

I

(Resolutions, recommendations and opinions)

RECOMMENDATIONS

COUNCIL

Recommendations for elements of a Community End-Use Certificate — Agreed by the Council Working Party on Dual Use Goods on 31 October 2008 and noted by the Permanent Representatives' Committee on 23 December 2008 to be provided, when appropriate, duly signed and stamped, by exporters applying to their national authorities for authorisations to export dual use items (cf. Article 6(2) of Council Regulation (EC) No 1334/2000)

(2009/C 11/01)

*(Letterhead of the end-user/consignee in the country of final destination)***END-USE CERTIFICATE FOR DUAL-USE ITEMS***(if issued by the government authority, a unique identifying Certificate number No ...)*

| | |
|--|---------------------------------|
| A. Parties | |
| 1. Exporter (Name, Address and Contact Details) | 4. Country of Final Destination |
| 2. Consignee (Name, Address and Contact Details) | |
| 3. End-User (if different from consignee) | |
| B. Items | |
| 1. Items (detailed description of items) | 2. Quantity (Units)/Weight |
| 3. End-Use (Specific purpose for which the items will be used) | |
| 4. Specification of the end-use location of the items | |

C. Certification of foreign consignee

C.1. *Consignee acts as end-user*
(for traders, whole- or re-sellers see Section C.2. below)

Art. 6.2. of the Regulation (EC) No 1334/2000 states that the granting of an export licence may be subject to an obligation to provide an end-use statement.

We (I) certify that the items described in Section B supplied by the exporter named in Section A 1:

1. will only be used for the purposes described in Section B 3 and that the items or any replica thereof are intended for final use in the country named in Section A 4;
2. that the items or any replica thereof will not be used in any nuclear explosive activity or unsafeguarded nuclear fuel-cycle activity;
3. that the items will not be used for any purpose connected with chemical or biological or nuclear weapons, or missiles capable of delivering such weapons;
4. that the items will only be used for civil end-uses (delete if not applicable);
5. as far as technology is concerned, we (I) certify that we (I) treat the technology strictly confidential and neither pass the technology on to other companies nor shall we (I) make knowledge available to third parties. In case of goods produced by the help of transferred technology, these goods will only be delivered to a third person/company on condition that this third person/company accepts the commitments of the above declaration as binding for itself and on condition that this third person/company is known to be trustworthy and reliable in the observance of such commitments.
6. If required: We (I) further certify that we (I) will not re-export the items to third countries without the consent of the Re-exportations to EU countries or Countries listed in Annex II of EC dual-use Regulation (EC) No 1334/2000 do not require any consent of

C.2. *Consignee acts as trader, whole- or re-seller*
(only to be completed if Section C.1. is not applicable/end-user cannot be determined yet)

Art. 6.2. of the Regulation (EC) No 1334/2000 states that the granting of an export licence may be subject to an obligation to provide an end-use statement.

We (I) certify that the items supplied by the exporter named in Section A 1, will only be delivered to customers considered absolutely reliable by this company.

1. The customers shall declare unequivocally that the items described in Section B or any replica thereof will not be used in any nuclear explosive activity or unsafeguarded nuclear fuel-cycle activity; that the items will not be used for any purpose connected with chemical or biological or nuclear weapons, or missiles capable of delivering such weapons.
2. The goods will only be delivered to a third person/company on condition that this third person/company accepts the commitments of the above declaration as binding for itself and on condition that this third person/company is known to be trustworthy and reliable in the observance of such commitments.
3. If required: The customer shall not re-export the goods to third countries without the consent of the Re-exportations to EU-countries or countries listed in Annex II of EC Dual Use Regulation (EC) No 1334/2000 do not require any consent of

Signature:

.....
Place, Date

.....
Original signature of consignee

.....
Company Stamp/Official Seal

.....
Name and title of signer in block letters

D. Additional requirements by national legislation

Signature:

.....
Place, Date.....
Original signature of consignee.....
Company Stamp/Official Seal.....
Name and title of signer in block letters

If applicable:

Chamber of Commerce Stamp
(or other legalising authority)
