



## EU - Ukraine Cooperation in export control

Interagency cooperation as element to prevent and detect  
violations in the field of export of dual-use goods in Germany

June 2011  
Kiev, Ukraine

Mr. Werner Knapp  
Head of Division 226 – Outreach Management  
Federal Office of Economics and Export Control (BAFA)

[www.eu-outreach.info](http://www.eu-outreach.info)



## EU - Ukraine Cooperation in export control

### Interagency cooperation - why

- ▶ Political reasons  
criteria
- ▶ Legal rules  
responsibility  
(who / what / how)
- ▶ Expertise  
content



## EU - Ukraine Cooperation in export control

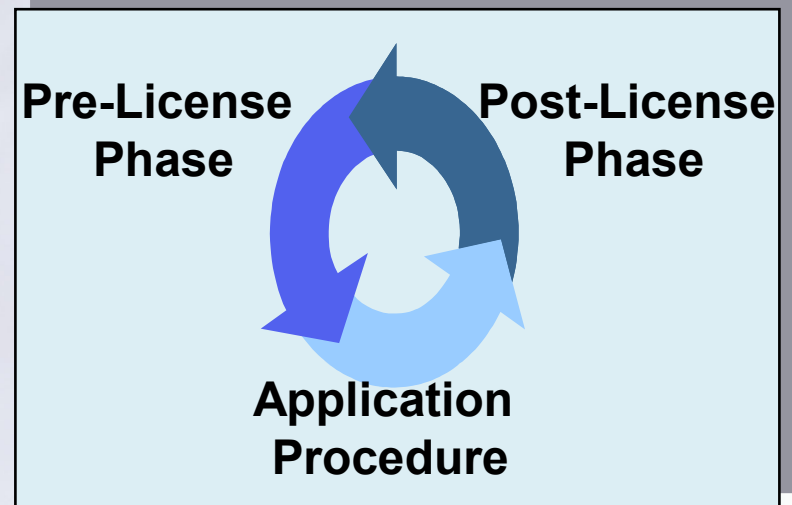
### Interagency cooperation - when

Regular Exchange of

- ▶ Risks
- ▶ Experience
- ▶ Decisions
- ▶ Developments

in general and case by case

between all parties involved  
(Ministries, licensing authority/ies, customs, intelligence  
agencies, etc.)





## EU - Ukraine Cooperation in export control

# Interagency cooperation - how

## By coordinating aims / methods and detect risks:

- Circumstances of the case  
who exports  
what,  
where and  
for what purpose
- Assessment of the case  
Is a license necessary?  
grant a license or denial?  
reasons?

L1159/202 ☐ EN Official Journal of the European Communities 30.6.2000

ANNEX IIa  
(model form)  
referred to in Article 10(3)  
EUROPEAN COMMUNITY  
EXPORT OF DUAL-USE ITEMS (Reg. (EC) No. )

1. Exporter	2. Identification number	3. Entry date (if applicable)
	4. Contact point details	
	5. Issuing authority	
	6. Country of origin (if applicable)	
	7. Country of consignment (if applicable)	
	8. Country of final destination	
9. Exporter's representative (if different from exporter)	10. End use (if different from consignment)	11. Member State of intended entry into the customs export procedure
12. End use (if different from consignment)	13. Member State of intended entry into the customs export procedure	14. Description of the item <sup>1</sup>
15. Commodity code (if applicable)	16. Control list no.	17. Currency and Value
18. End use	19. Contract date (if applicable)	20. Quantity of the items (if applicable)
21. Customs export procedure		
22. Additional information required by national legislation (to be specified on the form)		
Available for pre-printed information: At discretion of Member States:		
For completion by issuing authority: Signature Issuing Authority Date		

<sup>1</sup> See Regulation (EC) No 1172/95 (OJ L118/95, 25.5.95, p. 10), as subsequently amended.  
<sup>2</sup> If needed, this description may be given in one or more attachments to this form (1ba). In this case, indicate the exact number of attachments in this box.

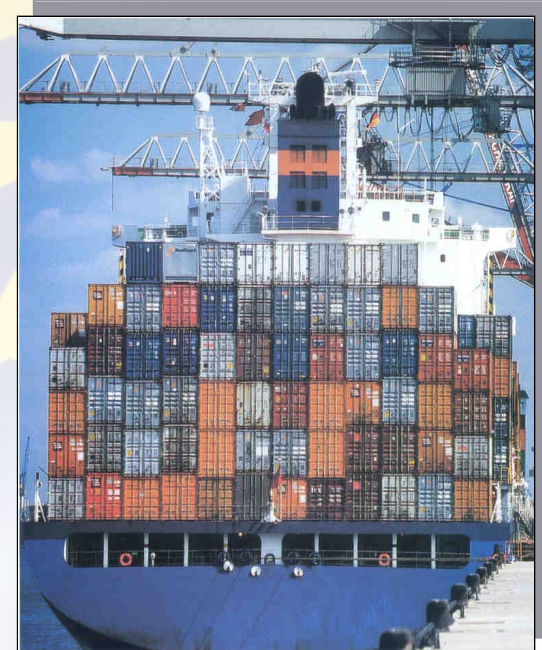


EU - Ukraine Cooperation in export control

## Interagency cooperation - how

analyze / assess all participants involved:

- ▶ Applicant
- ▶ Buyer
- ▶ Trader / broker
- ▶ Freight carrier / transit trader
- ▶ Enduser
- ▶ Enduse / Project
  
- ▶ Company profile / country profile
- ▶ etc.





EU - Ukraine Cooperation in export control

## **Interagency cooperation - how**

### To assure adequate technical rating:

- ▶ goods description
- ▶ goods classification
- ▶ potential for sensitive use
- ▶ availability / strategic importance
- ▶ typical / usual areas of use
- ▶ plausibility of application details
- ▶ miscellaneous
- ▶ etc.







## EU - Ukraine Cooperation in export control

### Interagency cooperation - how

#### To follow common aims / criteria:

- ▶ Obligations and commitments from international fora or treaties
- ▶ Obligations under sanctions
- ▶ Considerations of national foreign and security policy
- ▶ Considerations about intended end-use and the risk of diversion
- ▶ etc.



**NO  
THRU  
TRAFFIC**



EU - Ukraine Cooperation in export control

## **Interagency cooperation - how**

To share experience and act pre-emptive:

- ▶ Risk management (licensing / customs)
- ▶ Company audits
- ▶ Incorporate international developments / hints
- ▶ Detect / prevent violations
- ▶ Awareness raising
- ▶ etc.





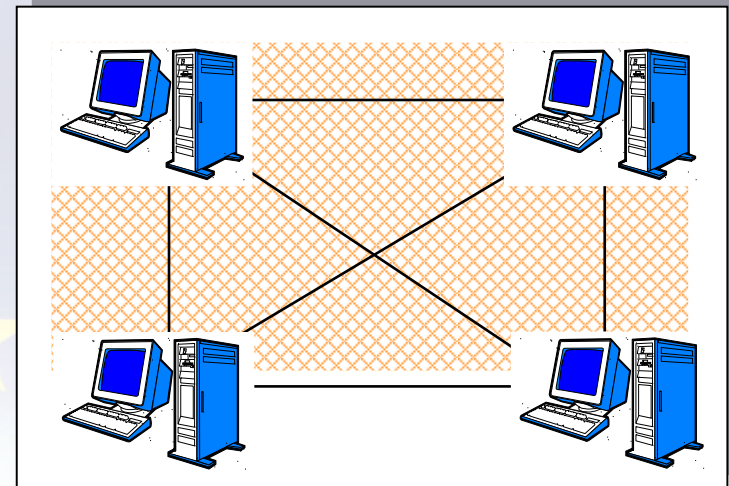


EU - Ukraine Cooperation in export control

## Interagency cooperation - how

### To assure / strengthen communication

- ▶ Electronic application and licensing system
- ▶ Common data-base
- ▶ Electronic communication channels
- ▶ Publications / homepage

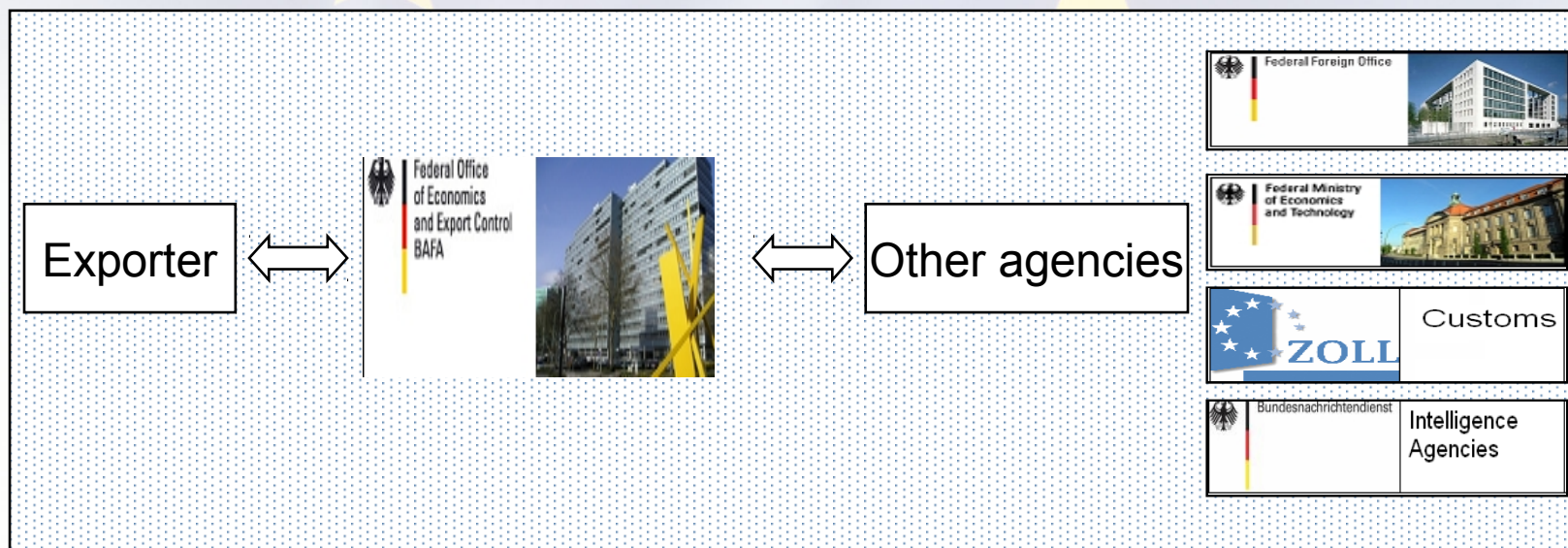




## EU - Ukraine Cooperation in export control

### Interagency cooperation - Germany

- ▶ Single point of contact for exports of conventional armaments and dual use items.
- ▶ BAFA ascertains the issues relevant to the decision and is not bound to what the exporter is bringing forward.
- ▶ As far as necessary there will be queries to the exporter as well as the involvement of other agencies.





EU - Ukraine Cooperation in export control

## Interagency cooperation - Germany

### Responsibility

- ▶ Federal Ministry of Economics and Technology :  
In charge and economic political assessment
- ▶ Federal Foreign Office :  
Foreign political assessment
- ▶ BAFA:  
Licensing authority / central ascertainment of cases
- ▶ Federal Intelligence Service :  
Information about recipients / end users/ projects/  
procurements attempts

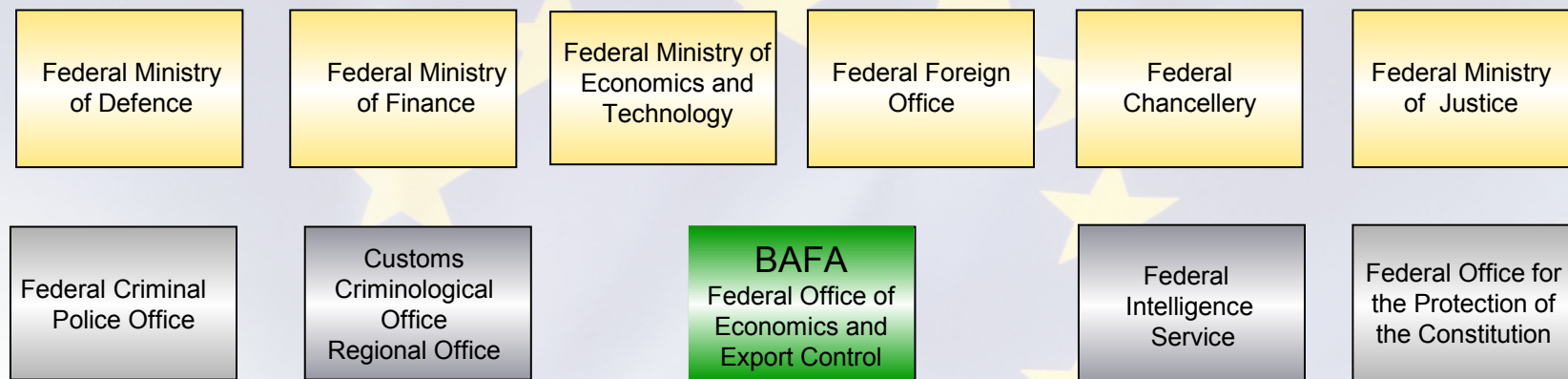




## EU - Ukraine Cooperation in export control

# Interagency cooperation - Germany

## Ministries / authorities involved



## Decision-making bodies





EU - Ukraine Cooperation in export control

**Thank you for your attention**

**Mr. Werner Knapp**  
**Email: [Werner.Knapp@bafa.bund.de](mailto:Werner.Knapp@bafa.bund.de)**