

Science Europe Response to the European Commission Consultation on the Evaluation of the Dual-Use Regulation

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Context

The Dual-Use Regulation set rules for the export, transit, and brokering of dual-use items - goods, software, and technology – that can be used for both civilian and military purposes. The European Commission's consultation on this Regulation takes place against the backdrop of current geopolitical developments, that necessitate the reinforcement of safe frameworks in which international collaboration can be maintained. Science Europe intends to contribute to the dialogue from the perspective of the R&I sector – for whom, responsible international co-operation is essential.

The Commission aims to evaluate the how the Regulation has “contributed to maintaining international and regional peace and security,” while “reducing administrative burden” and “enhanc(ing) transparency” in reporting. The questions therefore address priority actions concerning dual-use and the perceived and desired impacts of this Regulation, as well as its strengths and disadvantages. Furthermore, the consultation seeks input on any additional guidelines that stakeholders deem necessary.

Science Europe's response covers a broader scope and addresses the interconnectedness of dual use, research security and responsible international R&I collaboration.

Priority actions to address Dual Use from an R&I Perspective

From the perspective of national research funding and performing organisations, the incentivisation of due diligence (proportional risk appraisals and information sharing) amongst all stakeholders – on national, institutional, and researcher levels – is key. Science Europe welcomes the references to ‘due diligence’ within the Dual-Use Regulation, as an instance of ‘Inter-Compliance Programmes’ (ICPs). EU-level guidelines should be laid down on how to implement ICPs, tailored to R&I stakeholders, as a first, indispensable step when engaging in collaborative R&I that may possess dual-use potential.

The implementation of the Regulation should go hand-in-hand with support for awareness-raising, expertise, capacity-building, and for the development of risk appraisals at different stages of a research project. Training, guidance and constructive dialogue among stakeholders are fundamental elements to this end, allowing institutions to develop positive research cultures, sensitised towards research security/dual-use R&I collaborations – rather than being compliance-driven, purely via administrative processes.

As indicated in the 2025 [Science Europe Report on Research Security](#), it is important to acknowledge that full risk prevention is not always feasible, or that it could result in disproportionate trade-offs and burdensome procedures. Therefore, the overall objective of the

Regulation should be to enable appropriate mitigation measures by identifying potential risks at an early stage, rather than solely restricting research collaboration.

This is closely tied to improving transparency in due diligence-related actions. As the R&I ecosystem covers a wide range of stakeholders (i.e. funding and performing organisations, researchers, companies and other research institutions), all involved actors should have a clear understanding of their own responsibilities, as well as those of other sectoral stakeholders. Such transparency should also encourage co-ordination and the exchange of best practices between them.

Impacts of the Dual-Use Regulation

The main impact of the Regulation should be to enable a safe framework and clearly identify actions where R&I collaborations with dual-use potential are concerned, to foster the maintenance of responsible international connections, against a volatile geo-political backdrop. Appropriate regulation should support such collaboration with strategic partners, and provide clear guidelines on what sort of co-operation and technology transfer is appropriate, between which partners.

Meanwhile, trade-offs - beyond the scope of export controls- should be considered. Legislation should acknowledge and address the potential negative impacts, notably the risk of disincentivising international collaboration. This should be minimised, especially in cases of longstanding R&I co-operation with trusted third countries.

Overall, when considering positive impacts, as well as potential trade-offs, balance is essential. Legislation that impacts collaborations on R&I with dual-use capabilities should allow for flexibility to include the perspectives of research funding and performing institutions, as well as researchers, in its development and implementation.

Call for additional information/guidance

Clearer guidance is needed on the respective roles and responsibilities of research funding and performing organisations and competent national authorities. Research organisations can integrate research security considerations into funding procedures and encourage proportionate risk assessments. However, they should not be expected to assume the legal responsibilities of exporters or competent export control authorities. Existing EU guidance on ICPs, in particular Commission Recommendation (EU) 2021/1700, should be further developed to address the specific role of research funding and performing organisations and to clarify how existing guidance can be implemented proportionately by different actors within the R&I sector. Attention should be given to intangible technology transfers in research settings - including remote access, shared data and code repositories, virtual and in-person conferences, and visiting researchers – as well as to the relationship between export control obligations and broader research security assessments.

EU-level guidance should clarify the practical implications of dual-use export controls for research funding and performing organisations, including the distinction between funding decisions and the legal responsibilities of exporters. Furthermore, clarity should also be provided on when do research organisations act as exporters. This should prevent funders being assigned the legal responsibilities of exporters or competent authorities, and consider the distinction between funding decisions and the legal responsibilities of exporters.

In recital 7, the Regulation states that “the size and organisational structure of exporters have to be taken into account when developing and implementing ICPs.” In this case, research institutions

fall under the category of “exporters.” Elaboration on how the size and structure of institutions should be considered, and what effects they should have on the development of ICPs would be welcome.

EU-level guidance should clarify the definition of ‘basic scientific research’ (which is referred to in the Regulation in recital 13, art 8, and notes to Annex 1) without extending the scope of the existing exemption. This could take the shape of an operational definition, applicable in the context of collaborative and interdisciplinary research. Such a definition would contribute to a better understanding of dual-use rules in an R&I context.

Coherence with broader frameworks, and extending the scope

The responses provided in this consultation, while refer to the specific Regulation, also address broader challenges related to dual-use R&I. Due to the ubiquitous nature of research, it may be increasingly difficult to differentiate dual-use and civilian R&I – especially concerning “basic scientific research” as identified in the Regulation. This is pointed out in the [‘Align, Act, Accelerate Report’](#). Therefore, addressing dual-use R&I calls for a coherent, broad approach.

Such a broader scope should transcend geopolitical barriers, and avoid protectionism and political instrumentalisation of R&I, as outlined in the 2025 Science Europe [Report on Research Security](#), which notes that a thoughtful, proportionate, and dialogue-driven approach to risks and responsibilities should be taken. Some existing good practices include guiding research funding and performing organisations through targeted questions to identify and manage risks appropriately, such as following a country-aware approach; focusing on building good security practices and behaviours; and raising self-awareness of potential risks.

From an R&I perspective, the Regulation should contribute to systemic support, and incentivise other bottom-up institutional measures – i.e., engaging researchers, supporting the development of internal procedures - that can lead to necessary changes. While recital 13 of the Regulation takes note of this aspect, further elaboration, as well as references to additional guidance or legislative frameworks could reinforce this aim.

A key challenge is ensuring coherence between export control legislation and the broader European research security framework. Clear co-ordination between the relevant legal and policy instruments would be beneficial. Coherence with existing guidance, such as the Council Recommendation on Research Security, and other legal frameworks, such as the EU R&I Framework Programmes should be sought. By considering the wide range of aspects within this landscape, the Dual-Use Regulation can maintain responsible open R&I collaboration against the backdrop of increasingly volatile geopolitical developments.

Final remarks

Overall, research security requires systemic support and a collaborative approach between research funding and performing organisations and national governments. Facilitating dialogue for stakeholders, such as intergovernmental partners and the wider R&I sector, is crucial to build trust, as well as to share information and increase awareness and capability.

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