

# **Current Trends in the Development of Export Controls: International and National Aspects**

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## **Company-Internal Export Control (ICP) in Ukraine and in the EU Member-States EC**

Valeriy Tuz, Expert, Ukraine

# Purpose:

- Studying of company-internal export control systems (ICPS) in Poland, Sweden and Ukraine
- Comparative analyses of the ICPS existing in above countries
- Conclusions and proposals

# Analysis criteria

- Legal framework
- Establishment and functioning
- Cooperation between government and industry
- Computer support for ICPS

# Poland. Legal framework.

- Law of Poland “On foreign trade in goods, technologies and services of strategic importance to the security of the State and to maintaining international peace and security”
- No definition of the term “ICPS”
- Functioning of the ICPS is a mandatory requirement to obtain permit/license for international transfer of sensitive items
- State certification of ICPS

# Poland. Establishment and functioning

- Before 2006: Standard PN-EN ISO 9001:2001 “Quality management systems. Requirements” (Polish version of the International Standard ISO 9001:2001)
- Currently: Standard PN-N-19001:2006 PN-N-19001:2006 “Internal compliance system (ICS) – Requirements” developed on the basis of ISO 9001:2001

# Poland. Cooperation between government and industry

- Department of Export Control of Poland's Ministry of Economy
- Unit for internal control system implementation
- Conducting training (seminars) with assistance of the Department

# Poland. Computer support

- Information and methodical part
- Functional part

# Sweden. Legal framework

- Swedish law does not have specific norms concerning ICPS



# Sweden. Establishment and functioning

- Establishment and functioning of ICPS provide the industry with a possibility to obtain a Global permit/license
- Interest of big enterprises/companies in establishment and functioning ICPS

# Sweden. Cooperation between government and industry

- ICP units inspection (Swedish Agency for Non-Proliferation and Export Controls (ISP) )
- Providing assistance (Swedish Export Control Society )

# Sweden. Computer support

- Custom-tailored approach

# Ukraine. Legal framework

- Law of UKraine № 549-IV dated 20.02.2003 (definition of the term “ICPS”)
- Establishment of the ICPS is not necessary if an exporter plans to obtain only individual permits\licenses

# Ukraine. Establishment and functioning

- Permanent support by the government
- State certification of ICPS
- Methodical recommendations

# Ukraine. Cooperation between government and industry

- Methodical assistance in establishing
- Inspection of existing and functioning
- Recommendations for elimination of shortcomings

# Ukraine. Computer support

- Conceptual similarity with computer programs operated in Poland
- Information and methodical part
- Functional part

# Recommendations

- Develop a “Handbook on export control internal compliance systems within enterprises”
- Organize at the expense of the State budget an ongoing seminar on export controls
- Develop a training program for the seminars
- Explore the possibility of and develop a proposal for establishing in Ukraine a Society of sensitive products exporters as a non-governmental, self-sustaining organization
- Prepare administrative and technical solutions for integrating the ICP computer program (software) into the electronic document management system



# Thank you for your attention

- +380 67 505 42 76
- [valeriy.tuz@gmail.com](mailto:valeriy.tuz@gmail.com)
- [tuz\\_v@ukr.net](mailto:tuz_v@ukr.net)