



Legal insights



EU News

Recommendation 2024/2659 on guidelines on the export of cyber-surveillance items (Dual-use) 11.10.24 - [EN](#)

Aim : supporting exporters in the application of controls on non-listed cyber-surveillance items

💡 Provide explanations on how to interpret the definition of 'cyber-surveillance items': dual-use items specially designed to enable the covert surveillance of natural persons by monitoring, extracting, collecting or analysing data from information and telecommunication systems.

Regulation EU 2024/2865 - CLP 23.10.24 - [EN](#)

Labelled ammunition that is intended for use by national defence forces could constitute an unacceptable security risk if sufficient camouflaging cannot be ensured. For such cases, it is necessary to provide for an exemption from the labelling requirements and allow for alternative ways of communicating the hazard information.

Regulation EU 2024/2847 on horizontal cybersecurity requirements for products with digital elements 23.10.24 - [EN](#)

💡 Products with digital elements that are developed or modified exclusively for national security or defence purposes or products that are specifically designed to process classified information **fall outside the scope of this Regulation**. Member States are encouraged to ensure the same or a higher level of protection for those products as for those falling within the scope of this Regulation.



Judgment of the General Court - Keserű weapon 23.10.24 - [EN](#)

- The Keserű weapon is a portable barrelled weapon which expels 'bullets', in this case rubber ones, by the action of a combustible propellant and therefore, it must be classified as a 'firearm' within the meaning of Article 1(1)(1) of Directive 2021/555.
- The Keserű weapon is not designed for alarm or signalling purposes and therefore does not satisfy the condition that it may be used only for that specific use, as required by point III(a) of Annex I to Directive 2021/555.
- The fact that the Keserű weapon is designed as a non-lethal weapon is not a relevant criterion for determining whether it is a 'firearm' within the meaning of Directive 2021/555.



Information Note - Measures adopted by Member States - EU Regulation on Dual-Use 02.10.24 - [EN](#)

Articles 4, 5, 6, 7, 8, 9, 11, 12, 22 and 23 of Regulation (EU) 2021/821 set out that measures taken by Member States in implementation of the Regulation should be published in the Official Journal of the European Union.



💡 Belgium

- Art 4(3) - Non-listed dual-use items : **Partially yes**
- Art 5(3) - Non-listed cyber-surveillance items : **No**
- Art 6(3) & 6(4) - Extension of brokering controls : **No**
- Art 7(3) - Extension of transit controls : **Partly yes**
- Art 8(4) & 8(5) - Extension of technical assistance : **No**
- Art 9 - Non-listed dual use items - reasons of public security : **No**
- Art 11(5) & 11(8) - Intra-Communauté transfers : **No**
- Art 12(6)(b) - National General Export Authorisations : **No**
- Art 22 - Specially empowered customs offices : **No**
- Art 23(1)(a) - National authorities empowered to grant authorisations and prohibit transit regarding dual-use:
 - **For Brussels-Capital** : Service Public Régional de Bruxelles - Cellule Licences ;
 - **For the Walloon Region** : Service public de Wallonie - Direction des Licences d'armes ; and
 - **for Flanders** : Flemish Department of Foreign Affairs, Strategic Goods Control Unit.



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Guidance - How to apply for a trade sanctions licence 10.10.24 - [EN](#)

- Office of Trade Sanctions Implementation (OTSI): responsible for licensing relating to the provision of standalone services
- Export Control Joint Unit (ECJU): responsible for licensing the export of goods, software and technology from the UK
- Import Controls and Sanctions team: responsible for licensing the import of goods and associated activities

Open General Export Licence - Joint Strike Fighter 24.10.24 - [EN](#)

- The current OGL has been revoked and a new one updated to remove Turkey from the list of partner nations and adds **Belgium**, Czech Republic, Finland, Germany, Singapore, and Switzerland as export customers.
- Adds Luxembourg, New Zealand, Spain, and Sweden as countries which may develop, produce, trial, or test or use items.
- Provides revised contact details.

Open General Export Licence - Export or transfers in support of UK Gov. Defence Contracts 24.10.24 - [EN](#)

- The current OGL is revoked and an updated one uploaded to provide amended wording on the interpretation of "eligible" in section 5(7) of the OGEL.
- Provides revised contact details.

China issues new export control regulations

23.10.24 - [EN](#)

China will implement new regulations on the export control of dual-use items starting 01.12.2024, aiming to enhance national security and align with international standards.

> Dual-items subject to export control will mainly include two categories—those being listed on the "List of Dual-Use Items Subject to Export Control" and those being subject to "temporary export control".

> Comprehensive Control and Watch List System aimed at enhancing the oversight of entities and transactions that could pose risks to national security.

DGA/DGDDI - Note to operationals

02.10.24 - [FR](#)

Waivers of authorisations within the framework of specific regimes and for repair, maintenance and retrofit operations

DGA - New transformation roadmap 25.10.24 - [FR](#)

Simplification of the acceptance processes - from systematic checks to sampling verification ; Reducing the documentation requirements expected from technically mature manufacturers etc.

USA



EAR - Expansion of VEU Authorization (final rule)

Effective on 02.10.24 - [EN](#)

- Expand the Valid End User (VEU) Authorization program to include data centers located in specific destinations
- Aim : facilitate quick and reliable (re)export of items on the CCL necessary for a data center
- Why : to recognize the advancement and benefits of AI

EAR - Updated Licence Exception IEC (final rule)

Effective on 16.10.24 - [EN](#)

- Update of the eligible countries for License Exception Implemented Export Controls (IEC) to include Denmark, Finland and Japan

EAR - Revisions to space-related export controls (proposed rule ; interim final rule)

23.10.24 - [EN](#) + Effective on 23.10.24 - [EN](#)

- Changes to conform to proposed changes to ITAR - Categories IV and XV of USML
- Addition of a new license exception for certain Commercial Space Activities
- Why : to better enable a globally competitive U.S space industrial base

EAR - Removal of licence requirements for certain items for Australia, Canada and the UK (final rule)

Effective on 23.10.24 - [EN](#)

- Regarding spacecraft and related items
- Why : in view of the close relations with these 3 allied countries and their inclusion in the National Technology and Industrial Base

ITAR - Revision of Categories IV and XV of the USML (proposed rule) 23.10.24 - [EN](#)

- To add 3 new license exemptions to ITAR
- To bring various clarifications

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2024

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Sanctions

📍 Renewal / Extension of sanctions

30.10.24: **US** - Update of the Sectoral sanctions identifications List

31.10.24: **US** - Latest Update of the SDN List

16.10.24: **US** - Update of the Unverified List

23.10.24: **US** - Update of the Entity List + 30.10.24

24.10.24: EU - update of the list - **Haiti**

18.10.24: UN - renewal of the sanctions regime on **Haiti** for 12 months

08.10.24: EU - update of the list - **Nicaragua**

08.10.24: EU - **Nicaragua** - measures extended until 15.10.2025

08.10.24: **BE** - update of the National list of individuals and entities whose assets or economic resources are frozen as part of the fight against terrorism financing

08.10.24: EU - update of the list - **Tunisia**

14.10.24: EU - **Guinea** - measures extended until 27.10.2025

14.10.24: EU - **Niger** : measures extended until 24.10.2025

29.10.24: EU - **Transnistrian region of the Republic of Moldova** : measures extended until 31.10.2025

14.10.24: EU - update of the list - **Moldova**

01.10.24: U.S. ITAR - **Republic of Cyprus** - continues restrictions until 30.09.2025

14.10.24: EU - update of the list - **Iran**

29.10.24: EU - update of the list - **Myanmar/Burma**

08.10.24: EU - **Sudan** : measures extended until 10.10.2025

21.10.24: EU - **Burundi** : measures extended until 31.10.2025

08.10.24: EU - update of the list - **Democratic Republic of the Congo**

📍 Update of lists

08.10.24: EU - **Russia** : further measures

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08.10.24: EU Council Decision 2024/2654 concerning restrictive measures against **ISIL (Da'esh) and Al-Qaeda** : measures extended until 31.10.2025

14.10.24: EU Council Decision 2024/2695 concerning restrictive measures against **the proliferation and use of chemical weapons** : measures extended until 16.10.2025

OFAC - U.S.

31.10.24: OFAC compliance guidance for the maritime shipping industry

30.10.24: Issuance of Russia-related General Licenses and FAQs

11.10.24: Determination - Petroleum & Petrochemical Sectors of the Iranian Economy

07.10.24: Issuance of Counter Terrorism general licenses ; amendment of the Reporting, Procedures and Penalties Regulations

UK

Update of the Guidance on the Sanctions regarding :


- [Russia](#)
- [Counter-Terrorism](#)
- [Mali](#)
- [Venezuela](#)
- [Iran](#)
- [Republic of Belarus](#)
- [Myanmar](#)
- [Syria](#)

15.10.24: **G7 Guidance** for industry on preventing Russian evasion of export controls and sanctions










Market insights

Expansion

-  • 09.10.24 - SIG SAUER - New Ammunition Center in the USA - [EN](#)
-  • 11.10.24 - Israel Aerospace Industries - New innovation centre in the USA - [EN](#)
-  • 17.10.24 - Turkey Nurol Holding - Acquisition of Turkey FNSS Savunma Sistemleri - [EN](#)
-  • 29.10.24 - UK BAE Systems - Upgrade of its facilities in the UK - [EN](#)
-  • 29.10.24 - France' Delair - Acquisition of Squadrone System in France - [EN](#)
-  • 30.10.24 - Brazil' Embraer - Preliminary deal - Maintenance and repair plant in Morocco - [EN](#)

Cooperation

-  • 29.10.24 - Germany's Rheinmetall and Croatia's DOK-ING are partnering to jointly develop unmanned ground vehicles (**joint-venture**) - [EN](#)
-  • 15.10.24 - Germany's Rheinmetall and Italy's Leonardo established a **joint venture** aiming at forming a new European nucleus for the development and production of military combat vehicles in Europe - they will be equal shareholders (50% each) in the new company Leonardo Rheinmetall Military Vehicles - [EN](#)
-  • 18.10.24 - U.S Skunk Works and the Royal NLR - Netherlands Aerospace Centre signed a **MoU** to strengthen the defence priorities of the Netherlands and its allies - [EN](#)
-  • 23.10.24 - The Netherlands' Damen Shipyards Group and IdD Portugal Defence signed a **LoI** to boost collaboration in shipbuilding - [EN](#)
-  • 01.10.24 - U.S Northrop Grumman Corporation and Denmark's Terma signed a **MoU** to cooperate on key capabilities such as the F-35 Lightning II - [EN](#)
-  • 23.10.24 - U.S L3Harris Technologies and U.S Palantir Technologies Inc announced a **strategic partnership** to enhance resilient connectivity across the joint-all-domain network - [EN](#)
-  • 22.10.24 - Italy's Fincantieri Group signed a **MoU** with Qatar's Barzan Holdings to develop the Omega360 radar program (anti-drone system) - [EN](#)