

Product Classification in Sweden

Inger Åseborn
Sweden

Swedish laws and regulations about export control of Dual Use Products.

- The Council Regulation (EC) No 1334/2000 for control of exports of Dual-use Items and technology
- Act on the Control of Dual-use Items and Technical Assistance (2000:1064)
- Ordinance on the Control of Dual-use Items and Technical Assistance (2000:1217)

What products are controlled?

- Annex I is a consolidation of the lists of products from the different regimes WA, MTCR, NSG, AG and CWC.
- Annex IV is a list of products that needs a licence for transfer inside the European Union
- Sweden has no national list of products

Regimes

- MTCR Missile Technology Control Regime
- NSG Nuclear Suppliers Group
- AG The Australia Group
- CWC The Chemical Weapons Convention
- WA The Wassenaar Arrangement

What is needed for a classification?

- Knowledge of the product and its functionality
- Knowledge of the product list and its construction.

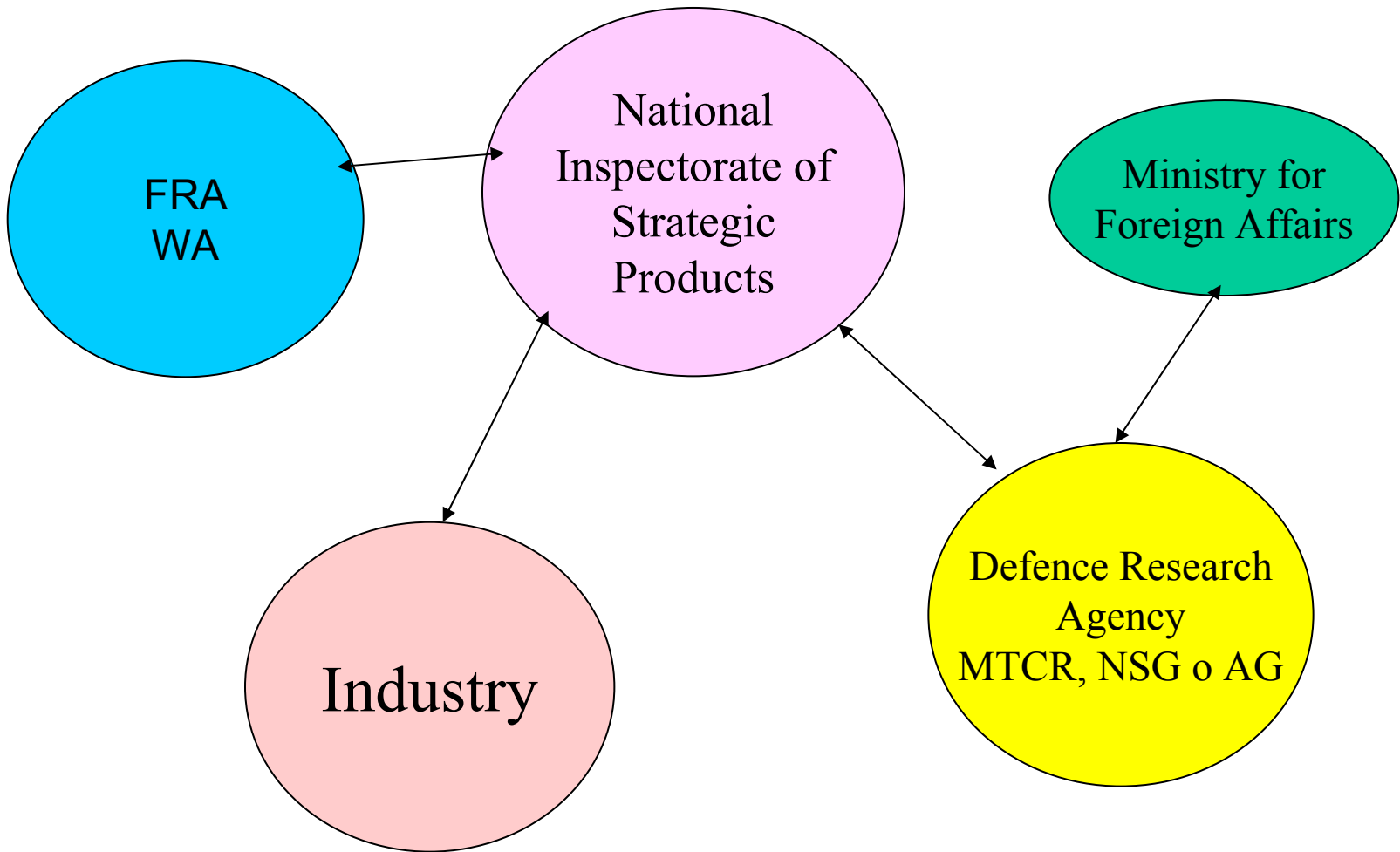
How to classify?

Product specification compared with:

- the product list in Annex I to the Council Regulation (EC) No 1334/2000
- the product list in Annex IV to the Council Regulation (EC) No 1334/2000

Who is responsible for the classification

- The exporter is responsible for the classification.
- The authority (ISP) can help the exporter to find out if the product is in the list.



Classification is a dialog between the exporter and ISP

- Contact by phone: The ISP web site is a useful tool.
- ISP visits the company for a demonstration of the product and its functionality
- The company visits ISP for demonstration of the product and its functionality. (Software)

Result of Classification

I. The product is in the list (controlled)

- The exporter finds the right classification for his product.
- ISP agree with this classification.

Examples of controlled products

- Mobil telecommunication products (cryptography 5A002 or 5D002)
- IR-cameras (Imaging cameras; 6A003.b)
- Heat exchanger (the size of transfer surface area and special material 2B350.d)

Result of the classification

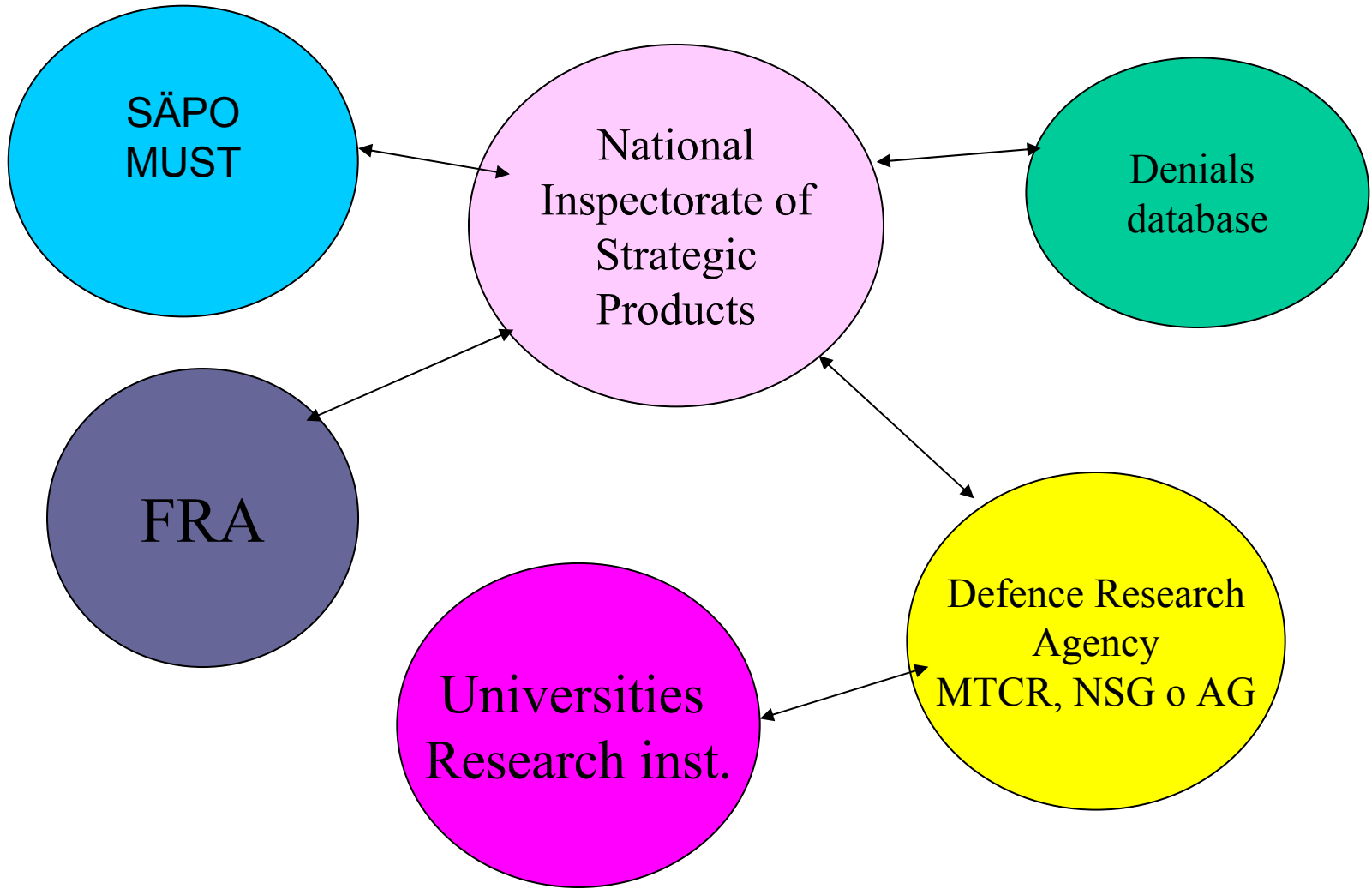
2. The product is not in the list (controlled).

- Is the End-user sensitive or unknown?
- Is the country a country of concern?
- Can the product be used for WMD or missiles?

Classification for decision of "Catch all"?

Further information is needed

- More information of the End-User and connections with projects of WMD
- More information of the product and its functionality



Example I of not controlled product

- Laboratory equipment with lower performance than in 2B350.
- Sensitive End-user in a country of concern.
- ISP decision of “Catch-all” and “catch-all denial”

Example II of not controlled product

- Aluminium alloy in round bars with an ultimate tensile strength less than 460 MPa.
- The end-user sensitive in a country of concern.
- Could the aluminium alloy be hardened to higher ultimate tensile strength?

Cont. Example II

- ISP took the decision of "catch-all"
- The exporter applied for a licence.
- ISP got the following answer: The aluminium alloy could not be hardened to an ultimate tensile strength high enough for this purpose.
- ISP issued a licence.

Example III of not controlled product

- Pumps with special flow-rate but not all surfaces made of special material.
- The End-user not sensitive
- No "catch-all"

Thank You!