



**EU P2P**

# Newsletter

Issue N.1

The cooperation in EU P2P Export Control Programme is managed by the European Commission's Directorate General (DG) for International Cooperation and Development (DEVCO), with support from the European External Action Service (EEAS), under the Instrument contributing to Stability and Peace (IcSP) long term programme.

Funded by the EU



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## Welcome from the European Union



We welcome you to this new format of the newsletter with the ambition to keep you updated on all three European Union Export Control programmes of the European Commission and the European External Action Service under one joint EU P2P (Partner-to-Partner) branding. We would like also to keep you informed about new EU initiatives and changes in export control legislation.

Our EU P2P programmes are designed to support partner countries by providing necessary resources and expertise including support in the drafting of relevant export control legislation, provision of training for implementing agency officials, exchange of best practices or general awareness raising, case studies, and table top exercises with the aim to strengthen export controls worldwide.

All EU P2P programmes follow a tailor-made approach according to the needs and priorities of partner countries. Because these issues are identified by and with partner countries, the name and logo of EU activities – relating to both dual-use goods and arms- have been updated to fully refer to partnerships. With this ambition in mind, the EU looks forward to the further development of the partnerships initiated so far.

**Wolfgang Lehofer**, Programme Manager/Policy Coordinator Export Control Programme Dual Use, European Commission

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## EU Export Control News

### **Export Control Policy Review: Towards a modernisation of EU Export Controls**

The EU has embarked on a wide-ranging review of its export control policy. The Commission initially outlined a long-term vision of EU export controls in its Communication ([COM\(2014\) 244](#)), which identified concrete policy options for the modernisation and adaptation of export controls to rapidly changing technological, economic and political circumstances. For this purpose, in 2015 the Commission contracted SIPRI to conduct a data collection project and conducted a public consultation to elicit the views of stakeholders (national administrations, businesses, civil society). The Commission is now finalizing its assessment of the economic and social impacts of the policy options with a view to presenting an impact assessment report to the Regulatory Scrutiny Board in March 2016. Based on the available evidence, the impact assessment report will identify the most suitable actions to enhance the EU export control system's ability to adapt to evolving security risks and rapid technological developments, and to ensure that controls effectively apply in a context marked by global supply chains. The impact assessment report will form the basis for the Commission to prepare a proposal for a revised Dual-Use Regulation to be transmitted to the Council and the Parliament in the 2<sup>nd</sup> quarter of 2016.

### **Entry into Force of the 2015 EU Export Control List**

The 2015 updated EU control list entered into force on 25 December 2015, as per Commission Delegated Regulation 2015/2420 of 12 October 2015 (See OJ L340/1 of 24 December 2015). The EU control list is updated every year to take into consideration technological developments and incorporate into EU law the latest decisions of multilateral export control regimes. The 2015 EU control list thus incorporates over 100 amendments, most of which stem from the Wassenaar Arrangement and the Missile Technology Control Regime. These amendments concern, in particular, the control of machine tools, avionics technology and aircraft wing-folding systems, spacecraft equipment and civil UAVs as well as the removal from the control list of certain encrypted information security products. Annexes II and IV of the Dual-Use Regulation were also updated in line with the Annex I amendments.

The EU Regulation applies directly and is binding for all EU Member States. The updated list is available at: [http://trade.ec.europa.eu/doclib/docs/2016/january/tradoc\\_154129.2015-2420.pdf](http://trade.ec.europa.eu/doclib/docs/2016/january/tradoc_154129.2015-2420.pdf)



## **Australia Group Intersessional meeting**

The Australia Group - the multilateral export control regime which seeks to ensure that exports do not contribute to the development of chemical or biological weapons – held its intersessional meeting on 1-2 February 2016 in the European Commission's premises in Brussels. This was the first time ever the EU hosted a meeting of an export control regime and illustrates the EU's commitment to the continued strengthening of multilateral export controls. Discussions focused on adjustments to Australia Group control lists and on new challenges associated with synthetic biology. The outcome of the meeting will contribute to the deliberations of the Australia Group Plenary meeting in June 2016.



## EU P2P: Dual-Use Trade Control Programme

### Two New EU P2P Dual-Use Projects

Two projects under the EU P2P Export Control Dual-Use Programme have been awarded to a consortium led by Expertise France for a period of 18 months starting in September 2015.

The projects aim to facilitate the implementation of the EU WMD Strategy and United Nations Security Council Resolution 1540 through long-term cooperation in the field of strategic trade control, addressing respectively South-East Asia and various other countries in different world regions.

The Expertise France consortium includes the French Ministry of Economy, Industry and Numerics, represented by the Export Control Office on Dual-Use Goods (SBDU), King's College London, the Swedish Inspectorate of Strategic Products, French and Belgian Customs, the National Nuclear Laboratory (UK) and the University of Liege.

The Consortium takes a de-centralised and regional approach that draws upon a common set of training resources and methodology. The goal is to ensure local ownership as well as tailored activities addressing specific needs of the partners at the national and regional level.

An innovative proposal of the Consortium has

been also to look for the participation of some experts coming from the most advanced partner countries to engage new ways of cooperation with the EU and ensure appropriate local ownership of the project by these countries which may play a mentor role in their region.

This specific approach has been modeled around the following three concepts:

- An in-depth analysis of the specific situation in each partner country through initial visits allowing both parties to identify priorities and formalise them as part of a roadmap;
  - The development of a [European Union Common Training Toolkit](#) (EUCOTT), a comprehensive set of training materials that cover all aspects of strategic trade controls. It includes various types of activities tailored to countries' level of awareness: awareness raising workshops, training, case studies, table top exercises, etc.
- The EUCOTT also includes a specifically tailored programme for countries facing a border control crisis situation.

The consortium also implemented a European Roster of Experts (EROES) representing EU Member States' diversity in terms of expertise.





## EU P2P

export control programme  
for dual use goods

### Initial Visit in Kosovo

On December 1 2015, members of the Project Management Team of the consortia implementing the EU P2P Dual-Use Project conducted its first initial visit in Kosovo<sup>1</sup>.

Substantial and constructive discussions took place with the participation of representatives of all competent authorities: the Ministry of Trade and Industry, Ministry of Foreign Affairs, Customs Administration, Ministry of Security Force, Agency for Radiation Protection and Nuclear Safety, Agency for Medical and Pharmaceutical Products, and the Public Prosecutor's Office. Great interest for the programme was expressed especially as regards training and capacity building activities.

The details of the activities to be implemented in Kosovo will be finalised soon through a dedicated roadmap.



<sup>1</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

### Initial Visit to the former Yugoslav Republic of Macedonia

On December 3-4 2015, members of the Project Management Team of the consortia implementing the EU P2P Dual-Use Project conducted an initial visit in Sköpje, Former Yugoslav Republic of Macedonia.

The first day of the meeting was dedicated to bilateral discussions with the Department for International Trade in order to realise a common assessment of the local Trade Control system and identify the main centres of interest for the Former Yugoslav Republic of Macedonia.

The second day allowed the Consortium to meet with representatives of the Interagency Commission (Ministry of Economy, Ministry of Foreign Affairs, Customs Administration, Ministry of Defence/Ministry of Interior) in charge of dual-use export controls. This was an opportunity to present the conclusions of the meeting with the Department of International Trade and reach a first common agreement on the kind of activities to be implemented in the country. After discussions with the Interagency Commission representative, the consortium will be able to propose a draft road map for final approval.





## Initial Visit in Brunei and the Philippines

During the week of 25 January 2016, members of the Project Management Team of the consortia implementing the EU P2P Dual-Use Project for Southeast Asia undertook initial visits to Brunei and the Philippines. The visits set the way for follow-up activities in both countries.

In Brunei, the team met with representatives of the Prime Minister's Office and a number of other government departments, including Customs and the Police. The visit highlighted that, although Brunei does not have strategic trade controls in place as such, certain existing laws and mechanisms act to lessen the risk of proliferation through Brunei. This point was reinforced during a port visit at which it was highlighted that all cargo entering and exiting the country was subject to x-ray screening. Areas for potential cooperation were identified, including in relation to scoping out what type of controls would be appropriate in Brunei and training for customs and related enforcement functions.



In the Philippines, the team was hosted by the EU CBRN Centres of Excellence national focal point and met with representatives from around a dozen departments and committees. Taking place shortly after the signing of the Strategic Trade Management Act, the focus of the discussions was around the Act's implementation. Several potential areas of assistance and training were identified that would support the Philippines in preparing the implementing regulations and establishing a Strategic Trade Management Office.



For both countries, a roadmap is now being drafted that will draw upon the EUCOTT (European Union Common Training Toolkit) training materials. Implementation of training will begin after March 2016 in line with national circumstances.







**Initial Visit to Thailand**

On 14-17 December 2015, members of the Project Management Team of the consortia implementing the EU P2P Dual-Use Project for Southeast Asia made their first initial visit to Thailand. During this visit, three meetings with four state agencies took place. The agencies appreciated the tailored training concept and agreed to inform the consortium on their preferable options after an internal discussion.



**Initial Visit to Georgia**

The first initial visit to Tbilisi took place on January 21 within the framework of the EU P2P Dual-Use Project. The Seminar was held with representatives from the Ministry of Finance – Customs and Revenue Service, which is the competent authority in issuing import and export licenses for dual-use goods in Georgia.

Furthermore, the Military Technical Committee of the Ministry of Defence participated due to their responsibility for more sensitive goods. The Ministry for Foreign Affairs also participated as well as representatives from the State Security Service.

A joint assessment of the local export control system took place as well as the identification of the main centres of interest in terms of training activities with the EU in this field. This meeting was also the opportunity to first discuss together on new possible ways of cooperation between EU and Georgia.



**Initial Visit to Ukraine**

From 8-9 December 2015, members of the Project Management Team of the consortia implementing the EU P2P Dual-Use Project conducted an initial visit in Kiev, Ukraine.

This visit allowed the consortium to realise a joint assessment of the local export control system, better understand the local context and priorities, and present its training offer to all State agencies implementing the State policy in this field. The following agencies were represented: the Ministry of Defense, Ministry of Foreign Affairs, Ministry of Economic Development and Trade, Ministry of Justice, Ministry of Finance, State Fiscal Service, State Nuclear Regulatory Inspectorate, State Border Guard Service, and the Security Service of Ukraine.

Besides this meeting, the consortium representatives participated in a round table meeting on “International Legal Aspects of Export Control: Ukrainian context.”



**Initial Visit in Morocco**

On 12 and 13 November 2015, the members of the Moroccan "Commission Nationale" for the inception of domestic dual use goods export control regulations welcomed experts from the European Union.

On the first day, Moroccan experts performed a self-assessment of the overall export control system using tailored methodologies. Prior to the meeting, the Moroccan experts defined proposals for cooperation and detailed them.



On the second day, experts defined a roadmap for the months to come. The European offer of support was found well suited to the partner country's expectations, as it made a difference between various levels of awareness. It is now envisioned that actual trainings may start by the first half of 2016.



## EU P2P Project for Jordan and Kazakhstan

The project EU P2P: Dual Use Items for Jordan and Kazakhstan, implemented by the German Federal Office for Economic Affairs and Export Control (BAFA), aims to deepen support measures to improve dual-use export control systems in both partner countries taking specific geopolitical challenges into account.

It builds on past achievements and activities with a view to continuing, intensifying and consolidating support in the field of export controls. Initiated on 1st January 2014, the project is divided into two phases: inception and implementation. In the first phase of the project, the action plans guiding cooperation with Jordan and Kazakhstan were jointly elaborated and approved by the partners. The two-year implementation phase, in turn, constitutes the realization of the activities included in the action plan.

Supported by Long Term Experts located in Amman (Jordan) and Astana (Kazakhstan), the main objective of the project is to contribute to the fight against the proliferation of WMD and related materials, equipment and technology by enhancing the effectiveness of export control systems of dual-use items in the two partner countries, while paying specific attention to the regional dimension. The working plan for Jordan was also developed in close cooperation with the US Export Control and Related Border Security (EXBS) Programme and focuses on

providing support in five pillars (legal, licensing, customs and enforcement, awareness, and prosecution and sanctions). The action plan for Kazakhstan focuses predominantly on providing technical assistance to establish an Identification Centre for nuclear and radioactive materials. The project will run until 31 July 2017.

## Kazakhstan - Identification Centre Workshop

Within the framework of the EU P2P Dual-Use Project in Jordan and Kazakhstan, an Identification Centre Workshop took place within the jointly agreed Action Plan between the implementing agent and Kazakh authorities on 20-21 January 2016 in Astana, Kazakhstan.

The focus of the workshop, which addressed relevant authorities involved in strategic trade controls like Ministry of Investment and Development, Ministry of Energy, Ministry of Finance (Central Customs Laboratory), Border Guard and National Security Council, was on the provision of technical expertise by experts in goods identification from EU Member States. EU experts shared knowledge with Kazakh colleagues on the provision of technical and methodological support in establishing an Identification Centre for nuclear and radioactive materials. Through practical exercises, the Kazakh experts learned about items identification and classification and deepened their knowledge in this technical field.



EU experts from Germany, Hungary, Romania and United Kingdom as well as the Long Term Expert from Slovenia supported this event by presenting national approaches on flow of documentation, classification of dual-use items, a self-identification tool for industry as well as cooperation between the licensing authority and enforcement in the area of identification of dual-use goods.

Kazakh colleagues were especially interested in the national organization for classification of items, the whole process from a proposal in the export control regimes until entering items in the EU control list, responsibility and task of enforcement bodies on the border, and practical exercises and case studies

The next workshop on the Identification Centre will most probably take place in April 2016 and focus on technical aspect such as daily work, procedures and technical rating of items, and interagency cooperation.



## Jordanian delegation - Study Visit on Strategic Trade Controls to Malta

As a follow-up to the customs training held in Amman in December 2015 in the framework of the EU P2P Dual-Use Project in Jordan and Kazakhstan, a study visit on strategic trade controls was organized from 8- 10 February to Malta. Representatives from the Ministry of Foreign Affairs and Expatriates, the Public Security Directorate, the Ministry of Industry, Trade & Supply, Customs Authority and Aqaba Special Economic Zone Authority (ASEZA) had the opportunity to jointly discuss case studies presented by EU experts from Malta, the Netherlands and the United Kingdom and supported by Werner Knapp, the Long Term Expert based in Amman, Jordan.

Participants presented case studies focused on transit and transshipment as these areas were identified as relevant for the Jordanian representatives. The presentation of case studies by the experts stimulated active discussions among all participants in particular about the respective control provisions, application procedure and assessment criteria, as well as the importance of interagency cooperation.

Furthermore, the Maltese host invited the Jordanian delegation to visit the Malta Freeport that provided the opportunity to gain insight into the daily work of the Maltese customs officers as well as to further discuss with local customs officers.





## EU P2P: Arms Trade Treaty Programme

### Initial Visit to Costa Rica

On 20-21 January 2016, the initial visit to Costa Rica was conducted in the framework of the EU P2P ATT Project.

Representatives of all relevant authorities had been invited by the Costa Rican Ministry of Foreign Affairs and attended the event.

In addition to the presentations of the Costa Rican arms transfer control system delivered by these authorities, the ATT Country Team delivered keynote speeches on licensing and control list matters.

As a result of this event, the Team - together with the Costa Rican partners will draft a roadmap for upcoming cooperation within the project. Key elements of this roadmap include the drafting and implementation of a control list as well as licensing procedures, especially risk analysis and assessment.

All in all, the two-day meeting demonstrated the openness and proactive approach of our partners with regard to the ATT. The discussions were lively and fruitful.

The event was supported by experts from UNLIREC (United Nations Regional Centre For Peace, Disarmament And Development In Latin America And The Caribbean), Mexico and Germany.



### First Roadmap Activity with Ghana

On 6 - 7 January 2016, the First Roadmap Activity for Ghana took within the framework of the EU P2P ATT Project. Based on the needs assessment and the jointly developed roadmap, this event focused on discussions about the new Ghanaian legislation and the establishment of a comprehensive control list. Furthermore, inter-agency coordination was discussed.

After opening remarks by the Ghanaian Minister of the Interior who thanked the EU and BAFA for their support, EU experts and Ghanaian participants discussed the framework and the content of new legislation for arms and ammunition. The EU experts highly recommended having the law of arms and ammunition separated from the export control law. Moreover, the experts gave recommendations on the provisions that should be added to the legislation with regard to sanctions and embargoes.



Encouraged by the EU experts, Ghana is also considering the implementation of the common military list as a regulative control list.

During the session on inter-agency cooperation, participants discussed licensing procedures and stakeholder involvement in the context of decision-making. A realistic role-play was conducted to train on inter-agency coordination.

The event was well received by the participants and prepared a good foundation for further cooperation. EU experts from the UK, Latvia and Hungary supported the event.

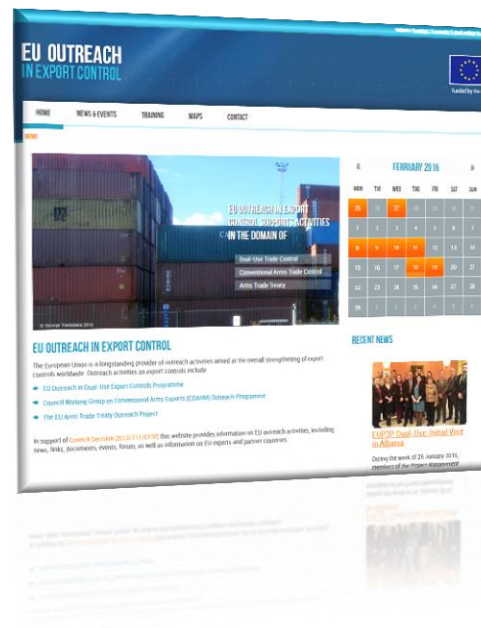
### Ad Hoc Seminar for Cambodia

An ad hoc seminar entitled “Technical Preparatory Workshop to Assist the Kingdom of Cambodia in Initiating the Preliminary Draft of a Legal Instrument against Arms Smuggling” will take place in Phnom Penh from 18 – 19 February 2016. In the course of the seminar experts from Croatia, Germany, Sweden and the United Kingdom will provide a broad overview of the essence of the Arms Trade Treaty, the issues of diversion, illicit trafficking as identification, tracking, marking and storage of Small Arms and Light Weapons (SALW).

### EU P2P Export Control website

The EU P2P export control programme is managed by the European Commission’s Directorate General (DG) for International Cooperation and Development (DEVCO), with support from the European External Action Service (EEAS), under the Instrument contributing to Stability and Peace (IcSP) long term programme. In support of Council Decision 2012/711/CFSP, a dedicated website provides information on EU outreach activities in the domain of dual-use trade control and conventional arms trade control.

<https://export-control.jrc.ec.europa.eu>





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## Picture credits

Cover illustration: © ftotti1984 / Fotolia

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## Acknowledgments

This newsletter is based on the contributions from EC services and the results provided by the implementers of the EU P2P projects.

## About P2P Export Control

In line with the EU Security Strategy and the EU Strategy against the Proliferation of Weapons of Mass Destruction, the EU P2P Dual-Use Programme aims to enhance the effectiveness of export control systems of dual-use items so as to combat the proliferation of weapons of mass destruction and related materials, equipment and technologies.

The programme's objectives are to reduce the risk of proliferation by strengthening international cooperation in the field of dual-use export controls and strengthening national and regional capacity, taking into account the balance between security and economic considerations.

For more information visit the EU P2P website:

<https://export-control.jrc.ec.europa.eu>

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Luxembourg Publications Office of the European Union

EU P2P Export Control Newsletter

ISSN 2467-0731 (online)

ISSN 1831-9424 (online series)

KJ-AD-16-001-EN-N

EUR 27773

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