

Code of Conduct for Enhancing Export Controls of Goods and Technology That Could be Misused and Lead to Serious Violations or Abuses of Human Rights

We, the Subscribing States,

Recognizing that advanced goods and technologies are a vital part of global economic growth and communication; that they help people become more interconnected and share knowledge, and can help advance societal opportunity, freedom, and the promotion and protection of human rights and democracy; that there are legitimate law enforcement uses of these technologies with appropriate legal frameworks in place; and that properly regulated trade in these technologies, and their responsible use, has the potential to positively impact the lives of people throughout the world;

Expressing concern that some state and non-state actors are increasingly misusing surveillance tools and other technologies in ways that can lead to serious violations or abuses of human rights, including acts to censor political opposition and track dissidents, journalists, human rights defenders, other members of civil society, or individuals belonging to vulnerable groups;

Believing such misuse is contrary to our shared values, raises moral concerns amongst our citizens, and risks undermining the benefits that advanced technologies bring to the world and which they may bring in the future;

Resolve to establish and adopt this voluntary Code of Conduct, which outlines political commitments to apply export controls to ensure that relevant goods and technologies are used in compliance with international human rights law and not misused to unlawfully or arbitrarily interfere with privacy or to otherwise commit serious violations or abuses of human rights. The Code of Conduct complements existing multilateral commitments and will contribute to regional and international security and stability.

Commit to:

1. Make efforts to ensure, consistent with applicable law and existing multilateral commitments, that our domestic legal, regulatory, policy and enforcement tools are appropriate and updated to control the export of dual-use goods or technologies to end-users that could misuse them for the purposes of serious violations or abuses of human rights.
2. Engage with the private sector, academia, researchers, technologists, members of civil society, including those from vulnerable groups, in Subscribing States for consultations concerning these issues and concerning effective implementation of export control measures.
3. Share information regarding threats and risks associated with such tools and technologies with other Subscribing States on an ongoing basis, especially as these technologies develop.
4. Share, develop and implement best practices among Subscribing States to control exports of such dual-use goods and technologies to state and non-state actors that pose an

unacceptable risk of human rights violations or abuses; seek assurances from recipients that such exported items will not be misused, reexported, or transferred in a manner that could result in serious violations or abuses of human rights; and require provision of sufficient relevant information to enable export control authorities to assess the risk that such exported items might be used in a manner inconsistent with the protection of human rights.

5. Consult with industry and promote non-state actors' implementation of human rights due diligence policies and procedures in line with the UN Guiding Principles on Business and Human Rights or other complementing international instruments, and share information consistent with national law with industry to facilitate due diligence practices when implementing export control measures.
6. Aim to improve the capacity of States that have not subscribed to the Code of Conduct to do the same in accordance with national programs and procedures, and encourage other States to join, or act consistent with, this Code of Conduct.

Additionally, we commit to:

1. Hold ongoing meetings, either annually or as otherwise agreed by the Subscribing States.
2. Use these meetings to seek to further develop the workings of the Code of Conduct so as to:
 - a. Establish procedures for the voluntary exchange of relevant information;
 - b. Establish or maintain appropriate mechanisms to address policy questions without prejudice to relevant export control-related frameworks;
 - c. Designate a Subscribing State to serve as the central contact for the receipt of questions and the distribution of Code of Conduct and related best practices, or to select a new central contact.
 - d. Designate a national point of contact for inquiries about the Subscribing State's domestic export control procedures and implementation of this Code of Conduct.
 - e. Discuss human rights concerns relating to export license applications, including for items controlled by the four multilateral export control regimes;
 - f. Share information/views on relevant technologies for this initiative.
3. Identify collaboration opportunities with multilateral export control regimes and related initiatives, as appropriate.

Note: This document does not specifically mention any of the multilateral export control regimes, such as the Wassenaar Arrangement, as this initiative is open for all States to subscribe to, regardless of whether or not they are a participating state in any of the regimes.