

Background Information – The Wassenaar Arrangement

A multilateral approach to export controls is creating a level playing-field for international trade in conventional arms and dual-use goods and technologies. The norms of the Wassenaar Arrangement, established in 1996, must however be inserted in national regulations by the participating countries in order to become legally binding in the respective countries. For the European Union countries, this happens through the adoption of a EU regulation (currently, EU Regulation 428/2009).



Why Wassenaar? At Wittenburg Castle, in Wassenaar, near The Hague (Netherlands), the representatives of the States reached an agreement in December 1995 to establish the Wassenaar Arrangement. The Secretariat is however located in Vienna (Austria).

Participating countries in the Arrangement: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, India, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, The Netherlands, New Zealand, Norway,

Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States of America.

Controlled dual-use goods: Over 1.000 items, ranged in 9 categories. Among them, more than 170 items are classified as "sensitive" and 80 as "very sensitive". Dual-use items include nuclear materials, electronics, computer, measuring systems, medical supplies, biological agents, and many more.

Criteria for selection of controlled goods: Dual-use goods and technologies to be controlled are those which are major or key elements for the indigenous development, production, use or enhancement of military capabilities. For selection purposes, the items should also be evaluated against the following criteria: 1) foreign availability outside the Participating States; 2) ability to control effectively the export of the goods; 3) ability to make a clear and objective specification of the item; 4) controlled by another regime.

Goods are considered as sensitive, or very sensitive, if the proliferation of advanced conventional military capabilities would significantly undermine the objectives of the Wassenaar Arrangement.

Identification of dual-use goods: To know if a particular product is included in a control list, requires technical and legal specialised knowledge. In some instances, an item or technology must meet precise performance specifications to be regarded as being dual-use. Other items can be described in a general way, which requires training and experience of being able to look behind the innocuous appearance of such items.