



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

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Interagency cooperation - why

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



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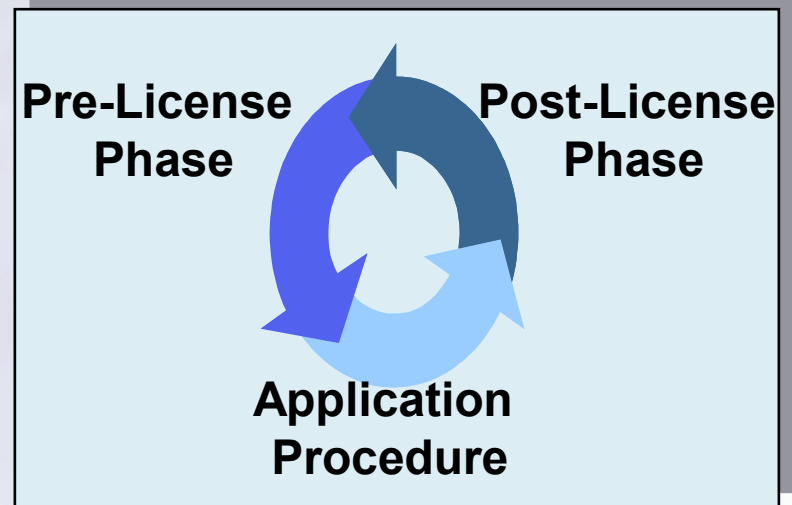
Interagency cooperation - when

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.)





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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?

L115/202 ☐ EN Official Journal of the European Communities 30.6.2000

ANNEX IIa
(model form)
referred to in Article 10(3)
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. Consignee		7. Issuing authority			
8. Agent/representative (if different from exporter)		9. Country of origin (if applicable)			
10. End use (if different from consignee)		11. Member State of intended entry into the customs export procedure			
12. Country of final destination		13. Country of final destination			
14. Description of the items ¹		15. Commodity code (if applicable)		16. Control list no.	
17. End use		18. Currency and value		19. Quantity of the items (if applicable)	
20. Contract date (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					

¹ See Regulation (EC) No 1172/95 (OJ L118/95, 25.5.95, p. 10), as subsequently amended.
² 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.



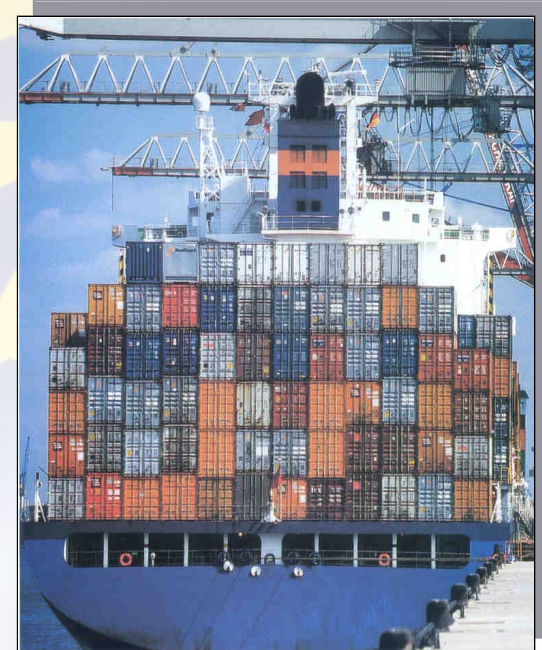
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Interagency cooperation - how

analyze / assess all participants involved:

- ▶ Applicant
- ▶ Buyer
- ▶ Trader / broker
- ▶ Freight carrier / transit trader
- ▶ Enduser
- ▶ Enduse / Project

- ▶ Company profile / country profile
- ▶ etc.





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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.





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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**



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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.



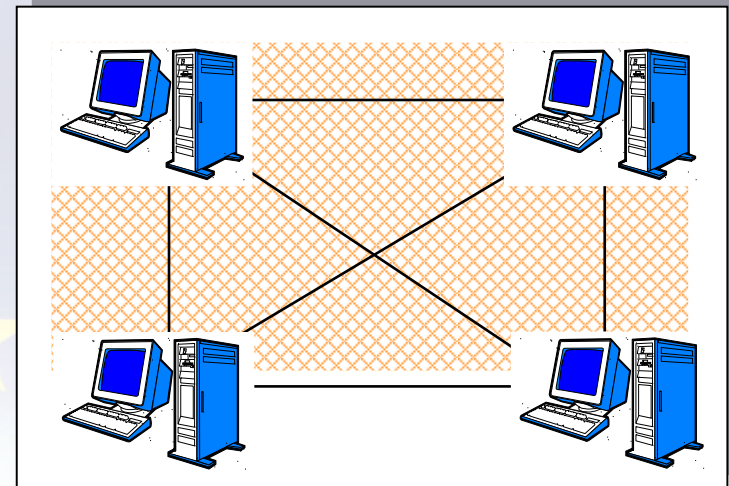


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Interagency cooperation - how

To assure / strengthen communication

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

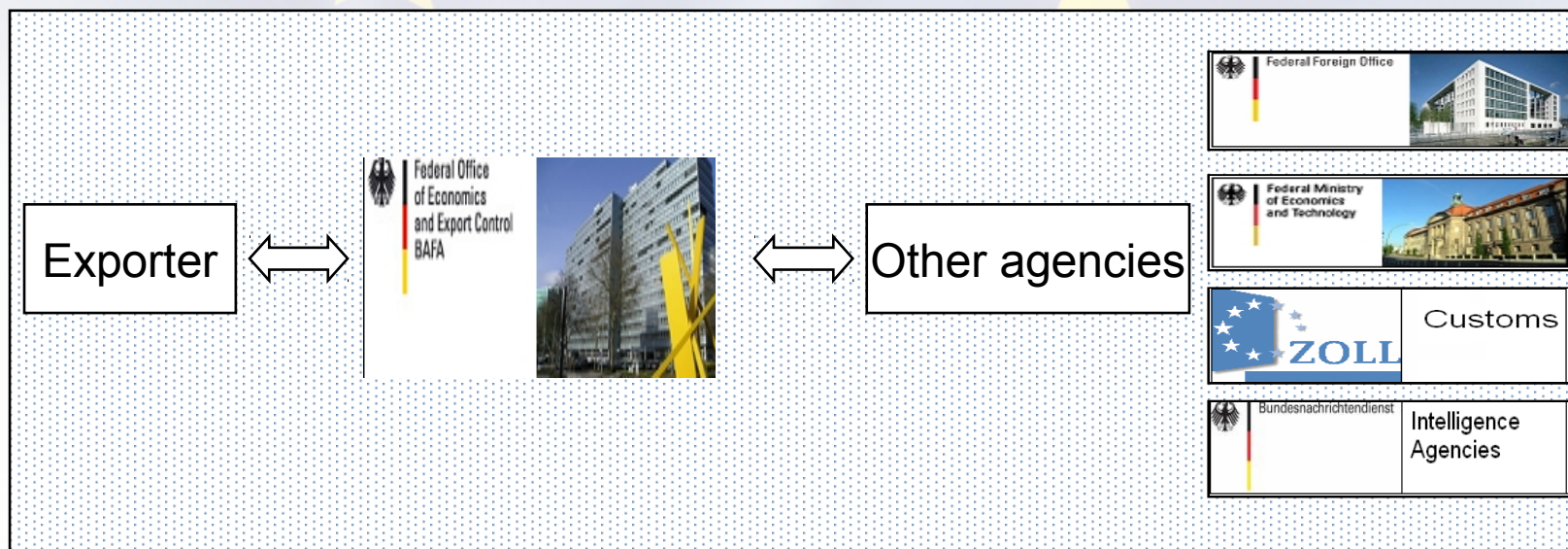




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Interagency cooperation - Germany

- ▶ 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.





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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

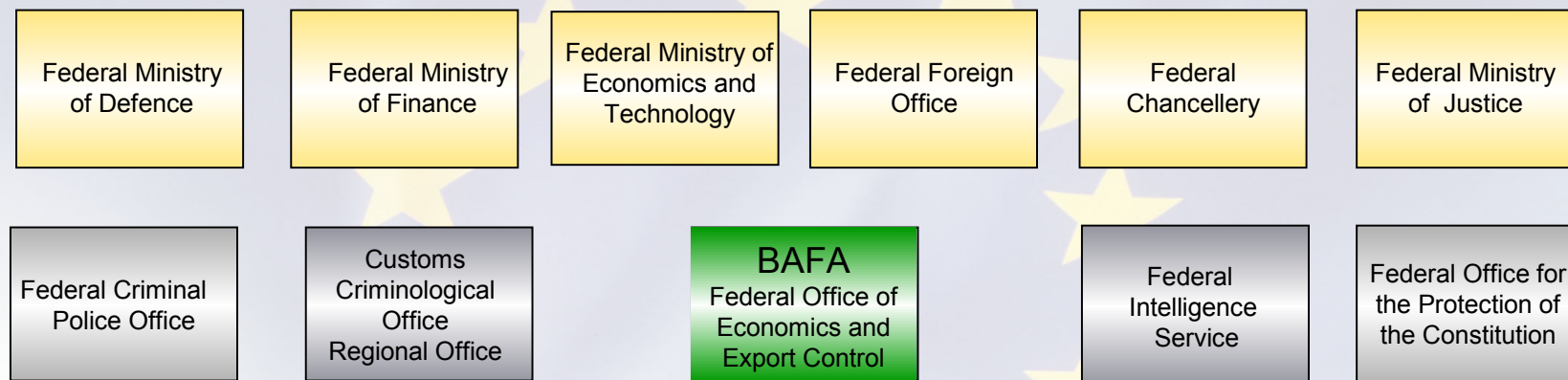




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Interagency cooperation - Germany

Ministries / authorities involved



Decision-making bodies





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Thank you for your attention

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