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ALERTA INFORMATIVA

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NEW UPDATE OF THE LIST OF DUAL-USE GOODS IN THE EUROPEAN UNION (REGULATION (EU) 2021/821 AND DELEGATED REGULATION OF 8 SEPTEMBER 2025)

On 8 September 2025, the European Commission adopted a new Delegated Regulation replacing Annex I to Regulation (EU) 2021/821 of the European Parliament and of the Council on the regime for the control of dual-use items, brokerage, technical assistance, transit and transfers of dual-use items (the common list of dual-use items in the EU).

This update is one of the most ambitious revisions of the dual-use list in recent years, and reflects the dual logic that guides this area: on the one hand, the need to maintain alignment with international commitments under the Wassenaar Arrangement and with other non-proliferation regimes; and on the other, the need to respond to the accelerated development of increasingly sophisticated emerging technologies in a geopolitical context marked by the war in Ukraine and the pressure on critical supply chains.

The last of these updates took place in September 2024 by Delegated Regulation (EU) 2024/2547. Now, a year later, a new qualitative leap is being made with the incorporation of controls on quantum technologies, state-of-the-art semiconductors, high-performance computing equipment, additive manufacturing and new advanced materials, as well as sensitive biotechnological equipment.

The new text of Annex I will be applicable from the day following its publication in the OJEU, provided that neither the European Parliament nor the Council object during

Barcelona
Vía Augusta, 252, 4.ª
08017 Barcelona
T +34 933 621 620 ▫ F +34 932 009 843

Madrid
Antonio Maura, 18, 2.ª
28014 Madrid
T +34 911 592 323 ▫ F +34 911 592 322

Brussels (with IUROPE)
Avenue de Cortenbergh, 52
1000 Brussels (Belgium)
T +32 2 808 69 41

augustaabogados.com

the parliamentary scrutiny period (two months extendable for further two months). For practical purposes, this means that companies must anticipate their effects now, preparing a revision of their product catalogues and export contracts.

Main technical developments

The main novelty introduced by the 2025 Delegated Regulation is the creation of a regulatory block specifically aimed at quantum and cryogenic technologies. Not only quantum computers themselves, but also their subsystems, control circuits, parametric amplifiers, cryogenic refrigeration equipment and wafer probes adapted to extremely low temperature environments shall be subject to export control and authorization.

Another area in which it has been deepened is that of advanced semiconductors. The list now incorporates in greater detail equipment and materials related to extreme ultraviolet (EUV) lithography, epitaxy and deposition processes, and critical metrology equipment, in general, the full range of advanced chip manufacturing processes. Specific controls on enriched silicon and germanium, essential for the manufacture of high-performance semiconductors, are also introduced.

The Commission has also strengthened controls on high-performance computing (HPC) and advanced integrated circuits, recognizing that these capabilities are essential for artificial intelligence, military simulation and on-board processing applications in the space domain.

At the same time, new inputs are incorporated in additive manufacturing (3D printing), especially in relation to machines that integrate closed-loop monitoring systems and with high-entropy metal alloys, whose use in the aerospace and defence industry is critical to produce lightweight and resistant components.

Finally, biotechnology also receives increased attention, with an expansion of references to equipment for the synthesis and assembly of genetic material.

Impact on the space sector

Particular attention should be paid **to category 9 of Annex I**, dedicated to the aerospace and propulsion field. This update redefines the scope of **spacecraft "***mission equipment*" by replacing the previous reference to "*payloads*". This terminological change is not minor: the new definition could include on-board computing elements, inter-satellite communication systems or even thermal management equipment, which until now could be defended as "non-critical" or "*non-payload*".

Similarly, the new wording of heading 9A006 on cryogenics extends the scope to systems designed to maintain temperatures at or below 100 K, no longer limited to those "specially designed" for hypersonic aircraft or space vehicles. This implies that certain underlying technology used in space projects could be subject to export authorization even in early stages of development or in test environments.

Added to this is the incorporation of controls on metal powders and additive manufacturing techniques, which in practice affect the production of turbopumps, heat exchangers and lightweight structures for satellites and launchers. The supply chain of the European space sector, which was already marked by a dependence on non-European suppliers, will have to pay special attention to these new regulatory requirements.

Practical implications for companies and operators

From an operational point of view, the entry into force of the new Annex I will oblige companies to immediately reclassify their products and technologies. Failure to do so can result in customs blockages, delays in international projects and, in the worst case,

sanctions for unauthorized exports. It is recommended that exporters, intermediaries and operators review their catalogues and contracts to identify possible needs for new licences.

In addition, internal compliance programs will need to be updated, as well as customer and end-use monitoring. National export licensing authorities will require more precise technical justifications and end-use declarations adapted to the new controls.

Conclusion

The Delegated Regulation of 8 September 2025 represents a qualitative leap in the European policy on the control of dual-use goods. It involves not only the mechanical incorporation of the commitments made in the Wassenaar Arrangement and other international forums, but also the awareness of the strategic dimension of quantum computing, advanced semiconductors and space technologies.

For European companies, preparing now will be the best guarantee to continue operating with legal certainty and competitiveness in an increasingly regulated and geopolitically complex environment.

Space Law Department
Augusta Abogados