

Turkish Export Control System

The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Items

The Undersecretariat of the Prime Ministry for Foreign Trade

DG Agreements

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TURKEY;

- Has been implementing export controls since the establishment of the CoCom,
- Founding member of the Wassenaar Arrangement
- Party to
 - Australia Group
 - Biological Weapons Convention
 - Chemical Weapons Convention
 - Missile Technology Control Regime
 - Nuclear Suppliers' Group
 - Zangger Committee



Turkish Export Control System

Coordinator / PoC	Licencing Institutions	Consultative Institutions	Enforcement Institution
Ministry of Foreign Affairs	Ministry of National Defence	Chief of Staff	Customs
	UFT	MND	
	TAEA	MFA	
		National Intelligence Agency	



Licencing Institutions

MND

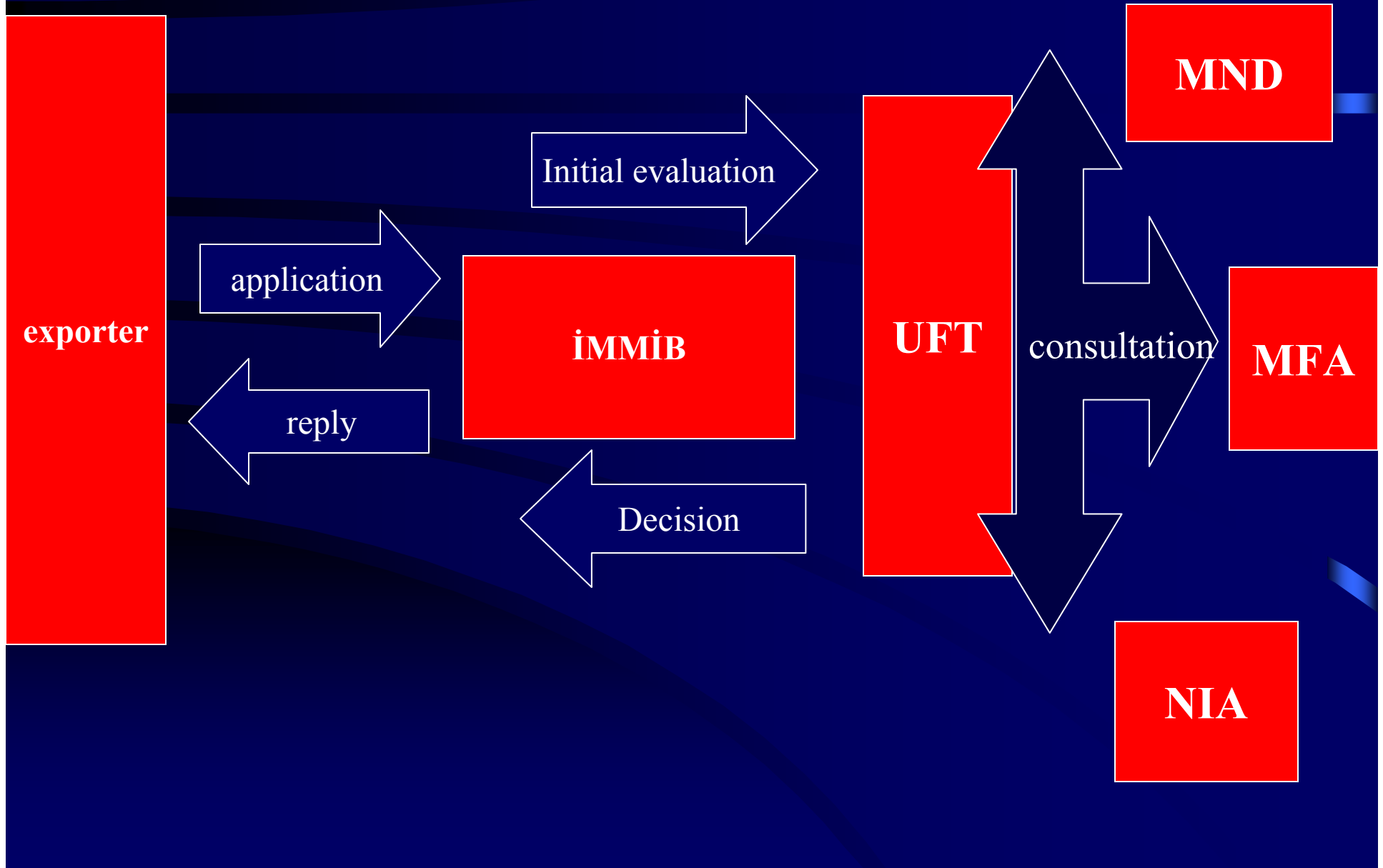
Military

UFT

Dual Use

TAEA

Nuclear & Nuclear Dual Use





Working Group of Export Control Experts

- First meeting held on 2005
- Experts from
 - MND, UFT, TAEA
 - MFA, National Intelligence Agency
 - Customs
 - Ministry of Justice
 - Relevant institutions when deemed necessary, e.g Chief of Staff, Ministry of Finance, National Police Force



Working Group of Export Control Experts

- Carried out SWOT analysis of legislation and procedures
- Examined best practices
 - Study visits to ECO and ZKA
 - Export control legislation of various countries
 - EC Export Control System for Dual Use Items (TAIEX workshop)
- Conclusions immediately translated into implementation



Conclusions of the Working Group: Industry Outreach

- www.ihracatkontrol.org
 - on air since 2006
 - information on legislation, control lists, application documents and recent developments
 - number of active visitors and membership: doubled each year



Conclusions of the Working Group: Industry Outreach

- İstanbul Conference (March 25th, 2008)
 - with the participation of
 - Licencing institutions, MFA and the Customs
 - NGOs (exporters' unions, chambers of commerce)
 - more than 50 companies (Producers, exporters, free zone users, customs brokerage companies)
 - Comprehensive curriculum
 - Internal control principles



Conclusions of the Working Group: Legislation

- Circular on the Transfers of the Dual Use Items to and from Turkish Free Zones, 2005
 - introduction of controls over items transferred from free zones, in cooperation with the country of origin / exporter country
- Communiqué on the Registration of End Use Certificates, 2007
 - increase the traceability of the certificates
- The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Goods



The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Goods

- Formation of a consolidated national control list
 - Brings together the control lists used by three licencing institutions
 - Takes EU list as a model
 - Will be published in the Official Gazzette as a separate piece of legislation



The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Goods

- Institution of an Export Control Board (ECB)
 - Representatives from MND, MFA, Customs, National Intelligence Agency, UFT, TAEA
 - Regular meetings in every 15 days
 - Secretariat: The UFT



The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Goods

- Institution of an Export Control Board (ECB)
 - Main task: Achieve uniformity in export control policies and procedures
 - Authorised to make use of inspection capabilities of the relevant institutions
 - Assigned to carry out industry outreach and awareness raising activities



The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Goods

- Implementation of “catch-all controls” transferred to the ECB
- In addition to the individual licences, introduction of
 - general export licences (to be issued by the ECB)
 - global export licences (to be issued by the licencing institutions)



The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Goods

- Inclusion of free zones and transit trade into the scope of licencing legislation
 - Rules and procedures to be determined by secondary legislation
 - Licencing authority: The ECB



The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Goods

- Introduction of administrative penalties
 - To be imposed by the ECB
 - Fines and banishment from export or free zone activities for terms described by the draft
 - Aggravating circumstances
 - Repetition of the violation
 - Failure to provide correct and complete information
 - Discrediting end-use guarantees



The Draft Law on the Foreign Trade Controls of Dual Use and Sensitive Goods

- Status:
 - Consent of all relevant institutions achieved
 - Submitted to the TGNA in June 2008
- Once adopted, will enhance the transparency, efficiency and effectiveness of the system

Thank you for your attention!