

# EXPORT CONTROL FORUM 2017

Recorded webstream of the [2017 Export Control Forum](#).

The 2017 Export Control Forum brought together export control officials from EU institutions and Member States with industry associations and exporters, manufacturers and other economic operators involved in production or trade of dual-use items, as well as representatives of civil society and academia. The main objective of the 2017 Export Control Forum was to exchange information about the ongoing dual-use export control implementation in the EU, and to review the state of play of the legislative process regarding the proposal for a modernisation of EU dual-use export controls. This Forum supports the continuation of dialogue with dual-uses stakeholders, and in particular the partnership with the private sector.



# Summary of key presentations

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## *Morning session: EU export control 2017 - the state of play*

### **The proliferation threat landscape in 2017: mounting dangers?**

**Ambassador Philip Griffiths**, Head of Secretariat, Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies: Multilateral export control regimes and the global security architecture. Ambassador Griffiths looks at the role and contributions of the Wassenaar Arrangement (WA), as a multilateral export control regime, and an international reference and standard-setter in its field, in addressing proliferation trends and the security implications of emerging technologies. Updates are provided on the WA's technical and policy-related work in 2017 and some of the challenges faced in keeping export controls in step with the evolving security threat landscape.

[Read the speech given by Ambassador Philip Griffiths](#)

**Ulrich Kühn**, Senior Research Associate, Vienna Center for Disarmament and Non-Proliferation Nuclear and conventional proliferation trends and emerging technologies of concern. Efforts to control the spread of WMD and related goods and services face a constant uphill battle. Three larger trends stick out in recent years. First, proliferators become ever more sophisticated. Second, political consensus on how to curb the spread of WMD is, in some cases, at best fragile. Third, new technologies with potential dual-use applicability are emerging at a rapid pace. Referring to the examples of North Korea, Iran, Additive Manufacturing (AM), and Blockchain, Kühn predicts an even more complex export control landscape in the years ahead.

**Stephan Klement**, Special Adviser for Nuclear issues, European External Action Service: Iran and the JCPOA: a historic landmark for non-proliferation. Based on his deep involvement in the Iran negotiations, Stephan Klement will provide an insight into the main aspects of the agreement as well as of the Procurement Channel - an export control mechanism specifically designed for the transfer of nuclear and dual-use items to Iran, as set out in the Joint Comprehensive Plan of Action (JCPOA).

[Presentation by Stephan Klement](#)

### **EU implementation of controls in 2016-2017: the year in retrospect**

**Stéphane Chardon**, Policy Coordinator for Strategic Export Controls, European Commission: The implementation of controls in the EU: some facts and figures. Mr. Chardon reports on recent trends and developments in EU export controls, including the activities of the Dual-Use Coordination Group, and presents some key facts and recent export control data, while emphasising the constant process of 'modernisation' to adjust export control regulations to rapid technological, economic and security developments.

[Presentation by Stéphane Chardon](#)

**Milan Godin**, Strategic Goods Control Unit, Flemish Department of Foreign Affairs, Belgium: The enforcement of controls: a Belgian case study. Mr. Godin's presentation outlines a specific case of attempted diversion of listed dual use items for an end use of concern. The case underlines the importance of cooperation between the competent authorities and the importance of uniform application of controls among member states.

[Presentation by Milan Godin](#)

**Spencer Chilvers**, Export Control Committee, Aerospace and Defense Industries Association of Europe (ASD): One year in the life of a dual-use exporter. Mr. Chilvers will report on the main activities and challenges that dual-use exporters in aerospace, security and defense Industries are confronted with in the course of administering export controls and ensuring that legitimate trade cannot be misused in breach of applicable regulations and to the detriment of international security.

[Presentation by Spencer Chilvers](#)

### **Focus 1: Industry as the "first line of defence": towards effective company compliance**

**Dr. Johan Evers**, Policy Officer, Strategic Export Controls, DG Trade, European Commission: A Technical Expert Group for the development of EU ICP Guidelines. Dr. Evers reports on the activities of the Technical Expert Group, set up under the Dual-Use Coordination Group in 2017, that brings together experts from Member States with a view to developing common EU ICP Guidelines to support the consistent application of controls in the EU as well as their global convergence.

[Presentation by Johan Evers](#)

**Karin Widström**, Inspectorate of Strategic Products (ISP), Sweden: An EU Member State's report on compliance: Sweden's approach.

**Jan Verreth**, Tradecc, Belgium: The challenges of compliance for SMEs. Mr. Verreth's testimonial is very down to earth and very practical, about how an SME tackles the demands for an ICP (Internal Compliance Program) and gets his Dual Use Products smoothly delivered in time at his customers worldwide.

[Testimonial by Jan Verreth](#)

### **Focus 2: Export controls in cyber space: where do we stand?**

**Dr. Robert Säverin**, Export Control Division, Federal Ministry of Economic Affairs and Energy, Germany: The control of cyber-surveillance exports: the state of play. Dr. Säverin reports on current discussions in the Wassenaar multilateral export control regime and in the European Union regarding the control of specific cybertools that could be misused for human rights violations and against international security, and outlines prospects for ensuring effective and efficient regulation of such cybertools in future.

**Ilias Chantzos**, Senior Director, Government Affairs, Symantec Corporation: Export control in a 24/7 global cybersecurity industry. Mr. Chantzos presents Symantec's experience in the

implementation of controls in the area of cybersecurity and in light of the EU debate on cybersurveillance trade controls, and explores the technologies and end-uses appear of particular relevance.

[Presentation by Ilias Chantzios](#)

**Joshua Franco**, Head of Technology and Human Rights, Amnesty International: Surveillance Exports and Human Rights: What is at stake? Mr. Franco explores the impact of surveillance technologies on human rights defenders globally, in light of Amnesty International's research on this topic, and emphasises the need for stronger human rights protections in export controls.

[Presentation by Joshua Franco](#)

### **Focus 3: Towards "e-control": the development of the EU export control network and the long march towards e-licensing**

**Jean-Marc Reynders**, DG TRADE, European Commission. From DUES to electronic licensing: the "e-licensing project" and the modernisation of the IT infrastructure of the EU export control network. Mr. Reynders presents the role of the "Dual Use Electronic System" in support of exchange of information between Member States and shares the conclusions of a feasibility study to provide an electronic licensing system to Member States for the management of Dual Use export control authorisation requests.

[Presentation by Jean-Marc Reynders](#)

**Christopher Barrell**, UK Export Control Joint Unit, United Kingdom: National electronic systems and EU-wide information exchange: the UK 'SPIRE' experience.

**Karlheinz Schnaegelberger**, Merck Group, European Chemical Industry Council (CEFIC): Transparency and outreach: information requirements for a partnership with the private sector. Mr. Schnaegelberger emphasises the European chemical industry's unwavering support and actions to protect international security and human rights and stresses that dialogue is key to success. He calls for the creation of a trustful partnership between industry and authorities.

[Presentation by Karlheinz Schnaegelberger](#)

#### *Afternoon session:*

#### *Commission proposal for a modernisation of EU export control policy: a year in retrospect*

#### **The European Parliament perspective(s): setting the rules for a brave new cyberworld?**

**MEP Klaus Buchner**, Member of the European Parliament, rapporteur for the legislative proposal for a modernisation of EU export controls (Greens, DE). MEP Buchner presents the INTA report adopted on 23 November 2017 and outlines the European Parliament's key preoccupations with respect to the modernisation of EU export controls.

**Ralf Kuhne**, Policy Advisor, International Trade Committee, European Parliament (Socialists & Democrats, DE). Mr. Kuhne presents the S&D Group's strong support to the reform of dual use export controls as proposed by the Commission and outlines the S&D Group's main priorities, especially ensuring that dictators can no longer use "Made in Europe" surveillance tools to snoop on their own population, which has led to cases of torture and imprisonment, providing an export control regime that works in practice, notably via clear guidelines for exporters to increase legal certainty, a more uniform implementation of controls across the EU and an international leadership for the Union for a race to the top.

**Per Stange**, Policy Adviser, Office of Christofer Fjellner, Member of the European Parliament (European People's Party, SE). Mr. Stange works as a political adviser on international trade policy to MEP Christofer Fjellner, vice-coordinator of the EPP group in the committee for international trade and shadow rapporteur on the dual use export controls recast. He presents the EPP group priorities in the reform of dual use export controls, focusing on critical transfers that pose the largest risks while facilitating non-critical transfers. In particular, he stresses factors to be taken into account when introducing EU-autonomous controls, creating a clear definition of dual use and cyber-surveillance as well as concerns with elements of extraterritorial controls.

### **The Council perspective (s): pondering next generation export controls?**

**Mait Martinson**, Ministry of Foreign Affairs of Estonia, Chair of the Dual-Use Working Party: The Council's discussions of the Commission proposal: a report by the Presidency.

**Bruno Leboullenger**, Chef du service des biens à double usage, Direction générale des entreprises, Ministère de l'Economie, France. French views on the modernisation of EU export controls. Mr. Leboullenger will report the activities of the French export control authority and provide recent facts and figures, and will present French views on the modernization of EU export controls in light of France's responsibilities as a member of the UN Security Council and a European Member State, highlighting French concerns on certain amendments affecting the notion of dual-use items, the control of cyber-surveillance technology and of non-listed items while emphasizing French expectations from the ongoing export control policy review.

#### [Presentation by Bruno Leboullenger](#)

**Massimo Cipolletti**, Head of Unit, Dual Use Items, Commercial Embargoes and Chemical Weapons, Directorate General For International Trade Policy, Italian Ministry of Economic Development: Italian views on the modernisation of EU export controls. From his four-year experience as head of the Italian Licensing Unit, Mr. Cipolletti reports both on the opportunities and difficulties, which are naturally related to an export control system made of twenty-eight national authorities and one sovranational policy body.

### **Industry perspectives on the modernisation of EU export controls: a SWOT analysis**

**Magnus Nordéus**, Group Head of Trade Compliance, Ericsson, Digital Europe: A presentation illustrating the Industries anticipation of the the strengths, weaknesses,

opportunities and threats of the modernisation of EU export controls. Even though we foresee many challenges, such as increased administration and longer leadtimes, the modernization also brings clarity when it comes to a few definitions, such as export of non-tangibles. Looking at the scope of EU export controls, the modernization both brings new foreign elements which will limit the competitiveness of the EU Industry, but also a closer alignment with our trading partners when it comes to general authorisations, which will make the EU Industry equally competitive in this regard.

[Presentation by Magnus Nordéus](#)

**Martin Ruubel**, Chief Executive Officer, Guardtime Ltd: The modernisation of export control and the security industry.

[Presentation by Martin Ruubel](#)

**Erka Koivunen**, Chief Information Security Officer, F-Secure Corporation. The modernisation of export controls and the IT industry.

### **Civil society perspectives: promoting global rules for global surveillance**

**Lucie Krahulcova**, EU Policy Analyst Access Now, Coalition Against Unlawful Surveillance Exports (CAUSE): Export controls in the digital age.

[Presentation by Lucie Krahulcova](#)

**Sarah McKune**, Senior Legal Advisor, Citizen Lab, Munk School of Global Affairs, University of Toronto: Accountability in the commercial spyware trade: coordinating a holistic response. The global trade in advanced commercial spyware is booming. Companies have identified the significant profit potential of this market, while governments agencies that may lack sophisticated capabilities of their own are able to hire the high-level expertise required to engage in digital espionage against any target, anywhere. At the same time, investigations by Citizen Lab and others have uncovered the regular misuse of such spyware against civil society targets. This presentation will highlight recent Citizen Lab research into spyware targeting civil society, explore the trends that have emerged in the spyware market, and provide recommendations for government and industry in addressing human rights concerns.

[Presentation by Sarah McKune](#)

**Dr. Stefano Zanero**, Politecnico di Milano - Dip. Elettronica, Informazione e Bioingegneria, Chairman of Secure Network: Export control and IT security research. Dr. Zanero will briefly outline (with a few real life examples) the unexpected chilling side effects that surveillance export control has on cybersecurity research (both defensive and offensive). He will also try to point out the key reasons that make "drawing a line" in this subject very complex or impossible, and suggest the possible adoption of research exemptions.

[Presentation by Stefano Zanero](#)