in depth because sanctions have overtaken other trade considerations in both cases.

<sup>14</sup> This concern provides the foundation for Chinese geopolitical manoeuvring through its biannual UN General Assembly resolution on this topic which seeks to gain support from non-aligned countries. The result as (? is?) a strong impetus towards case-by-case analysis in export licensing assessment rather than overly restrictive analysis, including based on regional considerations. See for example *Implications of the UN resolutions on 'international cooperation on peaceful uses'*: Balancing non-proliferation and economic development, SIPRI, 11 December 2024. Available online at: <https://www.sipri.org/commentary/topical-backgrounder/2024/implications-un-resolutions-international-cooperation-peaceful-uses-balancing-non-proliferation-and> (accessed 3 November 2025)

## 2.2 National reports

Both the EU and Member State reports from the following countries for 2024 were examined to build a picture of dual-use licensing practice. The decision to focus on the 2024 annual reports was driven by the expectation that 2024 reports would be available by the time of writing in October 2025. It should be noted that most Member State reports and the EU report lack sufficient granularity to gain insight into what specific items are being exported to conflict-affected regions. Of the reports examined, the Flemish and Swedish reports provide the most insight into licensing decision-making. In the case of Flanders, this was because the report also provides information on the nature of the end user (i.e. whether it is a defence sector end user, an industrial end user, or a distributor, etc). The Swedish report provides information on exports of dual-use goods where the ultimate end user is a military entity. Such categorization is helpful when considering exports to conflict-affected regions as exports to the government and defence sector are most likely to pose risks from an international humanitarian law perspective. At least at the time of writing, this appears to be the extent of national reports available for 2024<sup>15</sup>.

**Table 1: Granularity of data in Member State reports (2024)**

Member State	Contains granular data?
Croatia <sup>16</sup>	Yes
Ireland <sup>17</sup>	No
France <sup>18</sup>	Yes
Spain <sup>19</sup>	Yes
Sweden <sup>20</sup>	Yes

<sup>15</sup> The EU now asks Member States if they publish a national report and includes this information in the EU annual report. However, the relevant section of the 2022 annual report provides details of only the national reports of Belgium, Croatia, Spain, Ireland, Latvia, the Netherlands and Sweden. The URL of the Latvian report contained in the EU staff working document for 2022 and 2023 does not work and this report could not be found through an internet search. A search was conducted on a Member State by Member State basis in an effort to identify additional national reports, but without a more comprehensive list, it is possible that national reports were not located. The problem is compounded by the fact that some countries or regions appear to include only a small section on dual-use goods as part of a larger report such as in the case of the Belgian capital region. The 2024 report from the Belgian capital region does not seem to be available. However, a section on dual-use goods was included in the following 2023 report. Brussels International. (2024). *Rapport annuel 2023*. Région de Bruxelles-Capitale. [https://feder.brussels/wp-content/uploads/2024/06/RA-BI-2023-FR\\_Interactif\\_20240603.pdf](https://feder.brussels/wp-content/uploads/2024/06/RA-BI-2023-FR_Interactif_20240603.pdf)

<sup>16</sup> Ministry of Foreign and European Affairs of the Republic of Croatia. (2025, April). *Godišnje izvješće o izvozu robe s dvojnomo namjenom u 2024. godini* [Annual report on exports of dual-use goods for 2024]. Zagreb. <https://mvep.gov.hr/UserDocsImages/2025/datoteke/Godi%20izvje%C5%A1nje%20izvje%C5%A1C4%87e%20o%20izvozu%20robe%20s%20dvojnomo%20namjenom%20za%202024.%20godinu.pdf>

<sup>17</sup> Department of Enterprise, Trade and Employment of Ireland. (2025, October 24). *Control of Exports Annual Report 2024*. <https://enterprise.gov.ie/en/publications/publication-files/control-of-exports-annual-report-2024.pdf>

<sup>18</sup> *Les exportations des biens à double usage de la France – Rapport au Parlement*, La Direction générale des Entreprises, 6 October 2025. Available online at: <https://www.entreprises.gouv.fr/la-dge/publications/les-exportations-des-biens-double-usage-de-la-france-rapport-au-parlement> (accessed 10 October 2025)

<sup>19</sup> *Exportaciones españolas de material de defensa, de otro material y de productos y tecnologías de doble uso en el primer semestre de 2024*, Ministerio de Economía, Comercio y Empresa. Available online at: [https://comercio.gob.es/ImportacionExportacion/Informes\\_Estadisticas/Material%20Defansa%20Doble%20Uso/2024/250415\\_informe\\_semestral\\_2024-I.pdf](https://comercio.gob.es/ImportacionExportacion/Informes_Estadisticas/Material%20Defansa%20Doble%20Uso/2024/250415_informe_semestral_2024-I.pdf) (accessed 10 October 2025)

<sup>20</sup> *Strategic Export Controls in 2024 – Military Equipment and Dual-Use Items*, Ministry for Foreign Affairs [of Sweden], 3 April 2025. Available online at: <https://www.government.se/contentassets/f034be95c56340ccb68196196c177653/strategic-export-controls-in-2024--military-equipment-and-dual-use-items-skr.-202425114.pdf> (accessed 10 October 2025)

Netherlands <sup>21</sup>	No
Belgium: Flanders <sup>22</sup>	Yes
Belgium: Wallonia <sup>23</sup>	No

Where the Member State provides granular data, the data is examined in section 5 of this report.

Most EU Member States do not produce annual reports on dual-use export controls, including important producers of dual-use goods such as Germany. While more countries produce reports on arms export controls, those reports generally do not contain granular data on dual-use export control issues.

## 2.3 Eurostat data

The Eurostat COMEXT DS-059341 dataset was queried to provide insight into EU27 trade with conflict-affected regions. A total of 41 725 rows of data were extracted and are available separately from the author as a dataset. The extraction covers 10 years of annual data (2016–2025), albeit with 2025 data being missing or incomplete. The rationale for this was that some historical data might provide useful context for examining more recent data, including the data from 2024. The extract used HS code groups categorized around certain dual-use technologies. HS code data for weapons and explosives was also queried to provide a comparator. The following groups of HS codes were used to form a basket of dual-use goods for analysis. It should be kept in mind that there is generally a poor correlation between HS codes and dual-use goods. As such, wherever HS code data is discussed in this study, it should be assumed that it is indicative of possible trade in dual-use goods rather than a statistical likelihood that the HS code data relates to listed dual-use goods.

**Table 2: Selected HS code by category**

Category	Description	Example HS6 codes
<b>Aerospace / UAV / Missile</b>	Aircraft, unmanned aerial vehicles, propulsion systems, and flight components relevant to airframes and missile systems.	8802xx, 8806xx, 8411xx
<b>Machine Tools</b>	High-precision machining, laser/e-beam tools, and CNC centers used for weapons and aerospace manufacturing.	8456–8463
<b>Electronics / Computing</b>	Integrated circuits, computing systems, power supplies, and test equipment used in control, targeting, or simulation.	85423x, 8471xx, 850440
<b>Sensors / Radar / Optics</b>	Radar, lasers, optical systems, and measurement instruments applicable to guidance and surveillance.	852610, 9013xx, 9031xx

<sup>21</sup> *Het Nederlandse exportcontrolebeleid in 2024*, staatssecretaris Buitenlandse Handel alsmede de Minister van Buitenlandse Zaken en Ontwikkelingshulp, 27 06 2025. Available online at: <https://www.rijksoverheid.nl/documenten/rapporten/2025/06/27/rapport-het-nederlandse-exportcontrolebeleid-in-2024> (accessed 10 October 2025)

<sup>22</sup> *Dual-use – Rapport Vlaams Parlement*, Vlaamse Overheid, 01/01/2024 tot en met 31/01/2024. Available online at: [https://www.fdfa.be/sites/default/files/2025-01/Maandverslagen%20DU\\_2024.pdf](https://www.fdfa.be/sites/default/files/2025-01/Maandverslagen%20DU_2024.pdf) (accessed 10 October 2025)

<sup>23</sup> *Rapport au Parlement wallon sur l'application du décret du 12 juin 2012 relatif à l'importation, au transfert, à l'exportation et au transit d'armes civiles et de produits liés à la défense*, Gouvernement wallon, 2024. Available online at: <https://economie.wallonie.be/files/economie/DLA-1/Documents/2024%20Rapport%20annuel%20armes.pdf> (accessed 10 October 2025)

<b>Chemicals / Propellants</b>	Explosives, propellants, and reactive chemical precursors with energetic or materials-processing uses.	2904xx, 3601–3605, 3822xx
<b>Nuclear / Advanced Materials</b>	Nuclear elements and isotopes, titanium and zirconium alloys, aluminium and beryllium articles used in advanced defence or energy systems.	2844xx, 8108/8109, 7601xx
<b>Guidance / Measurement</b>	Gyros, compasses, surveying and control instruments relevant to precision manufacturing or missile guidance.	9014xx, 9026–9030

Two additional sets of HS code data were queried that have a high correlation with military goods. These were queried as they may provide a useful point of comparison with less precise dual-use trade data.

- Weapons & Ammunition (HS 93) — small arms, artillery, bombs, and ammunition components.
- Explosives & Pyrotechnics (HS 36) — propellants, detonators, fuses.

This data is presented on a national basis in Annex 1 of this study. A full analysis of this data is beyond the scope of this study. Nevertheless, each country chart pair was reviewed by the author, including with the goal of cross-referencing exports with other information, where possible.

## 2.4 Use of artificial intelligence

This study was drafted exclusively by the author. AI tools were not used to directly write text contained in the study. The author used ChatGPT 5 to identify typographical issues, inconsistencies, omissions, and issues of flow in author-written text, as well as to generate code snippets to extract COMEXT data from the Eurostat API and to brainstorm HS codes related to dual-use goods. A variety of tools including Google Translate, ChatGPT 5 and Google Gemini were used to assist with identification and translation of foreign language sources such as news articles, annual reports and court cases. These AI tools were also used to generate and format the bibliography based upon the references contained in the footnotes.

## 3 EU legal obligations on dual-use goods exports to conflict-affected regions

This section begins by setting out a non-exhaustive list of what legal obligations and commitments may be applicable for the EU and Member States when exporting dual-use goods to conflict-affected regions. The section then goes on to examine the regulation to determine whether it allows for compliance with these requirements<sup>24</sup>.

In considering international obligations that could direct EU and Member State dual-use licensing policy as it relates to conflict-affected regions, the following four commitments come to mind.

- UN sanctions: binding on all EU Member States. Applies to dual-use goods in certain cases (Iran, North Korea, Syria), as well as other obligations. Prohibits exports without authorisation.
- Arms Trade Treaty: binding for parties (which includes all EU Member States). Applies only to weapons, parts and components (i.e. not to other dual-use goods). Requires risk assessment for exports including against international humanitarian law (IHL) and international peace and security principles.
- EU common position on arms exports. Binding on Member States but applies only to arms. Requires denial if there is a risk of repression, use in conflict or would breach embargoes.

<sup>24</sup> There are additional commitments in areas such as nuclear and missile transfer detailed later in this report. Those provisions are not specific to conflict-affected regions so are generally excluded from this analysis. Nonetheless, EU regulations do nonetheless provide for the implementation of those measures too.

- State responsibilities concerning IHL which prohibit aiding IHL violations, including not to authorise exports when they know or should reasonably know the items would be used to commit serious IHL violations, and to take feasible positive measures to prevent, or at minimum refrain from assisting in, such violations by others.

States also have other nonproliferation obligations as set out more fully later in this study. Since the focus of this study is conflict-affected regions, the study focuses principally on obligations related to conflict rather than general nonproliferation obligations.

### 3.1 Scope of export controls

The main legal tools contained in the dual-use regulation relevant to managing trade with conflict-affected regions include first the list of controlled items and the prohibition of their export without authorisation (i.e. *Article 3.1*). Article 3 references the control list (i.e. the list of dual-use items) contained in Annex I of the regulation. Other articles make provisions for an updating of this control list including through a delegated power by the Commission under Article 17.

The updating of the control list is principally foreseen in light of changes agreed by Member States in their capacities as participants in the multilateral export control regimes. However, in recent years an unprecedented issue has arisen resulting from Russia's further invasion of Ukraine in 2022 in that some of the multilateral export control regimes have been largely unable to agree updates to their own control lists. Many participating states have opted to act unilaterally to update their control lists instead. In September 2025 as part of its updating of the control list through the delegated act, the Commission announced that the EU would incorporate these items into the control list, which would be a significant shift away from the EU's traditional sole reliance on the lists of the multilateral export control regimes<sup>25</sup>. While a relevant current issue concerning export control governance, it is unclear that this issue directly affects trade in conflict-affected regions as the items that states are typically adding to their national control lists are generally not ones with relevance to current conflicts. For example, one newly listed technology is cryogenically cooled semiconductors for use in quantum computers. While quantum computers do carry strategic significance for the future, they are not relevant to conflicts today. Nonetheless, it is foreseeable that future updates to the control lists will be necessary to ensure adequate regulation of trade with conflict-affected regions.

### 3.2 Relevant considerations (i.e. licensing criteria)

Associated with these provisions, the regulation contains a list of considerations to be taken into account (Article 15) when evaluating an authorisation, including:<sup>26</sup>

- a) Union and Member States' international obligations and commitments, in particular the obligations and commitments they have each accepted as members of the relevant international nonproliferation regimes and export control arrangements, or by ratification of relevant international treaties;
- b) their obligations under sanctions imposed by a decision or a common position adopted by the Council or by a decision of the OSCE or by a binding resolution of the Security Council of the United Nations;

<sup>25</sup> 2025 Update of the EU Control List of Dual-Use Items, European Commission, 8 September 2025. Available online at: [https://policy.trade.ec.europa.eu/news/2025-update-eu-control-list-dual-use-items-2025-09-08\\_en](https://policy.trade.ec.europa.eu/news/2025-update-eu-control-list-dual-use-items-2025-09-08_en) (accessed 10 October 2025)

<sup>26</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), (OJ L 206, 11.6.2021, p. 1). Available online at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32021R0821> (accessed 10 October 2025)

- c) considerations of national foreign and security policy, including those covered by Common Position 2008/944/CFSP;
- d) considerations about intended end-use and the risk of diversion.

On the face of it, these 'considerations' should provide Member States sufficient foundation to deny authorisations for listed items whenever an export is inconsistent with Union and Member State international obligations and commitments, relevant sanctions provisions, relevant foreign policy considerations, and risk of diversion. The criteria could be more explicit, including in accounting for IHL considerations in licensing assessment. Nonetheless, for listed goods, Member States could certainly justify denying licences if IHL concerns with an export were identified.

Despite this, a key question is whether Member States understand and interpret their commitments in a similar way. In reviewing the considerations, it is clear that there is scope for different interpretations and assessment of risk on at least some of the considerations, such as 'considerations about intended end use and the risk of diversion' whereas other considerations might be more objective, such as whether a particular transaction is prohibited by an international commitment or sanctions provision.

### 3.3 Non-listed items

Historically, the dual-use regulation was principally concerned with goods listed in its annex. This was consistent with the principle of focusing on distinguishable items which could make an identifiable contribution to a program of concern. There were only limited tools that could allow Member States to control exports of non-listed goods, such as when a concern relating to weapons of mass destruction became known or when the goods would be used for military purposes in a country subject to an arms embargo. In recent years, there has been a recognition that there are more circumstances under which non-listed items should be controlled. A major focus of the last recast of the regulation was to expand the tools to do so upon learning that the goods would be used for terrorism or for internal repression. The weapon debris found in Ukraine containing many western-origin non-listed items further highlights the need to be able to control non-listed items.

The regulation contains several tools that allow for the control of non-listed items under specific circumstances. The principal tool relevant to conflict-affected regions is the military end use control contained in Article 4 of the regulation. This makes items licensable when the competent authority informs the exporter that the item is destined for a military end use. The regulation further clarifies that the military end use control only applies when the item will be incorporated into a military list item. Exporters are also required to inform competent authorities if they are aware of such an end use. Article 4 also contains a similar provision for weapons of mass destruction end uses, but this generally less relevant to current conflict than the military end use control.

The limitations of this approach have become plain in relation to Russia's procurement of technology for use in the conflict in Ukraine as detailed in the case study below. The significant quantities of non-listed items being procured for use in the production of weapons means that reactive approaches driven by intelligence information cannot be of sufficient scale to prevent trade in dual-use items to conflict-affected regions. The Common High Priority List (CHPL) approach is a useful example of a proactive approach that broadens the scope of controlled items to conflict-affected regions. However, the mechanism principally targets Russia. The CHPL approach could usefully be applied to other countries engaged in UAV proliferation such as Iran and the Houthis. The approach of controlling additional items relevant to combat to countries in combat is also an interesting one that could be built on for other types of conflict.

**Case study 1: Russian electronics<sup>27</sup>**

Battlefield debris in Ukraine provides an unparalleled opportunity to identify the specific components used in Russian UAVs and missiles and, on occasion, to trace these back to the manufacturer and supplier. From such analysis, it is clear that many of the electronics and components used in Russian weapon systems are non-listed items sought from the west. It has become apparent that export controls are poorly set up to control such electronics and components. While some Member States have been able to take enforcement action through export control provisions<sup>28</sup>, the principal mechanism Member States have come to rely on to restrict non-listed items is a measure derived from the sanctions toolset rather than the export control toolset: the Common High Priority List<sup>29</sup>.

The CHPL is a harmonised system (customs classification) based approach to restrict the export of relatively broad categories of electronics to Russia. Drafting of the CHPL was led by the US in close consultation with European and Asian allies and the CHPL is now relatively widely implemented<sup>30</sup>.

Nonetheless, the fact that the CHPL is derived from sanctions rather than export controls – and indeed that it uses HS categories rather than more precise goods categories as would usually be found in export controls – highlights the inadequacy of export controls in addressing procurement of non-listed items at scale. Many non-listed electronics are truly mass-market items that can be bought from catalogue retailers for tens or hundreds of Euros, and which are sold in quantities of hundreds, thousands, or even

<sup>27</sup> This case study is reproduced from Max Kossek & Ian Stewart (2024), How (and How Many) Western Chips are Getting to Russia?, August 2024. Available online at: <https://www.tradecompliance.io/how-and-how-many-western-chips-are-getting-russia> (accessed 9 October 2024).

<sup>28</sup> It is difficult to compile a comprehensive list of Member State enforcement actions against Russia not least because there is no publicly available centralized repository of cases and because it is often difficult to determine which legal instruments are being used when cases are identified. Member States including Bulgaria, Denmark, Finland, France, Germany, Latvia, Lithuania, the Netherlands, Poland, and Spain seem to have taken action related to dual-use goods. On Bulgaria, see *Bulgaria arrests 12 people for violating EU sanctions on exports to Russia*, AP, 10 October 2023. Available online at: <https://apnews.com/article/bulgaria-russia-ukraine-sanctions-illegal-export-c22833aa43a8c44326864541a1d407c5> (accessed 31 October 2025). On Denmark see <https://jv.dk/indland/foerste-dom-i-sag-om-sanktionsbrud-virksomhed-accepterer-boede>. On Finland see *Første dom for sanktionsbrud: Virksomhed accepterer bøde*, JyskeVestkysten, 23 October 2025. Available online at: [https://confiscation.com.ua/en/news/russian\\_student\\_convicted\\_in\\_Finland\\_for\\_violating\\_sanctions\\_against\\_russia/](https://confiscation.com.ua/en/news/russian_student_convicted_in_Finland_for_violating_sanctions_against_russia/) (accessed 31 October 2025). On France see Douane française. (2024, 27 May). Communiqué de presse N° 1896 : Lutte contre le contournement des sanctions prises à l'encontre de la Russie : La douane française met fin aux agissements d'un professionnel du dédouanement [Press release]. Available online at: [https://www.douane.gouv.fr/sites/default/files/2024-05/27/CP-Lutte\\_contournement\\_sanctions\\_prises\\_encontre\\_Russie.pdf](https://www.douane.gouv.fr/sites/default/files/2024-05/27/CP-Lutte_contournement_sanctions_prises_encontre_Russie.pdf) (accessed 31 October 2025), On Germany see *German sentenced for selling electronics to Russia for military use*, Reuters, 17 July 2024. Available online at: <https://www.reuters.com/world/europe/german-sentenced-selling-electronics-russia-military-use-2024-07-17> (accessed 31 October 2025). On Latvia, see *Four to be prosecuted for supplying telecoms systems to Russia*, LSM, 12 March 2025. Available online at: <https://eng.lsm.lv/article/society/crime/12.03.2025-four-to-be-prosecuted-for-supplying-telecoms-systems-to-russia.a591237/> (accessed 31 October 2025). On Lithuania see *OLAF intelligence supports Lithuanian Customs in major sanctions evasion probe*, European Anti-Fraud Office, 24 April 2025. Available online at: [https://anti-fraud.ec.europa.eu/media-corner/news/olaf-intelligence-supports-lithuanian-customs-major-sanctions-evasion-probe-2025-04-24\\_en](https://anti-fraud.ec.europa.eu/media-corner/news/olaf-intelligence-supports-lithuanian-customs-major-sanctions-evasion-probe-2025-04-24_en) (accessed 31 October 2025). On the Netherlands see *Dutch court sentences Russian businessman to 18 months for busting sanctions targeting Moscow*, AP, 31 October 2025. Available online at: <https://apnews.com/article/sanctions-netherlands-russia-computer-chips-12a238dbbba051fcb6395a6b408ef078> (accessed 31 October 2025). On Poland see *Poland detains German citizen for exporting dual-use goods to Russia*, Reuters, 27 November 2024. Available online at: <https://www.reuters.com/world/europe/poland-detains-german-citizen-exporting-dual-use-goods-russia-2024-11-27> (accessed 31 October 2025). On Spain see *OLAF intelligence supports Spanish Operation enforcing EU sanctions against Russia* European Anti-Fraud Office, 15 October 2024. Available online at: [https://anti-fraud.ec.europa.eu/media-corner/news/olaf-intelligence-supports-spanish-operation-enforcing-eu-sanctions-against-russia-2024-10-15\\_en](https://anti-fraud.ec.europa.eu/media-corner/news/olaf-intelligence-supports-spanish-operation-enforcing-eu-sanctions-against-russia-2024-10-15_en) (accessed 31 October 2025)

<sup>29</sup> *List of Common High Priority Items (Version of February 2024)*, European Commission. Available online at:

[https://finance.ec.europa.eu/system/files/2023-09/list-common-high-priority-items\\_en.pdf](https://finance.ec.europa.eu/system/files/2023-09/list-common-high-priority-items_en.pdf) (accessed 10 October 2025)

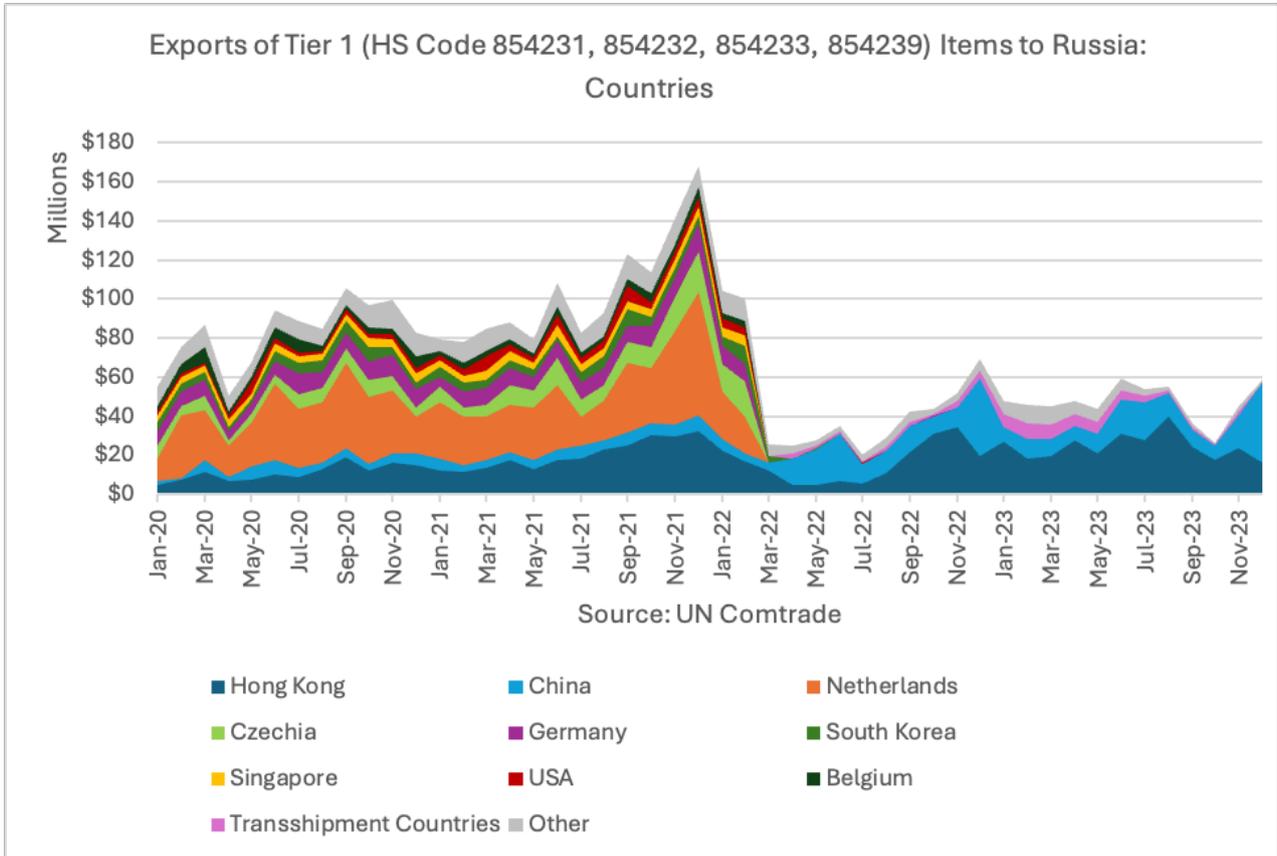
<sup>30</sup> *Common High Priority Items List (CHPL)*, US Bureau of Industry and Security, 23 February 2024. Available online at:

<https://www.bis.gov/node/18319> (accessed 10 October 2025)

millions, making effective control very challenging. This challenge is not unique to the EU or Member States. Given that the CHPL is HS code based, it is straightforward to examine HS code data for potential trade in CHPL items. Past work by the author has systematically examined CHPL trade since Russia’s further invasion of Ukraine<sup>31</sup>. The trends from that analysis are shown in the two charts that follow.

As could be expected, direct trade in CHPL HS codes immediately following Russia’s invasion of Ukraine dropped.

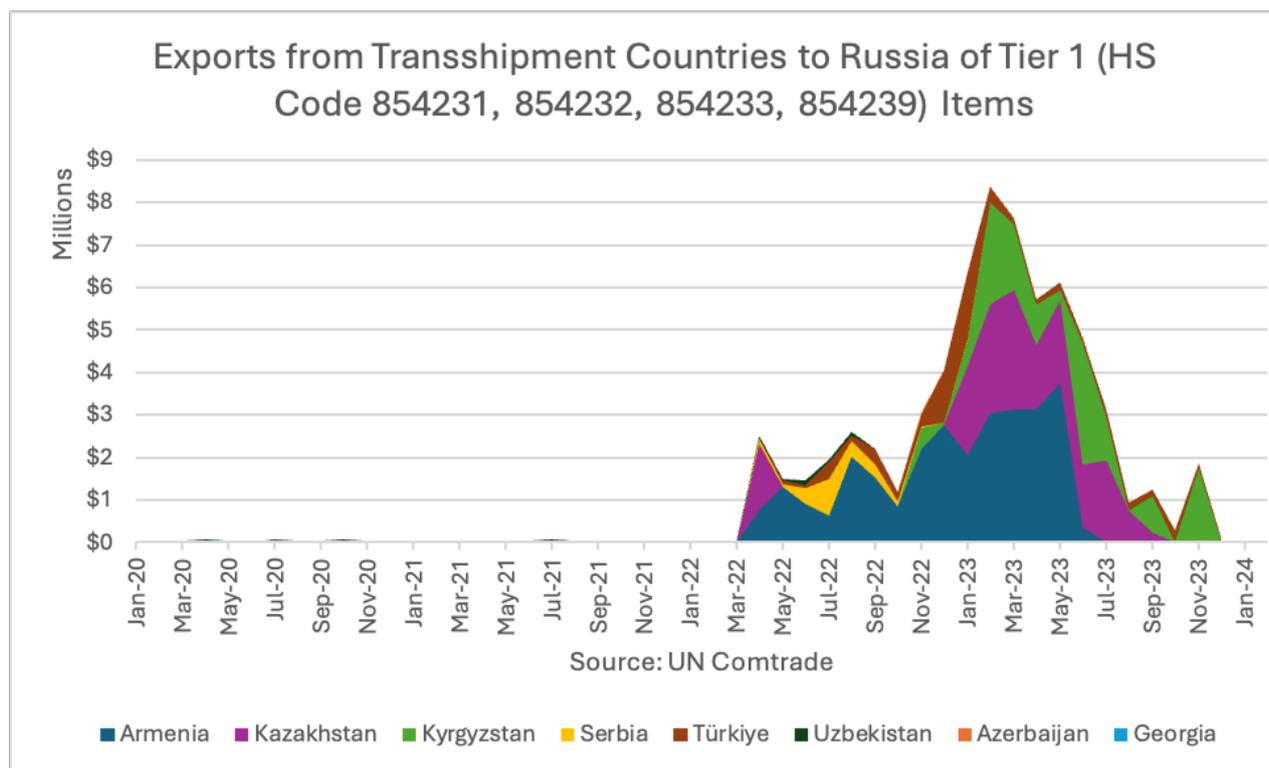
**Graph 1: Exports of tier 1 integrated circuits (microelectronics) to Russia**



Subsequent to this, the volume of trade in relevant HS code categories from a wide range of additional countries increased, as shown below.

<sup>31</sup> The charts in this section are reproduced from this previous work. See Max Kossek and Ian Stewart, *How (and How Many) Western Chips are Getting to Russia?*, August 2024. Available online at: <https://www.tradecompliance.io/how-and-how-many-western-chips-are-getting-russia> (accessed 9 October 2024)

**Graph 2: Exports of tier 1 integrated circuits (microelectronics) to Russia from transshipment countries**

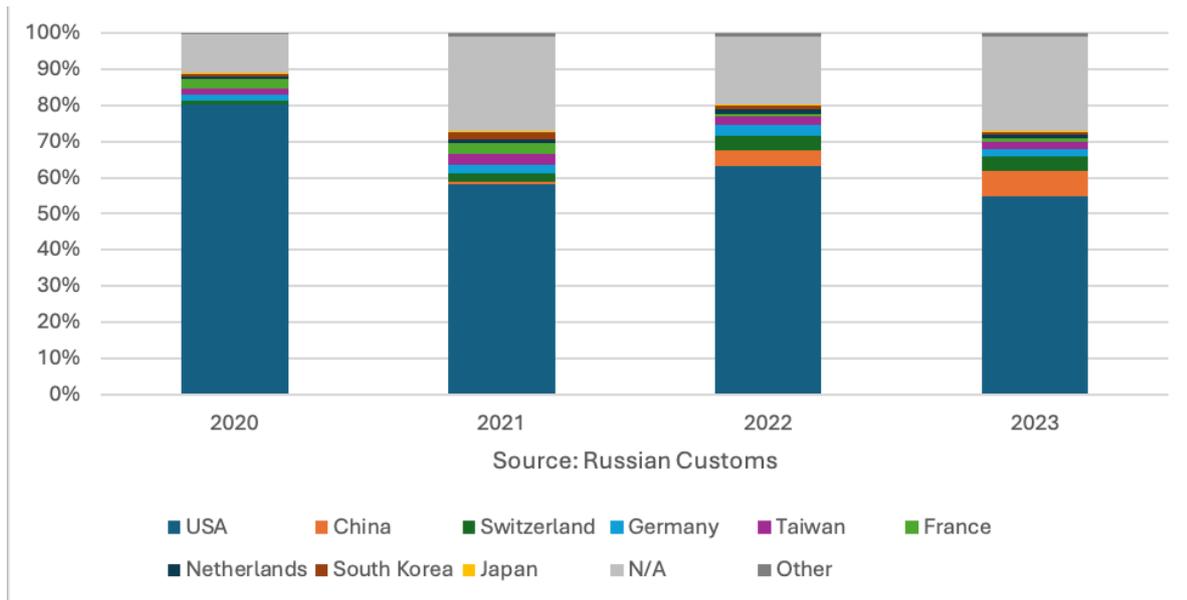


The countries facing an increase in trade have continued to evolve over time as corporate networks relocate and target lax jurisdictions while outreach efforts to affected jurisdictions continue. The author has held consultations in several jurisdictions in the Middle East on implementation of the CHPL and observes that several additional countries agreed to implement the CHPL in 2024<sup>32</sup>.

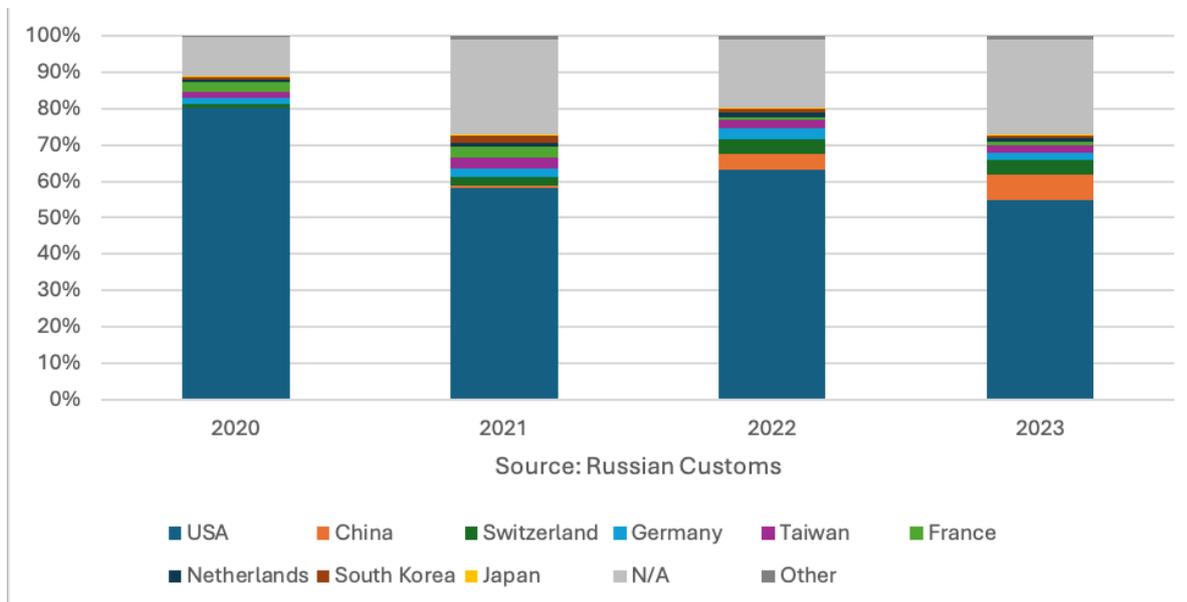
The bill of lading data that this analysis is based on is complex. It contains fields such as brand and description, which points analysts towards the manufacturer of the item. This data shows that it is predominately western origin items that are sought by Russia, as shown in the figure below.

<sup>32</sup> See for example, *EU says UAE to curb key re-exports to Russia used in war*, Bloomberg News, 9 November 2024. Available online at: <https://www.reuters.com/world/eu-says-uae-curb-key-exports-russia-used-war-ukraine-bloomberg-news-2023-11-09> (accessed 12 October 2025)

**Graph 3a: Locations of brands associated with tier 1 integrated circuits (microelectronics): Russian exports**



**Graph 4a: Locations of brands associated with tier 1 integrated circuits (microelectronics): Russian imports**



However, analysis of the data in consultation with the companies which are listed in the brand field often result in no traces of the reported transaction<sup>33</sup>. This is reflective of the fact that many CHPL shipments are not from the manufacturer through authorized distribution channels but are through the secondary or grey market.

Case study conclusion: This case study highlights that conflict-affected regions benefit significantly from non-listed items. It thus highlights the need to be able to control the export of non-listed items on a global basis rather than only to destinations in conflict directly.

<sup>33</sup> The author implemented a research project that examined CHPL data with the purpose of informing partners and industry about Russian sanctions evasion practices.

### 3.4 Transit of goods to a military end use

As the case study below highlights, a complex real-world scenario has emerged in which a Belgian court provisionally found that there was a *prima facie* case that Israel may be committing violations of international humanitarian law or genocide, while at the same time Israel is not subject to a UN, Union or OSCE arms embargo<sup>34</sup>. Member States have an obligation under customary international law not to assist or enable violations of IHL.

In the case study described below, a judge issued a provisional injunction under Flemish law finding that there was a *prima facie* case that the items were controlled under the Flemish Arms Trade Decree (Wapenhandeldecreet)<sup>35</sup>. The judge's rationale was not simply that the goods could be incorporated into a military system, but that the transit of an item to an Israeli defence entity was controlled under the Flemish Decree and that this licence must be refused due to the high risk that the goods could be used for acts of genocide or other IHL violations.

The challenge this section raises is whether Member States can control such a shipment under the dual-use regulation when the items are not on Annex 1<sup>36</sup>. Would Member States still have the legal basis to control the export or to stop the transit of the goods? It seems likely that they would not. Article 4 of the regulation limits invocation of the military catch-all control to countries where there is a UN, Council or OSCE arms embargo in place. Similarly, Article 7 limits controls on transit to instances where Article 4 would apply. As such, Member States may presently lack the legal basis to stop the export or transit of non-listed goods to military end uses in countries accused of genocide or violations of IHL where that country is not subject to an arms embargo.

This could be addressed through a broadening of Article 4. Indeed, the UK recognised the limitations of Article 4 on leaving the EU and took the opportunity to update its own military catch-all control to be more broadly applicable<sup>37</sup>. The UK update expressly removed the limitation that the military catch-all control could only be used in relation to countries subject to an arms embargo.

#### **Case study 2: Tapered roller bearings transit to an Israeli defence entity<sup>38</sup>**

This 2025 case relates to a provisional injunction issued by a Belgian court related to the transit of roller bearings from France to an Israeli defence entity. Tapered roller bearings are common items found in many pieces of rotating precision machinery, but which can also be used in heavy military vehicles such as tanks and armoured personnel carriers. The shipment was offloaded in the Port of Antwerp after the intervention of a non-governmental organisation, making it a transit case from the Belgian perspective

<sup>34</sup> In addition to the Belgium Dutch-language court case examined in this section, the International Court of Justice has also issued relevant rulings, including in the South Africa vs Israel case. See ICJ, Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel).

Available online at: <https://www.icj-cij.org/case/192> (accessed 1 November 2025)

<sup>35</sup> Dutch-language Court of First Instance of Brussels, 10th Chamber, Decision of 17 July 2025, Case No. 2025/69/C (Forum voor Vredesactie et al. v. Flemish Region), Repertory No. 2025, Brussels.

Available at: [https://www.rechtbanken-tribunaux.be/sites/default/files/media/bru/files/beschikking-20250717-25-69-c-forum-vredesactie-ea-tg-vl-gew-pseudo-def\\_0.pdf](https://www.rechtbanken-tribunaux.be/sites/default/files/media/bru/files/beschikking-20250717-25-69-c-forum-vredesactie-ea-tg-vl-gew-pseudo-def_0.pdf)

<sup>36</sup> While a definitive technical assessment cannot be undertaken without access to the technical specification of the item, it is notable that 2A001.a of Annex 1 specifically excludes tapered roller bearings from the roller bearings that are controlled.

<sup>37</sup> See for example: *Trade Policy Update: Statement made on 8 December 2021*, UK Parliament, 8 December 2021. Available online at: <https://questions-statements.parliament.uk/written-statements/detail/2021-12-08/hcws449> (accessed 13 October 2025)

<sup>38</sup> Dutch-language Court of First Instance of Brussels, 10th Chamber, Decision of 17 July 2025, Case No. 2025/69/C (Forum voor Vredesactie et al. v. Flemish Region), Repertory No. 2025, Brussels.

Available at: [https://www.rechtbanken-tribunaux.be/sites/default/files/media/bru/files/beschikking-20250717-25-69-c-forum-vredesactie-ea-tg-vl-gew-pseudo-def\\_0.pdf](https://www.rechtbanken-tribunaux.be/sites/default/files/media/bru/files/beschikking-20250717-25-69-c-forum-vredesactie-ea-tg-vl-gew-pseudo-def_0.pdf)

(i.e. where goods were passing through the Belgian territory rather than being exported from Belgium). No transit licence was sought from Belgium.

The court found that there was a *prima facie* case that Israel is committing genocide or violations of IHL citing both the determinations of the UN Special Rapporteur on the human rights situation in the Palestinian territories occupied since 1967 and International Court of Justice orders in case South Africa v. Israel. The court further found that the shipment of tapered roller bearings to an Israeli defence company could provide material support to Israel. The court also found that this would be in violation of additional legal commitments of Belgium, such as the Arms Trade Treaty.

The court found that there was *prima facie* case that the roller bearings were controlled either as defence-related products (military items under the EU Common Military List) or 'other material useful for military use', which is a specific category of goods under the Flemish Arms Trade Decree (Wapenhandeldecreet).

A particular additional challenge is that it appears that transshipment of military goods (as opposed to transshipment of dual-use goods) may not be subject to control as highlighted by a separate Wallonia case<sup>39</sup>. Transit and transshipment are two closely linked concepts from an export control perspective. If goods entered a country on a vessel, then left from the same vessel, this would be classed as a transit. Whereas if they were offloaded from the vessel in the country, then were loaded onto a different vessel, it would be classed as a transshipment. If the military end-use control in the EU regulation was broadened to be applicable to countries not subject to full-scope arms embargoes, the regulation's provisions on transit and transshipment of goods destined to a military end use could presumably provide a backstop in such cases, including if the items are military list items.

### 3.5 Cyber-surveillance

A key priority for the last recast of the dual-use export control regulation was to better regulate cyber-surveillance technology. Such technology is of particular importance when exported to conflict-affected regions as it can be used to surveil, and ultimately remove, opponents and activists. Customary international law requires Member States not to assist in human rights violations. Since cyber-surveillance technology can lead to human rights violations, development of a means of control for such technology was necessary to ensure the Union can realise its human rights obligations.

The updated regulation does this in two ways. First, some cyber-surveillance equipment is already listed on the lists of the multilateral export control regimes (i.e. the Wassenaar Arrangement). Thus, for listed technology, Member States are obliged to take into account human rights considerations in their licence decision making. Second, the recast also introduced a catch-all control related to cyber-surveillance technologies through Article 5 in which competent authorities can inform exporters of a human rights concern. The mechanism also requires exporters to notify competent authorities when they are aware of such a concern. In late 2024, the European Commission issued guidance on implementation of these measures<sup>40</sup>.

These measures are necessary as there are important examples of globally significant cyber-surveillance systems originating in the Union or having an EU nexus. An important historic case was the Finfisher spyware, which was based in Germany and the UK. Finfisher allegedly provided cyber-surveillance

<sup>39</sup> *Wallonia bans transit of all arms towards Israel*, Brussels Times, 28 May 2025. Available online at: <https://www.brusselstimes.com/1064804/wallonia-bans-transit-of-all-arms-towards-israel> (accessed 10 October 2025)

<sup>40</sup> *Commission Recommendation (EU) 2024/2659 of 11 October 2024 on guidelines on the export of cyber-surveillance items under Article 5 of Regulation (EU) 2021/821 of the European Parliament and of the Council*, Official Journal of the European Union, 16 October 2024". Available online at: [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L\\_202402659](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202402659) (accessed 12 October 2025)

capabilities at least authorities in Türkiye, Myanmar and Egypt without authorisation<sup>41</sup>. The companies behind Finfisher have been dissolved and charges brought against company executives<sup>42</sup>. As the Predator case study below highlights, other providers of cyber-surveillance technology could step in. Predator, in particular, appears to have provided services for many conflict-affected regions. The EU's cyber-surveillance controls should address the risks of new providers of such services directly originating in the Union. However, the Predator case also demonstrates the multinational and complex corporate governance arrangements that can be pursued when providing such sensitive services, highlighting the potentially limited effect that any one jurisdiction can play in mitigating the risks without a broader coordinated international effort.

### Case study 3: Predator spyware

Predator is a spyware developed by the Intellexa Consortium, a complex corporate network spanning multiple countries. Intellexa was apparently founded by former Israeli intelligence officials<sup>43</sup>. The spyware itself was purportedly developed by an Intellexa affiliate – Cytrox in North Macedonia<sup>44</sup>. Intellexa is interesting for this study as it had at least five connections to the EU, including Wispear/Passitora registered in Cyprus, Cytrox registered in North Macedonia, Cytrox Holdings Zrt registered in Hungary, Intellexa S.A. registered in Greece, Intellexa Ltd and Thalestris Ltd registered in Ireland<sup>45</sup>. It is unclear whether Intellexa actually exported from these locations in the EU. Nonetheless, the use of an EU base clearly provides potential legitimacy for an international provider of spyware. The Predator spyware was apparently sold to at least 25 countries, including Switzerland, Austria and Germany, Oman, Qatar, Democratic Republic of the Congo, Kenya, the UAE, Singapore, Pakistan, Jordan and Vietnam.

## 4 Alignment with EU obligations

The previous section examined the dual-use regulation to provide insight into whether it constitutes a sufficient foundation to control trade to conflict-affected regions. This section examines national implementation of the dual-use regulation as the Member States' responsibility. Regulation 2021/821 is directly applicable in Member States. As such, the principal role of Member State laws is in setting up the mechanisms for implementation of the licensing system at the national level and in setting out how it will be enforced. The underlying argument here is that it is EU rather than national legal measures that are of principal relevance when examining EU trade in dual-use goods with conflict-affected regions. This section begins by providing a table to show where national legal measures are relevant to controlling trade to conflict-affected regions.

<sup>41</sup> *Surveillance software 'made in Germany' for Turkish authorities?* Public Prosecutor's Office charges FinFisher executives, European Center for Constitutional and Human Rights. Available online at: <https://www.ecchr.eu/en/case/surveillance-software-germany-turkey-finfisher/> (accessed 12 October 2025)

<sup>42</sup> *Surveillance software 'made in Germany' for Turkish authorities?* Public Prosecutor's Office charges FinFisher executives, European Center for Constitutional and Human Rights. Available online at: <https://www.ecchr.eu/en/case/surveillance-software-germany-turkey-finfisher/> (accessed 12 October 2025)

<sup>43</sup> *'Predator' spyware firm Intellexa resurgent after US sanctions*, ICIJ, 12 August 2025. Available online at: <https://www.icij.org/investigations/cyprus-confidential/predator-spyware-firm-intellexa-resurgent-after-u-s-sanctions/> (accessed 12 October 2025)

<sup>44</sup> *'Predator' spyware firm Intellexa resurgent after US sanctions*, ICIJ, 12 August 2025. Available online at: <https://www.icij.org/investigations/cyprus-confidential/predator-spyware-firm-intellexa-resurgent-after-u-s-sanctions/> (accessed 12 October 2025)

<sup>45</sup> *The Predator Files: Caught in the Net*, Amnesty International, 9 October 2023. Available online at: <https://www.amnesty.org/en/documents/act10/7245/2023/en/> (accessed 12 October 2025)

**Table 3: National legal measures relevant to controlling trade in conflict-affected regions**

<b>Element</b>	<b>Determined by</b>	<b>National legal considerations</b>
Scope of control (inclusive of control list)	EU (Article 3)	Limited: Member States can add items to national control lists.
Scope of military catch-all control	EU (Article 4)	Limited by EU regulation.
Licensing criteria ('relevant considerations')	Both EU and Member States (as defined in Article 15)	The EU lists considerations but Member States can add additional factors.
Penalties for non-compliance	Member States as required by Article 25	Enforcement basis determined through national laws.

The table highlights four principal areas where the division of competence question is most relevant: scope of control, scope of catch-all control, licensing criteria, and enforcement. Of the four, it is the first three that are most relevant as the study is principally concerned with whether the EU legal basis and Member State policies sufficiently manage trade with conflict-affected regions.

The scope of control is almost entirely set through the EU regulation meaning that national interpretation is unnecessary. The only exception to this relates to the adoption of national control lists, as allowed for under Article 9 of the regulation. Some Member States have availed themselves of the opportunity afforded by Article 9 to create national control lists driven by a variety of considerations. The Commission publishes a list of such national measures<sup>46</sup>. This said, by and large, the national control lists are not driven by current conflict-related considerations meaning that these additions are generally not relevant to this study.

Perhaps a more relevant factor relates to licence criteria. The regulation does list relevant considerations to be taken into account in Article 15, as was previously mentioned. Since Article 15 uses the operative 'shall', Member States should at the least utilize these criteria. The criteria include factors such as whether the export would violate sanctions or be a breach of an international commitment. It is generally the case but not exclusively the case that Member States share international commitments. To elucidate this point, the list below shows whether all EU Member States are participants in selected multilateral nonproliferation instruments.

**Table 4: International commitments applicable to EU Member States**

<b>Measure</b>	<b>Elements relevant to conflict-affected regions</b>	<b>Binding on all EU Member States?</b>
IHL	Not to authorize exports when the state knows or should know the items will be used to commit serious IHL violations, and to take positive measures to prevent or avoid assisting in such violations.	Legally (all)
UN sanctions	Many including targeted financial sanctions, travel bans and arms embargoes or dual-use goods restrictions.	Legally (all)

<sup>46</sup> Information Note – Regulation (EU) 2021/821 of the European Parliament and of the Council setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items: Information on measures adopted by Member States in conformity with Articles 4, 5, 6, 7, 8, 9, 11, 12, 22 and 23, 2 October 2024. Available online at: [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C\\_202405881](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C_202405881) (accessed 10 October 2025)

Financial Action Task Force Recommendations	Wide range of measures including to support targeted financial sanctions implementation, countering money laundering, and international interagency cooperation.	Politically (all)
UNSCR 1540	Requires States to implement export controls and related measures to prevent non-state actor involvement in proliferation.	Legally (all)
EU sanctions	Similar to UN sanctions but with expanded scope and coverage.	Legally (all)
Nuclear Nonproliferation Treaty	Requirement not to assist countries acquire nuclear weapons, including restricting trade in the absence of IAEA safeguards and government to government assurances.	Legally (all)
Chemical Weapons Convention (CWC)	The CWC prohibits chemical weapons, including assisting other states acquire chemical weapons. It contains lists of scheduled chemicals, trade restrictions, and reporting requirements.	Legally (all)
Biological and Toxic Weapons Convention (BTWC)	Prohibits states from pursuing biological weapons and the export of biological agents for hostile purposes.	Legally (all)
Arms Trade Treaty	Parties commit to enhanced standards to prevent arms arming civilians or being diverted, including risk assessments. Applies to arms and related components. Requires assessment of IHL risks, diversion risks and end use risks of transfers.	Legally (all)
Nuclear Suppliers Group	Members commit to implement enhanced nonproliferation measures associated with nuclear-related trade (including dual-use trade).	Politically (all)
Australia Group	Supports the CWC and BTWC by maintaining a more comprehensive list of material and equipment whose export should be controlled.	Politically (all)
Wassenaar Arrangement	Promotes cooperation to prevent the destabilising accumulation of conventional weapons through a comprehensive military and dual-use technology control list.	Politically (most but not Cyprus)
Missile Technology Control Regime	Prohibits the export of Category 1 systems and control of category 2 systems, technology, materials and components).	Politically (most but not Lithuania, Malta, Slovenia, Croatia, with Cyprus, Estonia and Latvia being listed as adherents rather than participants)
Zangger Committee	Supports the Nuclear Nonproliferation Treaty (NPT) by further defining what nuclear technologies require safeguards when exported.	Politically

Ottawa Land Mine Treaty	Prohibits acquisition, development or transfer of land mines.	Legally (all but several EU Member States have announced their intention to withdraw) <sup>47</sup> .
Convention on Cluster Munitions	Prohibits acquisition, development or transfer of cluster munitions.	Legally (most but not Estonia, Finland, Greece, Latvia, Poland, and Romania)

While there is some variation in international obligations, it is clear that most EU Member States share common values and commitments. Indeed, such is the overlap in values and commitments that it is likely to be a rare case in which two Member States take an opposing view of a nonproliferation issue. This will be examined further in the next section. Member States can of course also opt to go further than the considerations listed in Article 15. For example, some countries have announced policies of not exporting arms to countries such as Israel. While such a decision is a national prerogative, it is more akin to a sanctions measure than the typically country-neutral measures pursued through the export control regulation.

The question of private sector non-compliance is also a relevant consideration and will be examined further in later sections. However, it is not the principal object of this study.

## 5 EU dual-use exports and national export control practices

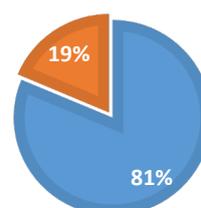
This section examines EU and Member State dual-use export practices toward conflict-affected regions to provide insight into whether the EU and Member States appear to be complying with their obligations. This is achieved principally through examination of EU and Member State export licensing data.

### 5.1 EU annual report statistics

Presently, the EU has only published licensing data up to 2022 and 2023 as part of its updated approach to reporting to the European Parliament and the Council on the dual-use regulation<sup>48</sup>. This makes direct examination of current trade in conflict-affected regions using EU data challenging. 2022 was the first year of Russia’s full-scale invasion of Ukraine and was before the 7 October 2023 attacks by Hamas on Israel and Israel’s military action on Gaza that followed. To the extent possible, examination of the national reports later in this section focuses on 2024 data to provide more contemporary insight.

Examining EU 2022 and 2023 trade data using the conflict-affected regions methodology reveals that for individual transactions, 81 % (blue) of trade by value is to countries not affected by conflict, compared to the remaining 19 % which was to conflict-affected countries (orange). As such, while still of significant value, the value of trade with conflict-affected countries is a modest percentage of overall trade.

**Graph 5: 2022-2023 trade based on conflict status**



<sup>47</sup> Which countries are quitting a key landmine treaty and why?, Reuters, 4 April 2025. Available online at: <https://www.reuters.com/world/which-countries-are-quitting-key-landmine-treaty-why-2025-04-04/> (accessed 10 October 2025)

<sup>48</sup> Report highlights EU’s approach to export controls of dual-use items, European Commission, 31 January 2025. Available online at: [https://policy.trade.ec.europa.eu/news/report-highlights-eus-approach-export-controls-dual-use-items-2025-01-31\\_en](https://policy.trade.ec.europa.eu/news/report-highlights-eus-approach-export-controls-dual-use-items-2025-01-31_en) (accessed 10 October 2025)

Beyond the overall statistical data, the EU annual report still generally lacks enough granularity to provide insight into whether problematic trade is being conducted as it does not break down exports per country per category. There are nonetheless certain areas that warrant further scrutiny. For example, the report details that Germany has issued its national general authorisation 16 to several conflict-affected regions including Israel and the UAE. This said, BAFA's guidance on general authorisation 16 prevent its use when the end user is a military, intelligence police or paramilitary agency, as well as other protections so it is possible that, combined with Article 5 of the regulation, there are sufficient in-built protections<sup>49</sup>.

The EU Commission working document containing 2023 export licensing data contains important information related to cyber-surveillance exports<sup>50</sup>. It shows an increase in the number of issued authorisations to 266 and a decrease in the number of denials to 20 (changed from 224 and 37 in 2022, respectively). The applications included a number of conflict-affected regions, including the UAE, Bahrain, Burkina Faso, Burundi, Central African Republic, Colombia, Congo (Democratic Republic of), Ethiopia, India, Indonesia, Iraq, Israel, Kenya, Mali, Mozambique, Niger, Nigeria, Pakistan, Philippines, Rwanda, Saudi Arabia, Somalia, Thailand, Togo, and Türkiye.

## 5.2 Belgium: Flanders

The Flanders export licensing report is interesting to examine as Flanders publishes perhaps the most comprehensive report of any EU Member State (or authority). The Flanders report not only lists every licence including its destination, classification and value, but also a classification of the end user. Interestingly too, Flanders as part of a broader Belgian initiative has apparently maintained a policy of not strengthening Israel's military since 2009<sup>51</sup>.

The 2024 Flemish licensing data shows exports to a number of conflict-affected countries, including Israel. The exports to Israel include optical-imaging systems (6A003), encryption hardware (5A002), biological-process equipment (2B352), and controlled chemical precursors (1C350). None were refused. The report does specifically mention that each approved case involving Israel is consistent with the announced policy. None of the exports to Israel are marked as being destined for the defence industry. It should be noted that it is likely that potentially problematic licences would not be submitted given that they would be denied due to Flanders' long-standing policy of not exporting goods that would strengthen Israel's military.

Other than for India and Ukraine, both of which may be considered special cases from a licensing perspective, the Flanders report does not detail exports to defence entities in conflict-affected regions. The trade is instead generally with other industries or traders. This is a sign that Flanders, at least, does exercise restraint in dual-use exports for military purposes to conflict-affected regions.

The report also lists a total of 11 licence denials, including to conflict-affected regions. The list of countries to which licences were denied includes Russia, China, Türkiye, UAE, Pakistan, Armenia, Turkmenistan, and Iran.

<sup>49</sup>*Bekanntgabe der Allgemeinen Genehmigung Nr. 16 (Telekommunikation und Informationssicherheit)*, BAFA, 26 March 2024. Available online at:

[https://www.bafa.de/SharedDocs/Downloads/DE/Aussenwirtschaft/AGG/afk\\_genehmigungsarten\\_agg\\_agg16\\_2024\\_04.pdf?\\_\\_blob=publicationFile&v=4](https://www.bafa.de/SharedDocs/Downloads/DE/Aussenwirtschaft/AGG/afk_genehmigungsarten_agg_agg16_2024_04.pdf?__blob=publicationFile&v=4) (accessed 12 October 2025)

<sup>50</sup>*Commission Staff Working Document with export control statistics for 2023*, European Commission, 4 July 2025. Available online at: <https://circabc.europa.eu/ui/group/654251c7-f897-4098-afc3-6eb39477797e/library/40f89316-b1c4-4809-a4a1-c12d5d2a427c/details> (accessed 2 November 2025).

<sup>51</sup>*Export die Israël militair versterkt wordt niet vergund*, HLN, 29 January 2009. Available online at: <https://www.hln.be/binnenland/export-die-israel-militair-versterkt-wordt-niet-vergund~afda51dc> (accessed 10 October 2025)

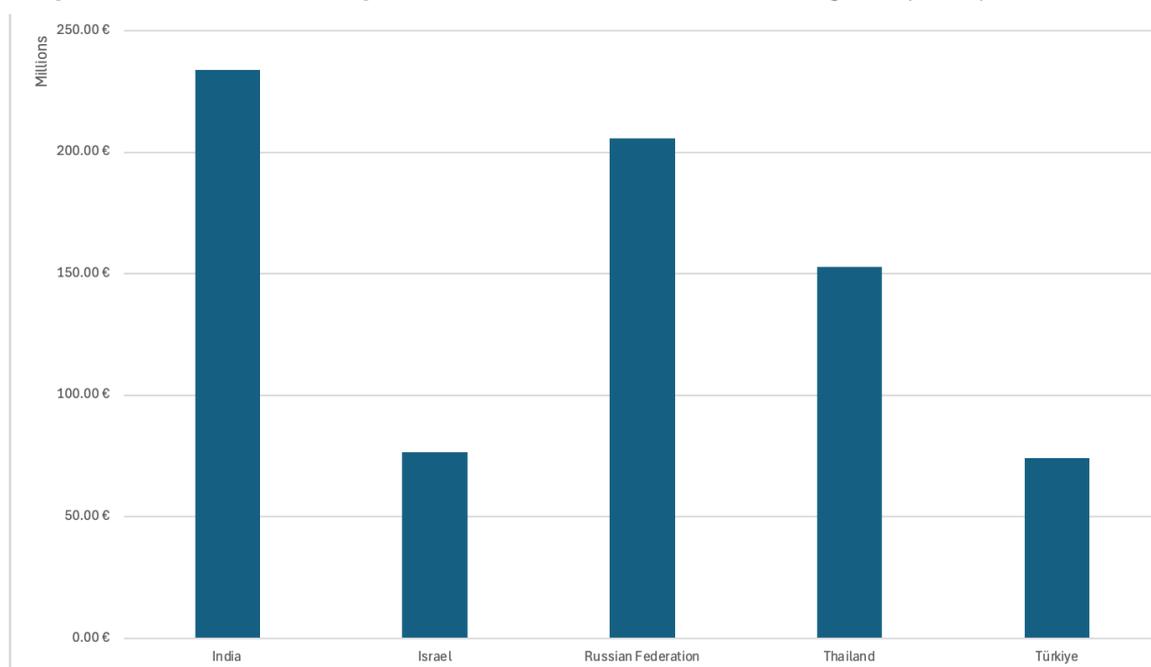
### 5.3 Croatia

Croatia is one of the few Member States that provides data on value, numbers and categories of licence. Croatia's exports of dual-use goods appear to be limited. From the 2024 annual report, it appears that the only exports to a conflict-affected region relate to exports to Türkiye for material processing equipment valued at EUR 2.8 million<sup>52</sup>.

### 5.4 France

France is also one of the few Member States that provides data on value, numbers and categories of licences per destination country in its annual report<sup>53</sup>. A table summarising reported trade with conflict-affected countries is provided at Annex 3 of this report. This level of detail provides useful insight into trends in French exports. However, France does not publish either company names or specific product types beyond the category level meaning that the data do not provide direct insight into whether France's exports to conflict-affected regions are problematic. Of the reported data by value, only 5 % of the overall total is to countries defined as being in conflict in 2024.

**Graph 6: Value of French export licences for conflict-affected regions (2024)**

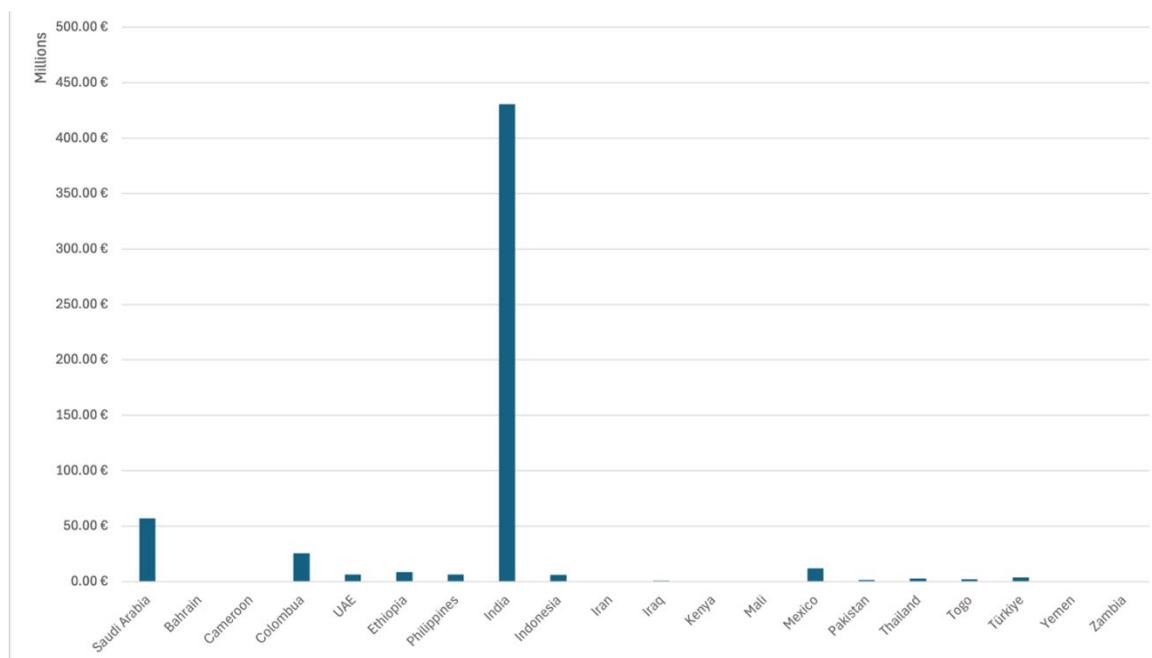


<sup>52</sup> Ministry of Foreign and European Affairs of the Republic of Croatia. (2025, April). *Godišnje izvješće o izvozu robe s dvojnog namjenom u 2024. godini* [Annual report on exports of dual-use goods for 2024]. Zagreb. <https://mvep.gov.hr/UserDocsImages/2025/datoteke/Godi%C5%A1nje%20izvje%C5%A1%C4%87e%20o%20izvozu%20robe%20s%20dvojnog%20namjenom%20za%202024.%20godinu.pdf>

<sup>53</sup> Direction générale des entreprises. (2025, September). Les exportations des biens à double usage de la France : rapport au Parlement (NOR : ECOI2525220X). Retrieved from <https://www.entreprises.gouv.fr/files/files/Publications/2025/rapports/202509-rapport-parlement-sbdu.pdf>

## 5.5 Spain

**Graph 7: Value of Spanish export licences for conflict-affected regions (2024)**



Spain's annual report provides a good level of data, including country, category and value. A table summarising reported trade with conflict-affected countries is provided at Annex 3 of this report. At the time of writing, it appears that only the report covering the first half of 2024 was available. The data for the first half of 2024 suggest that around one quarter of individual dual-use export licences are for conflict-affected countries by value. The major statistics for trade with conflict-affected regions are detailed below. The Spanish statistics appear to be skewed through significant trade in aerospace technology with India.

Unfortunately, while the Spanish report contains a good level of detail, it does not provide sufficient information to determine which goods specifically were exported or whether they were exported to defence-related entities in the conflict-affected regions.

Spain also lists 11 denials of dual-use goods, including some countries that are affected by conflict. The list of countries to which licences were denied include: The UAE, India, Kazakhstan, Nigeria, China and Russia.

## 5.6 Sweden

Sweden produces one of the most detailed reports on dual-use export controls even though its format and approach is quite different from other countries. It does not provide a granular breakdown of exports per country based on category meaning that the data does not align to that provided by other Member States such as France and Spain. Nonetheless, the Swedish report does contain some novel approaches to reporting which could be useful in other countries.

In particular, the report provides granular data on outcomes in a number of categories, including based on underlying regulations, on catch-all (Article 4 of the regulation), and on dual-use goods exports to military end users. The latter two categories are reproduced below.

**Table 5: Number of applications for export licences concerning dual-use items for military end-users in 2024**

Category	Global export licences	Individual export licences	Final use	Outcome
Brazil	1		Software	Granted
Egypt		2	Area protection	Granted
UAE	1	2	For use in electronic systems	Granted
India	1	2	Telecommunications, for naval use	Granted
Indonesia	1		Software	Granted
Israel		1	Area protection	Granted
Japan	1		Space	Granted
Jordan		1	Area protection	Granted
Canada	1		Space	Granted
Kuwait	2		Telecommunications	Granted
Malaysia	1	4	Software, telecommunications, coast guard	Granted
Pakistan	1		For use in electronic systems	Granted
Peru		1	Software	Granted
Qatar	1	1	Software, border guard	Granted
Saudi Arabia	1		For use in electronic systems	Granted
Singapore	1	6	Telecommunications, software	Granted
United Kingdom		5	Software, for naval use	Granted
Thailand		2	Protective equipment	Granted
Tunisia		2	Software	Granted
Türkiye	1		Software	Granted
Ukraine		4	Software, telecommunications	Granted
USA	1	1	Space	Granted
India		1	For analysis	Denied
Serbia		2	For analysis, compound protection	Denied
Thailand		1	Broader and coast guard	Denied

**Table 6: Number of rulings on requests made in 2024 concerning a licence requirement for exports of dual-use items pursuant to Article 4 (catch-all clause) of the dual-use Regulation**

Country	Decisions on licence requirements for exports – positive advance ruling	Decisions on licence requirements for exports – positive advance ruling	Decisions that an export licence is not required	Total
UAE		2		2
India		2	1	3
China		1	4	5
Pakistan		1	1	2
United Kingdom	2			
South Africa				1
Vietnam				1

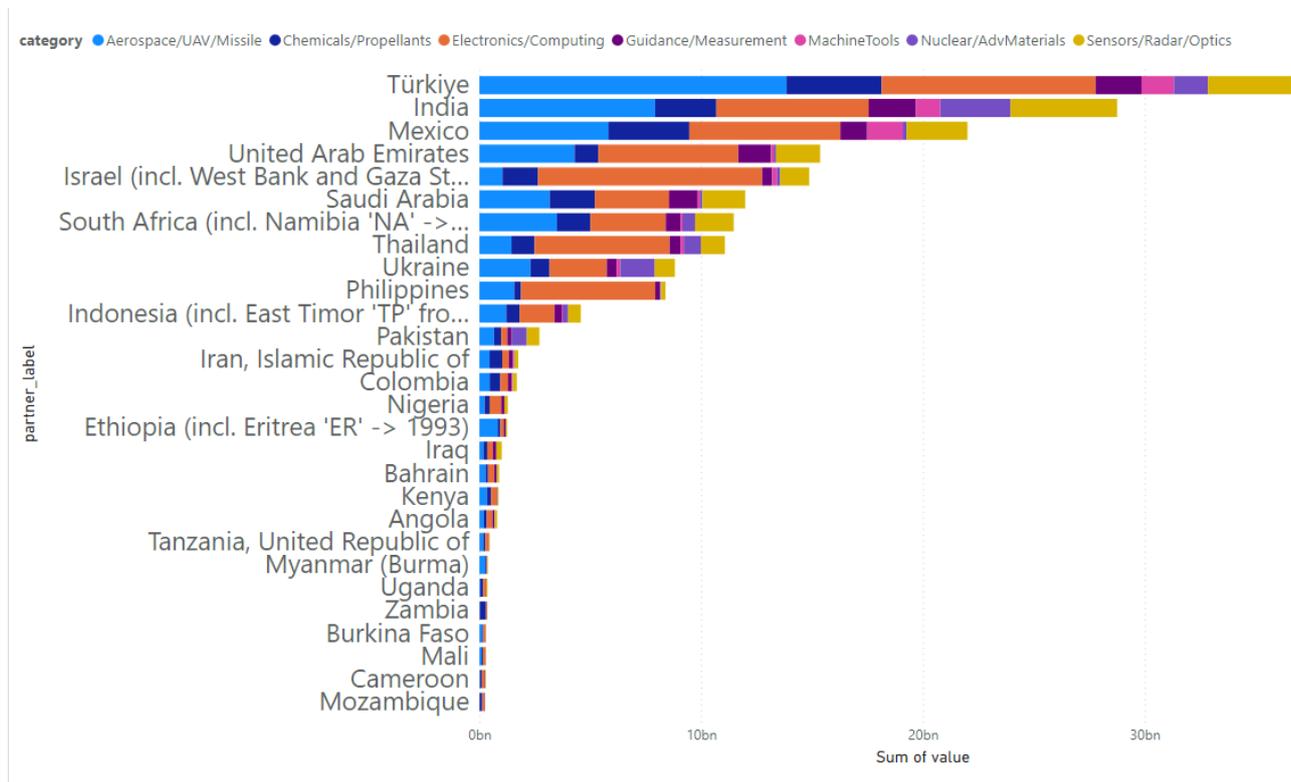
## 5.7 EU exports based on COMEXT data

Charts covering each conflict-affected country of this study with accompanying analysis are provided in Annex 1. The goal of this section is not to provide a full analysis of each country's data, but to capture key insights based on the author's analysis of this data.

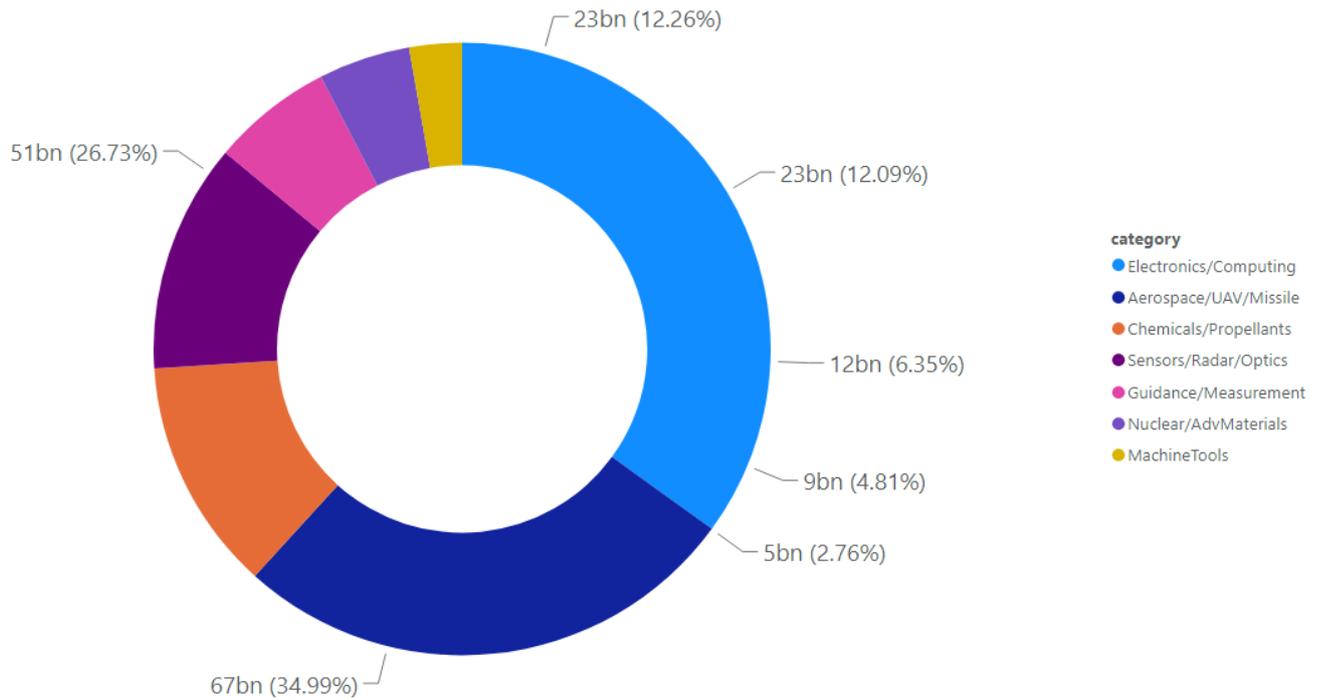
COMEXT data provides insight into potentially dual-use trade based on HS codes. In Annex 1, where 'dual-use trade' is mentioned, it implies that not all trade reported in the specific HS code categories will be for dual-use goods.

Analysis of the COMEXT data shows that of the list of conflict-affected countries, Türkiye, India, the UAE, Israel, Saudi Arabia, Thailand, Ukraine, the Philippines, and Indonesia are the countries that import the majority of the value of goods from the basket of selected goods. The majority of the goods in the basket, in turn, are made up of aerospace and electronics/computing-related items at more than 60 % between these two categories. This also highlights the challenge of relying on customs-code based approaches to understanding trade in dual-use goods. Aerospace, computing and electronics are all broad categories that will include some dual-use items and many non-listed items.

**Graph 8: EU27 2023-2024 trade with conflict-affected regions**



**Graph 9: EU27 2023–2024 trade with conflict-affected regions**



## 6 Conformity of EU and Member States practices with international obligations

This section answers the question: to what extent does the EU’s practical implementation of its dual-use export rules align with its international legal obligations? This is evidently a broad and significant question that could stray into territory that is not fully answerable based on the scope of this study. As such, in addressing this question, this section examines the following factors:

- The scope of the regulation;
- Scope of the licensing criteria;
- Implementation at the Member State level;
- Whether there is significant evidence of non-compliance with the regulation.

### 6.1 Scope of the regulation

Although the dual-use regulation was not designed principally with the intention to manage trade with conflict-affected regions, the regulation does provide a solid foundation to do so, particularly with regards to listed goods. Nonetheless, the regulation should be updated to better account for considerations around trade with conflict-affected regions. The overall goal should be to move from a reactive to a proactive approach to managing the potential consequences of trade with conflict-affected regions.

As part of a future review of the dual-use regulation, the EU should broaden the circumstances under which the military end use control can be applied. Presently, it can only be applied to countries subject to a full-scope arms embargo, which does not apply to many countries involved in conflict. Even if the immediate impact on aggregate trade volumes were modest, broadening Article 4 of the regulation would close important legal gaps in cases like the tapered-bearings transit to Israel and would provide a clearer normative basis for controlling non-listed items in future conflicts. There may be value in considering additions to the control list – or perhaps additional control lists targeting conflict-affected countries, like the CHPL approach.

The regulation should require Member States to identify and mitigate IHL considerations both at the time of the licence application (i.e. through more explicit licence assessment criteria) and when circumstances on the ground in recipient countries change such that previously issued licences (or even unlicensed) trade must be reviewed.

With this shift to a more proactive stance to mitigating these challenges, a key consideration will be balancing the need for scrutiny and control with the need not to unduly burden legitimate trade. While it is true that parties involved in conflict may seek non-listed items from the EU and elsewhere to further their military programs, as is being seen in Russia, the underlying premise of dual-use export controls is not to control every item. Instead, it is to control specific items that have a clear contribution to military programs and whose control will not have an unduly negative impact on global trade. Both within the regulation and outside the regulation, there are additional tools that can close the gap in controlling unlisted items, including through military end use controls (within the regulation) and through sanctions measures (outside the regulation).

## 6.2 Scope of the licensing criteria

A common principle of export controls is that cases be subject to case-by-case review on their own merits. That case-by-case review invariably takes place against a list of criteria, often with the premise that licences should be granted unless there is a reason to deny the licence. This aligns to the free trade principle found in the General Agreement on Tariffs and Trade (GATT) and other trade related mechanisms which allow for trade to be interrupted only when there is a national security concern. As noted elsewhere in this study, there is presently also a diplomatic impetus to demonstrate that dual-use export controls are used proportionately and that they do not disrupt country's access to technology for peaceful purposes, including for economic development.

It is important to keep in mind that a case-by-case approach does not inherently mean that outcomes would differ from a blanket approach. Still, advocates for a more restrictive export policy often push for a blanket approach out of concern that case-by-case review will lack rigor and allow for exports that otherwise should not take place. Export control practitioners tend to be hesitant about blanket approaches for two reasons. First, blanket approaches tend to resemble sanctions policies, whereas export control practitioners tend to favour maintaining a distinction between export controls and sanctions. Second, there are inevitably cases where it is desirable to export controlled dual-use items even to the most difficult locations. For example, journalists travelling to war zones often carry body armour and encrypted communication systems, both of which are commonly controlled. UAVs and thermal imaging cameras, which can also be controlled, are now routinely used in humanitarian search and rescue operations, including in conflict regions. And there are a variety of other controlled items that have medical or humanitarian uses where it would be preferable not to automatically deny exports.

Within the EU regulation, therefore, there is not and likely will never be prescriptive guidance on how Member States should treat specific types of application to specific destinations. Instead, the regulation includes relevant considerations that broadly align to EU and Member State international obligations. It also happens to be the case that, other than in relation to UN or Council sanctions, there are no prescriptive guidelines at the international level.

The current list of relevant factors is thus both sufficient for Member States to meet their international commitments and obligations but inadequate for those who would favour a blanket approach of denying exports to specific destinations. This conflict is not necessarily a failing of the dual-use regulation but a consequence of national interests and sovereignty over the exercise of foreign policy.

To support a more proactive approach to mitigating the risks of trade with conflict-affected regions, the regulation should be more explicit in stating that Member States should identify licences that may carry IHL concerns and should assess these concerns as part of the licensing process. In practice, this would

simply be a clearer restatement of existing international obligations originating in IHL and should thus not be objectionable. The Commission could also issue interpretative guidance on assessing IHL issues as part of the licensing process.

### 6.3 Implementation at the Member State level

There is a widely held but difficult to substantiate view that EU enforcement of export controls is ineffective because it is a Member State competence (and because Member States may take different approaches or assign different levels of priority to the issue). While these factors probably do limit the effectiveness of the regulation, these are not principal factors in constraining the effectiveness of the regulation as it pertains to the export of goods to conflict-affected regions. If EU goods do inappropriately reach conflict-affected regions, it is not because of the division of competences or inadequate implementation of export controls across 27 Member States. Instead, it is a result of the fact that Member States retain the ultimate decision-making prerogative on dual-use licensing cases. While some may feel that Member States should not export certain goods to certain destinations, there is a gulf between what sovereign countries can decide to do, even if some feel it is inappropriate, and what states cannot do because of international commitments and obligations. Member States should, however, make more granular data available to allow for assessment of their compliance with international legal commitments.

### 6.4 Evidence of non-compliance?

This analysis has not identified clear evidence of systemic non-compliance by the EU or its Member States with their international commitments. However, the limited availability and granularity of data on exports of dual-use goods to conflict-affected regions significantly constrains the ability to detect problematic trade. Indeed, the fact that data is so limited may be a symptom of the problem. Many Member States clearly have substantial trade with conflict-affected regions, but despite efforts to improve reporting over more than a decade reporting remains inadequate.

Nonetheless while Member State enforcement must continue to improve, available evidence does not point to significant private sector non-compliance with export control requirements for listed goods as it relates particularly to conflict-affected regions. There does appear to be significant evasion and circumvention for non-listed goods, and the EU should do more to address this issue, including create additional forums for information sharing among Member States.

As is argued above, the EU should shift towards a more proactive position in mitigating the risk associated with trade with conflict-affected regions. The regulation currently includes sufficient scope and sufficient tools to allow Member States to meet their international obligations for listed goods, but could be improved particularly around tools for controlling exports to conflict-affected regions. Controls for non-listed items need to be bolstered.

### 6.5 Overall analysis

The EU regulation on dual-use goods could and should be improved. However, despite significant challenges such as the division of competences between the Union and its Member States on issues such as implementation and enforcement, the EU regulation should be viewed as providing a solid foundation for implementation of dual-use export controls as applicable to conflict-related regions at least as it relates to listed goods.

To fully comply with all international legal obligations and commitments, there is a need for the EU and its Member States to be proactive in mitigating the risks associated with trade with conflict-affected regions. A litmus test is whether Member States undertake to provide more granular data on trade in dual-use goods.

There are practical steps the EU should take to strengthen the regulation. In addition to revisiting reporting requirements, the EU should broaden the application of the military end use control contained in Article 4 of the regulation so that it can be leveraged to any country in conflict or where conflict is anticipated. It should update the relevant factors to be when assessing licences to more expressly account for IHL requirements. The Union should also continue to focus on standardizing interpretation and encouraging stronger implementation and enforcement of the regulation.

## 7 Conclusions and recommendations

As recognized by various provisions of international law, dual-use goods are fundamentally different from arms, and the legal restrictions associated with dual-use goods under international law are thus less robust. Nonetheless, dual-use goods can contribute to state (or non-state) actor production of weapons and military capabilities and can be used to surveil or repress populations, which are the reasons for control. The question that is of interest to this study is whether the EU's legal framework and Member States' practice on dual-use items align with the EU's legal obligations and international legal commitments.

The study carefully charted the scope and role of the dual-use regulation compared to other complementary instruments, including sanctions measures and arms export measures. The study also highlighted the division of competence between the EU and its Member States.

From this analysis, it is clear that the EU is a significant exporter of dual-use goods, including to conflict-affected regions. Defining a conflict-affected zone is challenging, as one could include countries like the US, India, and China, but these countries likely do not come to mind when a Member of the European Parliament might consider the problem of dual-use goods being exported to conflict-affected regions.

Regrettably, national licensing data contained in Member State annual reports and in the Commission's annual report is generally insufficient to gain insight into specific exports to conflict-affected regions. A few national reports provide relatively granular data where one can see exports by category and value per country, but this is the exception. Important exporters such as Germany do not publish a report containing dual-use goods. While data from countries such as Germany is contained in the EU annual report, the EU report also itself lacks the granularity required. This means that there is little visibility on licences of exports to conflict-affected regions. The report from Flanders and Sweden are particularly useful including because they provide a breakdown of end user and end use types, respectively.

From this analysis of the data, it appears that the principal issue is not unauthorized exports even though the EU has more work to do to ensure enforcement of dual-use export controls by all Member States. The issue is also not related to the scope of the regulation or the effectiveness of its legal provisions, even though there are some areas of potential improvement. Instead, if there is an issue at present, it relates to the differing assessments done by different Member States even when the assessments are based on the same licensing criteria (i.e. factors to be considered as set out in Article 15 of the regulation).

The fact that different Member States have different perspectives which could result in them reaching different conclusions should not be surprising. International treaties and commitments contain only limited requirements in relation to dual-use goods when exported to conflict regions, no doubt since dual-use goods are inherently different from weapons. Other than in the very limited circumstances and geographical scope where international commitments are applicable, Member States retain broad discretion about what to export and to where. There is also the foundational principle of international trade that trade should be allowed to proceed unless there is a legitimate basis for intervening, such as a national security justification (i.e. the free trade principle)<sup>54</sup>. Member States may reach different conclusions about what to export and to where because they have different views of the risks posed by different recipients,

<sup>54</sup> *General Agreement on Tariffs and Trade 1994* (GATT 1994), Article XI:1 and Article XXI, in Marrakesh Agreement Establishing the World Trade Organization, Annex 1A, 1867 U.N.T.S. 187.

including informed by bilateral relations with the recipient, and because they have access to different insights and intelligence information.

The overall goal for the EU should be to move from a reactive to a more proactive footing in mitigating the risks associated with trade with conflict-affected regions, including in addressing any IHL considerations associated with trade in listed or unlisted items.

Recommendations to the EU:

- Improve reporting: while the level of detail in the annual report on dual-use export controls has improved in recent years, the report continues to be inadequate for the European Parliament to exercise oversight over the dual-use regulation. At the least, the report should provide the quantity and value of individual and general exports per recipient country categorized by control category in a similar way to some national reports, such as the French national report.
- Require granular reporting of exports to conflict-affected regions: To the extent that there is no consensus to improve reporting globally, there may be more consensus to improve data reporting in specific cases, such as to conflict-affected regions.
- Broaden the military catch-all control contained in Article 4 of the regulation to apply whenever the recipient is in a conflict-affected zone. Presently it can only be used when the recipient is subject to a full-scope arms embargo, which excludes many important conflict zones.
- The next review of the regulation should expressly include a mechanism to include non-export control regime items on the EU dual-use control list. That is, the EU should have a specific mechanism by which it can decide to add items to its control list without these items first being added to the lists of the multilateral export control regimes. While the Commission in 2025 added certain items to the control list through the delegated act, it would be preferable to have a specifically foreseen mechanism for this in the regulation since there is ambiguity on whether items must first be added to the lists of the export control regimes. The EU should consider whether creation of additional types of control list, as with the CHPL, could usefully fill gaps in export controls for conflict-affected countries and foresee the creation of such lists in a future review of the dual-use regulation.
- Issue guidance on interpretation of the licensing criteria (relevant considerations) related to conflict-affected regions, including how to account for IHL considerations in export licensing assessment.
- Discourage the use of general and open licences to countries experiencing conflict. While Member States may feel there are specific instances in which higher volumes of low-risk licence applications justify use of open or general licences, for countries experiencing conflict the use of such licences should be minimized in favour of case-by-case review<sup>55</sup>.
- The EU should create more systematic information sharing and enforcement mechanisms related to circumvention of export controls and build towards cooperation on enforcement among Member States.

Recommendations to Member States:

- Issue annual reports on dual-use export controls with granular data showing values, numbers and categories of exports per country.
- Review the use of general and open licences to countries experiencing conflict.

<sup>55</sup> For example, the Netherlands has apparently moved to a case-by-case approach for exports to Israel. *Dutch govt tightens military, dual-use exports to Israel*, 7 April 2025. Available online at: <https://english.alarabiya.net/News/world/2025/04/07/dutch-govt-tightens-military-dual-use-exports-to-israel> (accessed 10 October 2025)

- Proactively review issued licences as the situation on the ground in conflict-affected regions evolves.

Recommendations to the European Parliament:

- Emphasize the need for the dual-use regulation to proactively mitigate the risks of trade with conflict-affected regions.
- Hold Member States to account for failing to provide adequate reporting on trade in dual-use goods, including with conflict-affected regions.
- Scrutinise the use of general and open licences to countries experiencing conflict calling out cases where use of open and general licences mean that Member States are not sufficiently reviewing transactions to conflict-affected regions.

## Annex 1: COMEXT country snapshots and associated review notes

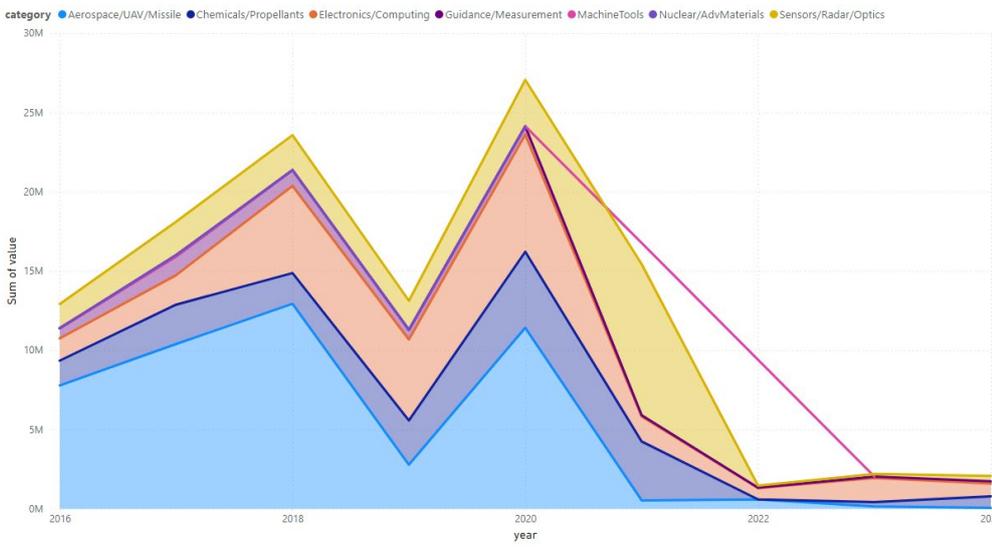
Note: A table summarizing the status of countries in terms of UN and EU sanctions is provided at Annex 2. Arms embargoes often apply only to specific groups within a country rather than to the country as a whole. Because these measures are frequently updated, the information on embargo status in this section should be verified against the official websites of the relevant sanctions authorities.

### Afghanistan

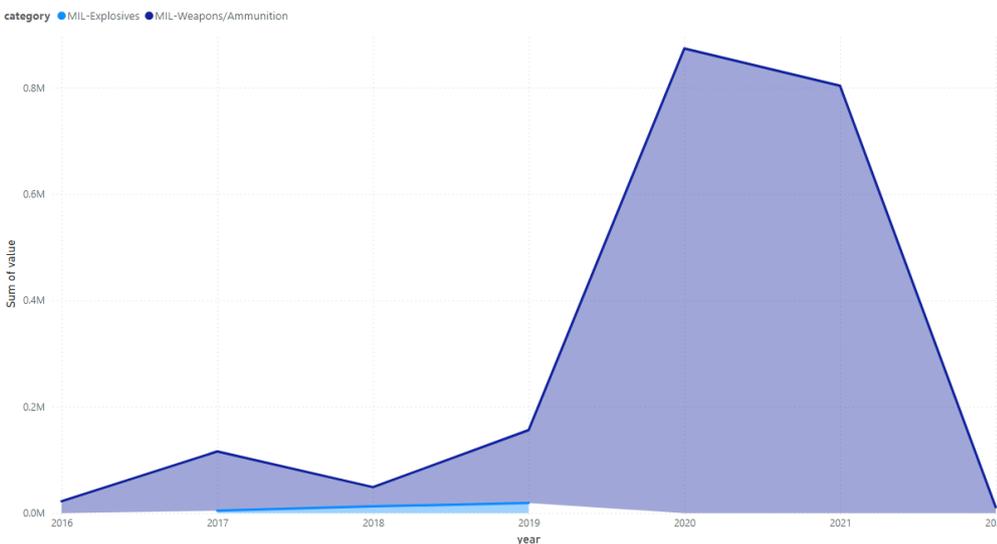
EU dual-use trade with Afghanistan has been at modest levels for the last decade. It declined further in 2021/2022 which coincides with the US withdrawal from Afghanistan (concluding in August 2021).

Note: The data does show a modest but significant export of arms-related commodities in the 2019–2022 period for which no ready explanation is available. However, this issue is outside the scope of this study on dual-use export control issues. Afghanistan is subject to UN and EU sanctions, including an arms embargo.

**Graph 10: Afghanistan**



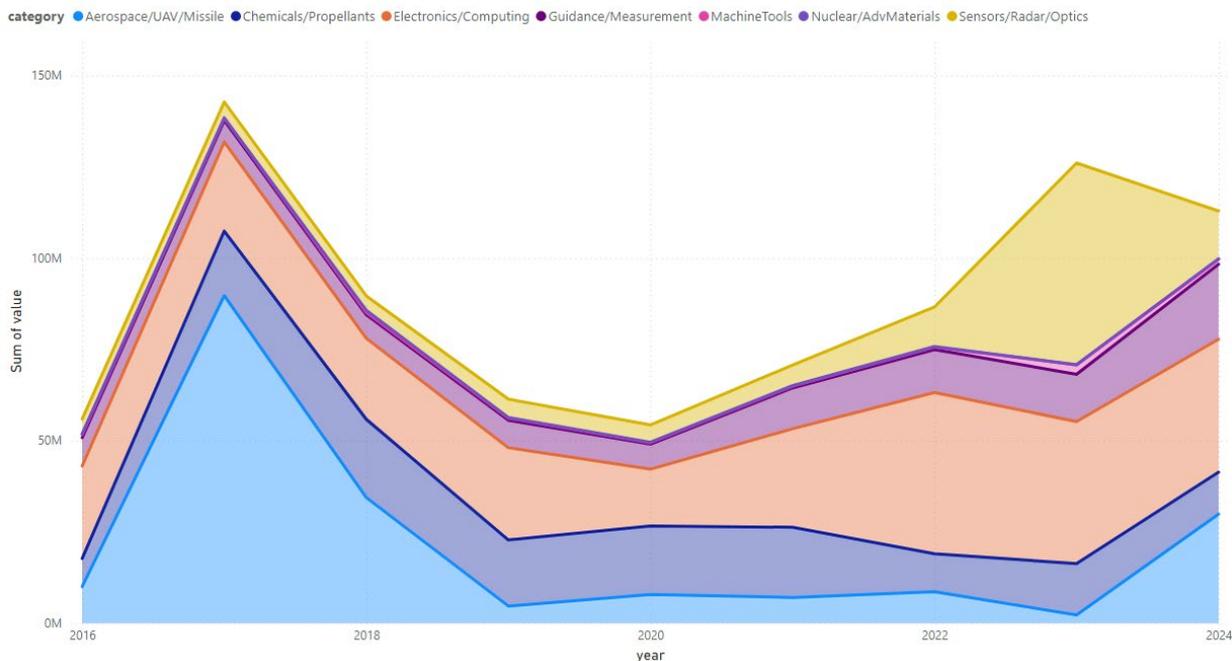
**Graph 11: Afghanistan weapons-related exports**



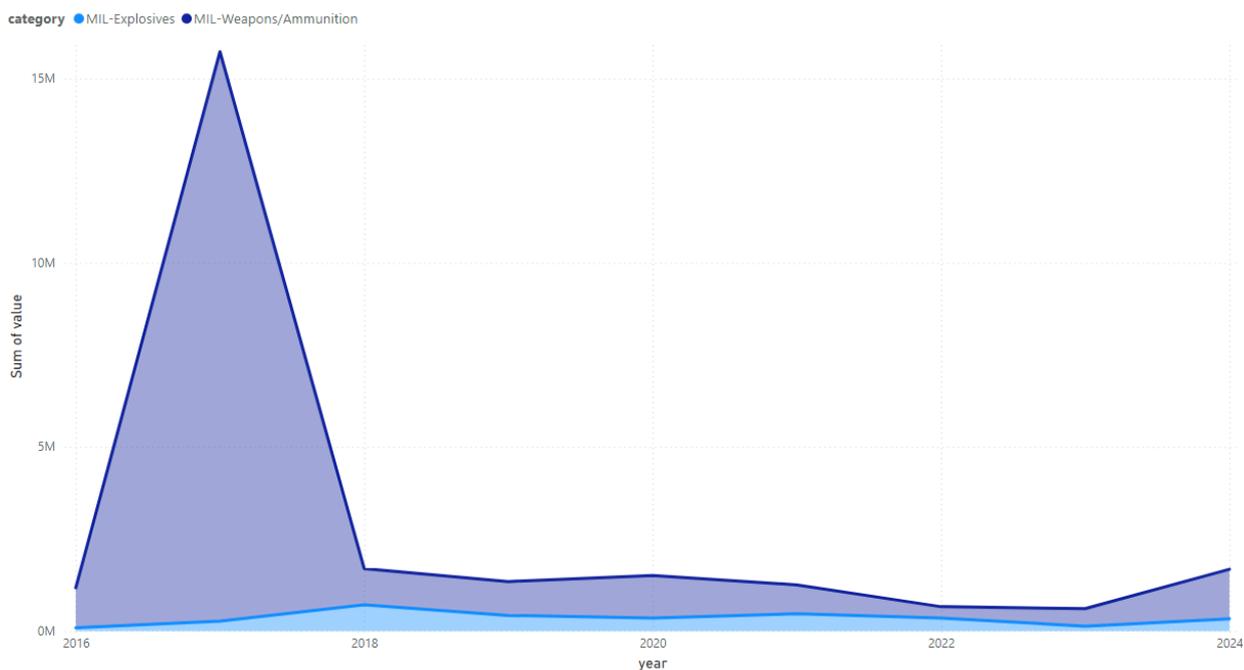
## Angola

EU trade with Angola has proceeded at relatively modest levels for several years with a decline in the 2019-2020 period. The focus of trade has shifted, with earlier trade being dominated by aerospace related exports (inclusive of potential military-related exports) and more recent trade having an increased mix of electronics/computing and sensors. Angola is not subject to a UN or EU arms embargo. While licensing assessment would need to account for human security concerns on technologies such as cyber-surveillance systems if they make up some of the electronics/computing exports, there is no obvious sign that recent trade may be problematic.

**Graph 12: Angola**



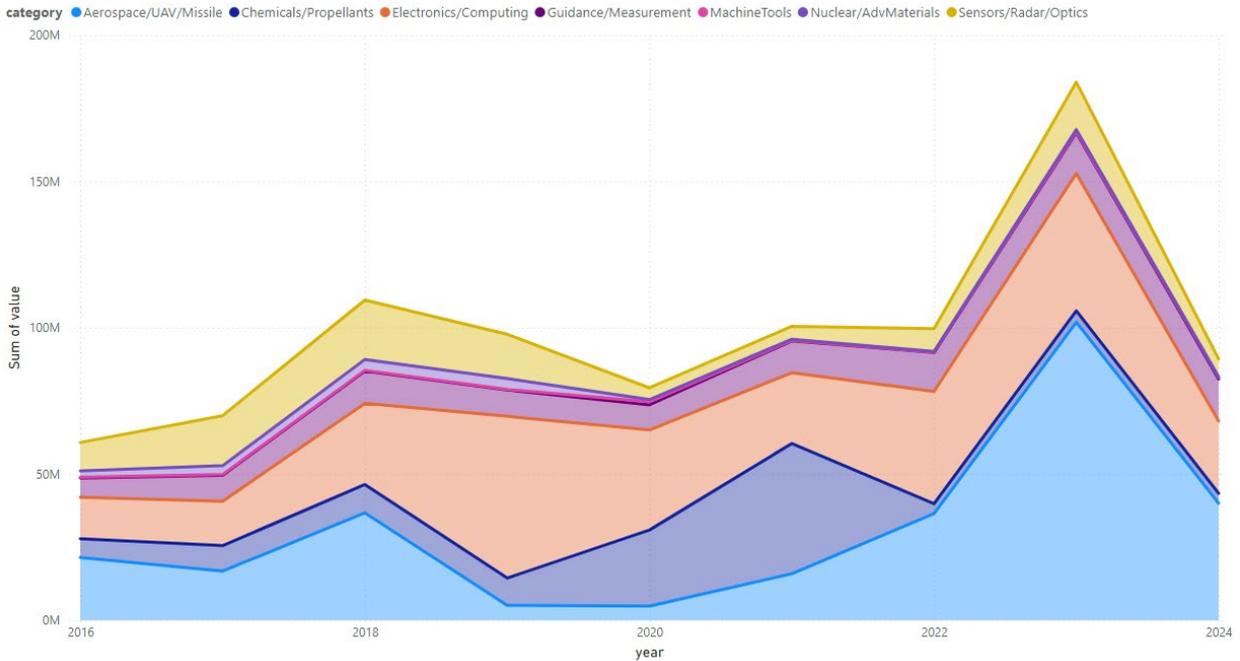
**Graph 13: Angola weapons-related exports**



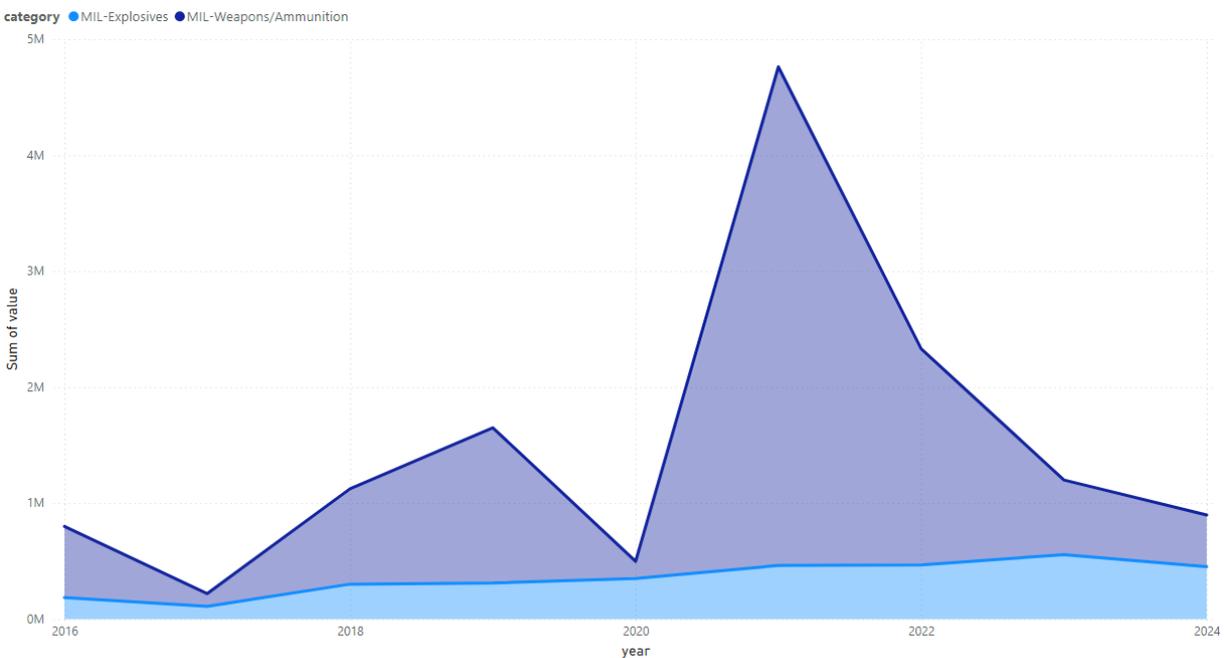
## Bahrain

EU exports to Bahrain have continued at a relatively stable level over the last decade with an increase in 2023 principally due to an increase in aerospace-related exports. Military exports have been much more modest and saw a small spike in 2021. Bahrain is not subject to a UN or EU arms embargo. While licensing assessment would likely need to account for human security concerns on technologies such as cyber-surveillance systems if they make up some of the electronics/computing exports, there is no obvious sign that recent trade may be problematic.

**Graph 14: Bahrain**



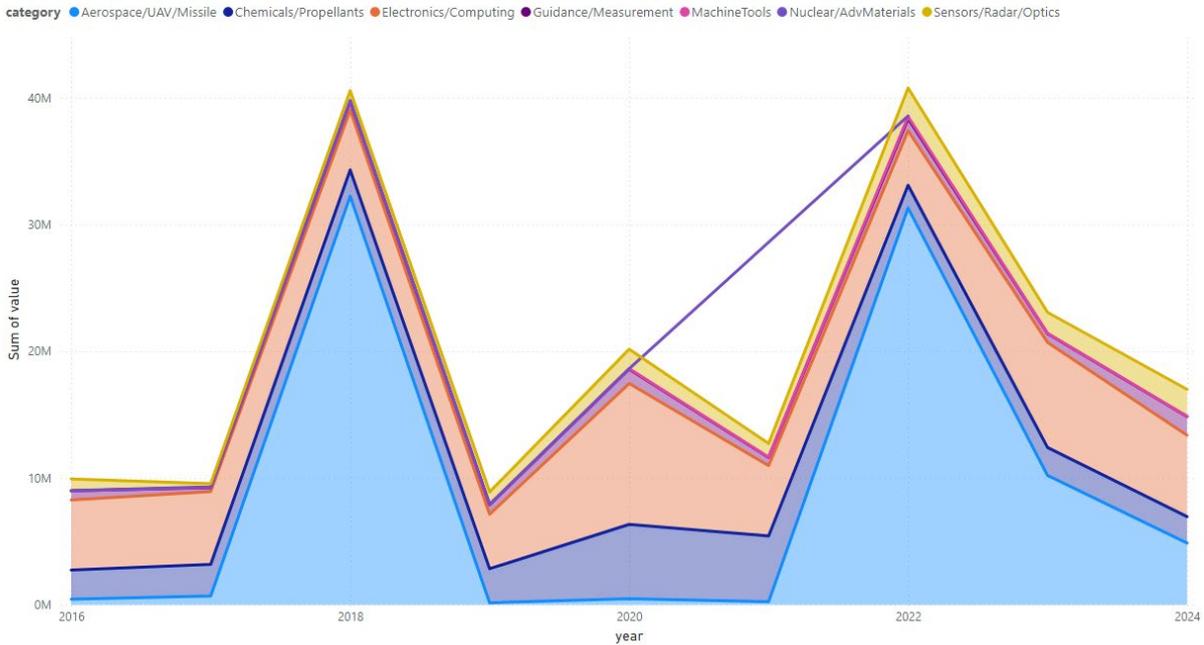
**Graph 15: Bahrain weapons-related exports**



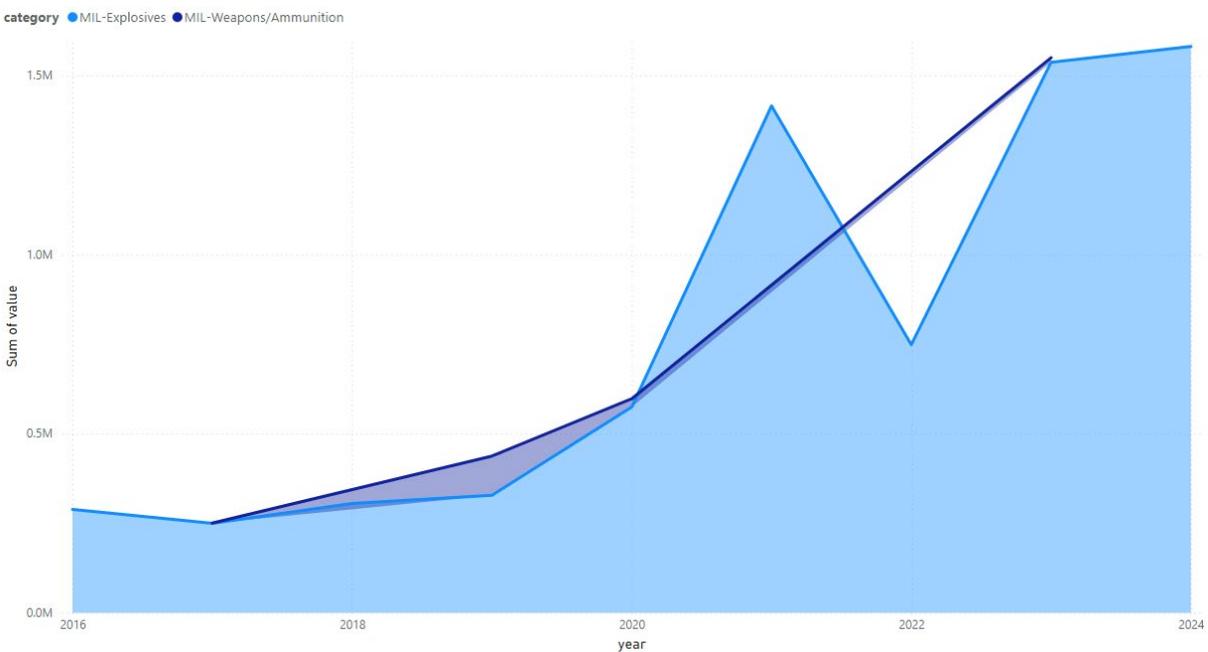
## Benin

EU trade with Benin has been at very modest levels for the last decade with occasional modest spikes in aerospace exports. Benin is not subject to a UN or EU arms embargo. While licensing assessment would likely need to account for human security concerns on technologies such as cyber-surveillance systems if they make up some of the electronics/computing exports, there is no obvious sign that recent trade may be problematic.

**Graph 16: Benin**



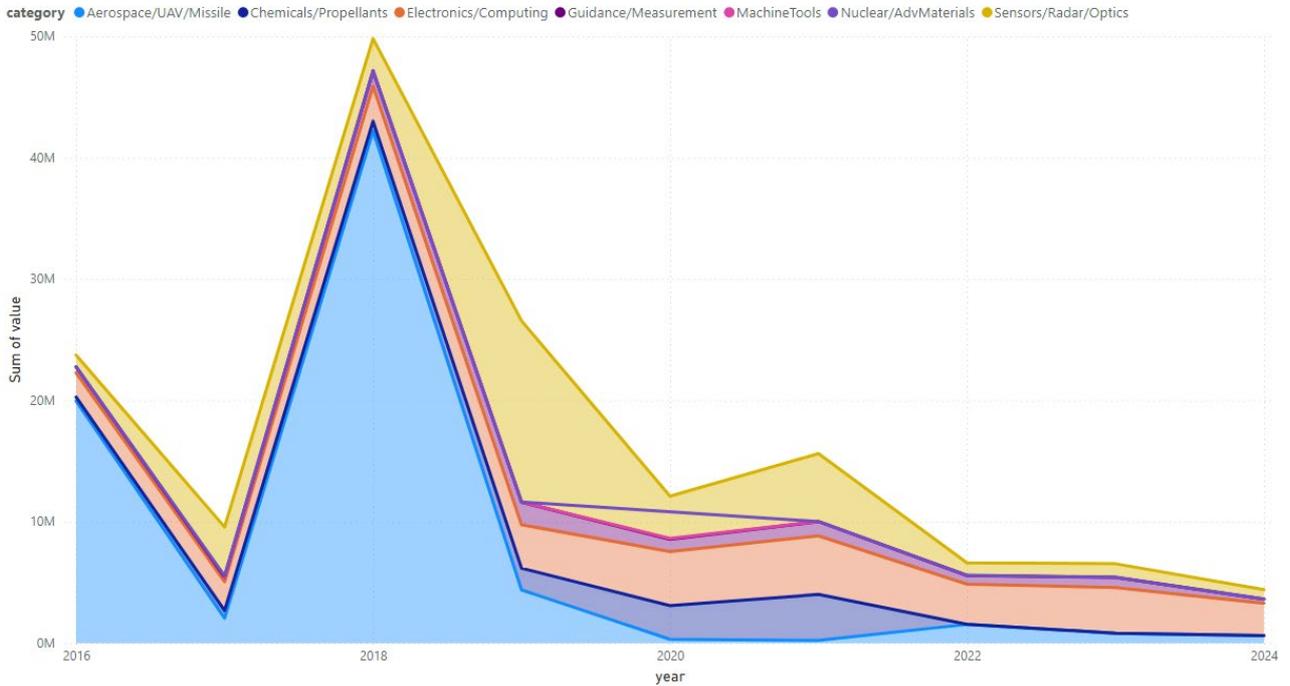
**Graph 17: Benin weapons-related exports**



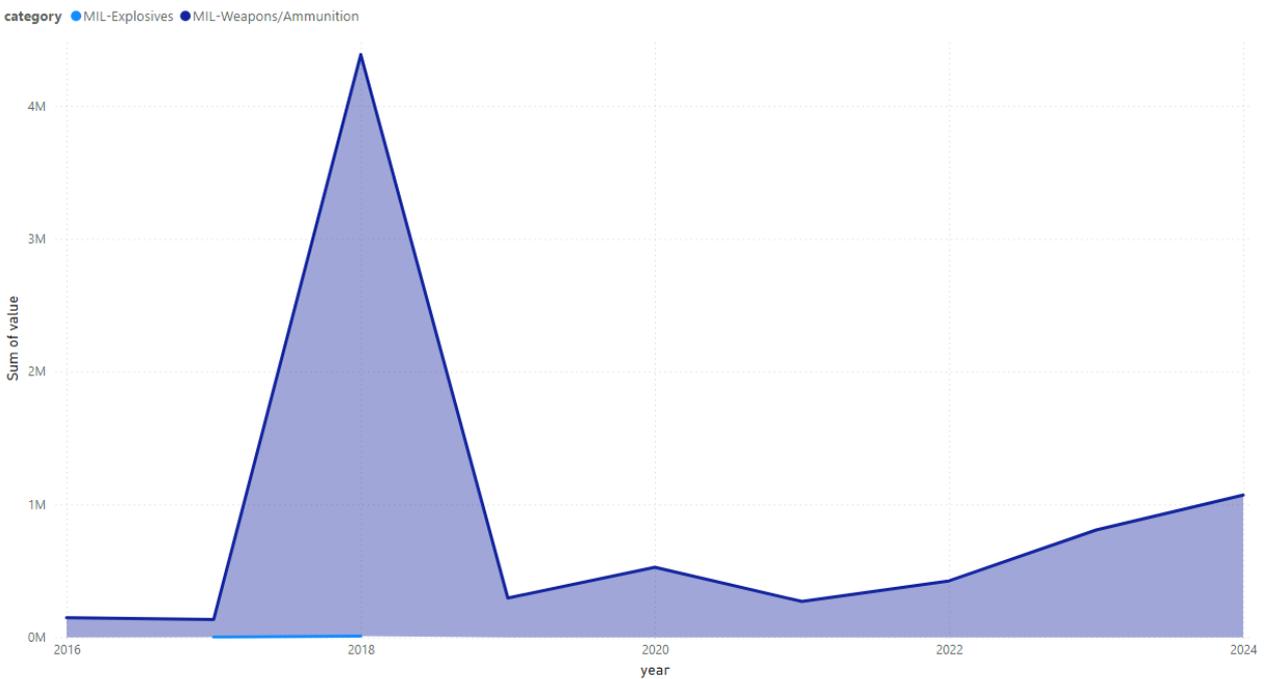
## Botswana

According to the data, EU trade with Botswana in dual-use related technologies peaked in 2018 with significant aerospace exports before reducing. Sensors, electronics, and chemicals have had modest peaks in the years since against an overall decline. Botswana is not subject to a UN or EU arms embargo.

**Graph 18: Botswana**



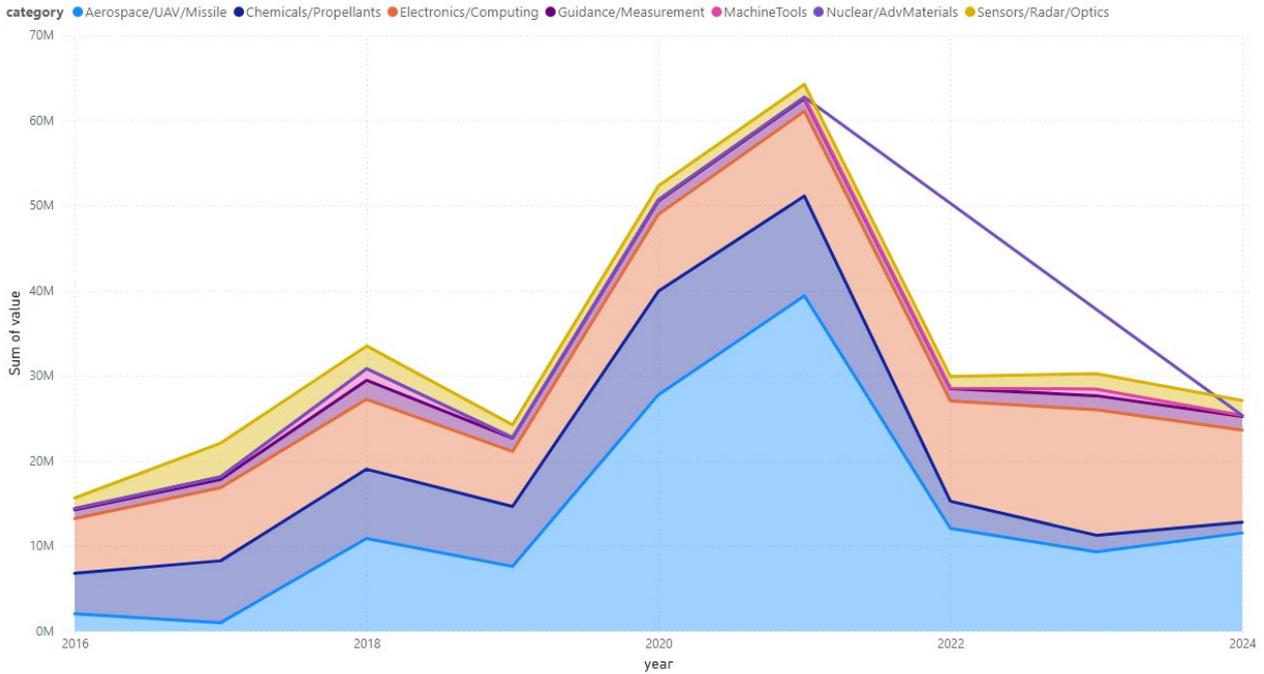
**Graph 19: Botswana weapons-related exports**



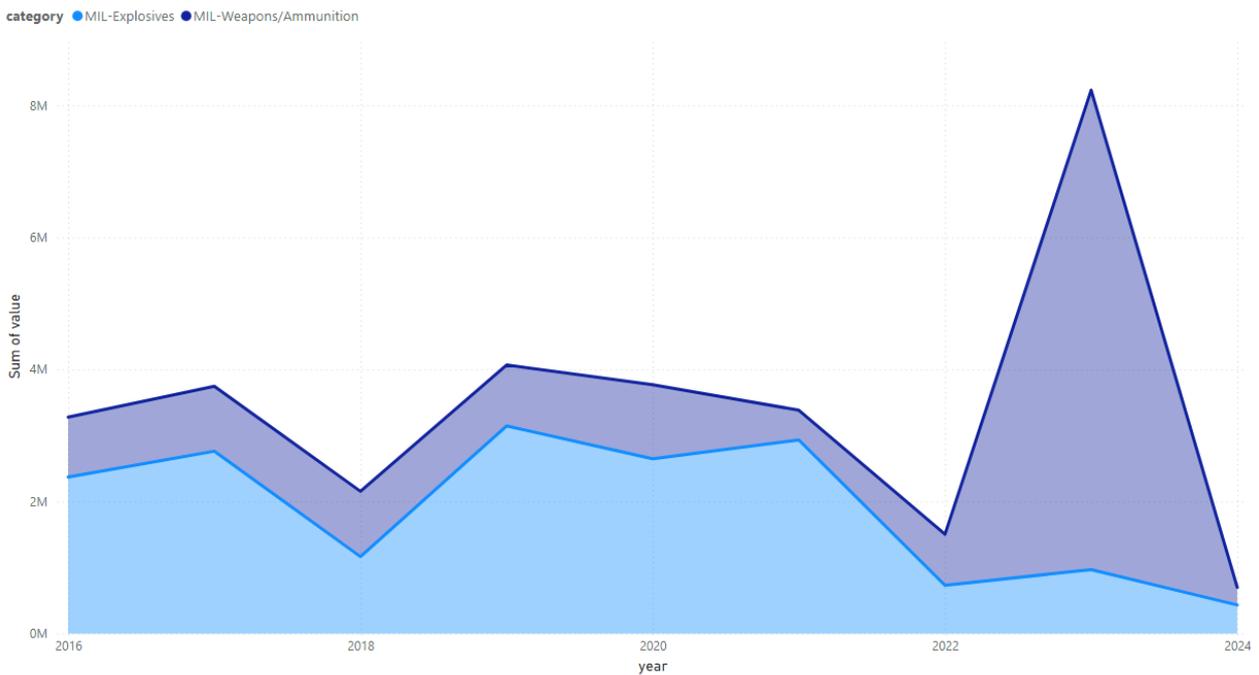
## Burkina Faso

EU trade in dual-use goods with Burkina Faso has continued at relatively modest levels over much of the last decade with a peak in the 2020–2021 period particularly for aerospace related commodities. There is no UN or EU arms embargo on Burkina Faso despite the fact that the country is unstable and under military rule. The peak in weapons-related exports in 2023 is not immediately explainable from the data.

**Graph 20: Burkina Faso**



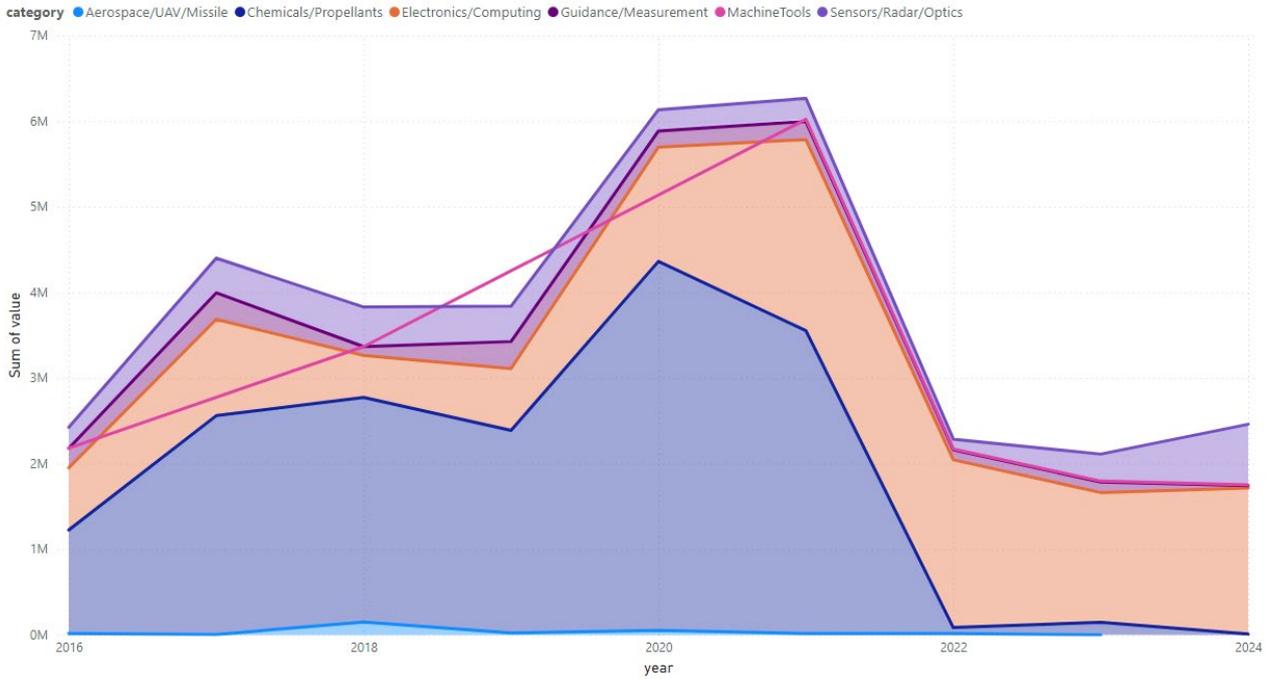
**Graph 21: Burkina Faso weapons-related exports**



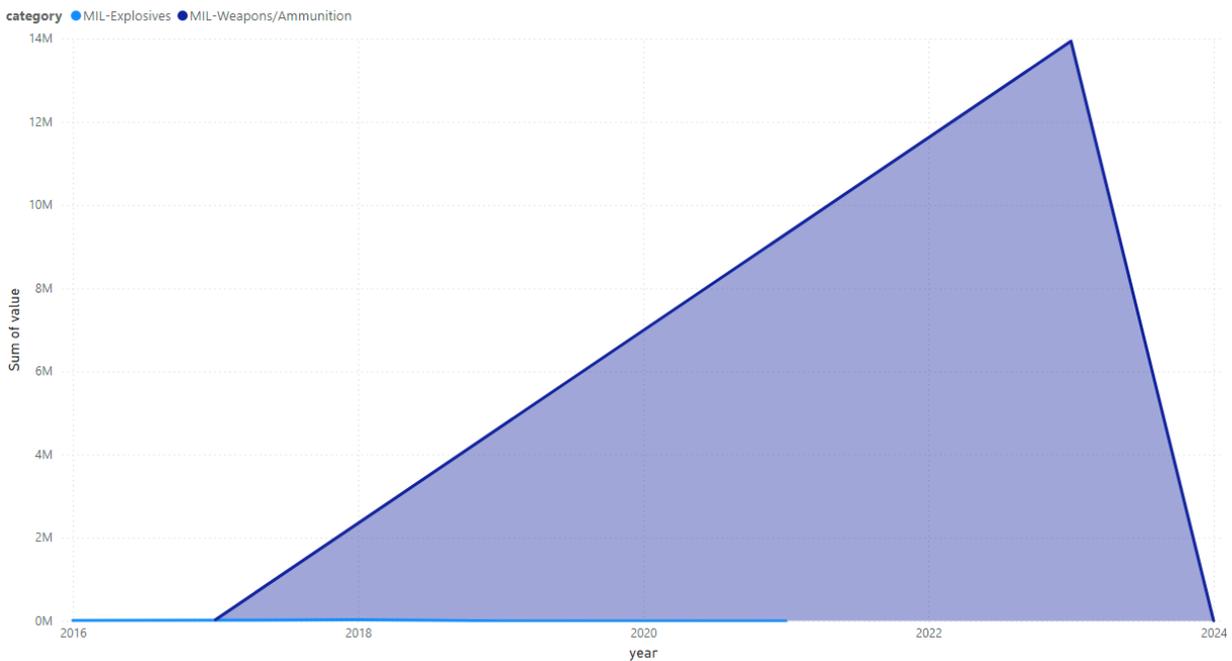
## Burundi

EU dual-use trade with Burundi has been limited over the last decade focusing on chemicals and electronics/computing. Military exports have, if anything, been more significant particularly in the lead up to 2023. Burundi is not subject to a UN or EU arms embargo.

**Graph 22: Burundi**



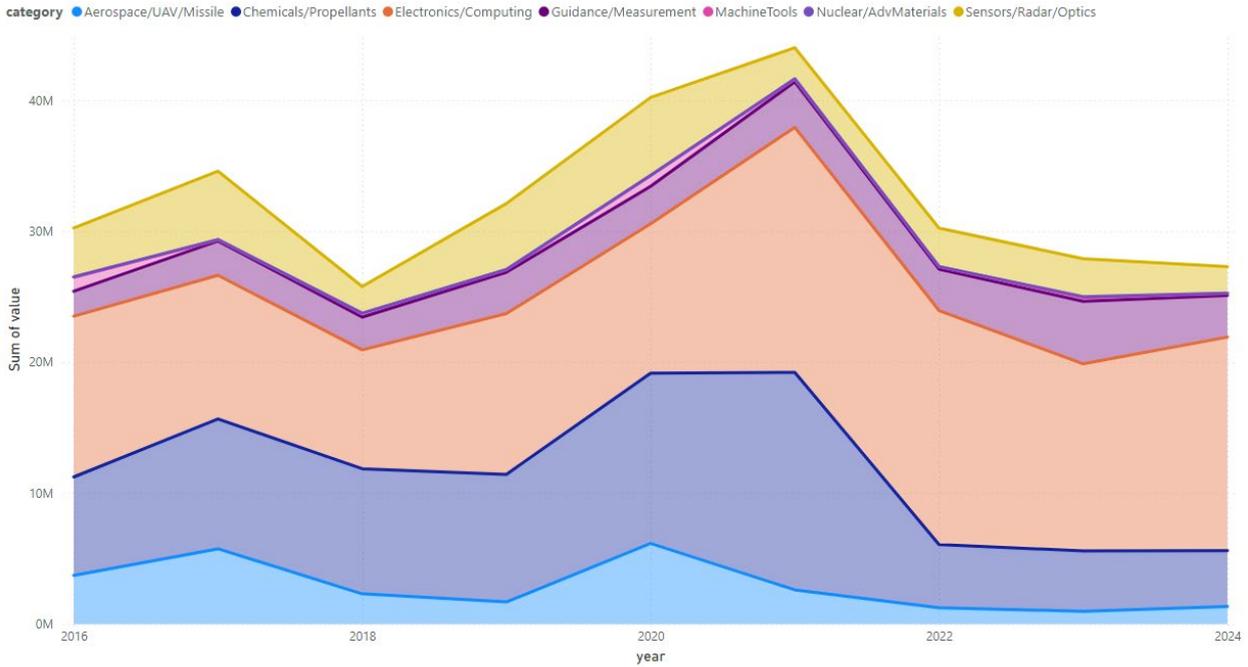
**Graph 23: Burundi weapons-related exports**



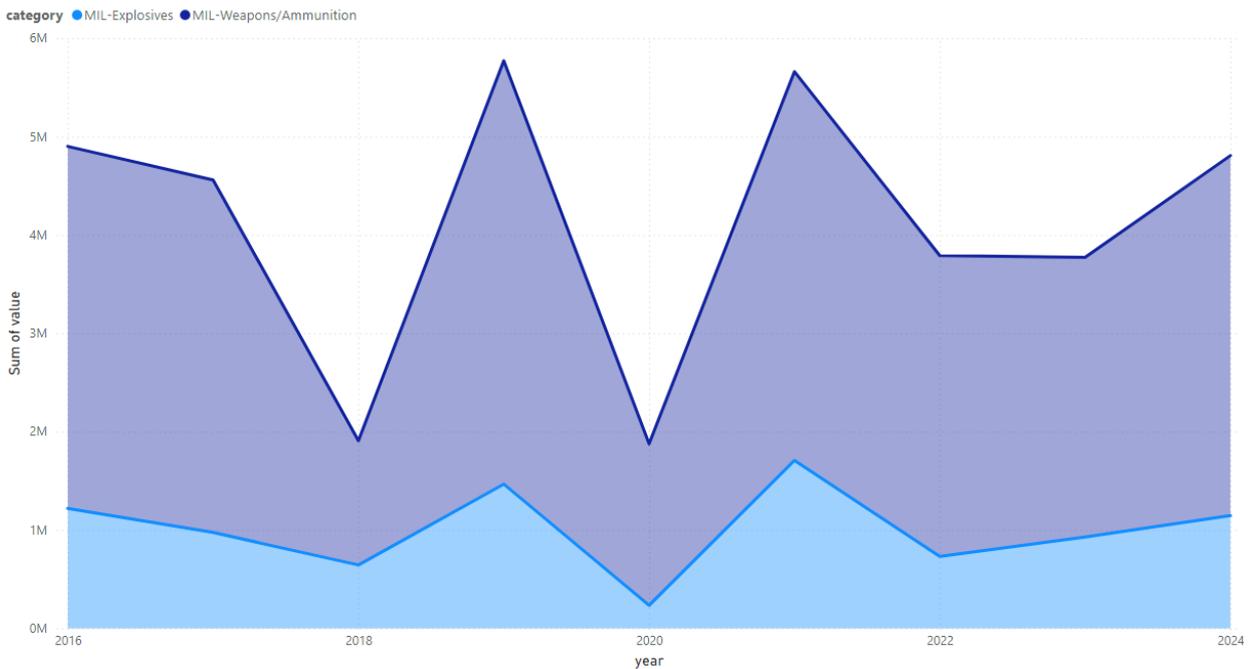
## Cameroon

EU dual-use exports to Cameroon have been relatively modest but quite consistent over the last decade, with a particular focus on electronics/computing exports and chemical exports. There have also been steady exports of military goods. Cameroon is not subject to a UN or EU arms embargo.

**Graph 24: Cameroon**



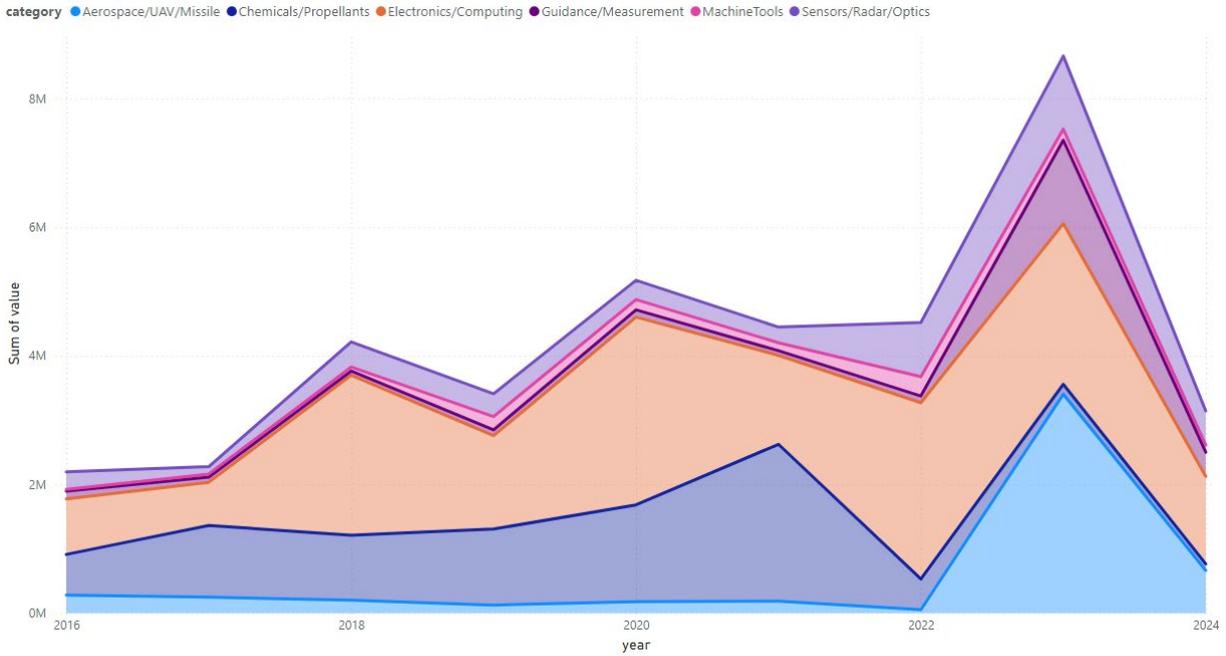
**Graph 25: Cameroon weapons-related exports**



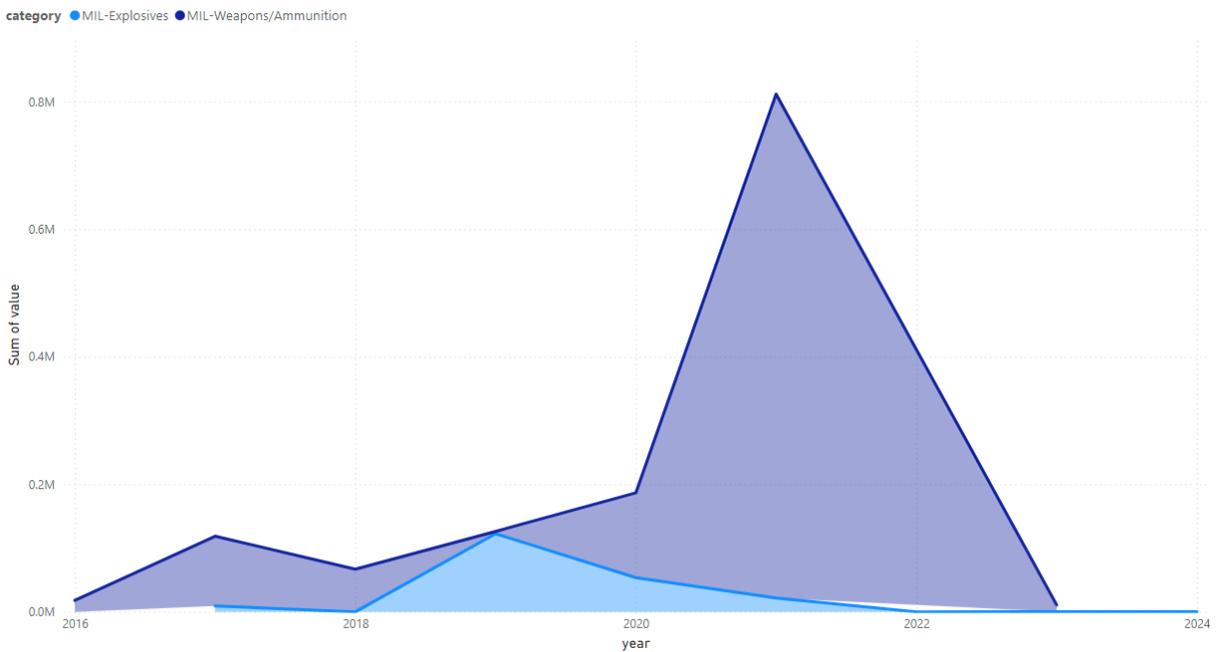
## Central African Republic (CAR)

EU dual-use trade with CAR has been extremely limited over the last decade and focused on electronics/computing, chemicals and aerospace technologies. CAR was subject to a UN arms embargo until 2024. That has been eased but CAR remains subject to a Council of the EU arms embargo.

**Graph 26: Central African Republic**



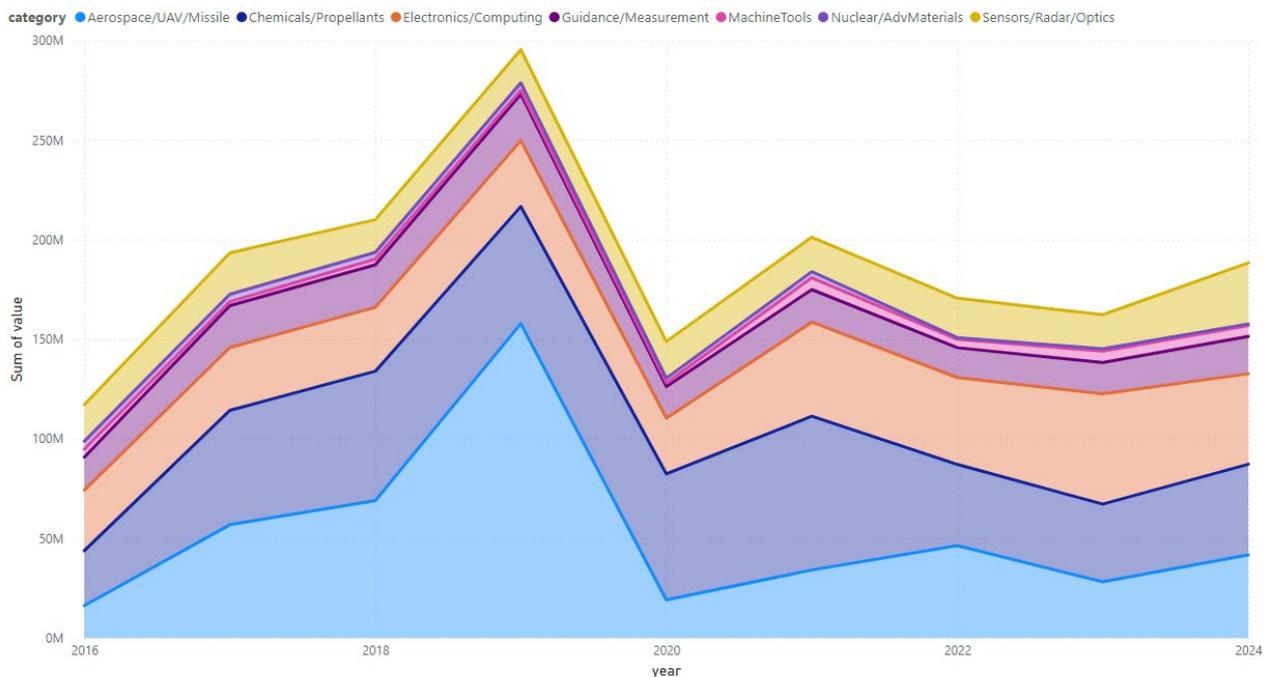
**Graph 27: Central African Republic weapons-related exports**



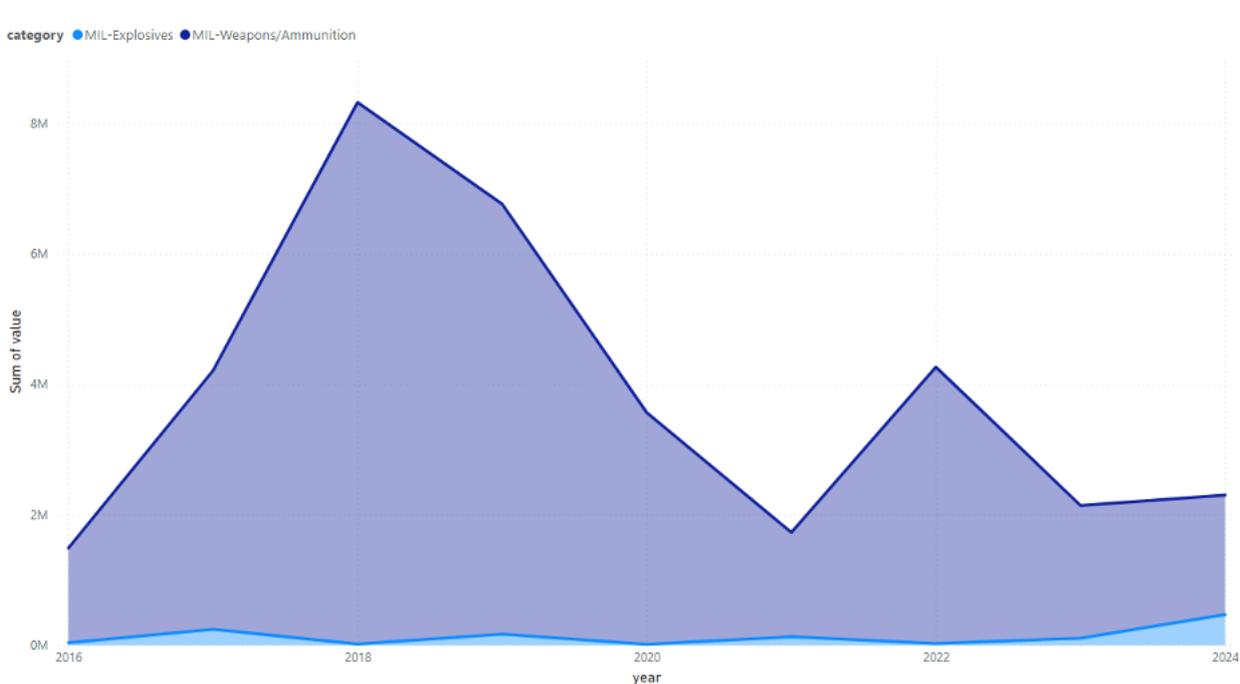
## Colombia

EU dual-use trade with Colombia has been quite significant in volume over the last decade, with a particular focus on aerospace, chemicals and electronics/computing exports. The EU has also been an exporter of military equipment to Colombia. Colombia experienced internal security challenges over the timeframe but is not subject to a UN or EU arms embargo.

**Graph 28: Colombia**



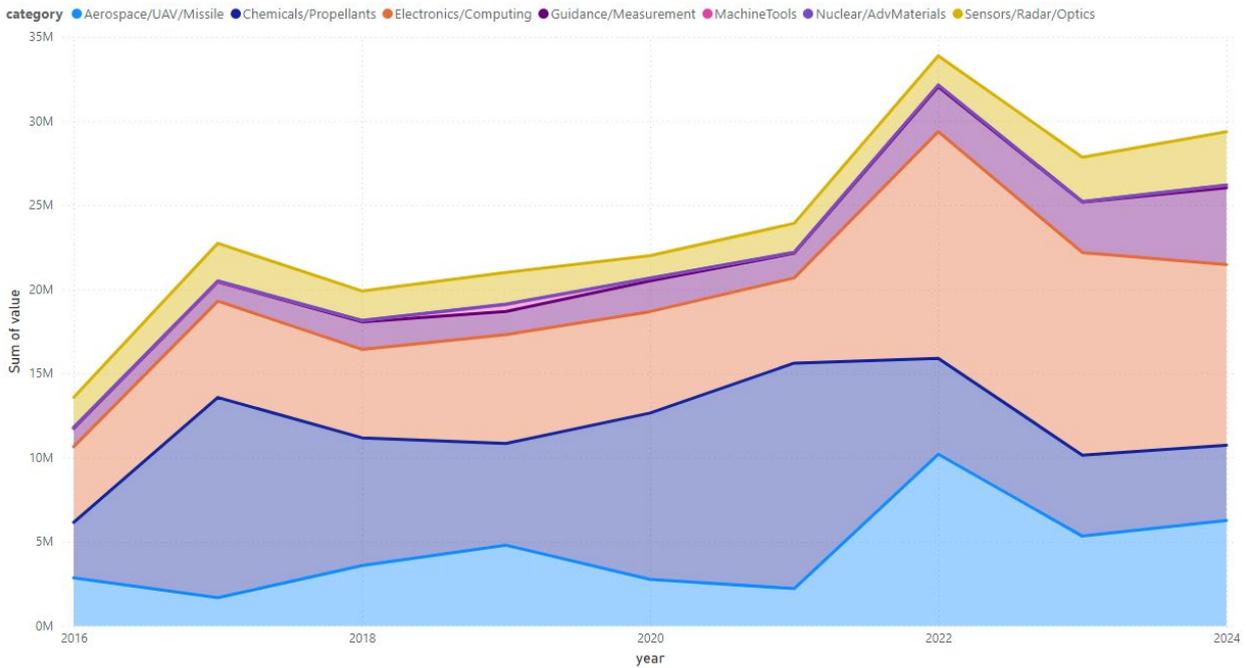
**Graph 29: Colombia weapons-related exports**



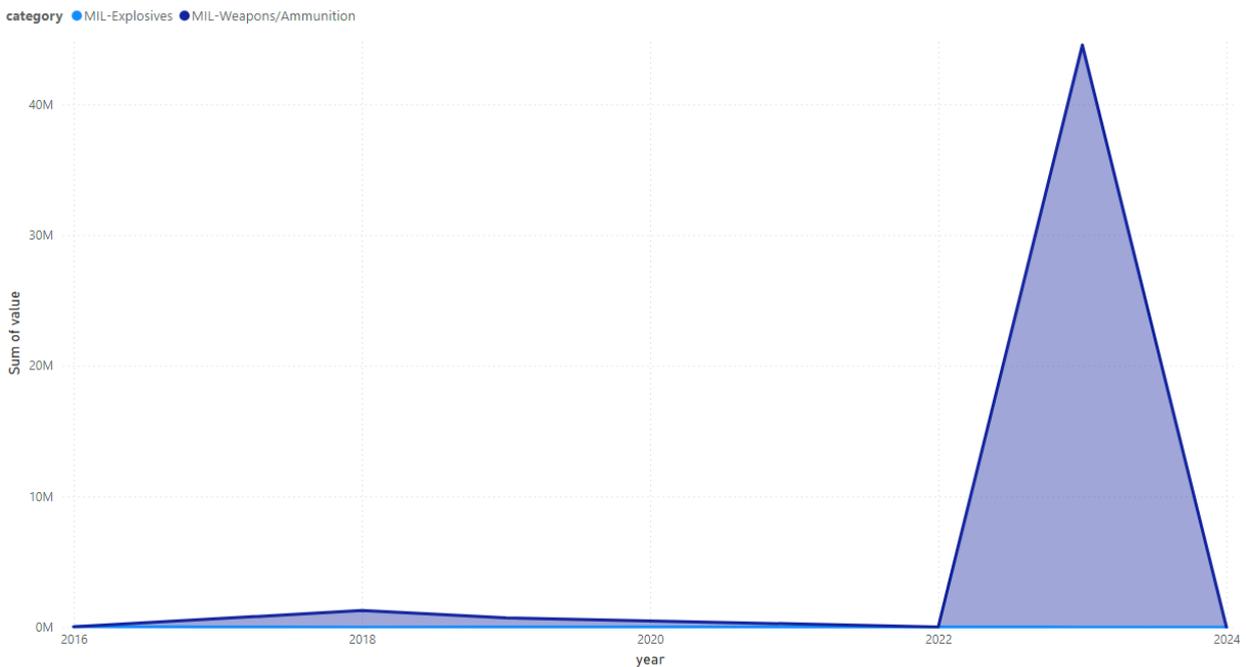
## Congo, Democratic Republic of

DRC is subject to UN and EU sanctions including an arms embargo, but these do not apply to the government. EU trade in dual-use goods has persisted at a relatively stable and modest level for much of the last decade, including growing electronics/computing exports. The apparent spike in weapons-related exports in 2023 is not immediately explainable from the data.

**Graph 30: Democratic Republic of the Congo**



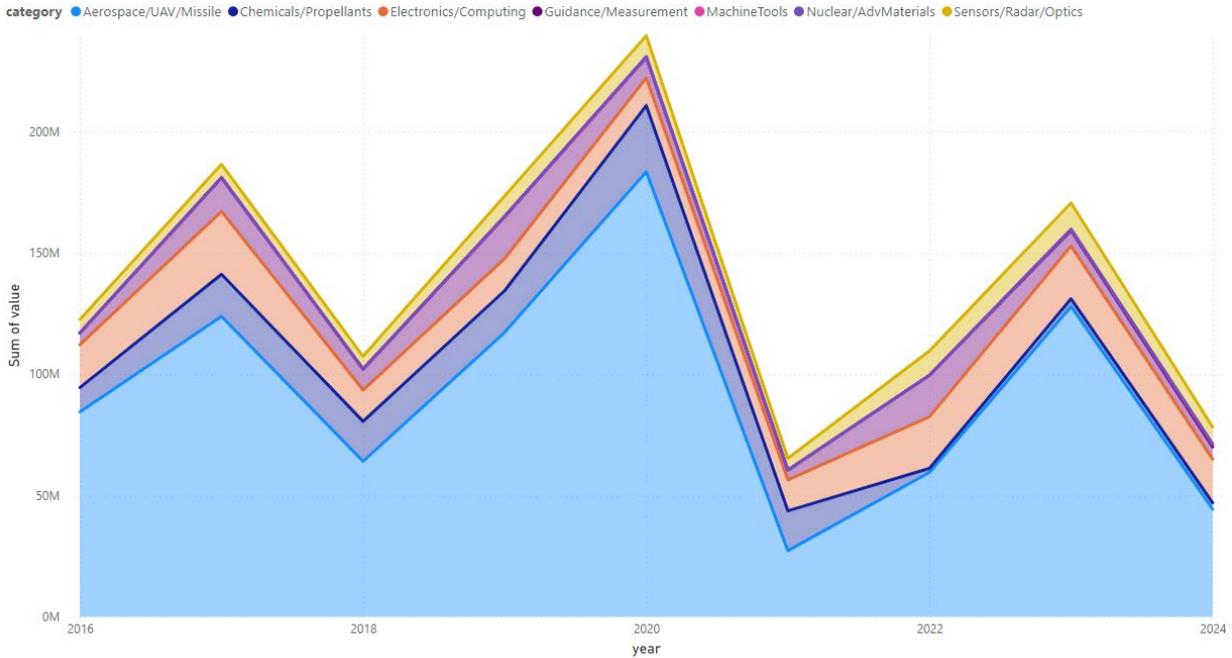
**Graph 31: Democratic Republic of the Congo weapons-related exports**



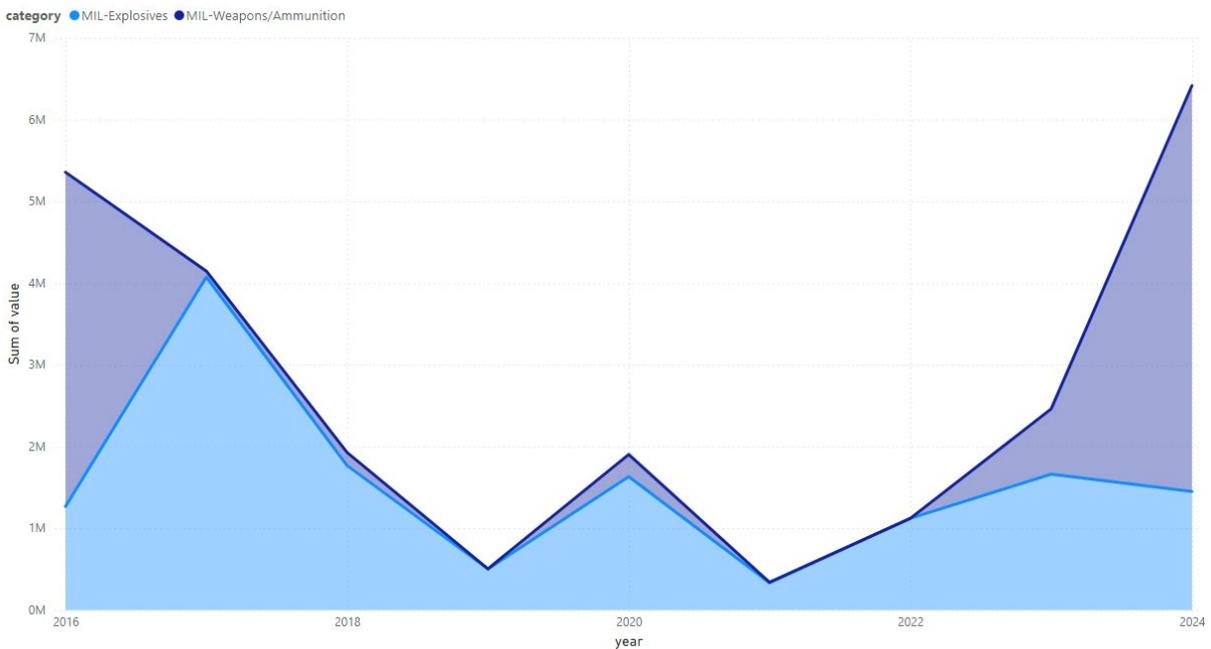
## Ethiopia

EU trade in dual-use goods with Ethiopia has fluctuated over the last decade, with aerospace-related trade dominating. Ethiopia has suffered from conflict and other security issues for much of this period, but there is no EU or UN arms embargo in place.

**Graph 32: Ethiopia**



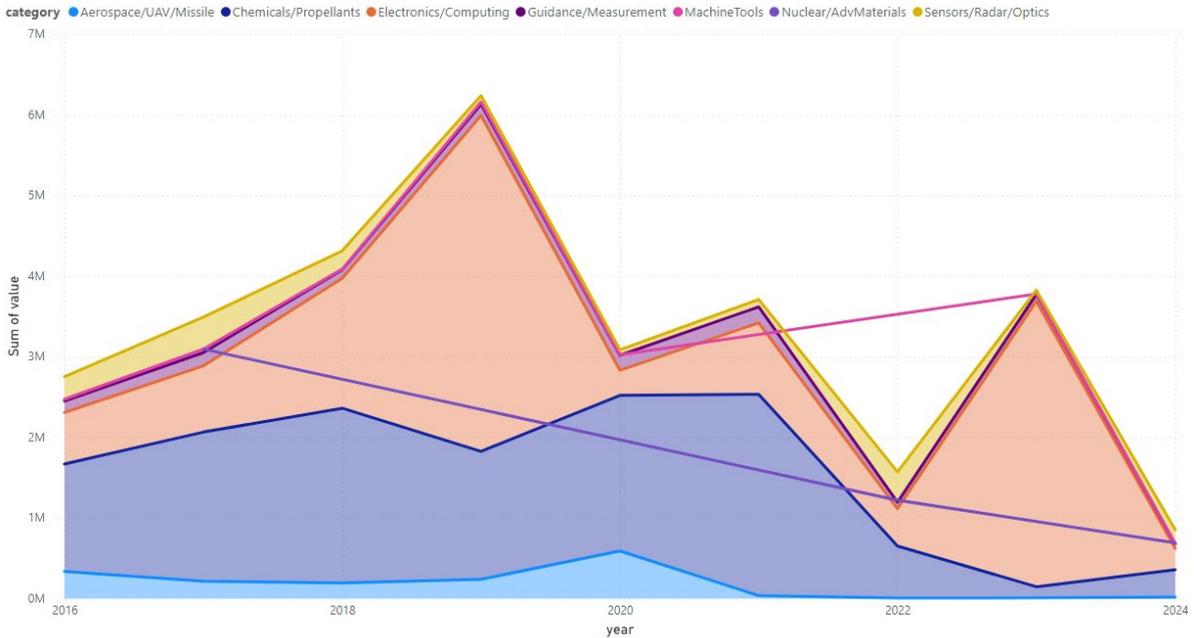
**Graph 33: Ethiopia weapons-related exports**



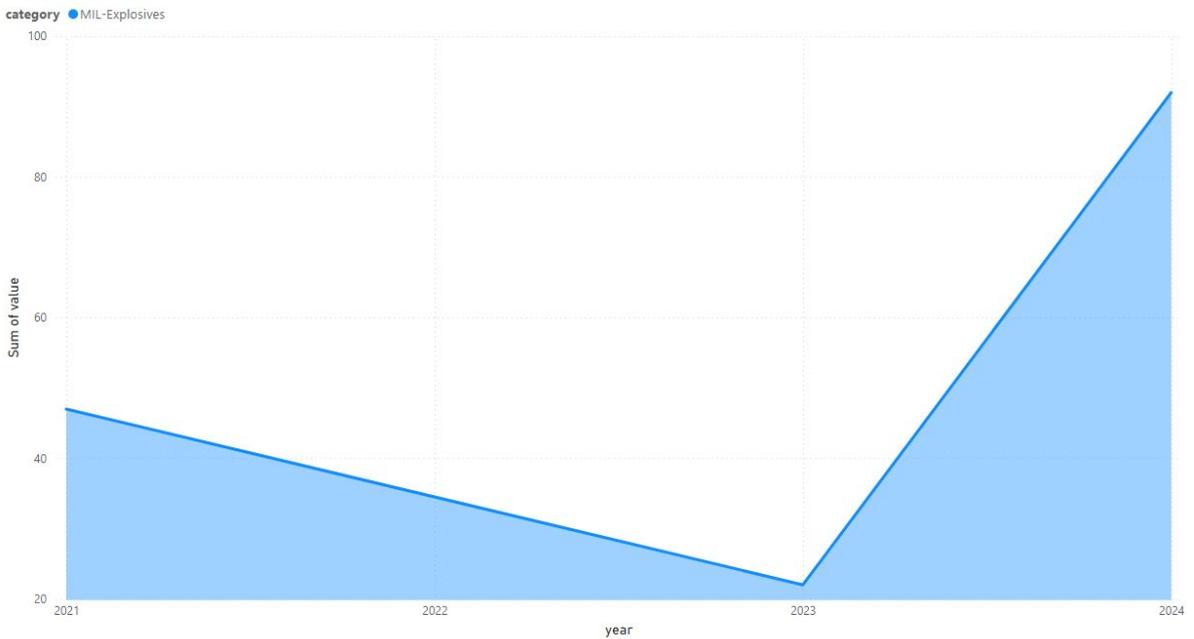
## Haiti

EU trade in dual-use goods with Haiti has fluctuated over the last decade. Trade is modest and is generally dominated by either electronics and computing or chemicals. Haiti is subject to UN and EU arms restrictions. There is no reported trade of EU arms to Haiti, and there could be legitimate uses for the reported exports of explosive materials to the country.

**Graph 34: Haiti**



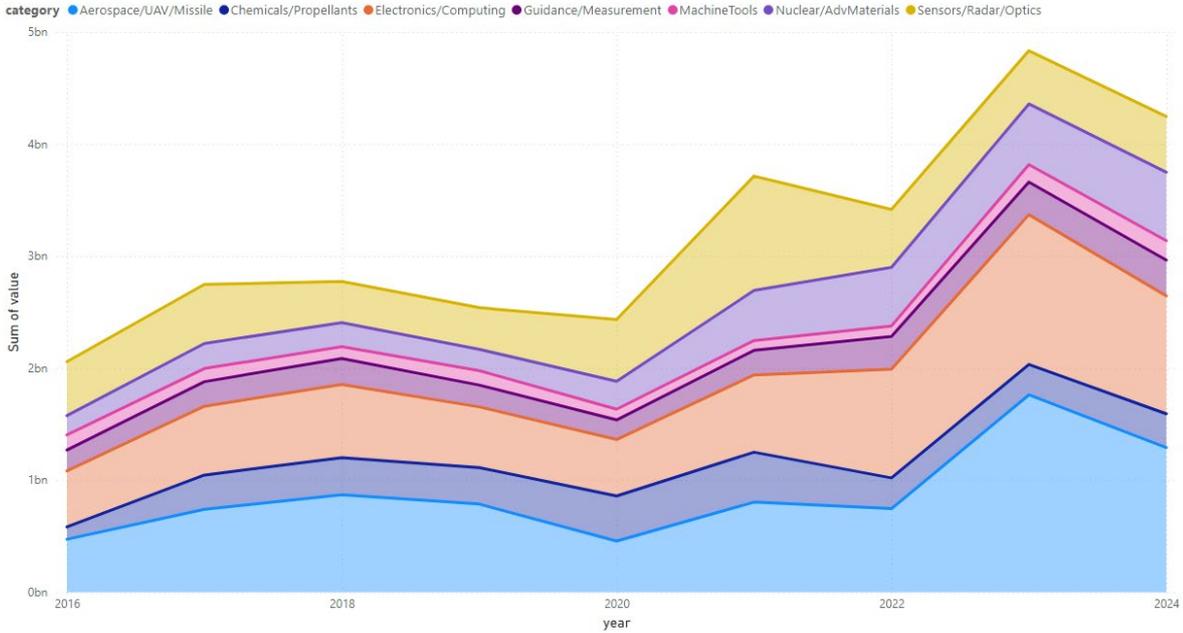
**Graph 35: Haiti weapons-related exports**



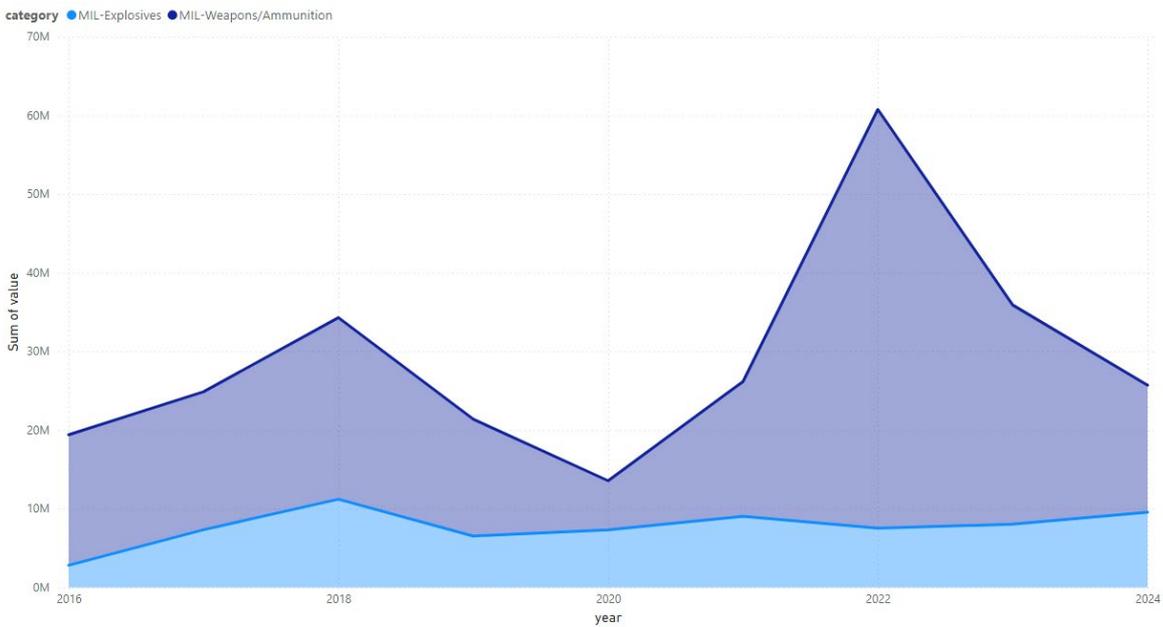
## India

EU trade in dual-use goods with India is substantial at more than EUR 2 billion, rising towards EUR 5 billion in 2023. Trade covers a diverse range of technologies. India is not subject to a UN or EU arms embargo.

**Graph 36: India**



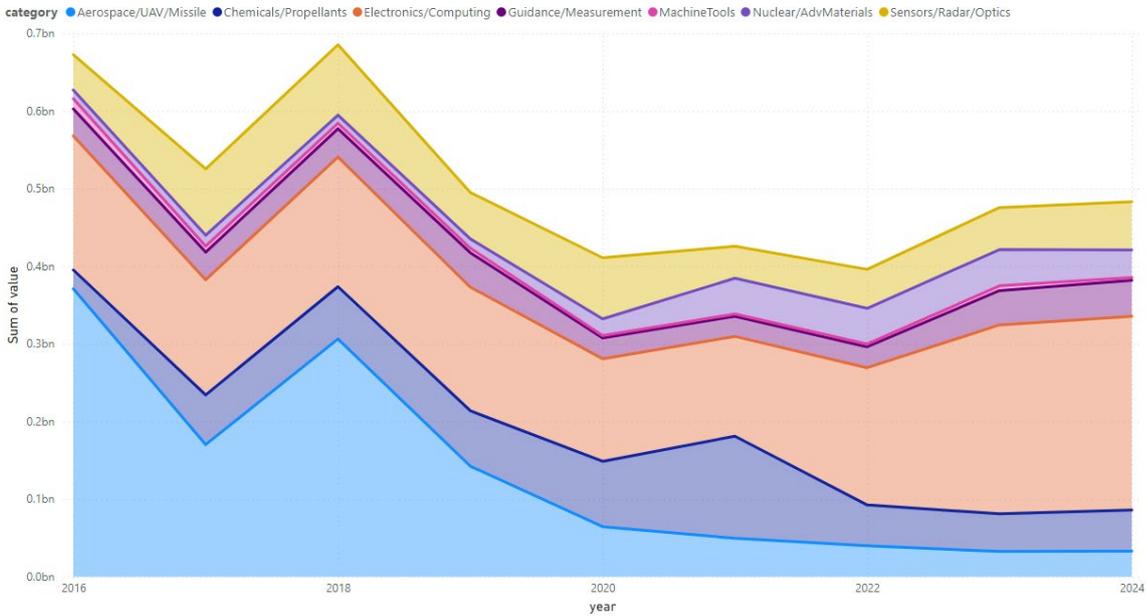
**Graph 37: India weapons-related exports**



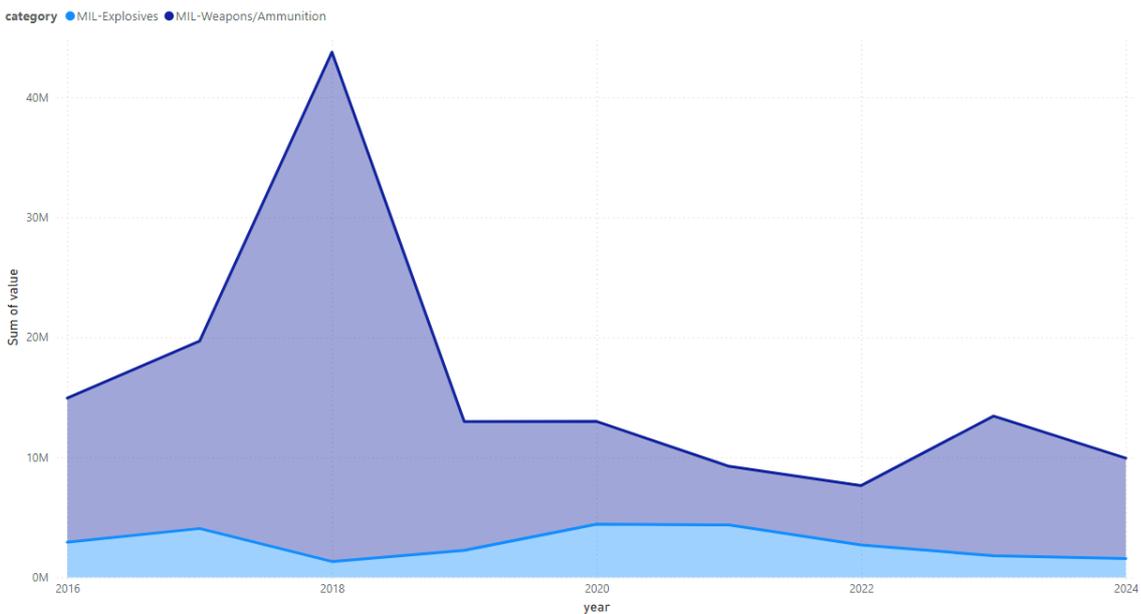
## Indonesia

EU dual-use trade with Indonesia has been significant over the last decade. Aerospace technology dominated earlier in the decade, but this has been overtaken by exports of electronics and computing. Indonesia is not subject to a UN or EU arms embargo.

**Graph 38: Indonesia**



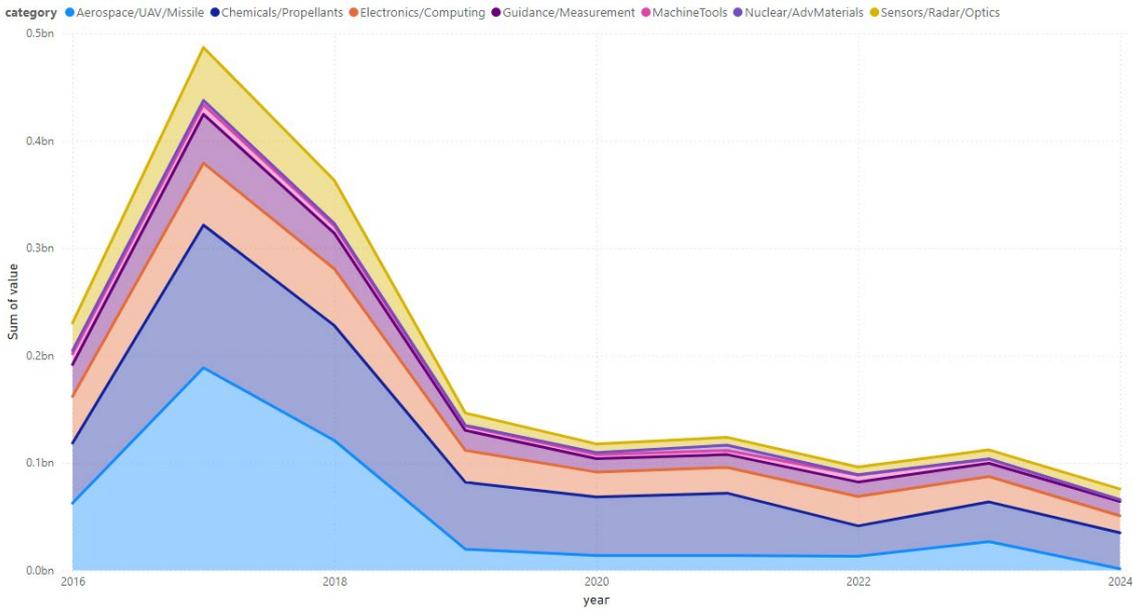
**Graph 39: Indonesia weapons-related exports**



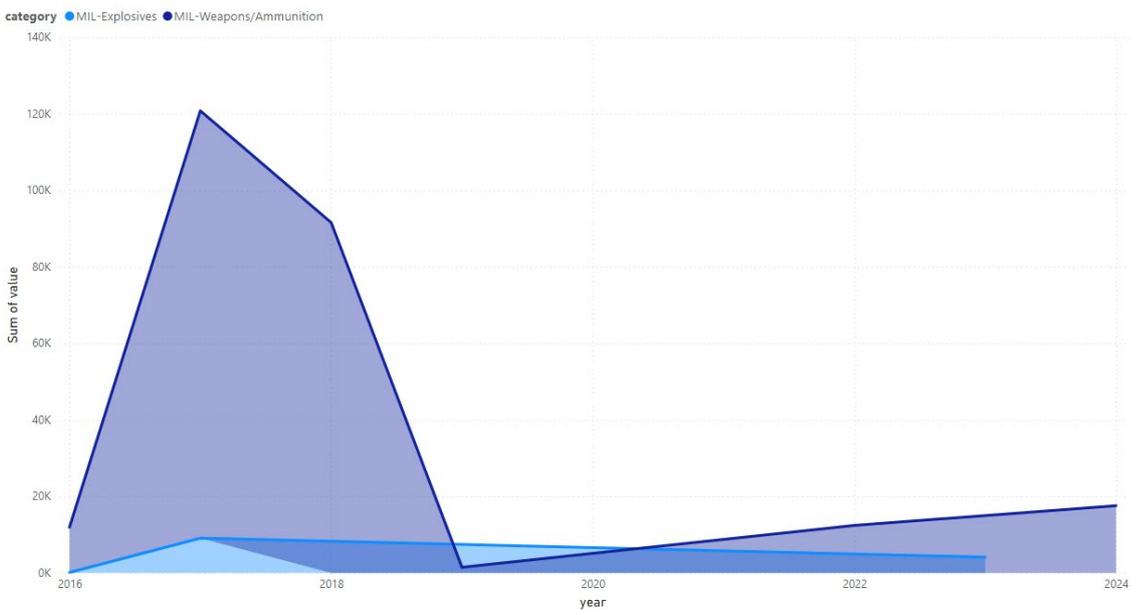
## Iran

EU trade in dual-use goods with Iran is complicated. In the early decade, trade was at relatively substantial levels. Trade dropped in 2019 and has not recovered. In parallel, complex issues have played out regarding sanctions on Iran as a result of the Joint Comprehensive Plan of Action. There should be careful scrutiny of any trade with Iran.

**Graph 40: Iran**



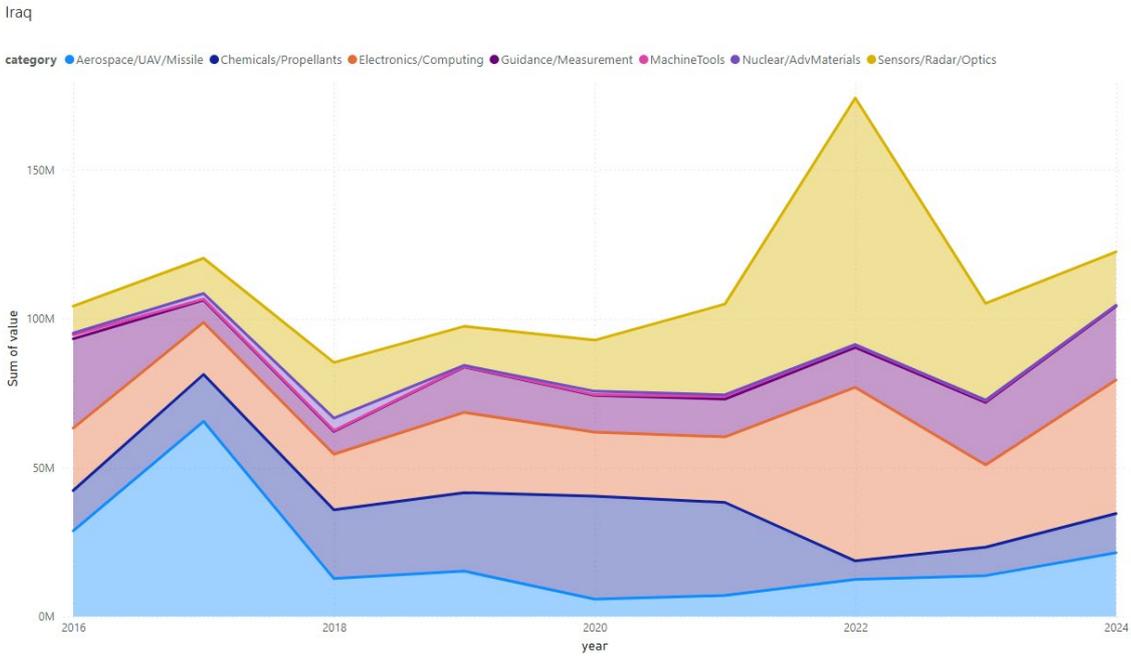
**Graph 41: Iran weapons-related exports**



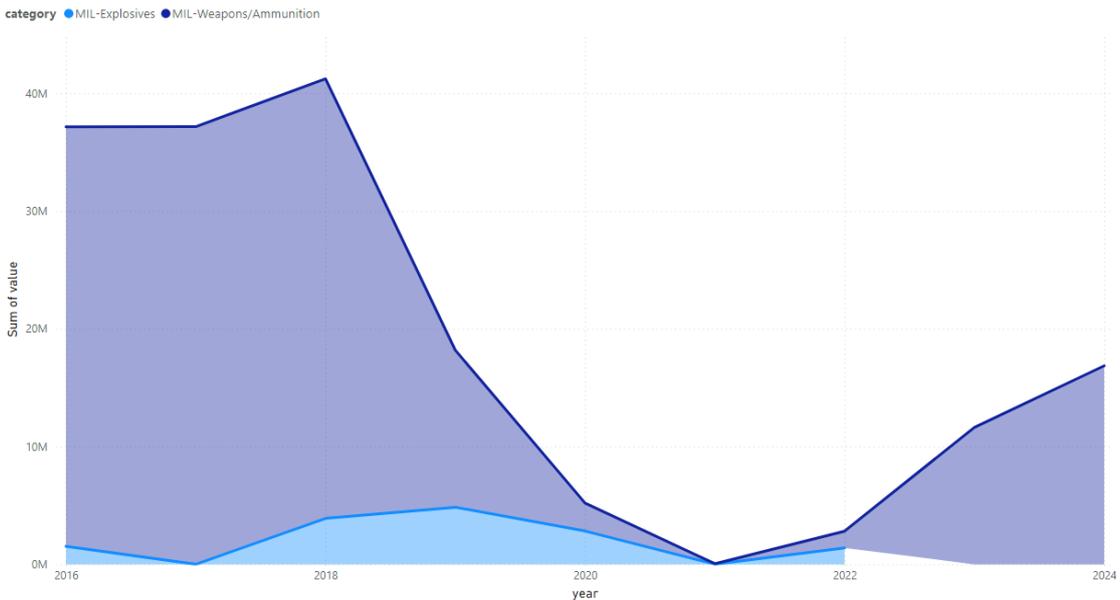
## Iraq

EU trade in dual-use goods with Iraq has continued at relatively consistent levels over the last decade with a peak in 2022 attributed to sensors, radars and optics. The security situation and sanctions landscape in Iraq over this period has been complicated, with the arms embargo remaining in place.

**Graph 42: Iraq**



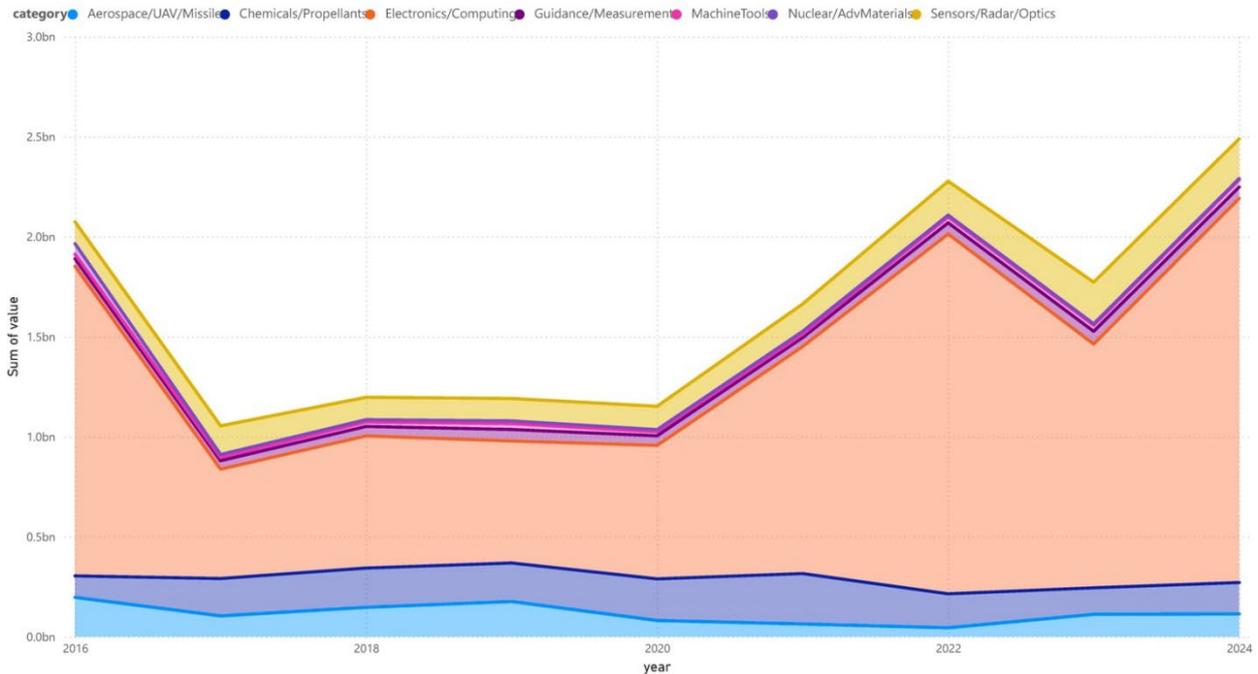
**Graph 43: Iraq weapons-related exports**



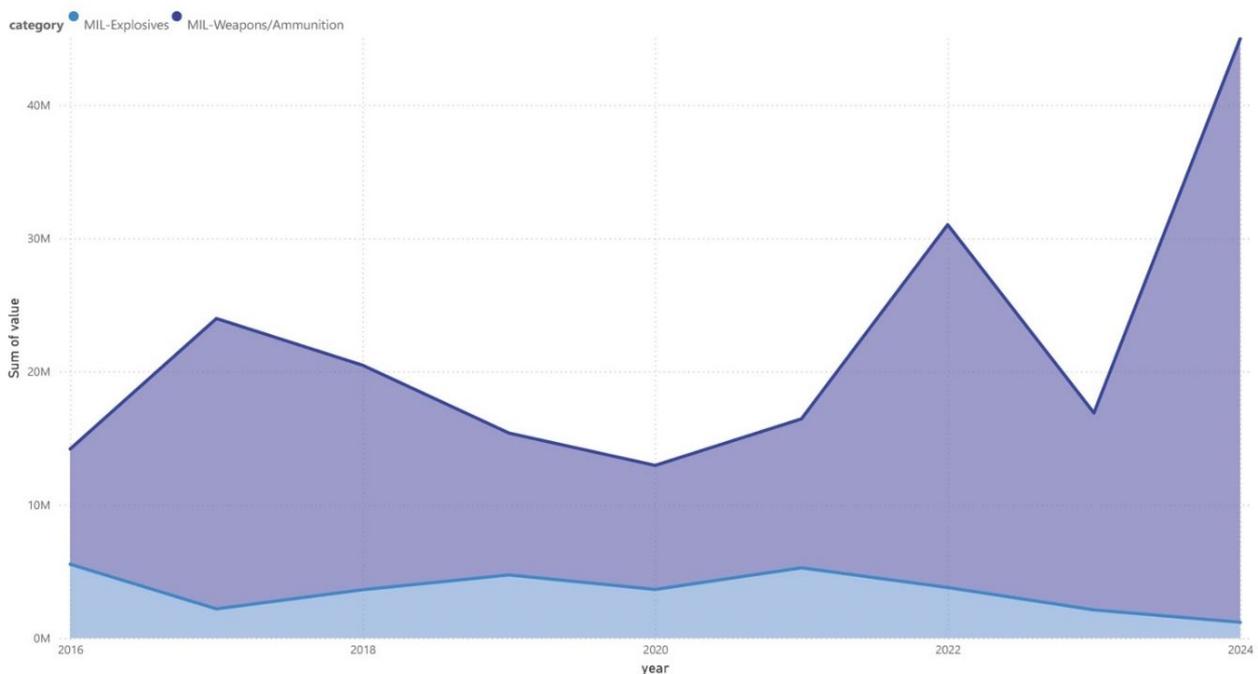
## Israel

EU trade in dual-use related items with Israel has been significant over the last decade while the security landscape in Israel has been complicated. Israel is not subject to UN or EU arms embargo and is a vibrant, technology-driven economy, which explains the electronics and computing trade. However, given Israel’s security situation, there is potential for EU exports to Israel to contribute to military activity, particularly as it relates to electronics and computing given Israel’s need to closely monitor security threats in the region. The EU has also been quite a significant exporter of weapons to Israel, including with peaks in 2024. There is a need for careful scrutiny of exports to Israel to address potential concerns.

**Graph 44: Israel**



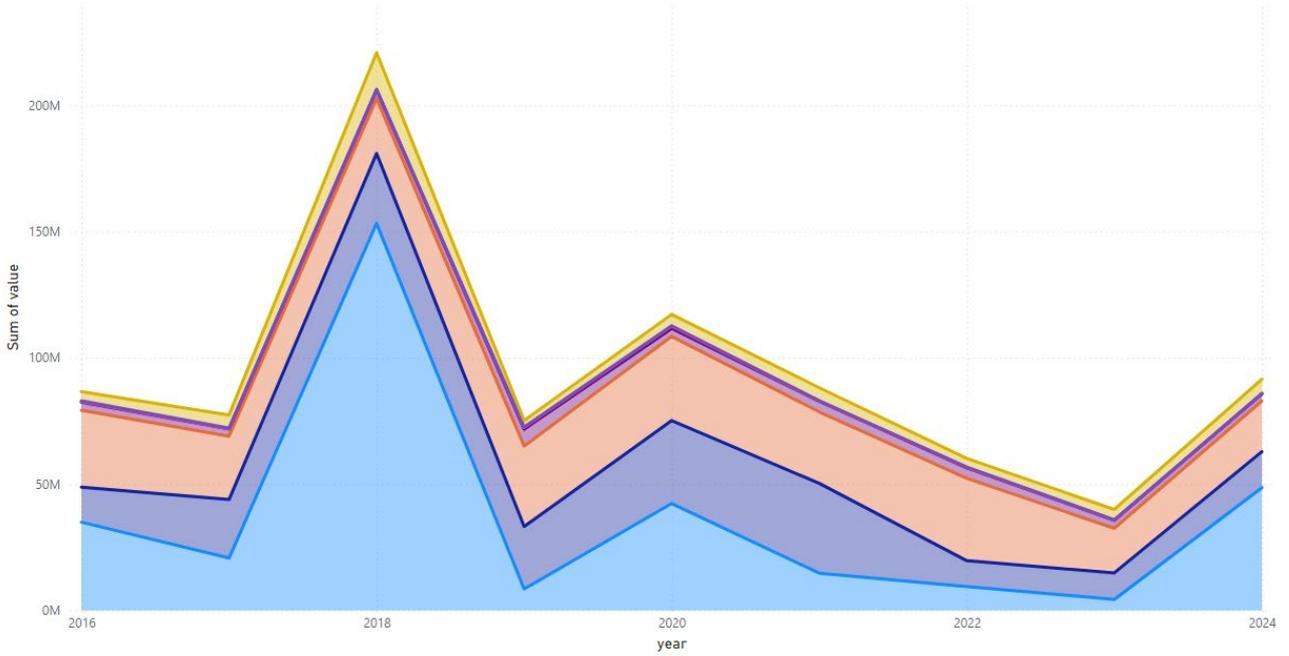
**Graph 45: Israel weapons-related exports**



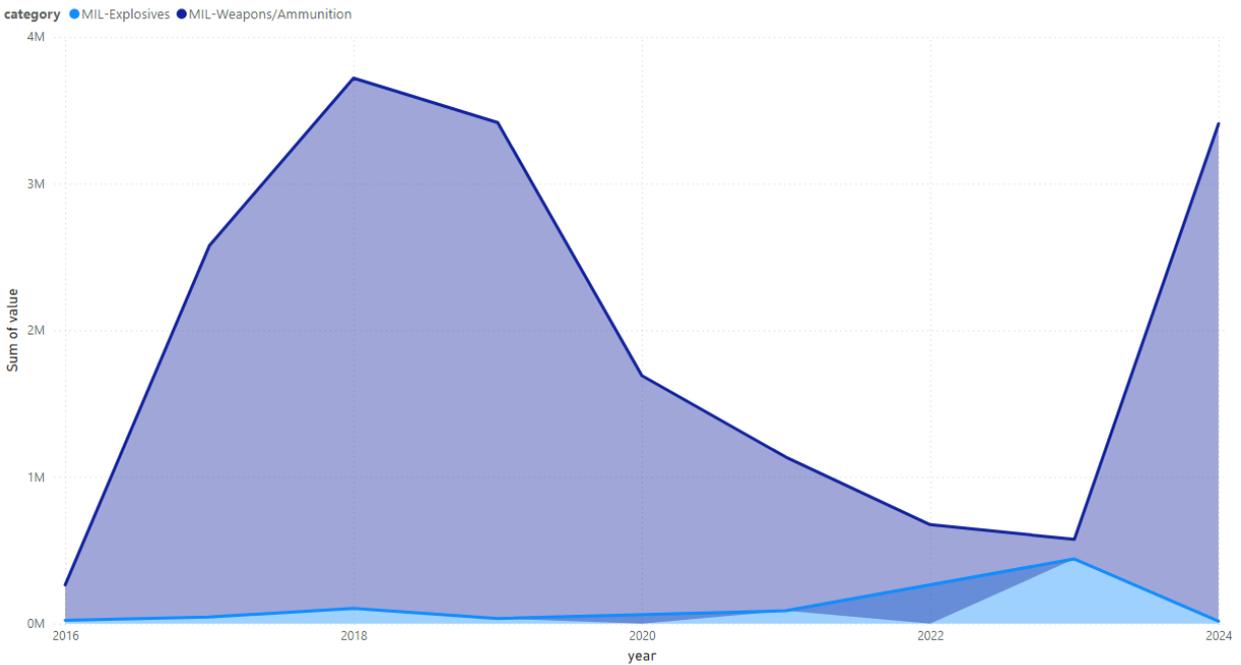
## Kenya

EU trade in dual-use goods with Kenya has fluctuated over time with a peak in 2018 driven partly by aerospace exports. Kenya is a stable country and is not subject to a UN or EU arms embargo.

**Graph 46: Kenya**



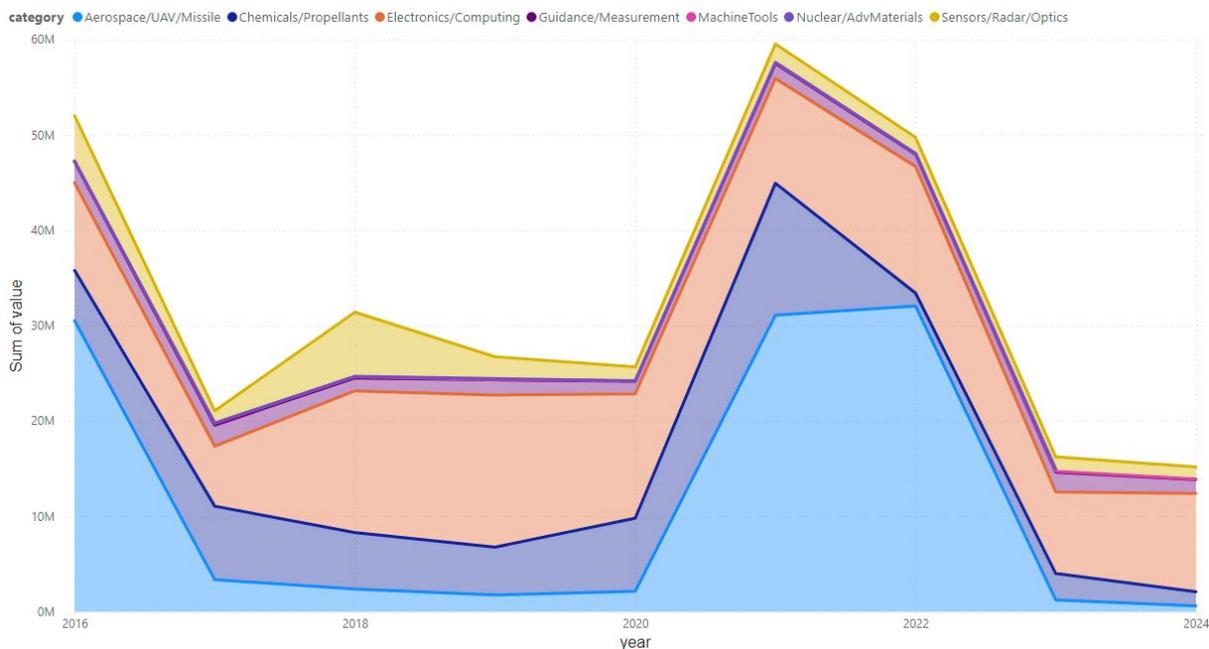
**Graph 47: Kenya weapons-related exports**



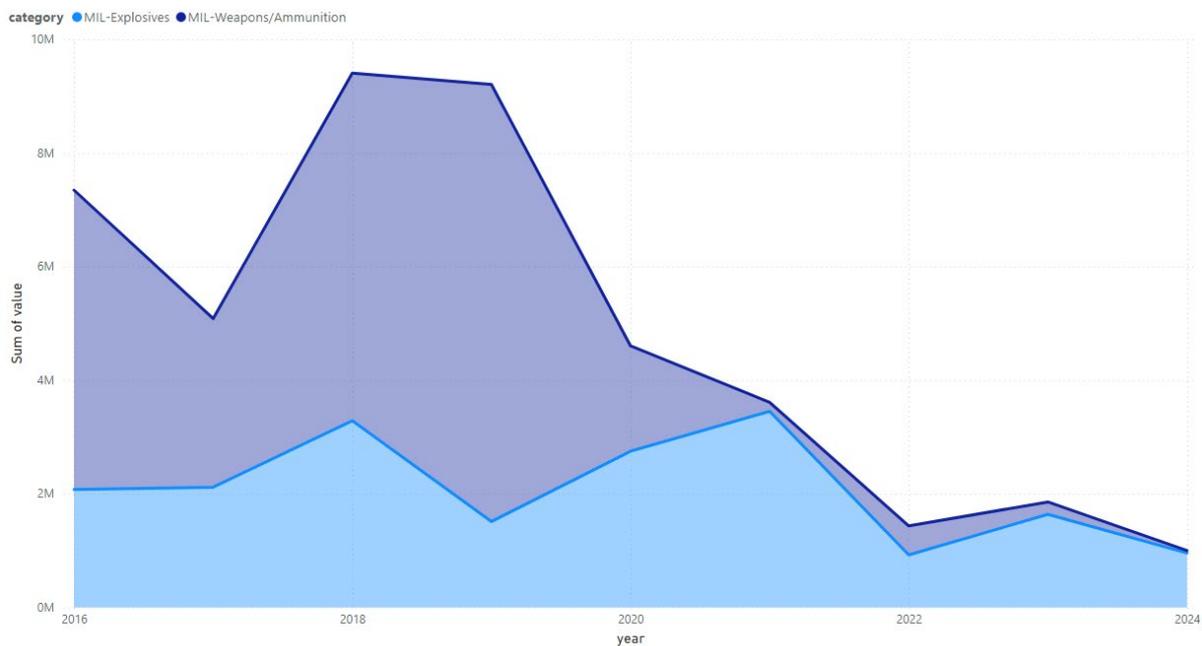
## Mali

EU dual-use trade with Mali is limited and has been dominated by aerospace, computing and electronics, and military exports over the last decade. Mali was subject to UN sanctions until 2023, and EU sanctions remain. But these sanctions do not include an arms embargo.

**Graph 48: Mali**



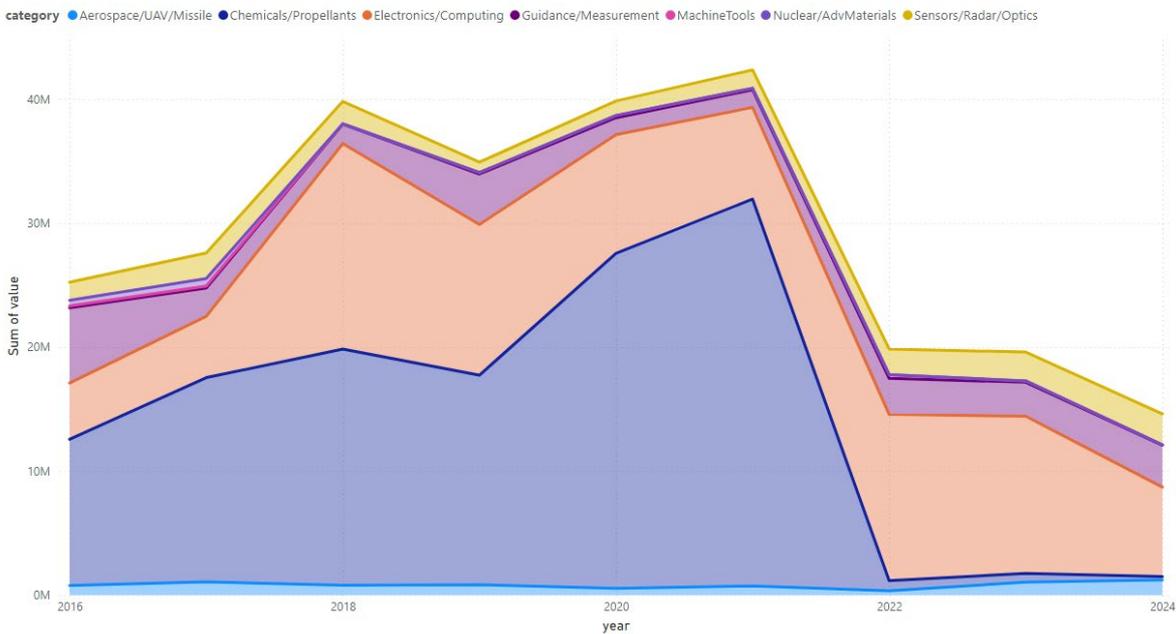
**Graph 49: Mali weapons-related exports**



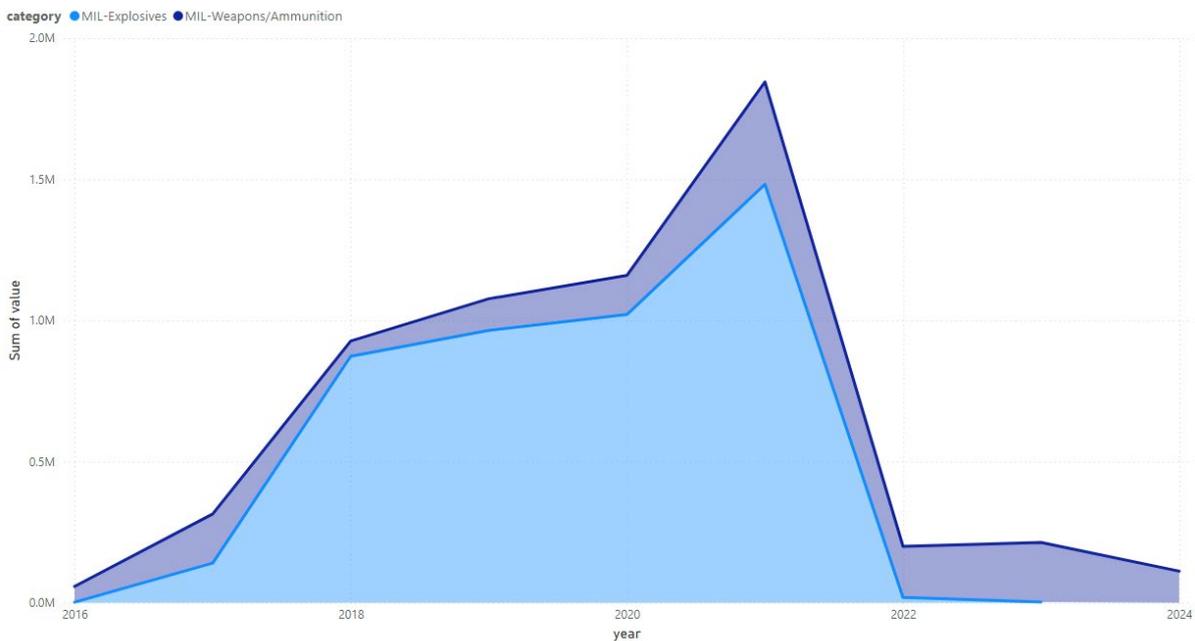
## Mozambique

EU trade with Mozambique has been modest across the last decade, dominated largely by chemical and computing/electronics exports. The trade declined in 2022 and has thus far not recovered. Mozambique has faced significant security challenges, including with Islamic State-Mozambique in recent years. The conflict raises human rights considerations which would need to be accounted for in export licensing decision making concerning Mozambique. There is no UN or EU arms embargo in Mozambique.

**Graph 50: Mozambique**



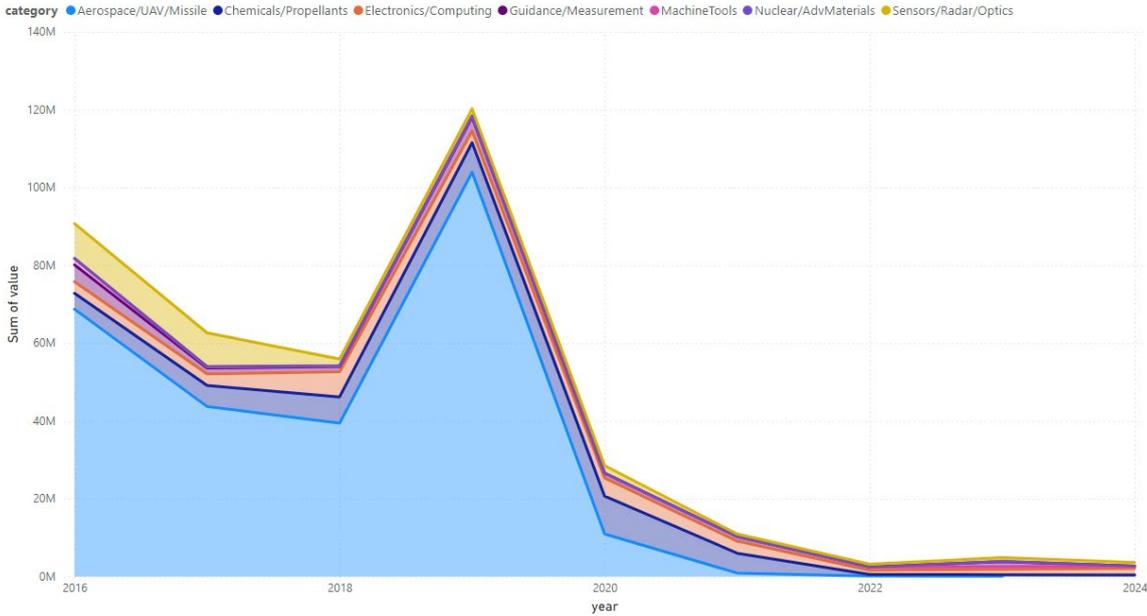
**Graph 51: Mozambique weapons-related exports**



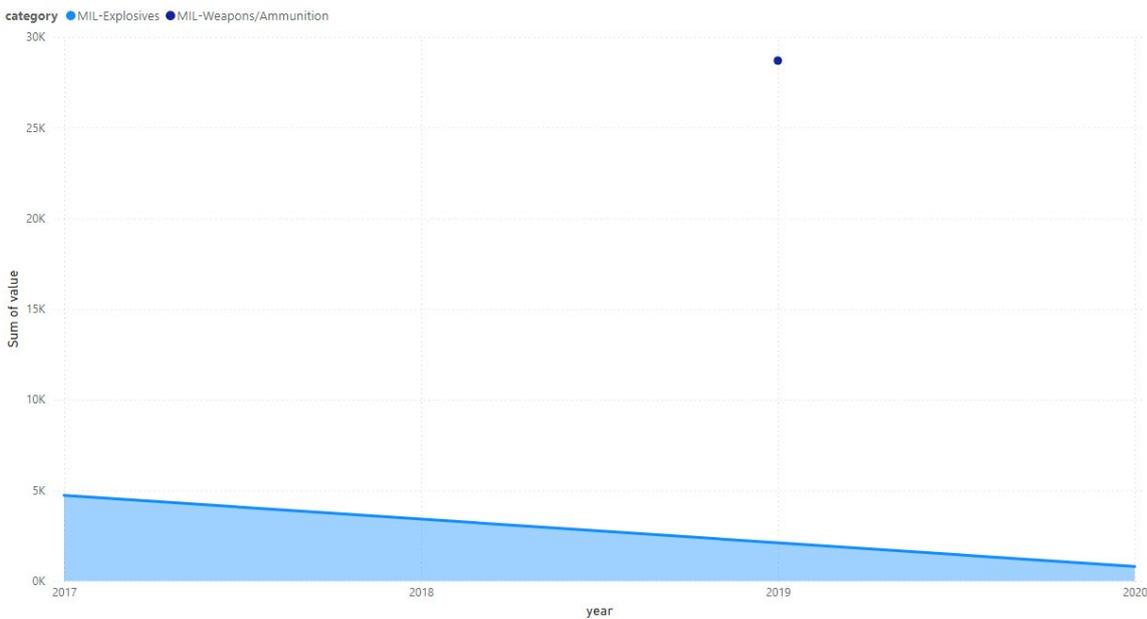
## Myanmar

EU dual-use trade with Myanmar had historically been limited and dominated by aerospace exports. It declined substantially in 2020 and is now minimal. This reflects a complex evolution of factors on the ground, including a return of the military leadership and a civil war. While Myanmar is not subject to UN sanctions, it is subject to an EU arms embargo.

**Graph 52: Myanmar**



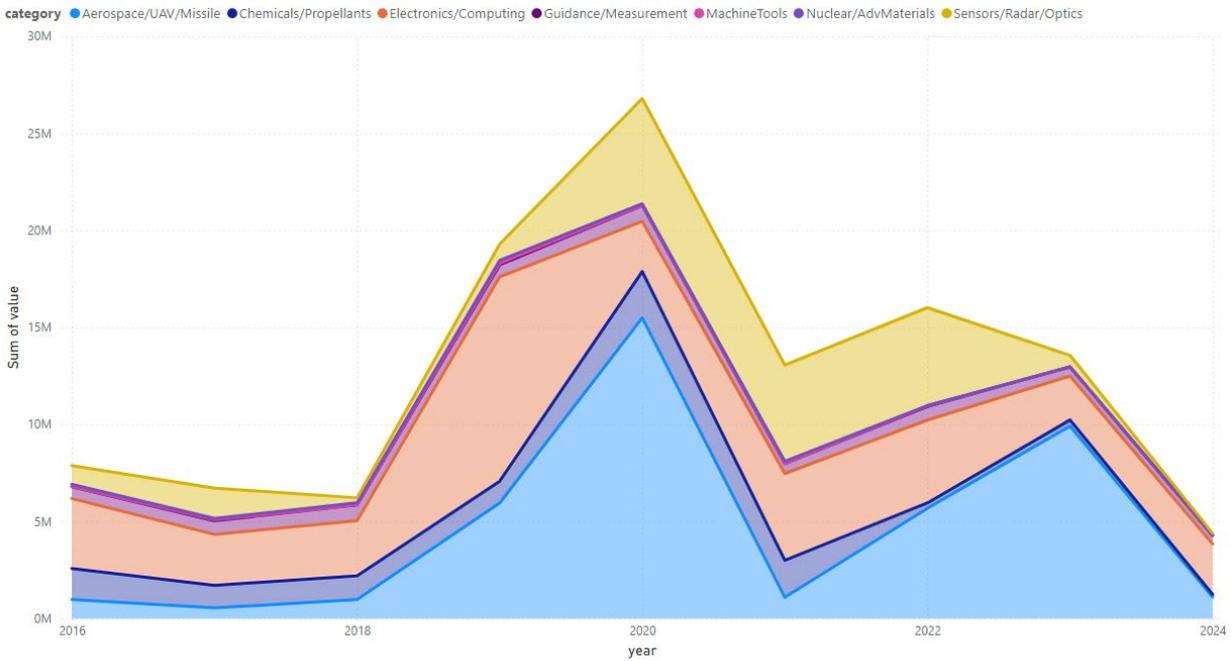
**Graph 53: Myanmar weapons-related exports**



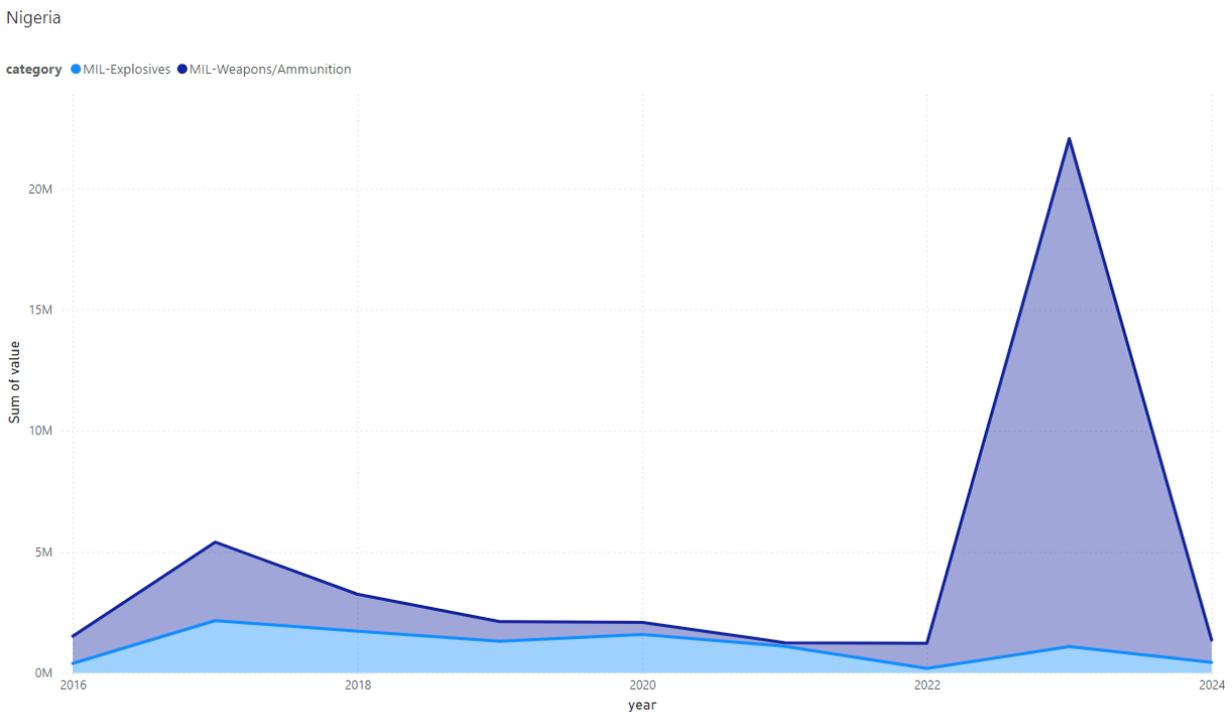
## Niger

EU dual-use trade with Niger has historically been limited. It grew around 2020 and 2022 particularly driven by aerospace exports but declined in 2024. This is likely reflective of the military coup in Niger in 2023 and the strained relations with the EU and European countries that followed. Niger is not subject to UN or EU sanctions.

**Graph 54: Niger**



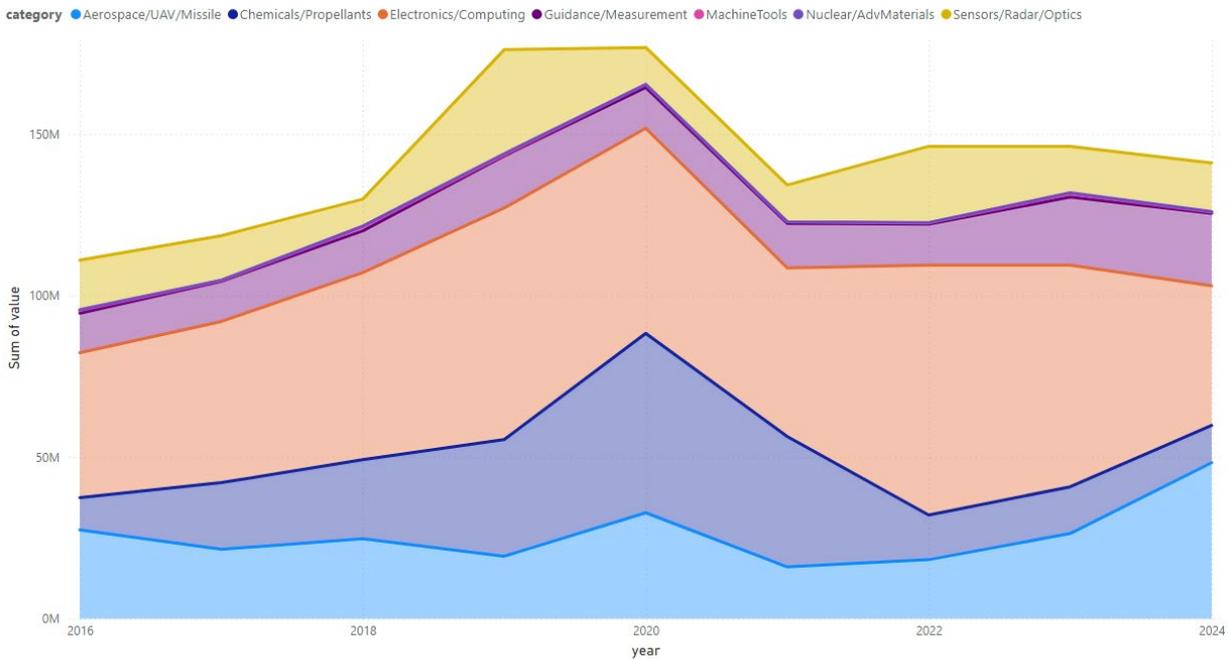
**Graph 55: Niger weapons-related exports**



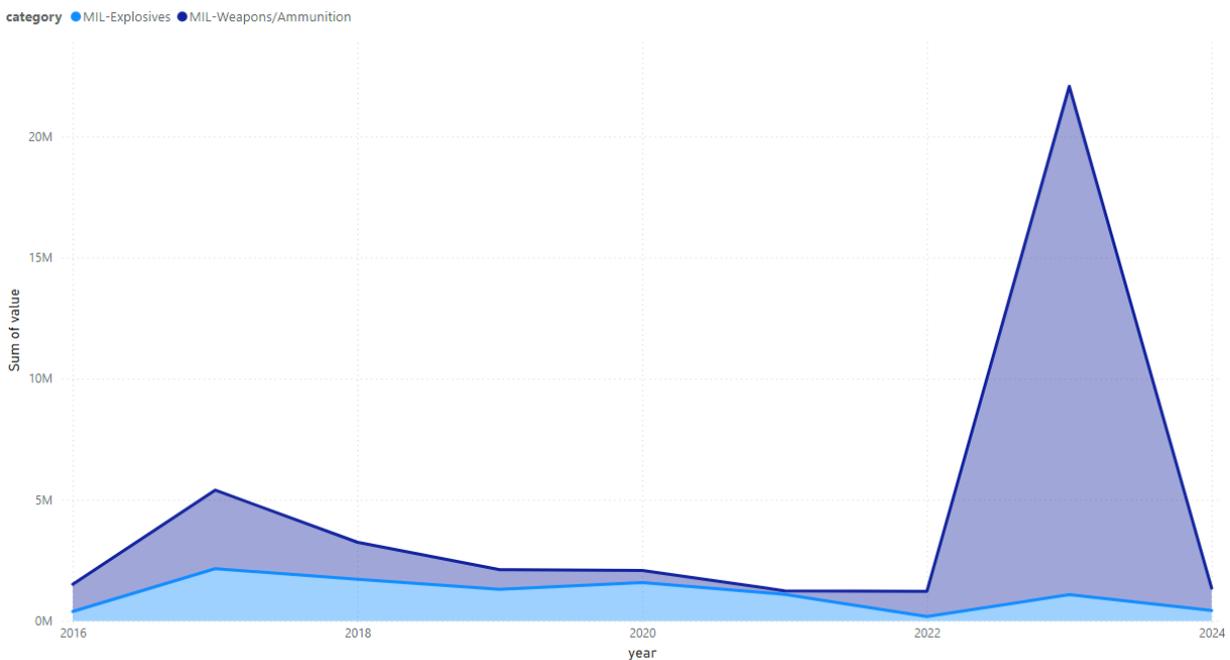
## Nigeria

EU dual-use trade with Nigeria has remained in EUR 100-150 million range for much of the last decade. The trade is broadly divided across multiple categories, including computing and electronics, aerospace, chemicals, sensors, radar, and optics, and nuclear and advanced materials. There have also been recent spikes in arms exports. Nigeria is in conflict with Boko Haram and the Islamic State, with some regional spillover. Nigeria is not subject to UN or EU sanctions.

**Graph 56: Nigeria**



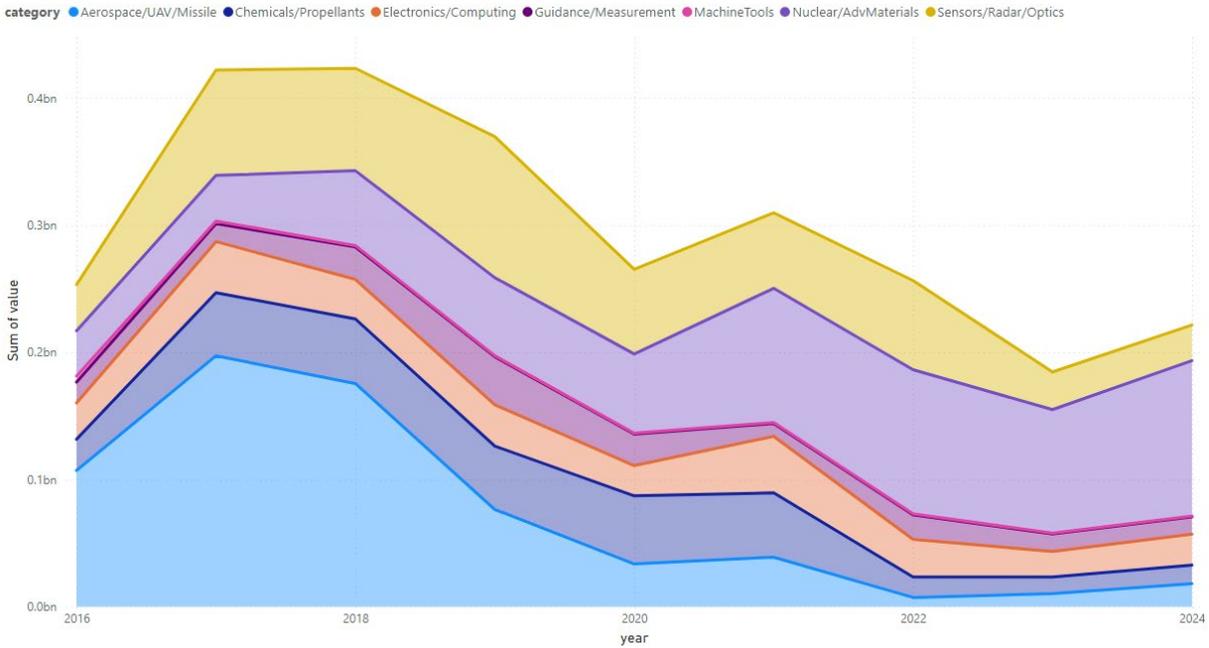
**Graph 57: Nigeria weapons-related exports**



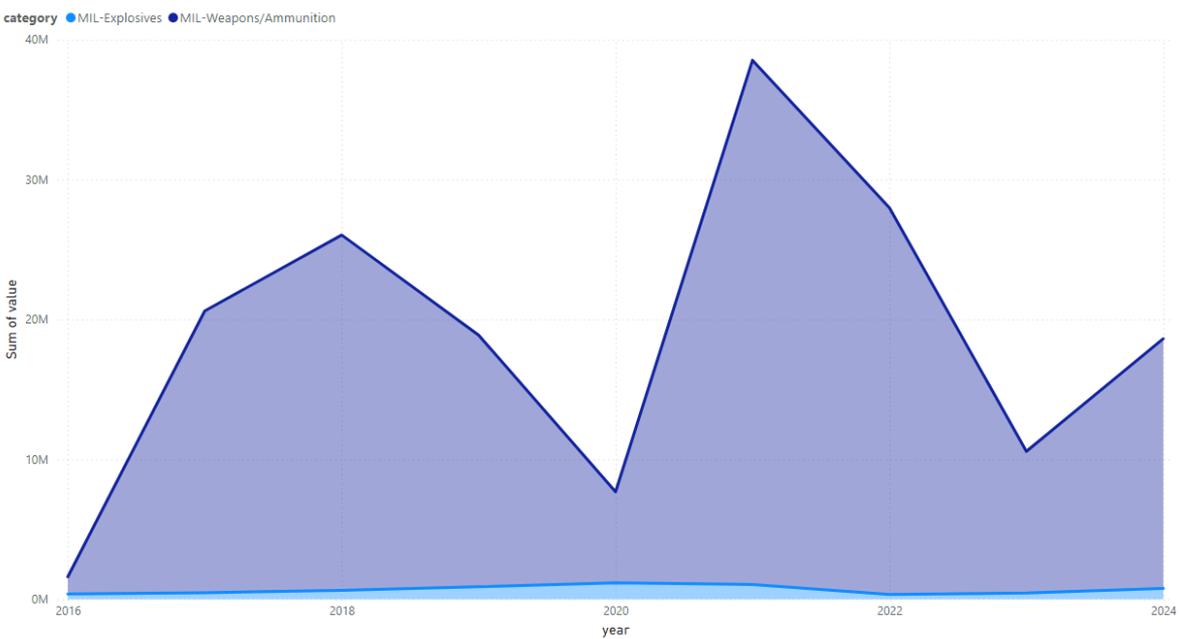
## Pakistan

EU trade in dual-use goods with Pakistan is relatively significant, spanning several categories. However, trade has also generally declined over the last decade. Pakistan is not subject to an arms embargo at either the UN or EU level. However, Pakistan’s security situation is complex, shaped in part by its longstanding dispute with India.

**Graph 58: Pakistan**



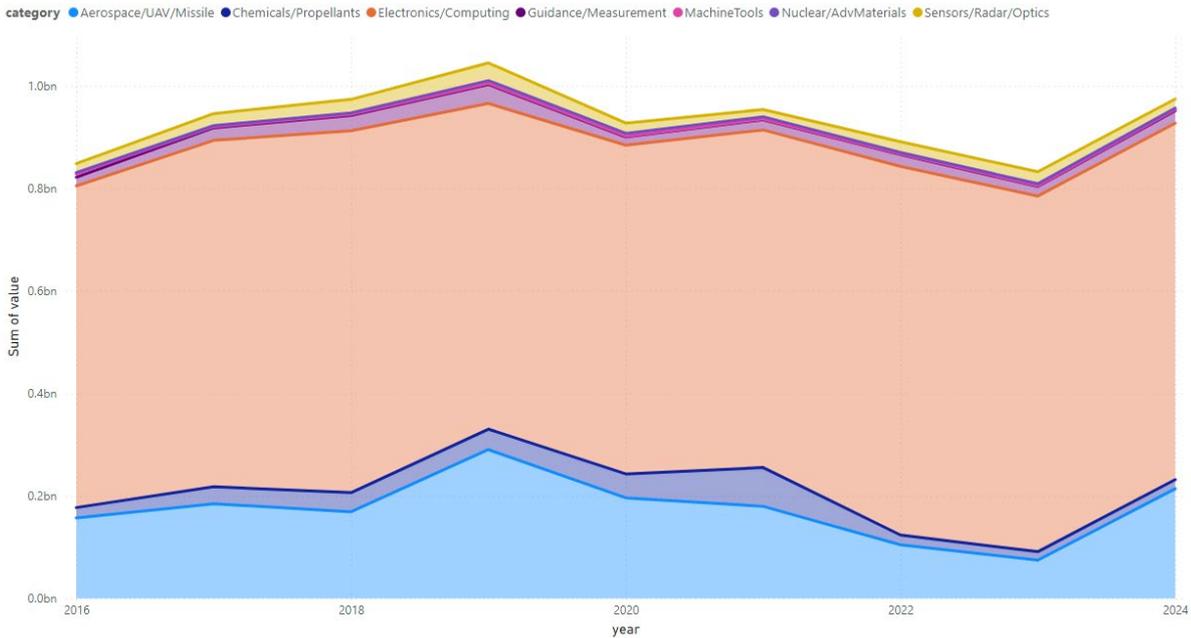
**Graph 59: Pakistan weapons-related exports**



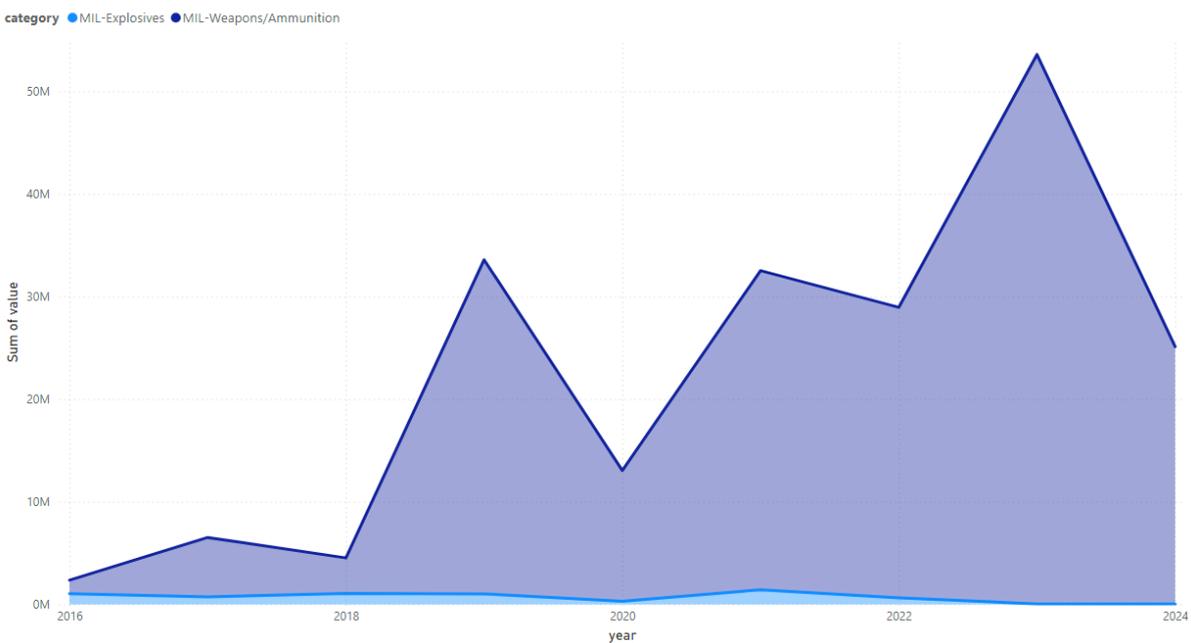
## Philippines

EU dual-use trade with the Philippines is significant and has remained quite stable over the last decade. It is dominated by aerospace exports and by electronics/computing exports. The Philippines is listed as being in conflict because of its involvement in the fight against the Islamic State. However, it is the dispute between the Philippines and China over Scarborough Shoal that is likely to pose the most acute security issue for the Philippines and the EU, which is perhaps why the level of arms exports from the EU to the Philippines has generally risen in recent years. The Philippines is not subject to a UN or EU arms embargo.

**Graph 60: Philippines**



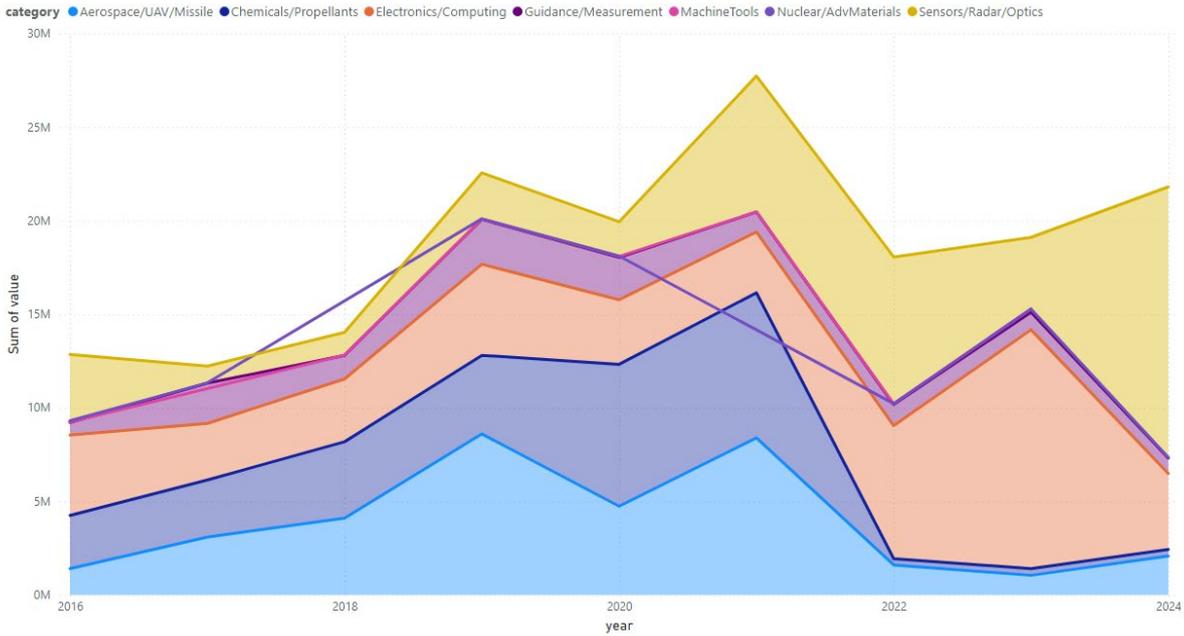
**Graph 61: Philippines weapons-related exports**



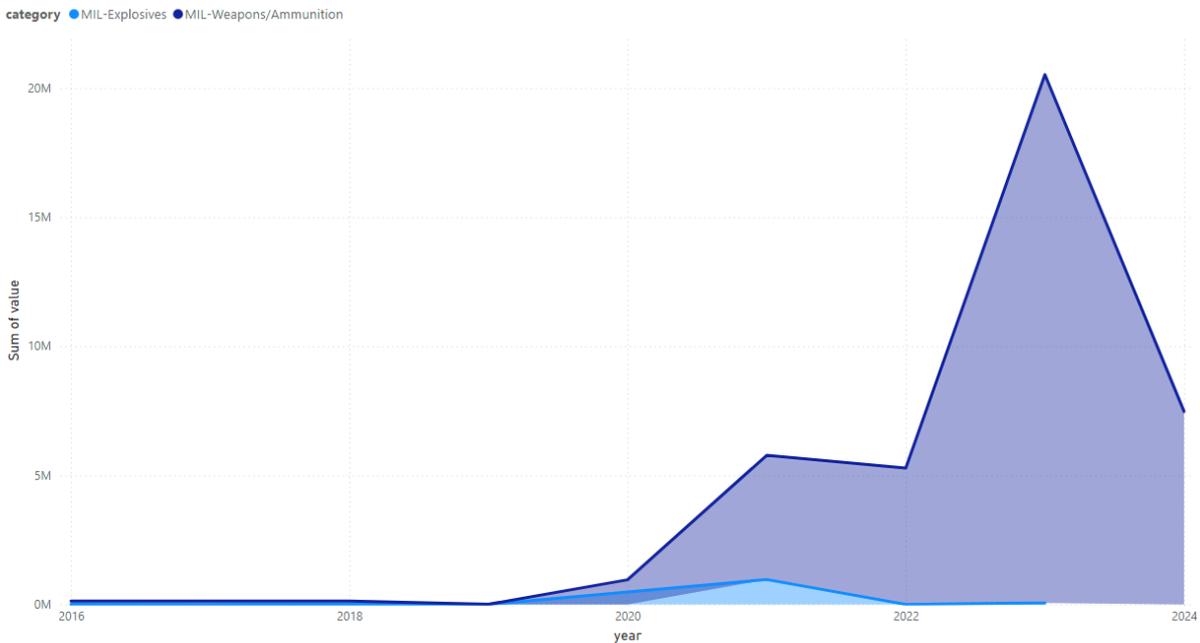
## Rwanda

EU dual-use trade with Rwanda has remained modest over the last decade, principally driven by electronics, computing, aerospace, chemicals, and sensors, radar and optics. Arms exports have surged in recent years after being nearly zero for several years. Rwanda is not subject to UN or EU sanctions, but its security situation is complex, not least because of its involvement in regional conflicts.

**Graph 62: Rwanda**



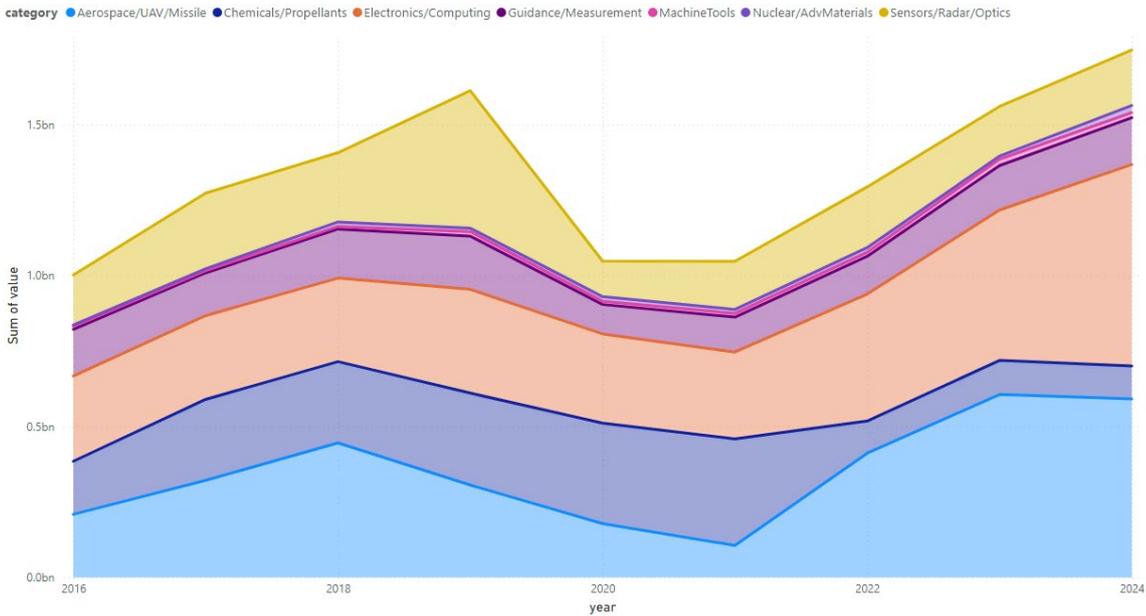
**Graph 63: Rwanda weapons-related exports**



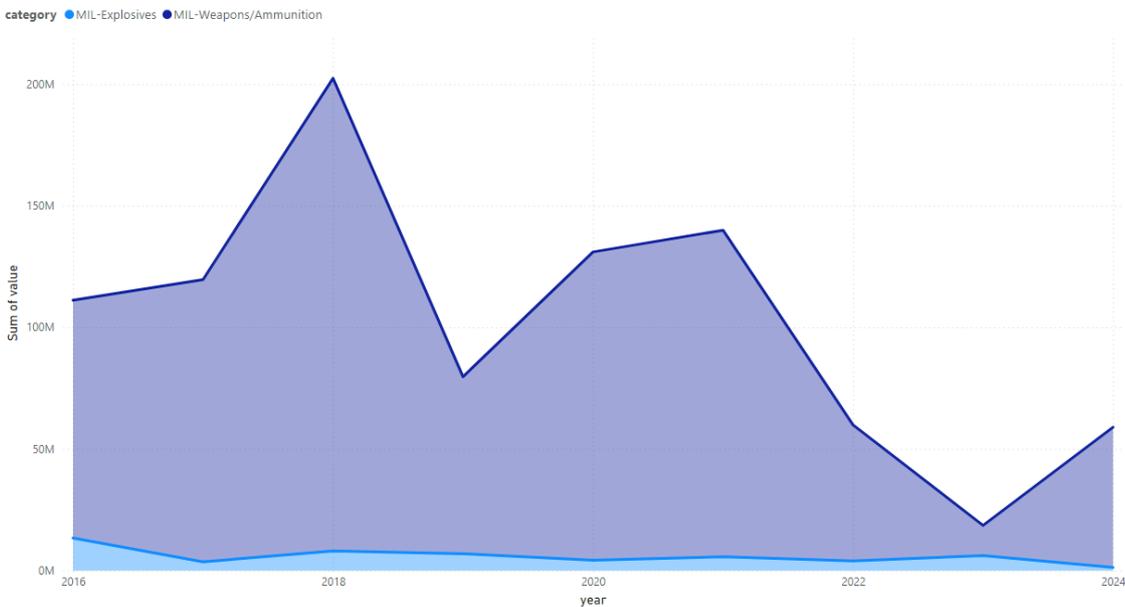
## Saudi Arabia

EU dual-use trade with Saudi Arabia is substantial, reflecting Saudi Arabia’s position as an economic and technological powerhouse in the Middle East. However, this also creates complexity because of Saudi Arabia’s involvement in the conflict against the Houthis. Exports to Saudi Arabia must be closely scrutinised against relevant international commitments. It is not possible to determine from statistical trade data whether problematic trade is taking place. However, given the volume of trade between the EU and Saudi Arabia, all such trade is likely to be subject to close scrutiny by both authorities and external observers. There is no UN or EU arms embargo on Saudi Arabia.

**Graph 64: Saudi Arabia**



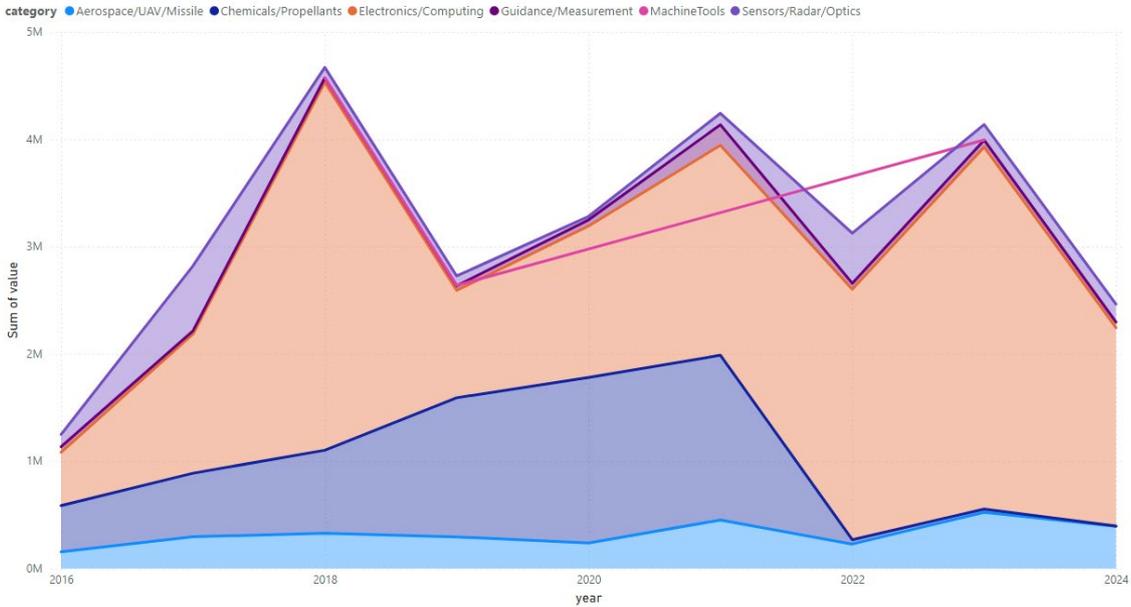
**Graph 65: Saudi Arabia weapons-related exports**



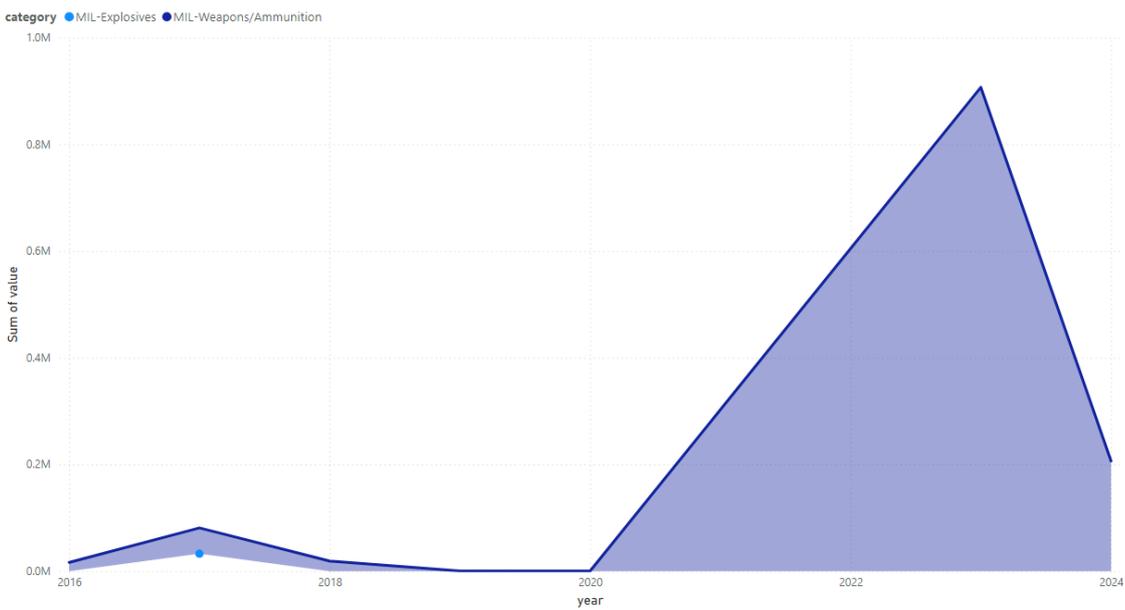
## Somalia

EU dual-use trade with Somalia has remained relatively stable at extremely modest levels for the last decade, albeit with increased arms exports in 2021/2022. The security situation in Somalia remains challenging. Somalia is subject to a UN and EU arms embargo.

**Graph 66: Somalia**



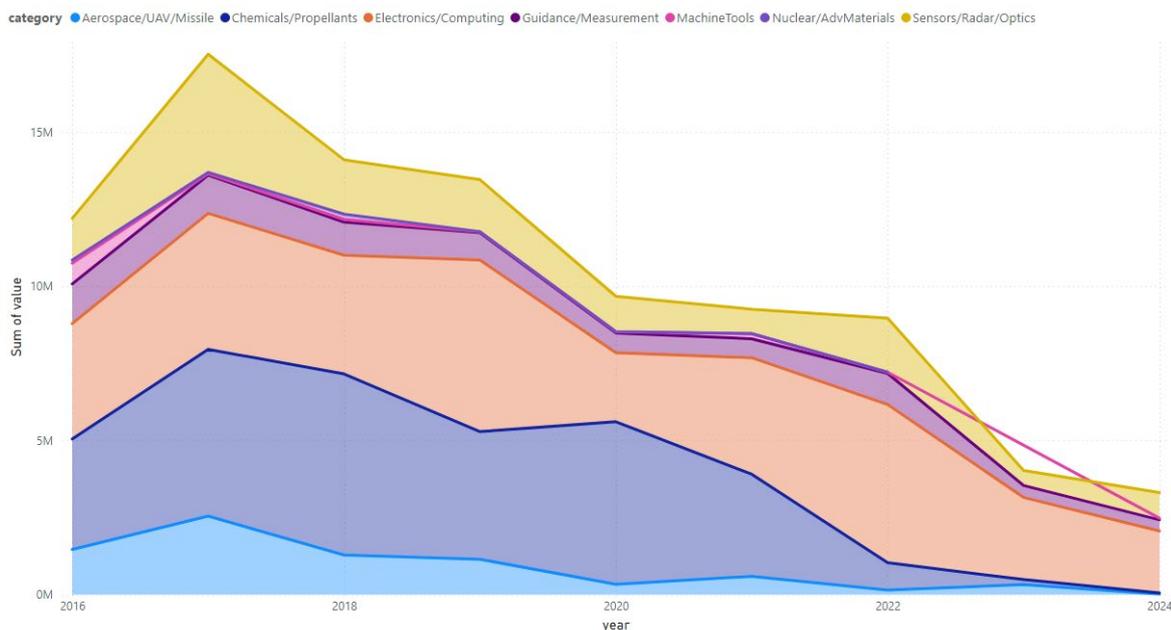
**Graph 67: Somalia weapons-related exports**



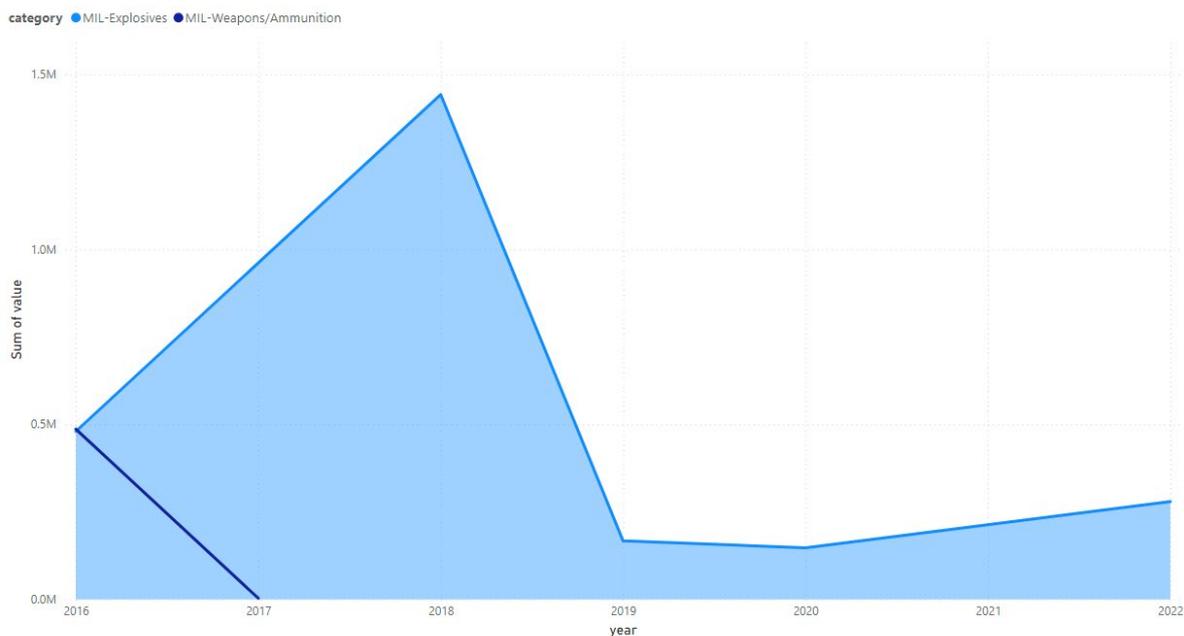
## Sudan (including South Sudan)

Sudan is a complex trade partner, not least with its split between Sudan and South Sudan in 2011. Trade has remained at very modest levels. Both Sudan and South Sudan are subject to UN and EU arms embargoes because of the conflict.

**Graph 68: Sudan (including South Sudan)**



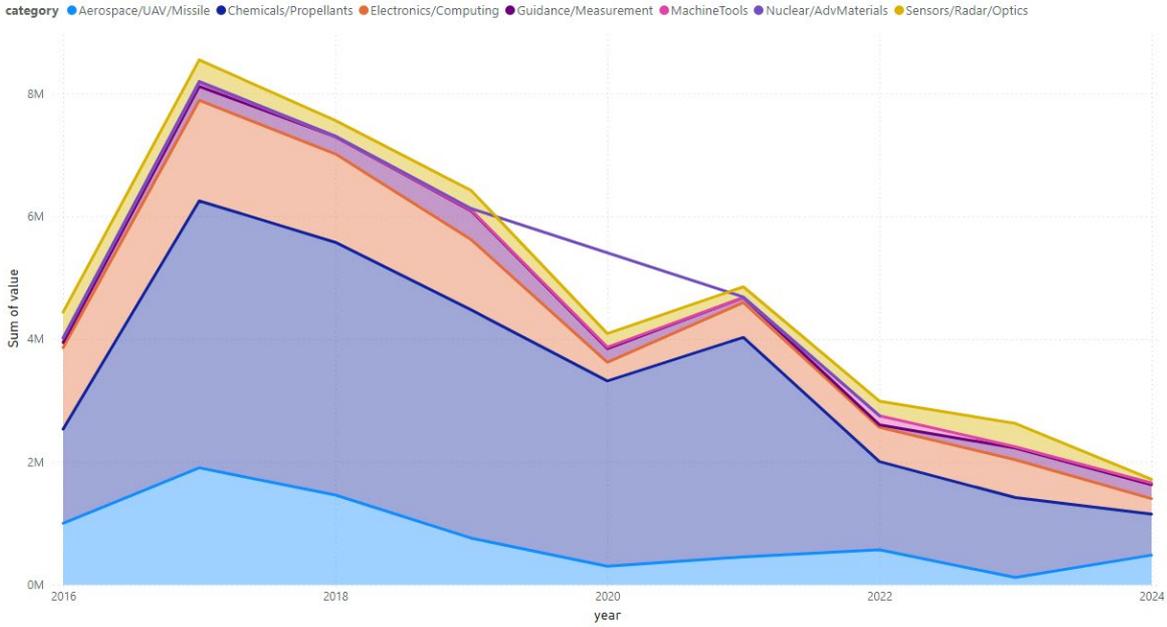
**Graph 69: Sudan (including South Sudan) weapons-related exports**



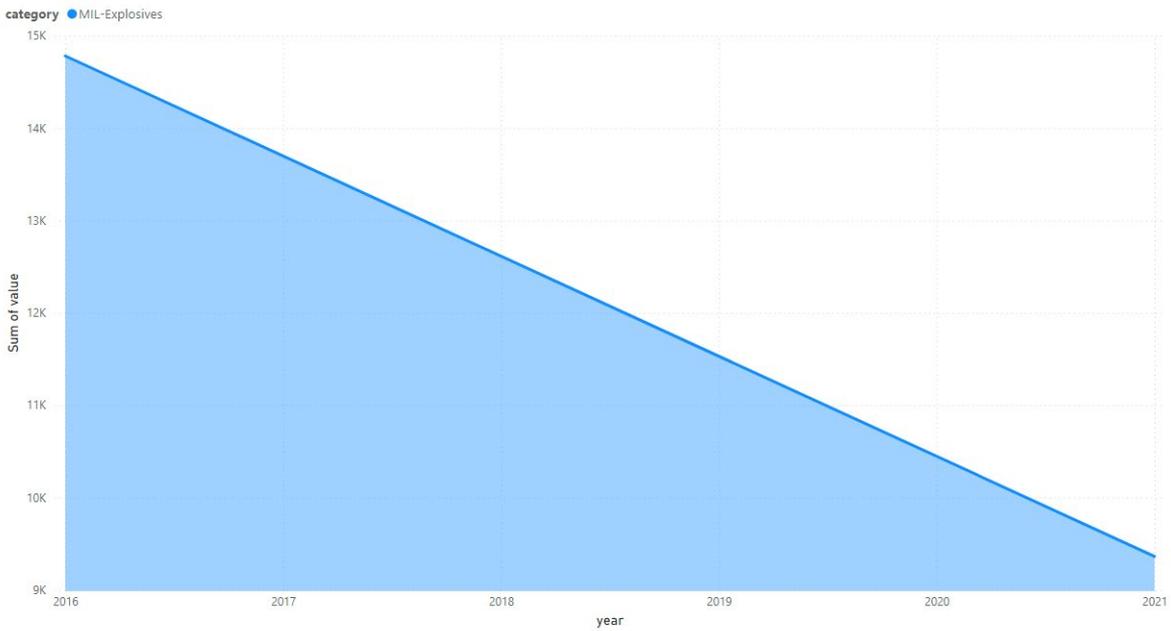
## Syria

EU trade in dual-use goods with Syria remains minimal. Syria has been subject to civil war following decades of authoritarian rule. EU sanctions on Syria remain including an arms embargo.

**Graph 70: Syria**



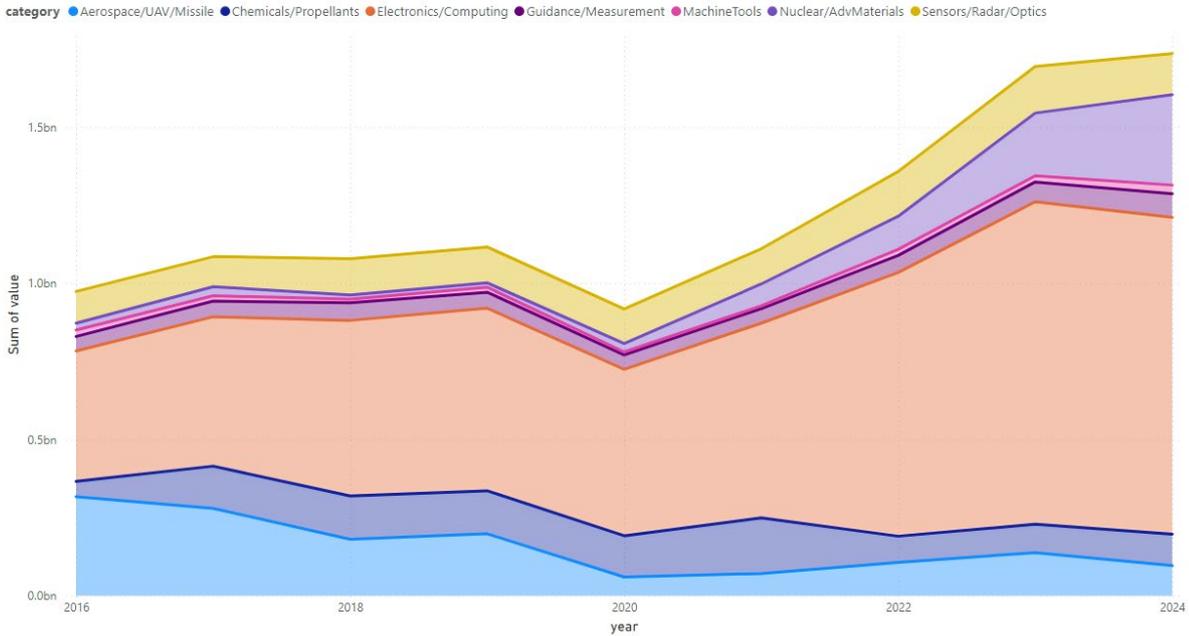
**Graph 71: Syria weapons-related exports**



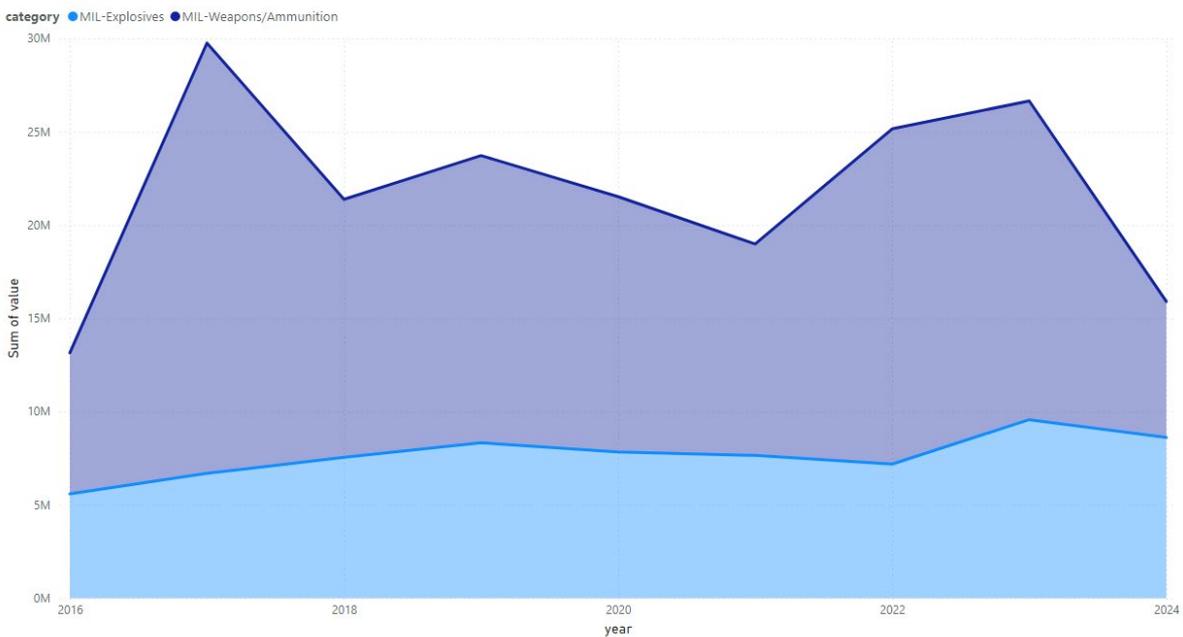
## Thailand

EU trade in dual-use goods with Thailand is significant and has remained relatively constant over much of the last decade, with some increases in recent years. The trade is dominated by exports of computing and electronics. Thailand is listed as in conflict due to domestic security issues. It is not subject to a UN or EU arms embargo, and EU Member States have been steady exporters of arms to the country.

**Graph 72: Thailand**



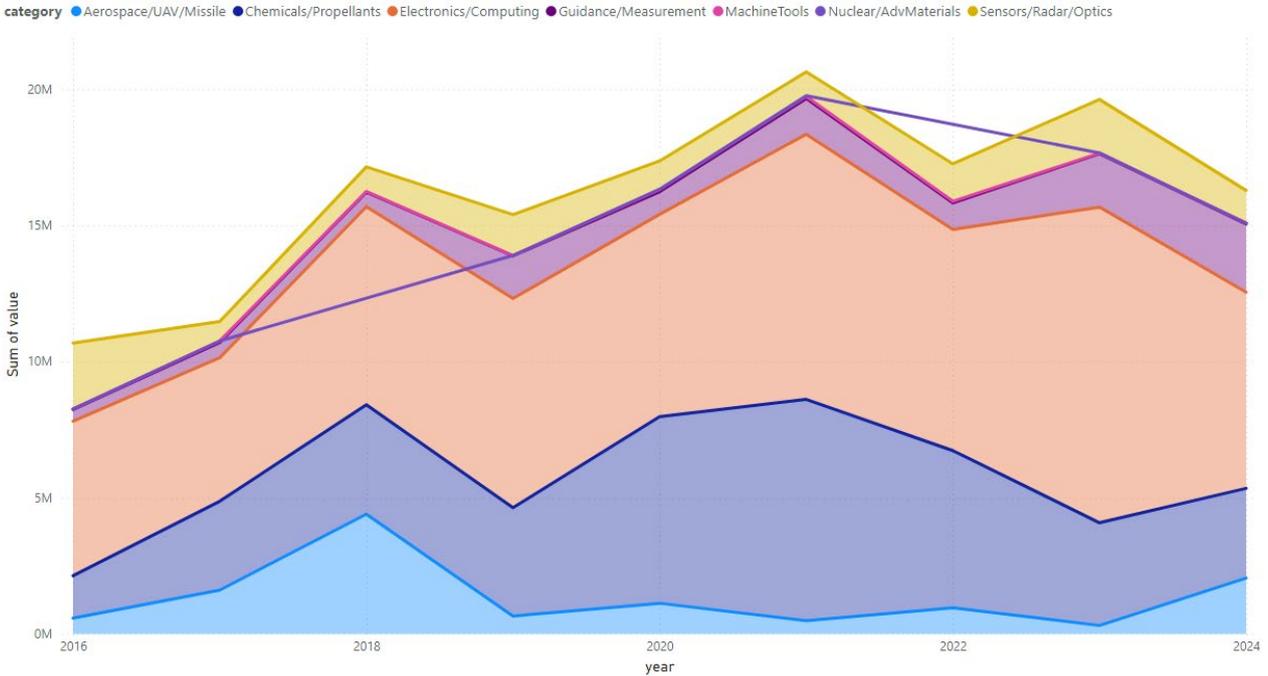
**Graph 73: Thailand weapons-related exports**



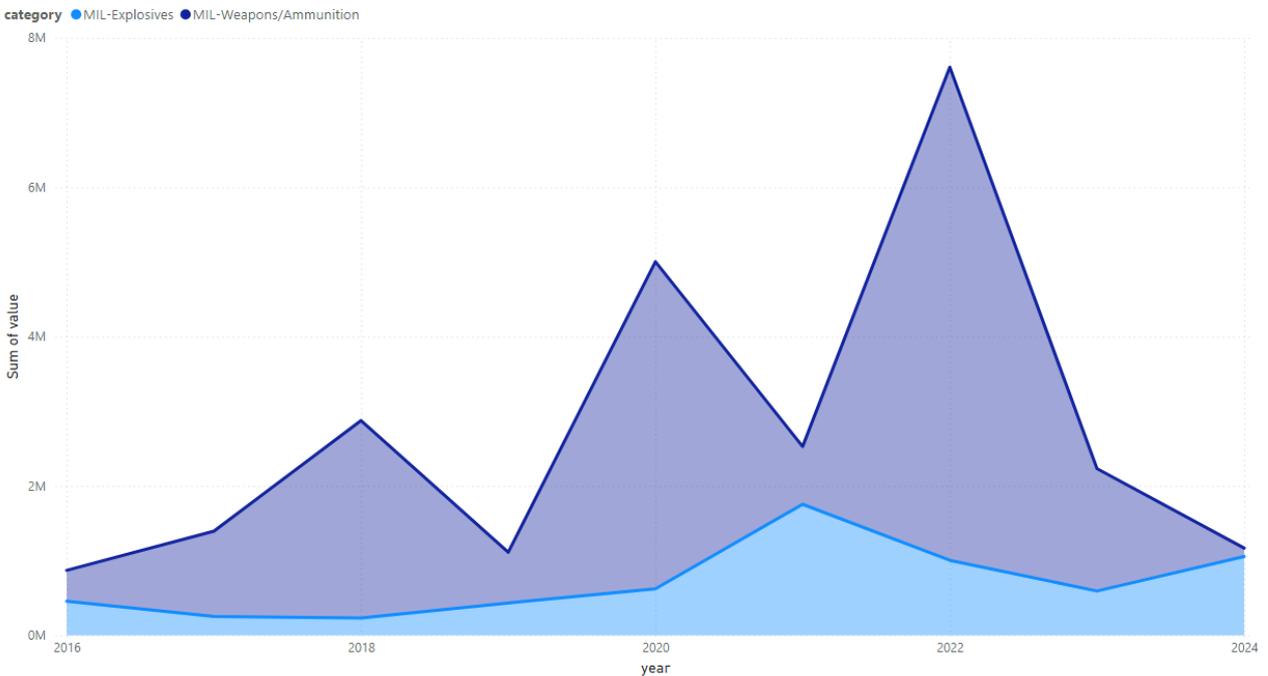
## Togo

EU dual-use trade with Togo has been extremely limited across the last decade, dominated largely by electronics/computing and by chemicals. There have also been occasional spikes in arms exports to the country. Togo is listed as being in conflict principally because of fighting with Islamist groups in the country and Sahel region. Togo is not subject to a UN or EU arms embargo.

**Graph 74: Togo**



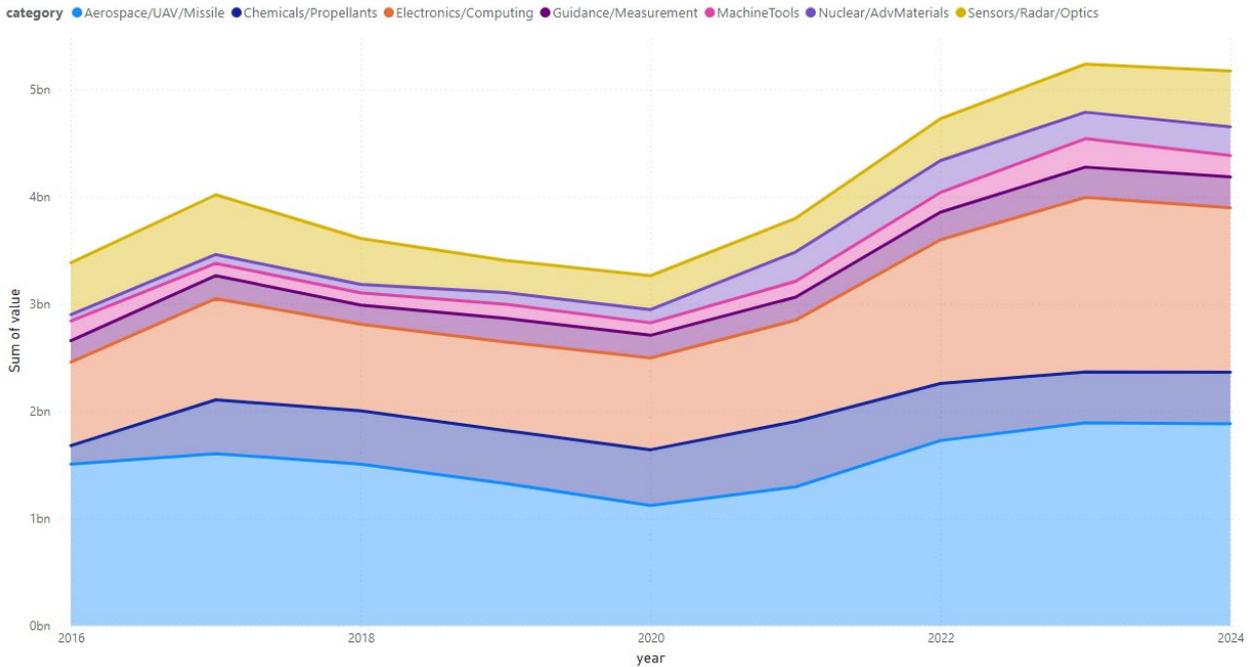
**Graph 75: Togo weapons-related exports**



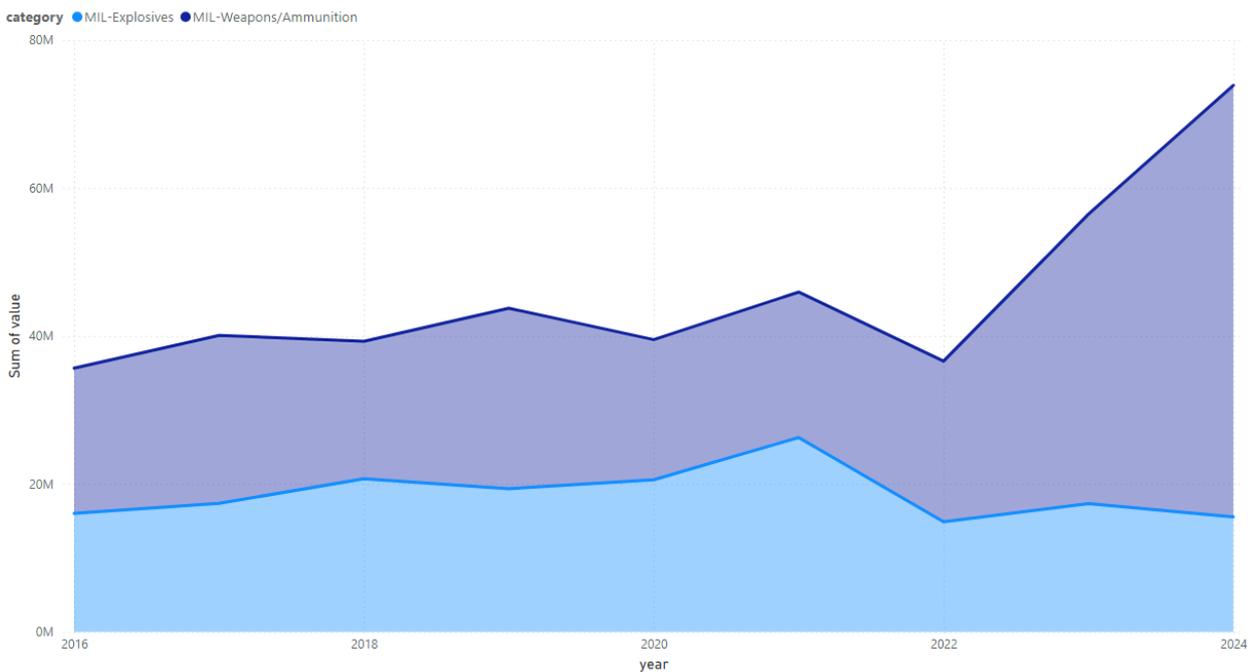
## Türkiye

EU trade in dual-use goods with Türkiye is significant, reflecting its closeness to the EU and economic significance. Trade generally focuses on aerospace technology and electronics/computing, but with other categories also featuring significantly. There are also relatively significant arms exports. Türkiye is listed as being in conflict largely because of its security issues with the Kurdistan Workers' Party (PKK), but also because of its cross-border conflict with Syria and the Islamic State. Türkiye is not subject to a UN or EU arms embargo.

**Graph 76: Türkiye**



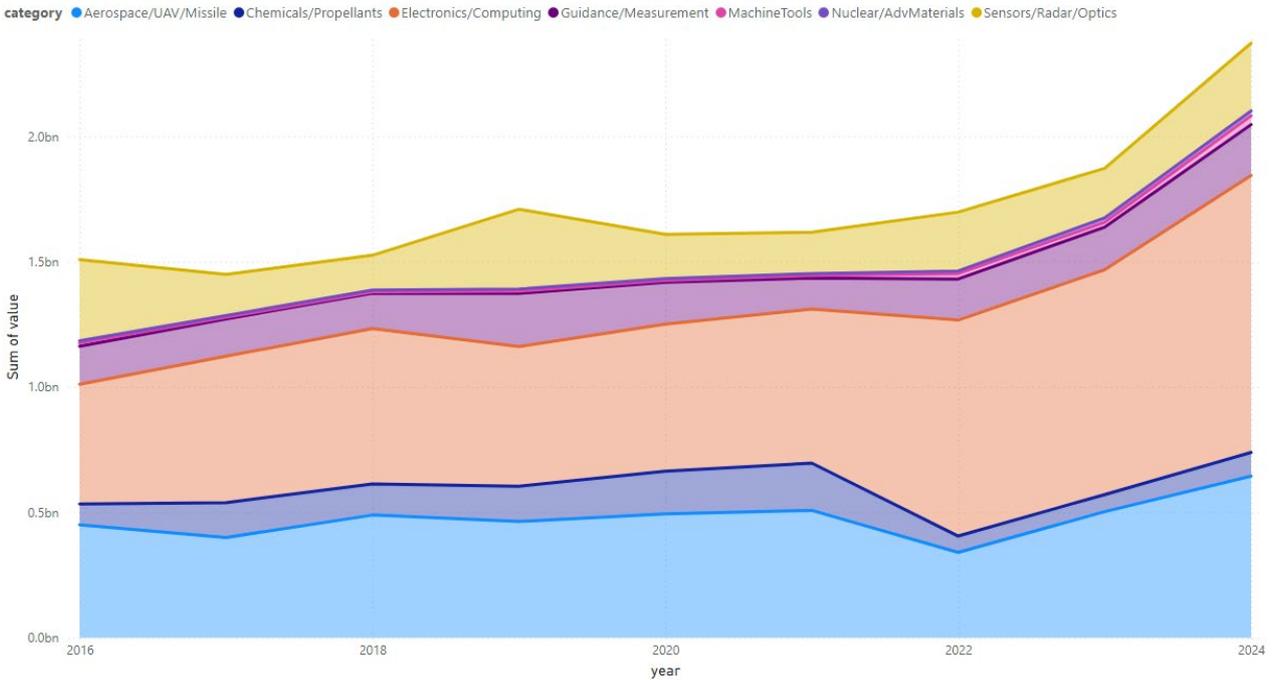
**Graph 77: Türkiye weapons-related exports**



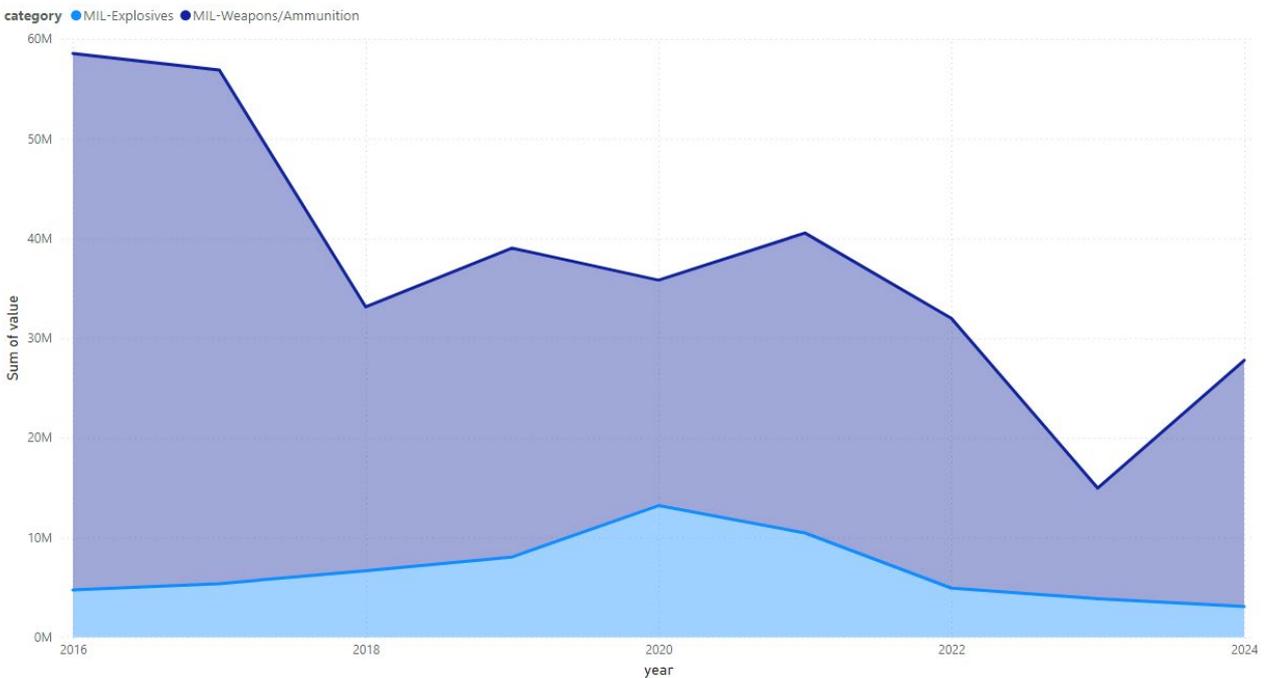
## United Arab Emirates

Like Saudi Arabia, the UAE is a significant trade partner of the EU which is involved in the conflict in Yemen. The UAE is not subject to a UN or EU arms embargo. Still, trade with the UAE should be subject to careful review to ensure international commitments are accounted for.

**Graph 78: UAE**



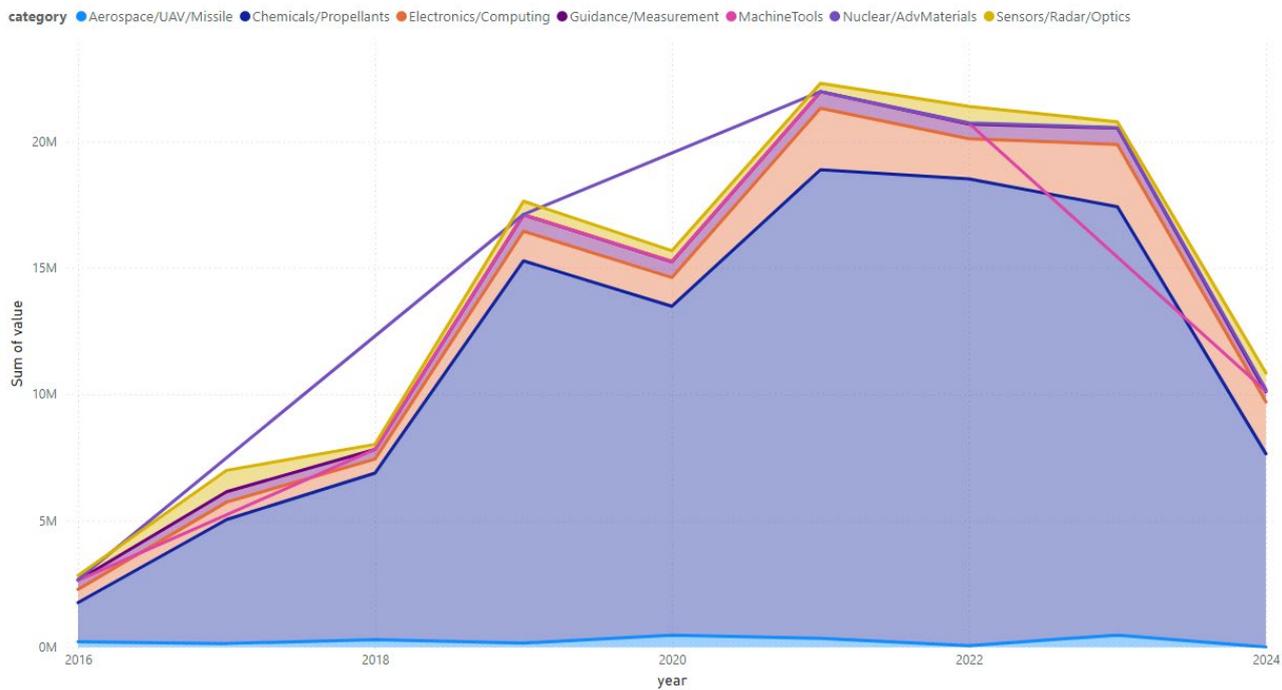
**Graph 79: UAE weapons-related exports**



## Yemen

EU trade in dual-use goods with Yemen has historically been minimal. Yemen is currently in a complex political and security situation because the Houthis exercise control over areas of the country. Yemen is thus subject to a UN and EU arms embargo targeting the Houthis.

**Graph 80: Yemen**



No military data reported.

## Annex 2: Overlap of conflict-affected countries, UN and EU arms embargoes

Note: in some cases the arms embargoes apply only to specific groups within the country. Since arms embargoes are updated frequently, the following list should not be relied upon as an extant listing of arms embargoes.

<b>Country</b>	<b>Conflict-affected?</b>	<b>UN arms embargo</b>	<b>Council of the EU arms embargo</b>
Afghanistan	Y	Y	Y
Angola	Y		
Bahrain	Y		
Belarus			Y
Benin	Y		
Botswana	Y		
Burkina Faso	Y		
Burundi	Y		
Cameroon	Y		
Central African Republic	Y	Y	Y
China			Y
Colombia	Y		
Congo (Democratic Republic of)	Y	Y	Y
Ethiopia	Y		
Haiti	Y	Y	Y
India	Y		
Indonesia	Y		
Iran	Y	Y	Y
Iraq	Y		
Israel	Y		
Kenya	Y		
Korea	Y	Y	Y
Lebanon	Y	Y	Y
Libya	Y	Y	Y
Mali	Y		
Mozambique	Y		
Myanmar	Y		Y
Niger	Y		
Nigeria	Y		
Pakistan	Y		
Philippines	Y		
Russia	Y		Y
Rwanda	Y		
Saudi Arabia	Y		
Somalia	Y	Y	Y

<b>Country</b>	<b>Conflict-affected?</b>	<b>UN arms embargo</b>	<b>Council of the EU arms embargo</b>
Sudan	Y	Y	Y
South Sudan	Y	Y	Y
Syria	Y		Y
Thailand	Y		
Togo	Y		
Türkiye	Y		
United Arab Emirates	Y		
Yemen	Y	Y	Y
Venezuela			Y
Zimbabwe			Y

## Annex 3: Relevant national data

This annex contains tables showing category-based breakdowns of dual-use exports reported by Member State's in their national reports.

The totals in EUR. The data have been reformatted into a consistent format for readability. The categories are as follows:

- Category 0 – Nuclear materials, facilities and equipment
- Category 1 – Materials, chemicals, micro-organisms and toxins
- Category 2 – Materials processing
- Category 3 – Electronics
- Category 4 – Computers
- Category 5 – Telecommunications and "information security"
- Category 6 – Sensors and lasers
- Category 7 – Navigation and avionics
- Category 8 – Marine
- Category 9 – Aerospace and propulsion

France includes an additional category 'C' related to helicopters not in other national reports.

France (values in EUR)

Category	0	1	2	3	4	5	6	7	8	9	C	Total
<b>India</b>	292 396	218 73 977	6 760 857	4 273 757	9 867 936	4 474 027	25 706 356	814 009	3 251 513	90 465 516	66 109 814	233 890 158
<b>Israel</b>	51 049	1 234 039	2 830 498	784 109		10 399 403	60 207 036	950 000	16 575	11 851		76 484 560
<b>Russian Federation</b>	205 532 561			65 700								20 559 8261
<b>Thailand</b>		138 872	293 320	1 608 896	12 000	530 236	6 200	223 000		150 078 000		152 890 524
<b>Türkiye</b>		6 740 737	7 947 140	721 762		5 415 860	9 949 870	1 300 002		42 022 000		74 097 371

## Spain (values in EUR)

Category	0	1	2	3	4	5	6	7	8	9	Total
<b>Saudi Arabia</b>		3 025 583	51 020 431			1 450 991	413 766	1 186 580			57 097 351
<b>Bahrain</b>		54									54
<b>Cameroon</b>		0									0
<b>Colombia</b>		22 294 020				3 004 500	0				25 298 520
<b>UAE</b>		835	410 657	300		6 000 000	0	17			6 411 809
<b>Ethiopia</b>		8 410 000		0							8 410 000
<b>Philippines</b>		3 708 575	2 632 500					65			6 341 140
<b>India</b>		3 072 323	1 490 545	911 971		235	800		0	425 010 130	430 486 004
<b>Indonesia</b>		5 650 000	174 711				460		744		5 825 915
<b>Iran</b>	15 282		26 263								26 263
<b>Iraq</b>						782 898		65			782 963
<b>Kenya</b>		5									5
<b>Mali</b>		180									180
<b>Mexico</b>	2 476 268	30	9 800 350	103 786		1 780 653		12 321			11 697 140
<b>Pakistan</b>		1 513 000									1 513 000
<b>Thailand</b>		2 520 729									2 520 729
<b>Togo</b>		1 920 000									1 920 000
<b>Türkiye</b>	5 100 000	27 058	3 581 560	12 648		114 728	0	22 115		8 535	3 766 644
<b>Yemen</b>						4 265					4 265
<b>Zambia</b>		0									0

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