



Federal Office
of Economics
and Export Control
BAFA

EU-OUTREACH-PROJECTS



EU-Outreach Projects

*Enhancing EU co-operation with third countries
in the field of export control of dual-use items*

Implemented by BAFA, Germany

***10th International Export Control Conference
Istanbul 2009***



Enhancing cooperation

- **The proliferation of weapons of mass destruction (WMD) and their means of delivery as well as the accumulation of conventional arms constitute a serious risk to world peace.**
- **State and non-state actors (terrorist groups) try to acquire the necessary material and know-how.**

- **Controls on export of dual use goods play a key role in the fight against proliferation**



Background

European Security Strategy

- Identifies the proliferation of WMD as the greatest threat to European security
- Tackling the threat by strengthening co-operation

EU Strategy against the proliferation of WMD

- Multilateralism is cornerstone of the EU strategy
- Setting up co-operation programmes



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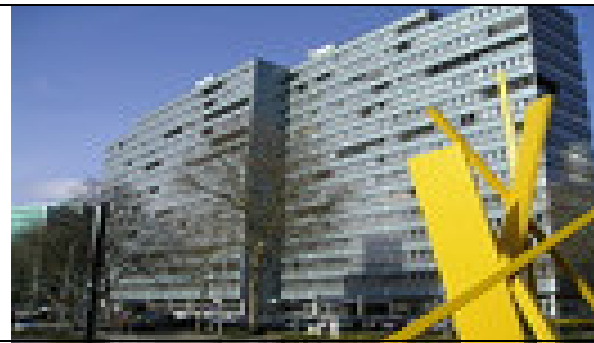
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The Role of BAFA



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The German Licensing Office BAFA has been mandated to implement the EU's co-operation activities in the field of export controls of dual-use items



- TACIS Project (Russian Federation)**

- Pilot Project 2005** (successfully ended 12/07)
- Pilot Project 2006** (successfully ended 10/08)

- Long Term Program**



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Pilot Projects 2005/06

Duration:

2 x 24 months

Start:

January 2006 / 2007

Core Elements:

Implementation through:

- Giving the project a structure
- Identification of counterparts
- Initial visit
- Needs analysis with Partner Country
- Setting up a team of EU experts
- Carry out project activities, such as seminars and study visits
- Pilot project 2005 ended 12/2007***
- Pilot project 2006 ended 10/2008***



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Tools



Conceptual basis

**>60 EU-experts
from 19 EU-MS,
Country officers,**

**Needs analysis,
Trainings, needs assessment**

**Initial and Study visits
Seminars, Workshops
in partner countries and EU-MS**



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Partner countries

- Albania
- Bosnia and Herzegovina
- Croatia
- FRY of Macedonia
- Georgia
- Malaysia
- Morocco
- Moldova
- Montenegro
- PR China
- Serbia
- Tunisia
- Ukraine
- United Arab Emirates



Five Areas of Activity

LEGAL Drafting of Primary Legislation

LICENSING Procedures / Training of Licensing Officers

AWARENESS Outreach to Industry

ENFORCEMENT Interagency Co-operation

CUSTOMS Training of Customs Officials



Legal Pillar

Legal

- To determine whether it is comparable with**
 - The structure / elements of EC-Reg. 1334/00,
 - Obligations as member of the UN (SC Res 1540),
 - International export control regimes.

- Implementation of**
 - Control lists,
 - Catch all provisions,
 - Other elements of EC-Reg. 1334/00 and / or SC Res 1540.



Licensing Pillar

Licensing

- Incorporation of legal provisions into administrative mechanisms
- Train licensing authorities and officers on
 - Enforcement of laws and regulations,
 - Processing of applications,
 - The decision-making process and its criteria,
 - Application / use of control lists and catch-all clauses,
 - Identification / technical rating of controlled dual-use items,
 - Practical aspects of interagency co-operation.



Customs Pillar

Customs

Close connection between customs and export control process on dual-use items

Role of customs in export control system, e.g.

- Legal authorisation
- Identification of dual-use goods
- Interagency co-ordination
- Foreign trade audits



Awareness Pillar

Industry outreach / Awareness

- Awareness raising to industry and other parties of interest
- Permanent information exchange process between authorities and industry
 - Leaflets
 - Internet / Homepage
 - Handbook
- Internal Compliance Programme (ICP)



Sanctions Pillar

Interagency co-operation / Sanctions

- ❑ **Support / training for the judicial sector
in dealing with cases of violations**
 - ❑ Export control laws and regulations
 - ❑ Administrative fines
 - ❑ Penalties

- ❑ **Sanctions for offences
against export control provisions have to be**
 - ❑ Proportionate,
 - ❑ Efficient,
 - ❑ Deterrent.



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Thank you for your attention

Contact

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More information can be found at :

www.eu-outreach.info