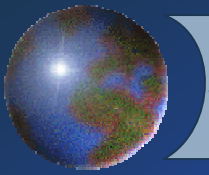


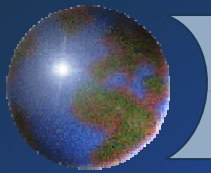
# *ROLE OF PERMIT OFFICERS AND END-USE ASSURANCES*

A CANADIAN PERSPECTIVE



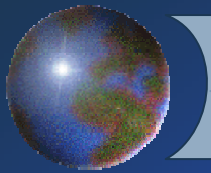
# *PURPOSE OF PRESENTATION*

- DEMONSTRATE WHAT MAKES A GOOD PERMIT OFFICER
- HOW TO SELECT A PERMIT OFFICER
- THEIR ROLE AND RESPONSIBILITIES
- OUTLINE SOME OF THE TOOLS AVAILABLE TO PERMIT OFFICERS  
(END-USE ASSURANCES)



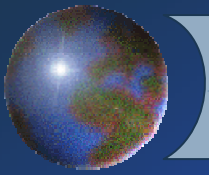
# *OBJECTIVES AND MANDATE*

- IMPLEMENT/EXERCISE NATIONAL EXPORT CONTROL REQUIREMENTS
- ENSURE COMPLIANCE TO FOREIGN POLICIES AND MULTILATERAL COMMITMENTS
- IDENTIFY POTENTIAL VIOLATIONS



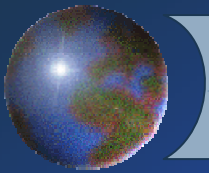
# *MAIN RESPONSIBILITIES /P.O.*

- EVALUATE PERMIT APPLICATIONS
- ENSURE EXPORT IS CONSISTENT WITH NATIONAL EXPORT CONTROL POLICY
- OBTAIN APPROPRIATE ASSURANCES
- ENSURE END-USE IS LEGITIMATE
- VERIFY END-USER INTENTIONS
- LIAISE WITH ENFORCEMENT AGENECIES
- PREVENT DIVERSIONS



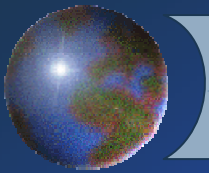
# *EXPERIENCE AND EXPERTISE*

- INVESTIGATION
- TRADE POLICY OFFICERS
- FOREIGN SERVICE OFFICERS
- CUSTOMS COMMERCIAL OPERATIONS



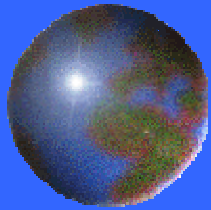
# *QUALITIES TO LOOK FOR*

- INTEGRITY
- OBJECTIVITY
- INQUISITIVE MIND
- AWARENESS
- PATIENCE
- MULTI-DICIPLINARY
- METHODOICAL
- PERSEVERANCE
- SELF MOTIVATED
- GOOD ORAL AND WRITTEN COMMUNICATION SKILLS
- RESOURCEFULL
- ANALYTICAL SKILLS

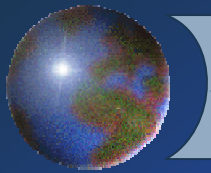


# *TOOLS REQUIRED FOR P.O.*

- STRONG LEGISLATIVE BASE
- FIRM REGULATIONS
- CLEAR POLICIES
- ACCESS TO APROPRIATE INTELLIGENCE
- CLEAR MANDATE AND SUPPORT/MGNT
- OUTREACH INITIATIVES
- LOOKOUTS DIVERSION ROUTES FRONT COMPANIES

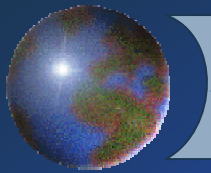


# *EXPORT CONTROLS AND EXPORT PERMITS*



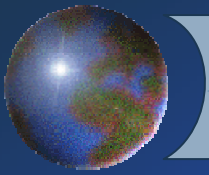
## ***WHY DO EXPORT CONTROLS EXIST?***

- To control the transfer of strategic goods and technology
- To protect Canadian security and foreign policy interests
- To implement multilateral/bilateral undertakings



# ***NON-PROLIFERATION REGIMES***

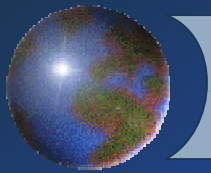
- Basis for most items on the Export Control List (ECL)
- Focus: Proliferation of Weapons of Mass Destruction (WMD)/Delivery Systems
  - ❖ Nuclear Non-proliferation Treaty (NPT)
  - ❖ Nuclear Suppliers' Group (NSG)
  - ❖ Missile Technology Control Regime (MTCR)
  - ❖ Australia Group (AG)
  - ❖ Chemical Weapons Convention (CWC)
  - ❖ Biological and Toxin Weapons Convention (BTWC)



# *WHEN IS AN EXPORT PERMIT REQUIRED?*

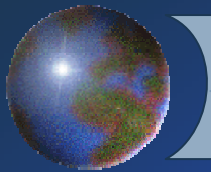
Consider:

- ❖ Type of Goods
- ❖ Destination of Goods
- ❖ Origin of Goods
- ❖ Other Government Departments' Export Controls



# ***EIPA REGULATIONS***

- Export Control List
- Area Control List (all goods to Angola & Burma need permits)
- Automatic Firearms Country Control List
- Export Permits Regulations
- Import Control List
- Import Permits Regulations
- In-transit Regulations



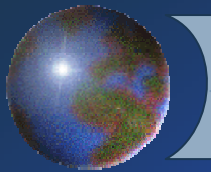
# ***EXPORT CONTROL LIST (ECL)***

- Group 1 - Dual-use List (Wassenaar)
- Group 2 – Munitions List (Wassenaar)
- Group 3 - Nuclear Non-proliferation List (NSG)
- Group 4 - Nuclear Dual-Use List (NSG)
- Group 5 - Miscellaneous
- Group 6 - Missile Technology Control Regime List
- Group 7 - Australia Group/Chemical Weapons Convention
- Group 8- UN Chemical Action Task Force (Illicit Drugs)



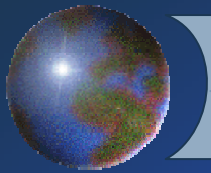
# ***ROLE OF EXPORT CONTROLS DIVISION (EPE)***

- Approximately 20 officers and six support staff
- 3-4000 permits each year
- Technical officers assess documentation to determine:
  - ❖ Control status of goods
    - For export purposes
    - For CGP registration purposes
- Permit Officers:
  - ❖ Review documentation I.e End-use documents
  - ❖ Conduct consultations
  - ❖ Recommend approval or denial



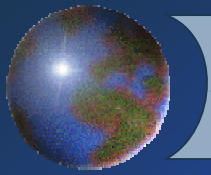
# *CONSULTATIONS*

- Permit officer undertakes consultation depending on the control status with:
  - ❖ DFAIT geographic divisions
  - ❖ Arms Control and Disarmament Division
  - ❖ Human Rights Division
  - ❖ Regional Security Divisions
  - ❖ Intelligence Division
  - ❖ National Defence
  - ❖ Canadian Security Intelligence Service
  - ❖ Canadian Nuclear Safety Commission (Nuclear)



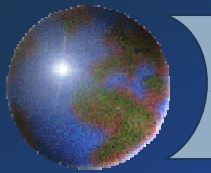
# *CONSULTATIONS*

- ❖ Consultees review according to their area of expertise:
  - ❖ Defence and industrial relations with recipient country
  - ❖ Strategic impact of export
  - ❖ Regional peace and stability, including civil conflict
  - ❖ Human rights situation
  - ❖ End-use documentation and risk of diversion



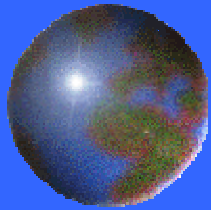
# *APPROVALS*

- Minister of Foreign Affairs approves all controlled goods with offensive capability, except to NATO or like-minded countries
- Minister is also consulted about non-offensive exports, if concerns arise
- Once ministerial decision received, permit issued, or applicant advised of denial
- No formal appeal process



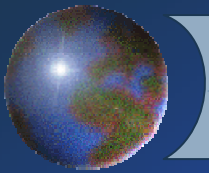
# ***MILITARY EXPORTS***

- “Military Goods and Technology”
  - ❖ Specially designed/ modified for military use
- Individual Permits for all destinations
- Except the United States, in most cases



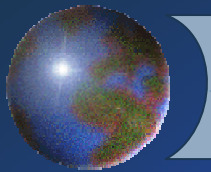
# *END-USE ASSURENCES*

A LEVEL OF COMFORT



# ***END-USE DOCUMENTATION***

- Required to prevent diversion of controlled commodities to unauthorized end-users/end uses
- Depending on destination and goods EPE may request:
  - ❖ International Import Certificates (IIC)
  - ❖ Delivery Verification Certificates (DV)
  - ❖ Import Licenses (IL)
  - ❖ End-use Certificates (EUC)
  - ❖ End-use Statements (EUS)



# *BASIC ELEMENTS OF END-USE DOCUMENTATION*

Name and Address of Exporter

Name and Address of Importer

Name and Address of Intermediate Consignees

Name and Address of End-User

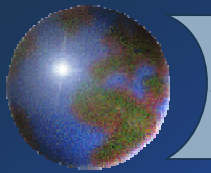
Detailed Description of Goods, Quantities and Values

Specific End-use of Goods

Certification that goods will be installed in end-user's premises and used only by end-user

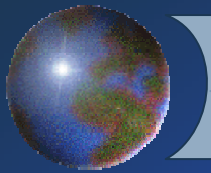
Certification that goods will not be diverted to another destination, trans-shipped or re-exported

Assurances that goods will only be re-exported under authorization of importer's licensing authorities



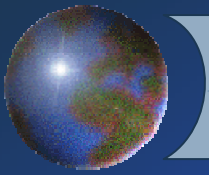
# ***FOREIGN GOVERNMENT RE-TRANSFER APPROVALS***

- Some countries impose re-transfer approval requirements
- Such re-transfers could occur in-country or on re-export
- For instance, US regulations require that certain US goods/technology may require:
  - US Government approval if transferred within Canada; or
  - US Government approval if exported from Canada



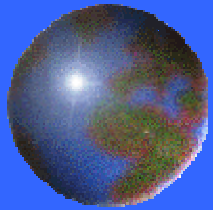
# *QUESTIONING THE DOCUMENTS*

- Forgeries / alterations
- Points of contact/authorized persons
- Confirmation of validity
- Revocation / suspension
- Prelicensing checks – when in doubt, have embassy verify consignee



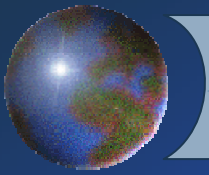
# *Establishing Standards*

- Security paper
- Limited list of authorising agents
- Contact data
- Accepting originals only



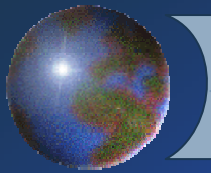
# *Delivery Verification*

Closing the Loop



## *Clear and accurate information*

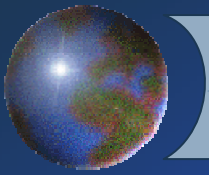
- Full name, address and contact details for the exporter and importer
- Description of goods, incl. serial number
- Copies of all customs import documents



# *Delivery Verification*

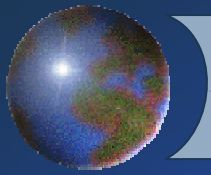
## *Method to the madness (1)*

- Exporting government sets the Delivery Verification (DV) as a condition to export permit
- Exporter requests Importer for DV
- Importer applies to importing Government and supplies proof of entry (customs clearance docs)



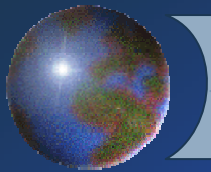
## *Method to the Madness (2)*

- Importing Government approves DV, sends copy to importer, sends copy to exporting government
- Importer sends the copy to exporter
- Exporter sends to exporting government
- Exporting government matches the two to ensure no alteration



*QUESTIONS?*





# ***CONTACT US***

## **Mailing address:**

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Export Controls Division  
125 Sussex Drive, C6  
Ottawa, Ontario K1A 0G2

**Telephone:** (613) 996-2387

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**Web Site:** [www.dfait-maeci.gc.ca/~eicb](http://www.dfait-maeci.gc.ca/~eicb)