

## **Key Note Address**

**by**

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Distinguished Participants,

On behalf of the Swedish Government, I wish to warmly welcome you to Stockholm. It is a great pleasure for Sweden to co-host the Seventh International Export Control Conference together with the United States.

This conference is now a yearly tradition. It testifies to the importance we all attach to developing and maintaining strict and effective national export controls to prevent the proliferation of weapons of mass destruction. The conference will focus on dual-use items and technologies. Such products have a legitimate civil use, but can be misused for non-peaceful purposes.

States face common problems and challenges in this field. It is therefore important that we take a common stand on them for implementation at the national level. Proliferators must not be given the possibility to achieve their objectives by using possible loopholes in the controls.

The threat of weapons of mass destruction emanates from both states and terrorists. It is imperative that dual-use products that could be used for such weapons, do not fall into the wrong hands.

The international treaties dealing with weapons of mass destruction constitute the cornerstone of the global non-proliferation efforts. Through these treaties the States Parties have undertaken not to acquire such weapons and not to contribute to their proliferation.

However, the treaties have not yet attained universal adherence. There are still states standing outside these legal frameworks. Nor is states' adherence to the treaties a complete guarantee against proliferation. History has unfortunately shown several examples of states not complying with their international non-proliferation obligations.

It also goes without saying that terrorists do not feel themselves bound by international agreements. The acute nature of the threat of terrorism has again been demonstrated by the recent tragic events in the United Kingdom and Egypt. It is vital that terrorists do not get access to weapons of mass destruction, or dual-use items and technologies that could be used for such purposes.

Therefore, in combating the proliferation of weapons of mass destruction we cannot rely solely on the international legal instruments. Strict and effective national export controls constitute an indispensable complement to them.

Through the resolution 1540 of 28 April 2004, the United Nations Security Council has placed an obligation on all UN Member States to establish and maintain such controls. It is now incumbent on all of us to fully implement that resolution.

This conference will provide an opportunity to take stock of the implementation work that has been done so far in New York by the 1540 Committee and by states at the national level. The discussions will also focus on the further implementation of the resolution. I hope this will assist in taking national work forward towards increasingly stronger and effective export controls.

Distinguished Participants,

A well functioning national export control system requires appropriate legislation as well as institutions for effective implementation and enforcement. Work in those areas should be underpinned by accurate and reliable intelligence with respect to proliferation risks.

New challenges require that we also be prepared to develop and refine the instruments at our disposal. Proliferators continue to seek new ways to attain their goals. This demands vigilance and necessary counter measures.

In the past few years, the Participating Governments of the multilateral export control regimes have taken steps to further strengthen controls. National legislative measures have been introduced to counter terrorism and to permit, as necessary, the control of items that are not on the product lists. The licensing authorities are now obliged also to consider the risk of the products falling into the hands of terrorists when taking a decision on individual applications for export. In addition, the so-called catch-all mechanism provides for any item being submitted to export control if it is, or may be, intended for the production of weapons of mass destruction.

National controls also need further strengthening in other areas. This means that we have to find controls covering transit and transshipment, brokering and intangible transfers of technology. These issues are now high on the international agenda and should be given our full attention.

All states have a responsibility to ensure that their territories are not used for non-peaceful purposes. Cargoes intended for programmes of weapons of mass destruction must not be allowed to pass through. Nor must ports or airports be used for diverting dual-use goods to other than the approved destinations. In

the area of brokering, transactions for non-peaceful purposes must be prevented.

National control systems therefore need to be designed in such a way that these objectives can effectively be met. In the search for solutions a proper balance must be stricken between the twin goals of achieving such controls and not unduly burdening legitimate commercial activities.

It is imperative that states establish and maintain strict and effective national export control relating to transfers of physical goods. However, this is not sufficient. It is equally important that controls also cover intangible transfers of technology listed to be under export control. Flaws in such controls seriously undermine the non-proliferation efforts.

This is, however, a vast and complicated area. It encompasses transfers of technology via Internet, by telefax and orally between individuals. This may occur, for example, in the context of cross-boarder commercial and research projects, international seminars and guest student programmes. The work to strengthen export control in this particular field must be taken forward as quickly as possible.

In addition to legal and institutional questions relating to national export controls, states also face the increasingly complicated tasks of implementation and enforcement. This work presents many challenges, such as:

- How to promote an effective and efficient interaction between the national authorities concerned?
- How to obtain adequate intelligence for the decision-making processes?
- How to ensure correct product classification?

Implementation and enforcement activities also include outreach efforts towards industry and other exporters. Those intending to export dual-use items and technologies must be fully aware of their obligations under national law as well as of the proliferation risks.

Outreach efforts towards research institutes and academia require particular attention. Proliferators are approaching such institutions for their purposes. Awareness raising efforts are therefore needed. However, the promotion of non-proliferation objectives in this context must be carefully balanced against the interest of the freest possible flow of information and ideas inherent to the work in these fields.

The issues that I have just described need our thorough attention. During this conference an opportunity will be provided to share and discuss in-depth

national experiences. Together we can learn from each other how best to tackle the issues and translate this to concrete action at the national level. It is important that this opportunity be fully used.

Distinguished participants,

We warmly thank you for having accepted the invitation to participate in this conference. International peace and security require that effective measures be taken against the proliferation of weapons of mass destruction. Export controls play an absolutely essential role in this regard. And ultimately, the effectiveness of the system hinges on our joint efforts.

I wish you productive deliberations.