

SUHF

Sveriges universitets- och
högskoleförbund
The Association of
Swedish Higher Education Institutions

Compliance with export control regulations

Legal framework

The export of dual-use items is regulated by [Regulation \(EU\) 2021/821](#) setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items. The regulation is legally binding in all member states. In Sweden, the regulation is supplemented with the [Dual-Use Items and Technical Assistance Control Act \(SFS 2000:1064\)](#).

[Sweden's Military Equipment Act \(1992:1300\)](#) and [regulation \(1992:1303\)](#) specify permit requirements and other obligations for activities related to military equipment.

Noncompliance with export control regulations is a violation of Swedish law with civil and criminal penalties .

Why is export control important?

Export control regulations aim to prevent the uncontrolled accumulation of conventional weapons, the proliferation of weapons of mass destruction and the violation of human rights.

Both military and civil products can contribute to the development and use of atomic, biological or chemical weapons and missiles.

Regulations to consider

Sanctions/ embargos

From the UN,
EU, OSCE, or
national level

Could affect
research areas,
specific companies,
individuals or
countries

Dual-use items

Items able to use
for both civil and
military purposes

Regulation (EU)
2021/821

Dual-Use Items and
Technical Assistance
Control Act (SFS
2000:1064)

Military equipment

Military technology,
products,
technical assistance,
according to military
list

Sweden's Military
Equipment Act
(1992:1300)

Other nations individual regulations

Especially US-rules
regarding export of
American products.

Sanctions and embargoes

International sanctions and embargoes are separate from the EU dual-use regulation (2021/821) and the Military Equipment Act (SFS 1992:1300).

However, they often affect the same products and types of activities. For example, there may be more stringent export controls in place for certain destinations and, in addition, the export of certain items may be completely prohibited. Therefore, it is important to check whether there are relevant sanctions or embargoes before co-operating on controlled items or before exporting such items.

What are Dual-Use Items?

‘Dual-use items’ are items, including software and technology, which can be used for both civil and military purposes and includes items which can be used for the design, development, production or use of nuclear, chemical or biological weapons or their means of delivery, including all items which can be used for both non-explosive uses and assisting in any way in the manufacture of nuclear weapons or other nuclear explosive devices.

[Regulation \(EU\) 2021/821](#)

Research areas of concern

Activities in the following areas may involve dual-use items and thus be subject to export controls:

- Biology incl. biotechnology and medicine
- Chemistry and biochemistry
- Physics
- Nuclear engineering
- Energy and environmental technology
- Information and communications technology
- Aviation and aerospace
- Mechanical engineering
- Materials technology
- Process engineering
- Electrical engineering

Categories of dual-use items ([Annex I](#))

- Category 0 Nuclear materials, facilities and equipment
- Category 1 Special materials and related equipment
- 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

Export authorisation

Export of regulated items requires an export authorization. There are different types of authorization. You may be able to use a Union General Export Authorization (EUGEA) for your item and destination, but in some cases you need to apply for an individual export authorization from the Swedish authorities (ISP or SSM).

If you export technology defined as **basic scientific research** (TRL 1-2), no authorization is required. **Note** that this exception does not apply to physical items.

No authorization is required to apply for a patent.

Transfer between EU member states

Sending dual-use items to other EU member states is considered "transfer" not "export". Transferring dual-use items generally does not require authorization unless they are listed in [Annex IV](#) of the dual-use regulation (2021/821).

When transferring a dual-use item to another EU member state, you must document the transfer and inform the recipient that the item is under export control. This information should be included in any contract, invoice, e-mail or delivery receipt linked to the transfer of the item.

The Inspectorate for Strategic Products [recommends the text](#):

"This product is subject to export control according to the EU Dual-use regulation if exported from the European Union".

Military equipment

Will you provide technical assistance, develop products or research, which is intended for military use? Or do any of the partners in your research project have a military connection?

The handling and export of military equipment is more strictly controlled than dual-use items. Permission is required **before starting** any research collaboration regarding military equipment.

Export controls applies to "... items designed for military use (or equipment consisting of such) and which according to the government's regulations constitutes military equipment*", and to technical support regarding military equipment which, according to the government's regulations, constitutes technical assistance."

[Sweden's Military Equipment Act \(1992:1300\)](#)

*[Military equipment list](#) – Swedish from 2022 (EU's list is advisory)

Examples of military equipment

All items on the [military list](#) are considered military equipment.

Some items (e.g. specific chemicals) are controlled under this legislation due to their properties, although not used for military purposes.

Other countries' export control regulations

Some countries have export control regulations that apply beyond their national borders. If you import or use dual-use items or military equipment from other countries, be aware that you may be expected to handle the products in accordance with the laws of the country of origin. Failure to do so may be a criminal offence in the country of origin and likely also a breach of contract.

Useful links

First, check for guidance and procedures at your university/department.

Other sources of information are:

[ISP - Inspectorate of Strategic Products](#)