

# **WORKSHOP 3 – FCO's ISSUES & CONCERNS**

Wednesday 26 September



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# Export Licensing



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**Export Control Joint Unit - FCO**

# Local Knowledge, National Interest, Global Reach

To protect our country, our people and our interests;  
to project our influence and values; and to promote our prosperity overseas.

## Our Department's Strategic Objectives

### Protect our people

Safeguard our national security by countering terrorism, extremism, weapons proliferation, and other state and non-state threats in co-operation with allies and partners. Assist British people living, travelling and working around the world when they are most in need.

### Project our global influence

Protect and promote the values and influence of Global Britain, strengthening our partnerships and the rules-based international system. Support good governance, democracy, rule of law and human rights; prevent and resolve conflict; and build stability overseas.

### Promote our prosperity

Promote our prosperity by opening markets, driving economic reform, championing British business, and supporting free trade and sustainable global growth.

## Our Department's Priority Outcomes. In 2018/19 we will succeed by

### PO1 Security Threats

- > Reducing threats to the UK and its interests overseas from Daesh, extremism and terrorism; weapons proliferation, focused on DPRK and Iran; and illegal migration and Serious and Organised Crime.
- > Raising the cost of malicious cyber activity and defending a free, open, peaceful and secure cyberspace.

### PO2 Consular and Crisis Response

- > Providing high quality, accessible consular services globally, focused on those most in need.
- > Reducing preventable incidents affecting British people overseas through collaboration with partners and governments.
- > Responding rapidly to all overseas crises, leading cross-government action.

### PO3 Euro-Atlantic Security

- > Ensuring a strengthened, more cohesive NATO with increased defence contributions from European Allies and an effective Western response to Russian security challenges.
- > Supporting a more resilient European neighbourhood, including through hosting a Western Balkans summit in July 2018.
- > Building a distinct UK voice and strategy on wider Euro-Atlantic policy through a new security partnership with the EU, deepened bilateral/small group links with other Europeans, and a renewed dialogue with the US.

### PO4 Conflict and Stability

- > Strengthening the rules based international system, including more credible UN action to resolve conflict, working with the UNSG on reform.
- > Focusing UK effort on NSC priority countries, advancing political processes in Afghanistan, Syria, Libya, Yemen; supporting security, stability and good governance in the Middle East and Africa; and working to resolve the Rohingya humanitarian crisis.

### PO5 Promoting UK Interests and Values

- > Championing democracy, human rights and the rule of law and addressing global challenges, including through campaigns on preventing sexual violence in conflict; reducing modern slavery and promoting female education.
- > Promoting human and environmental security through the London Illegal Wildlife Trade Conference in 2018, reducing threats to endangered species.
- > Deepening relationships between states and peoples, including through the Commonwealth Summit in April 2018 which agrees action to help build more prosperous, secure, sustainable and fair societies.

### PO6 Europe

- > Bolstering bilateral relationships and people-to-people links with partners across Europe.
- > Supporting DExEU to achieve its negotiating objectives for Exit.
- > Delivering results on FCO-led EU Exit issues such as sanctions legislation, Overseas Territories (including Gibraltar), Kimberley Process and Third Country Agreements.

### PO7 Economic Diplomacy

- > Showcasing global leadership of free trade and economic diplomacy, supported by a fully developed trade profession.
- > Reinforcing the WTO's role in global trade and deepening dialogues with future FTA partners.
- > Achieving, with DIT, the UK government's strategic vision to support UK exports and inward and outward investment.
- > Promoting economic development and security, clean and sustainable growth and better business environments in key markets.

### PO8 Overseas Territories

- > Building resilient OTs with good governance, increasingly diversified economies and prosperous communities, able to better prepare for and recover from crisis.

# Due Diligence

- Helps you manage the risks
- Can save you time and money
- End user information helps us to help you



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# The Consolidated Criteria

UNCLASSIFIED

# Criterion 1

## International Commitments

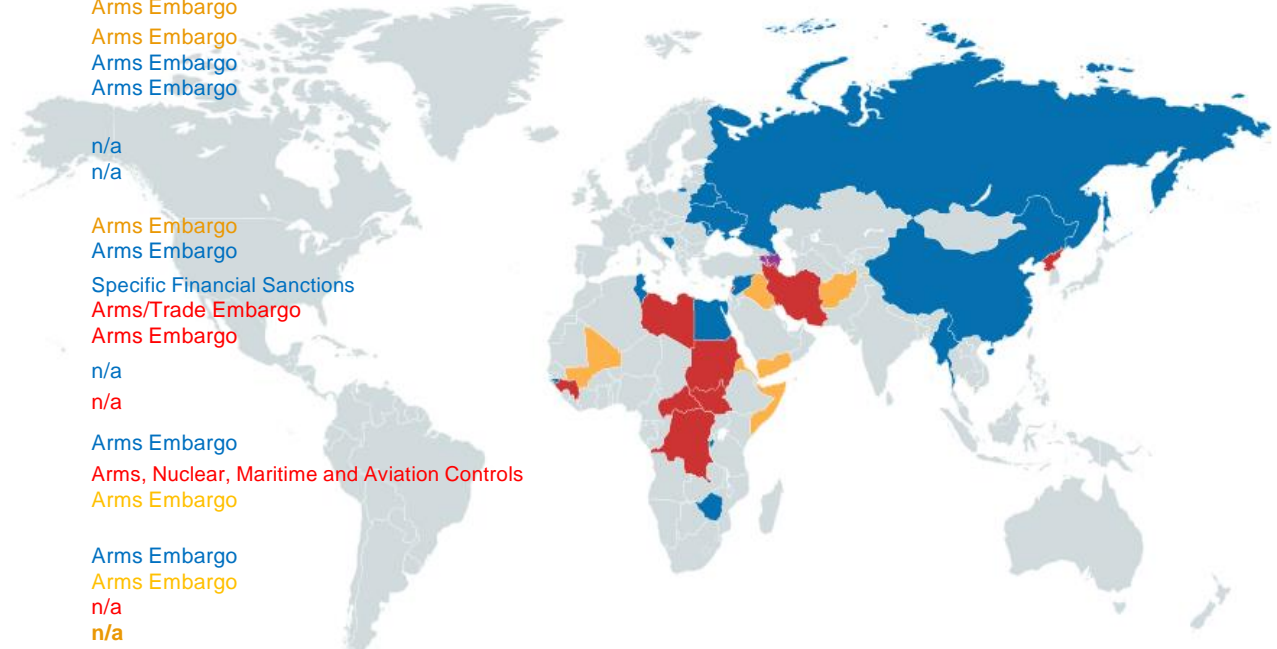
- Will not issue an export licence if approval would be inconsistent with: UN, OSCE, EU and national arms embargoes and non-proliferation agreements.



# International sanctions regimes implemented by the UK



Country	Travel Ban	Asset Freeze	Other Measures
Armenia	n/a	n/a	Arms Embargo
Azerbaijan	n/a	n/a	Arms Embargo
Afghanistan	Y	Y	Arms Embargo
Al Qaida and Da'esh	Y	Y	Arms Embargo
Belarus	Y	Y	Arms Embargo
Burma (Myanmar)	n/a	n/a	Arms Embargo
Bosnia and Herzegovina	Y	Y	n/a
Burundi	Y	Y	n/a
Central African Republic	Y	Y	Arms Embargo
China	n/a	n/a	Arms Embargo
CT-CP931	n/a	n/a	Specific Financial Sanctions
DPRK (North Korea)	Y	Y	Arms/Trade Embargo
DRC	Y	Y	Arms Embargo
Egypt	n/a	Y	n/a
Guinea- Bissau	Y	Y	n/a
IRAN - Human Rights	Y	Y	Arms Embargo
IRAN – Nuclear	Y	Y	Arms, Nuclear, Maritime and Aviation Controls
Iraq	n/a	Y	Arms Embargo
ISIL (Daesh) and Al Qaida	Y	Y	Arms Embargo
Lebanon	Y	Y	Arms Embargo
Libya	n/a	Y	n/a
Mali	Y	Y	n/a
Moldova	Y	n/a	n/a
Republic of Guinea Conakry	Y	Y	n/a
Russia: Crimea & Sevastopol	n/a	n/a	Trade Embargo & Restrictions
Russia - Tier II	Y	Y	n/a
Russia-Tier III	n/a	n/a	Arms Embargo & Sectoral Restrictions
Somalia/Eritrea	Y	Y	Arms Embargo
South Sudan	Y	Y	Arms Embargo
Sudan	Y	Y	Arms Embargo
Syria	Y	Y	Financial, Transport and Trade Restrictions
Tunisia	n/a	Y	n/a
Ukraine – Misappropriation	n/a	Y	n/a
Venezuela	Y	Y	Arms and Trade Restrictions
Yemen	Y	Y	Arms Embargo
Zimbabwe	Y	Y	Arms Embargo



**21** EU only regimes  
**8** UN only regimes  
**7** UN and EU joint regimes

**Total Regimes: 36**



# Criterion 2

## Internal Repression

Will not issue an export licence if there is a *clear risk* that the export *might* be used for internal repression or in the commission of a serious violation of international humanitarian law

# Criterion 3

Internal Conflict

**Will not issue licences for exports which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.**



# Criterion 4

## Regional Stability



**Will not issue an export licence if there is a clear risk that the recipient would use the proposed export aggressively against another country or to assert by force a territorial claim.**

# Criterion 5

National Security

**Will take into account:**

- (i) the effect of the transfer on defence and security interests;**
- (ii) the risk of the goods concerned being used against UK forces or those of our allies;**
- (iii) the need to protect UK military classified information and capabilities.**



# Criterion 6

International Community

Will take into account the behaviour of the buyer country with regard to the international community, as regards in particular to its attitude to terrorism, the nature of its alliances and respect for international law.

# Criterion 7

## Diversion

Will assess the existence of a risk that the equipment will be diverted within the buyer country, re-exported under undesirable conditions or reverse engineering





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# Criterion 8

Economic Sustainability

Will take into account whether the proposed export would seriously undermine the economy or seriously hamper the sustainable development of the recipient country.



## Refusals & revocations of SIEL/SITCL applications by Criteria (2016)

Reason – Criterion No.	Number
<b>1</b> – UK's international obligations and commitments under non-proliferation treaties and conventions	157
<b>1</b> – UK's commitments and obligations to observe UN, EU or OSCE arms embargoes	57
<b>1</b> – Existence of national embargoes or policy commitments	1
<b>1</b> – UK's obligations under the Ottawa Convention and the 1998 Land Mines Act	0
<b>SUBTOTAL CRITERION 1</b>	<b>215</b>
<b>2</b> – Risk of use for internal repression	15
<b>3</b> – Risk of contributing to internal tensions or conflict in the recipient country	14
<b>4</b> – Preservation of regional stability	6
<b>5</b> – National security of the UK, of allies, EU member states and other friendly countries	48
<b>6</b> – Behaviour of the buyer country with regard to the international community	0
<b>7</b> - Risk of diversion or re-export to undesirable end-users	122
<b>8</b> – Compatibility of the arms exports with the technical and economic capacity of the recipient country	0
<b>TOTAL</b> * Can be higher as multiple criteria for refusal are used	420



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# Questions?