

9th Annual International Export Control
Conference
Cavtat-Dubrovnik, Croatia
Export Controls Outreach
Canadian Perspective



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Importance of Export Controls



- The Government of Canada wishes to ensure that the export of strategic and sensitive goods and technology are controlled and remain consistent with Canada's foreign policy, including the country's commitments to maintaining international security and to implementing intergovernmental agreements.
- In this globalized economy, especially with sophisticated supply chains, industry, academia and government need to be aware that controls do exist on the export of strategic and sensitive goods and technology.



Importance of Outreach

- The objectives of Canada's export controls outreach are to ensure that those within industry, academia, and government, who deal with controlled goods and technology:
 - understand all aspects of the export control process;
 - are aware of Canadian export control policies, laws and regulations related to such goods and technology;
 - are up to date on changes to those policies, laws and regulations;
 - understand their obligations in being compliant with Canadian export control policies, laws and regulations.



Importance of Outreach Technology Transfers

- It is important that exporters understand that export permits are required in all cases where controlled “technology” is transferred abroad, regardless of the method of transfer – for example, electronic transfers by e-mail; fax, telephone or via technical assistance.
- Technical data can include, for example:
 - blueprints; formulae; plans; models; engineering designs or specifications; manuals; etc.
- Technical assistance can include, for example:
 - Instructions; the transfer of skills; working knowledge; consulting services; training; etc.



Examples of Technology Normally Not Controlled

- . Minimum technology necessary for installation, operation and repair
- . Technology in the public domain
- . Basic scientific research
- . Patent applications



Outreach Targets

- We work closely with entities involved with controlled goods and technology:
 - Industry Associations
 - Companies
 - Academia
 - Research Institutes
 - Government Agencies
 - Individual Exporters
 - Trade Fairs and Trade Shows
 - Annual General Meetings



Industry Outreach Programs

- Annual Cross-Canada Seminars
 - Major Canadian Cities
 - Together with partners –
 - Enforcement and Compliance:
 - Canada Border Services Agency (Customs)
 - Royal Canadian Mounted Police
 - Public Works & Government Services
 - Industrial Security Program
 - Controlled Goods Program



Government Outreach Programs

- Training to our intergovernmental consultation partners
- Participation in intergovernmental workshops, working groups
- Training to Customs Officers



Elements of Outreach

- Seminar and workshop topics include the following:
 - Legislative basis for Canadian export controls
 - Description of our export controls' organizations, with responsibilities
 - Explanation of why export controls exist
 - Review of the various export control regimes



Elements of Outreach

- Seminar and workshop topics include the following:
 - Explanation of Canada's Export Control List
 - Discussion of end-use documents required
 - How an export permit application is processed
 - Compliance measures



Company Briefings and Visits

- One-to-one company meetings
- Market Briefings:
 - meet with companies who are interested in exploring potential markets for their controlled goods and technology



Most Important Messages to Exporters

- Know Before You Export
- Know Your Customer
 - Exporters are encouraged to ask themselves “advisory” questions similar to those adopted by the Wassenaar Arrangement in 2003 as they begin the export control process
- Exporters are encouraged to contact our Export Controls Division at any time if they require clarifications or have any concerns



Wassenaar Arrangement List of Advisory Questions for Industry

- The Wassenaar Arrangement Participating States decided at the Plenary 2003 to publish the following non-exhaustive list of questions on the WA web site. The intended use for the list is to provide a guide for companies in any export situation. The answers to the questions below will give guidance to when suspicion should be raised and a contact with national export licensing authorities might be advisable



Wassenaar Arrangement List of Advisory Questions for Industry

1. Do you know your customer? If not, is it difficult to find information about him/her?
2. Is the customer or the end-user tied to the military or the defence industry?
3. Is the customer or the end-user tied to any military or governmental research body?
4. If you have done business with the customer before – is this a usual request for them to make? Does the product fit the business profile?
5. Does the customer seem familiar with the product and its performance characteristics or is there an obvious lack of technical knowledge?



Wassenaar Arrangement List of Advisory Questions for Industry

6. Is the customer reluctant to provide an end-use statement or is the information insufficient compared to other negotiations?
7. Does the customer reject the customary installation, training or maintenance services provided?
8. Is unusual packaging and labelling required?
9. Is the shipping route unusual?
10. Does the customer order an excessive amount of spare parts or other items that are related to the product, but not to the stated end-use?
11. Is the customer offering unusually profitable payment terms, such as a much higher price?
12. Is the customer offering to pay in cash?



Canadian Export Controls Information

- Foreign Affairs and International Trade Canada – www.exportcontrols.gc.ca
- Notifications of changes to our laws, regulations, and Export Control List the Government of Canada's official newspaper *Canada Gazette Parts I & II*
- Notices to Exporters – available on our website – these provide background and general information on specific topics