

EGADD "Information Pod" at DSEI 2017

Members are reminded that, once again, it is planned for EGADD to have an information "pod" at the biennial Defence & Security Exhibition International (www.dsei.co.uk/), which is due to take place at the ExCeL in London Docklands, on Tuesday 12th to Friday 15th September. The stand number will be S4-274, and it is planned to be manned throughout the exhibition by export control experts drawn mostly from the EGADD Executive Committee; if any EGADD Members are planning on attending DSEI 2017, they are warmly encouraged to pop by the stand and pose any queries that they may have with the experts who will be on duty at the event.

Assistance on US Export Controls at DSEI 2017

EGADD has been informed that amongst the visitors at DSEI 2017 will be the following two officials from the US Department of State's Bureau of Industry & Security:

- Mr Mike Vaccaro, Director, Strategic Industries & Economic Security;
- Mr Christopher Williams, Acting Deputy Director, Munitions Control Division

Both of the above have expressed a willingness to meet with any companies who have any US export control queries, whilst they are at DSEI 2017. If any companies want to take advantage of this opportunity to discuss any issues or queries that they may have, please contact: Christopher.Williams@bis.doc.gov to arrange a date, time and place for a meeting.

Doing Business with the US Briefing

ADS is organizing a FREE-to-attend, half-day briefing in London on the morning of Friday 15th September. The program will include briefings on preparing to do business with the US by the US Country Desk Officer at DIT DSO, and on opportunities in the US defence market by an official from the British Embassy in Washington. There will also be presentations from a number of US Government officials, including the US Department of Defense team which deals with ITAR matters. The event will also be attended by Mr Christopher Williams, from the US Department of Commerce (details above).

Anyone wanting further information can find it at: <https://www.adsgroup.org.uk/events/view/ads-dit-dso-briefing-uk-opportunities-in-the-us-defence-and-security-markets/>

Useful Websites:

www.pmdtc.state.gov/ www.strategicexportcontrols.org/
www.davidhayes-exportcontrols.com
www.egad.org.uk www.export-consultancy.co.uk
www.importexportsolutions.co.uk www.techuk.org/
www.adsgroup.org.uk www.siaed.org
www.strongandherd.co.uk www.export-controls.co.uk
www.gov.uk/government/organisations/export-control-organisation
www.gov.uk/browse/business/imports-exports/import-and-export-controls

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NEWS LETTER



www.egad.org.uk

News: High Court Rejects Judicial Review on Sales to Saudi Arabia

On Monday 10th July 2017 the High Court issued a detailed ruling which rejected that case that had been presented to them by a collection of Non-Governmental Organisations, led by the Campaign Against Arms Trade (www.caat.org.uk). The Judicial Review case had been presented to the High Court on Tuesday 7th to Thursday 9th February, and the ruling was published after some 5 months of careful deliberation. However, the campaigners have already announced plans to appeal against the decision.

The court rejected campaigners' claims that ministers were acting illegally by not suspending weapon sales to the kingdom, which is leading an international coalition which is fighting a war against Houthi rebels in Yemen. The campaigners had claimed that the UK has contravened humanitarian law and attacked the refusal of the Secretary of State for International Trade to suspend export licences for the sale or transfer of arms and military equipment.

Lord Justice Burnett and Mr Justice Haddon-Cave, sitting in London, said the decision to carry on the arms trade was not unlawful. The judges said "*closed material*", which had not been made public for national security reasons, "*provides valuable additional support for the conclusion that the decisions taken by the secretary of state not to suspend or cancel arms sales to Saudi Arabia were rational*".

Saudi Arabia has been supporting Yemen's internationally-recognised government after a civil war broke out in 2015. Houthi rebels, loyal to deposed former President Ali Abdullah Saleh (who had been President of Yemen from May 1990 to February 2012), began an attack in 2014, forcing President Saleh's successor, Abdrabbuh Mansour Hadi, to flee the country for a time. Since then Saudi Arabia (heading a coalition comprising: Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Senegal, Sudan and the UAE) has been supporting an intensive military campaign aimed at trying to restore Mr Hadi's government to power.

The full details of the 58-page ruling, as well as a brief summary, are available at: <https://www.judiciary.gov.uk/judgments/r-on-the-application-of-campaign-against-the-arms-trade-v-the-secretary-of-state-for-international-trade-and-interveners/>.



Export Licensing “Agony Aunt”

Q1 - “We are currently exploring options of manufacturing in the US and I was after a little advice regarding the impact of ITAR on manufacture. My concern is that our manufacturing drawings (created here in the UK) might become technical data and, therefore, become ITAR-controlled, I would like to try and avoid this as the intention is that the US manufactured items will be supplied into the US only. I think I may just be taking an overly cautious approach but I don't want our current design or manufacture to become contaminated with ITAR if I can avoid it.”

A – Many thanks for this query, which has raised its head before in a number of guises. Best practice is that ANYTHING sent to the US should be very clearly delineated and differentiated from whatever you want to produce over here, in the UK. So, for instance, a UK company wanting to export the technical specifications for something which they have designed and developed entirely over here, should clearly mark up any technical specifications sent over to the US that these are the specifications for the Mk1(US) version, which is different from the Mk1(UK) or Mk2 version. However, I would strongly advise you to seek expert guidance on best practice in how to protect yourself from the “Virus” that is ITAR, and can happily provide you with the names of some reliable and knowledgeable experts, if needed.

EGADD Executive Committee Elections

The following seven (7) candidates have put themselves forward for the five (5) seats which have become available on the EGADD Executive Committee:

- Sue Tooze, BAE Systems;
- Leigh Zone, GE;
- Stephanie Davies, General Dynamics UK;
- Susan Griffiths, MBDA UK; and
- Harry Patel, Meggitt plc
- Matthew Clarke, Moog Components Ltd;
- David Abbott, Ultra Electronics – Communication & Integrated Systems

Voting papers have been issued, and the deadline for completing and returning these is **Wednesday 20th September**, the date of this year's annual EGADD Main Meeting. If anyone has not received their voting forms, please contact: Brinley.Salzmänn@adsgroup.org.uk.

EGADD Main Meeting

This year's annual Main Meeting will be taking place in London on Wednesday 20th September. Delegates have the opportunity to discuss the latest topical news on export and trade control issues with subject matter experts.

With a packed agenda covering key subjects such as: a review of the export control-related developments over the past year; potential export control-related implications of Brexit; updates on Project WATERGUARD, LITE and the new Customs Declaration Service; Sanctions and Embargoes, and much more. Topics expected to be covered include:

- An Overview of UK Export Controls & Update for 2017
- The potential implications of Brexit
- Update on Project WATERGUARD
- Sanctions & Embargoes and where to seek up-to-date info
- Update on HM Treasury Sanctions

Further details are available at: <https://www.adsgroup.org.uk/events/view/14th-annual-main-meeting-of-the-export-group-for-aerospace-defence-dual-use-egadd/>.

Brexit Roundtable Discussions

The EGADD Executive Committee has decided that, in follow-up to the issuing of its initial paper, back in September 2016, on the potential export control and customs-related issues arising from Brexit (available on the EGADD website (www.egad.org.uk) under “News”, EGADD should try to convene a round-table discussion workshop, now that time has passed, and a little more clarity has started to be provided, for companies to discuss these issues in more detail.

This roundtable workshop will be taking place in London on **Tuesday 5th September**.

The aims of the meeting:

- Clarifying risks and opportunities of Brexit on customs, export controls and sanctions issues;
- Sharing any information gathered from Government Ministers and officials;
- Coordinating collection of industry data and responses to Government consultations;
- Potentially, preparing a paper(s) on the issues for use with the UK Government, etc on our aims, priorities and red lines.

Specific issues to be discussed and addressed:

- Export Controls;
- Sanctions;
- Tariffs;
- Customs;
- Free Trade Agreements;
- Product Regulations; and
- Transition

The fundamental purpose of this meeting is to seek contributions from the attendees, to try to provide evidence on the key areas that are outlined above, so that EGADD would be in a stronger position to provide informed input to any future consultations. This would include data on the value of companies' trade with the EU, and on other trade with countries elsewhere which would be potentially impacted by Brexit.

Thus, the discussions will, to be really effective, require active input from the participants, rather than being more akin to “normal” seminar-style event format, with an audience “on receive mode”.

We would welcome volunteers to moderate the sessions identified on the provisional draft agenda to facilitate the discussions.

Anyone wanting to attend this event and/or volunteer to moderate any of the sessions should contact the following by **Monday 4th September**: Brinley.Salzmänn@adsgroup.org.uk

Meanwhile, Saferworld has issued a report of its own on the potential export control implications of Brexit – details are available at: <https://www.saferworld.org.uk/resources/publications/1128-brexit-and-the-future-of-uk-arms-transfer-controls>

FORTHCOMING EVENTS

Intermediate and Beginners Workshops
Glasgow, 4 and 5 September
denise.carter@trade.qsi.gov.uk

Licenses Workshop
Glasgow, 5 September
denise.carter@trade.qsi.gov.uk

Control List Classification and Using the Checker Tools: Military and Dual-Use Goods
Glasgow, 5 September
denise.carter@trade.qsi.gov.uk

EGADD Annual Main Meeting
London, 20 September
Jemma.Keen@adsgroup.org.uk

Defence Exports
Rome, 27-28 September
jhitchen@smi-online.co.uk

Intermediate and Beginners Workshops
Oxford, 27 and 28 September
denise.carter@trade.qsi.gov.uk

Licenses Workshop
Oxford, 28 September
denise.carter@trade.qsi.gov.uk

Global Export Controls
Amsterdam, 10-11 October
www.c5-online.com/global-export-controls/

AEB's Annual Export Control & Compliance Seminar
Leamington Spa, 11 October
hannah.beckett@aeb.com

US Export Controls for Non-US Companies
Amsterdam, 16-19 October
www.learnexportcompliance.com/amsterdam2017.aspx

SIA's Fall Advanced Conference
Washington DC, 23-24 October
www.siaed.org/events

Intermediate and Beginners Workshops
Manchester, 31 October and 1 November
denise.carter@trade.qsi.gov.uk

Licenses Workshop
Manchester, 1 November
denise.carter@trade.qsi.gov.uk

Control List Classification and Using the Checker Tools: Military and Dual-Use Goods
Manchester, 1 November
denise.carter@trade.qsi.gov.uk

Global Trade Controls & Compliance Conference
London, 6-8 November
vanessa.darnborough@informa.com

Intermediate and Beginners Workshops
Leeds, 15 and 16 November
denise.carter@trade.qsi.gov.uk

Licenses Workshop
Leeds, 16 November
denise.carter@trade.qsi.gov.uk

Control List Classification and Using the Checker Tools: Military and Dual-Use Goods
Leeds, 16 November
denise.carter@trade.qsi.gov.uk