

**COUNCIL REGULATION (EC) No 458/2001**  
**of 6 March 2001**  
**amending Regulation (EC) No 1334/2000 with regard to the list of controlled dual-use items and technology when exported**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Under Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology <sup>(1)</sup>, dual-use items (including software and technology) should be subject to effective control when they are exported from the Community.
- (2) In order to enable the Member States and the Community to comply with their international commitments, Annex I of Regulation (EC) No 1334/2000 establishes the common list of dual-use items and technology referred to in Article 3 of that Regulation, that implements internationally agreed dual-use controls, including the Wassenaar Arrangement, the Missile Technology Control Regime (MTCR), the Nuclear Suppliers Group (NSG), the Australia Group and the Chemical Weapons Convention (CWC).
- (3) Article 11 of Regulation (EC) No 1334/2000 establishes that Annex I is to be updated in conformity with the relevant obligations and commitments, and any modification thereof, that each Member State has accepted as a member of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.
- (4) The Participating States in the Wassenaar Arrangement decided on 1 December 2000 to modify control parameters in Categories 3, 4 and 5-Part 2, which are included in Annex I of Regulation (EC) No 1334/2000. These amendments represent significant liberalisation of control parameters, that should be implemented at

Community level within a reasonable time scale in order to facilitate exports for which export controls are no longer considered necessary at multilateral level.

- (5) Regulation (EC) No 1334/2000 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I of Regulation (EC) No 1334/2000 is hereby amended as follows:

1. Category 3 — Electronics, entry 3A001.a.3.a., '3 500' shall be replaced by '6 500'.
2. Category 4 — Computers, entry 4A003.b., '6 500' shall be replaced by '28 000'.
3. Category 4 — Computers, entry 4A003.d., '3 000 000' shall be replaced by '200 000 000'.
4. Category 4 — Computers, entry 4A003.g., '80 Mbyte/s' shall be replaced by '1.25 Gbyte/s'.
5. Category 5-Part 2 — Information Security, Note 3: Cryptography Note shall be amended as follows:
  - (a) paragraph d. shall be deleted.
  - (b) — paragraph e. shall be renumbered as paragraph d., — the terms 'described in paragraphs a. to d. above' shall be replaced by 'described in paragraphs a. to c. above'.

*Article 2*

This Regulation shall enter into force on the fifth day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 March 2001.

*For the Council*

*The President*

I. THALÉN

<sup>(1)</sup> OJ L 159, 30.6.2000, p. 1. Regulation as amended by Regulation (EC) No 2889/2000 (OJ L 336, 30.12.2000, p. 14).