

Update on EU Export Control Policy

Opportunity to have your say

The EU Commission has published a Green Paper which opens up a consultation on the current system of controls imposed on the export of “dual-use” tangible and intangible items.

If export controls are a significant burden for your business, now is the opportunity to make your views known and to lobby for change.

The Paper focuses, in particular, on developing a long-term vision and strategy, to ensure that:

- the competitiveness of EU exporters is not affected by the EU export control system; and
- EU exporters are operating on a level playing field with regard to the practical implementation of the EU export control system by Member States.

The focus of the Paper is on common risk assessment procedures, increased licence simplifications, better information exchange and common IT tools aimed at enhancing security while also improving the competitiveness of EU exporters.

The consultation provides stakeholders, including exporters, traders and Member State governments, with an opportunity to shape the future of policy in this area.

The Commission's Vision

The new export control model envisioned by the Commission aims to strengthen export controls as follows:

- A common risk assessment approach to be used by all export control authorities;
- A greater exchange of information on suspicious transactions and licences issued to take place in a systematic fashion;
- National General Export Authorisations to be progressively phased out in favour of EU General Export Authorisations;

- A common approach to be developed for catch-all controls;
- A satisfactory solution to the problem of controls on intra-EU movements;
- Coordinated enforcement across the EU to take place, coupled with improved access to relevant information for customs authorities.

Invitation to Submit Comment

The Commission now invites comments from industry, academia, governments, etc on the issues and questions outlined in the Paper. In summary, commentary is requested on the following areas:

- Importance of export controls for industry and Member States;
- Cost of compliance and value of dual-use exports;
- Foreign availability of dual-use items and the impact of EU licensing in this area;
- Inconsistencies in approaches to dual-use control by the national authorities;
- Creation of a “level playing field” within the EU for dual-use exporters;
- Scope, type and availability of export licences;
- Licence criteria adopted by the national authorities and perceived inconsistent approach currently adopted;
- Intra-EU controls relating to movement of ‘highly sensitive’ dual-use items;
- Extending EU General Export Authorisations (a change which is currently underway);
- Moving towards post-shipment verification and “certified” end-users;
- Improved enforcement of export controls and synergy with AEO customs certification.

The deadline for submission of views is 31st October 2011



Make Your Views Known

The Paper provides you with an opportunity to make your views known and to shape EU export control policy.

As an exporter (of tangible or intangible items) you should:

- Assess whether the vision in the Paper adequately accommodates your immediate and longer term operational needs in this area;
- Provide, as appropriate, your comments and industry input to this consultation.

How Can We Assist You?

We can assist you by:

- Analysing the Paper in the context of your specific business needs;
- Providing specific strategic advice on how to present any response;
- Liaising with interested industry parties and groups to present one “common view”;
- Providing assistance in meeting timelines.

We would be happy to meet you to discuss the context and importance of this consultation.

Export Control Services Offered by PwC

Our dedicated team of specialists has been assisting companies in this area and can provide support and assistance on all aspects of export controls, including:

- Analysis of European and national legislation and its application to specific business interests;
- Determination of EU or national control list numbers and control status under EU and national legislation;
- Development and implementation of export control operational management systems (including procedural manuals);
- Advice on specific intangible issues;
- Advice on the most appropriate licensing option, where required;
- Liaison with national licensing authorities, including disclosures;
- Risk assessments and desktop/on-site audits;
- Training services;
- Advice and support relating to US re-export control legislation.

Statistics

10% of all EU exports are “dual-use” exports

5,000 companies are engaged in the export of controlled dual-use items in the EU, in sectors such as nuclear, biological, chemical, materials processing equipment, electronics, computers, telecommunications, encryption, sensors and lasers, navigation and avionics, marine equipment, and aerospace and propulsion equipment.

* Statistics and references extracted from the European Commission's Green Paper

Contact Us

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