Carlo Calenda, Ministro dello Sviluppo Economico

Ministero dello Sviluppo Economico

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Sent by email: **segreteria.ministro@mise.gov.it**

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Dear Minister Calenda,

We are writing further to our letter to you on 23 January 2017 and your public response published on the Ministry's webpage entitled "AREA's Authorisation for the Export of a Communications Monitoring System to Egypt Already Suspended."

We welcome the Ministry's decision to revoke the export license. As we expressed in our previous letter, the export of an IP network surveillance system to Egypt poses a clear risk to human rights, and it is within the Ministry's national and international obligations to ensure that no license is authorised if such a risk exists.

We also welcome the Ministry's willingness to make this information publicly available. As you are aware, while information about exports of military equipment is currently made available to parliament and the public in Italy, information about exports of surveillance technology are not.

This is of concern. Yesterday, a feature documentary was broadcast on Al-Jazeera, *The Spy Merchants,* featuring Italian and international companies discussing the export of controlled surveillance technology and specifically Italy's export regulations. Undercover footage obtained by Al-Jazeera highlights how companies are exporting sophisticated surveillance systems around the world with no regard to human rights. As a result, we call on the Ministry to take urgent steps to provide greater transparency on the industry.

We are writing therefore to request further information regarding licensing statistics for exports of controlled surveillance technology. The categories in question are:

- 5A001f: Mobile telecommunications interception or jamming equipment, and monitoring

equipment therefor, as follows, and specially designed components therefor [continued] (and associated software and technology)

- 5A001J: Internet Protocol (IP) network communications surveillance systems or equipment, and specially designed components therefor, having all of the following [continued] (and associated software and technology)

For each category, we kindly ask that you provide a breakdown of the export license provisions for each action of License Requests Received/Authorized/Rejected/Suspended/Revoked including the following information in a comma separated format:

Year	Export Control Provision	Type of License	Export Category (Wassenaar)	Economic Value	Recipient Country	ATECO of the Requestor
2016	Received License Request	General/Specific/Other	5A001f / 5A001J			
	Authorized License Request					
	Rejected License Request					
	Suspended License					
	Revoked License					

Please note that by providing the information above there's no harms to national companies competitiveness and there's no threat to national security given that no private details about the exporter, neither about the end-users is provided. As you will also be aware, transparency on export licensing is essential to provide the public and Italian parliament with oversight and confidence in the export licensing system, for the public to be able to hold government decisions to account, and as a measure to provide information about the security and defence industry.

The office of MISE should review its internal procedure around formal "protocollo" in order to maintain an up-to-date public records of all its export license activities.

The need to take measures to address the human rights implications of surveillance equipments exports was recently confirmed by the UN Human Rights Committee. During the review of Italy's obligations under the International Covenant on Civil and Political Rights last month, the Committee expressed its concerns "about allegations that companies based in the State party have been providing on-line surveillance equipment to foreign governments with a record of serious human rights violations" and recommended that the Italian authorities "take measures to ensure that all corporations under its jurisdiction, in particular technology corporations, respect human rights standards when engaging in operations abroad."

We thank you for your attention in this matter and look forward to a prompt response.

Yours sincerely,

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