



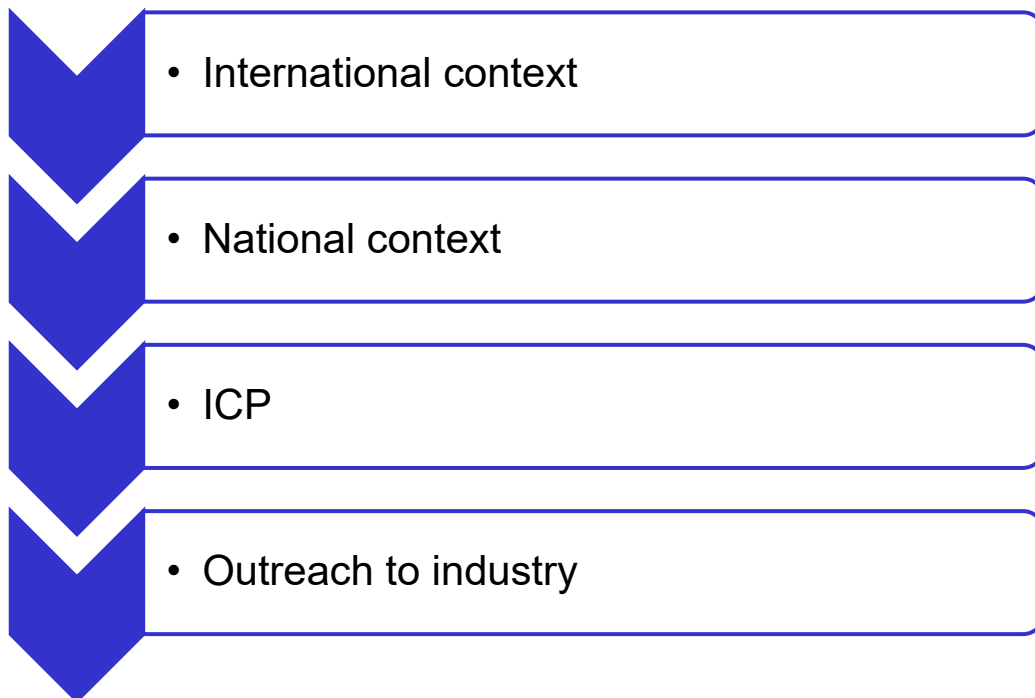
Internal Compliance Programmes (ICP) and outreach to industry - the Swiss approach

24th Asian Export Control Seminar

Tokyo, 21 - 23 February 2017



Overview



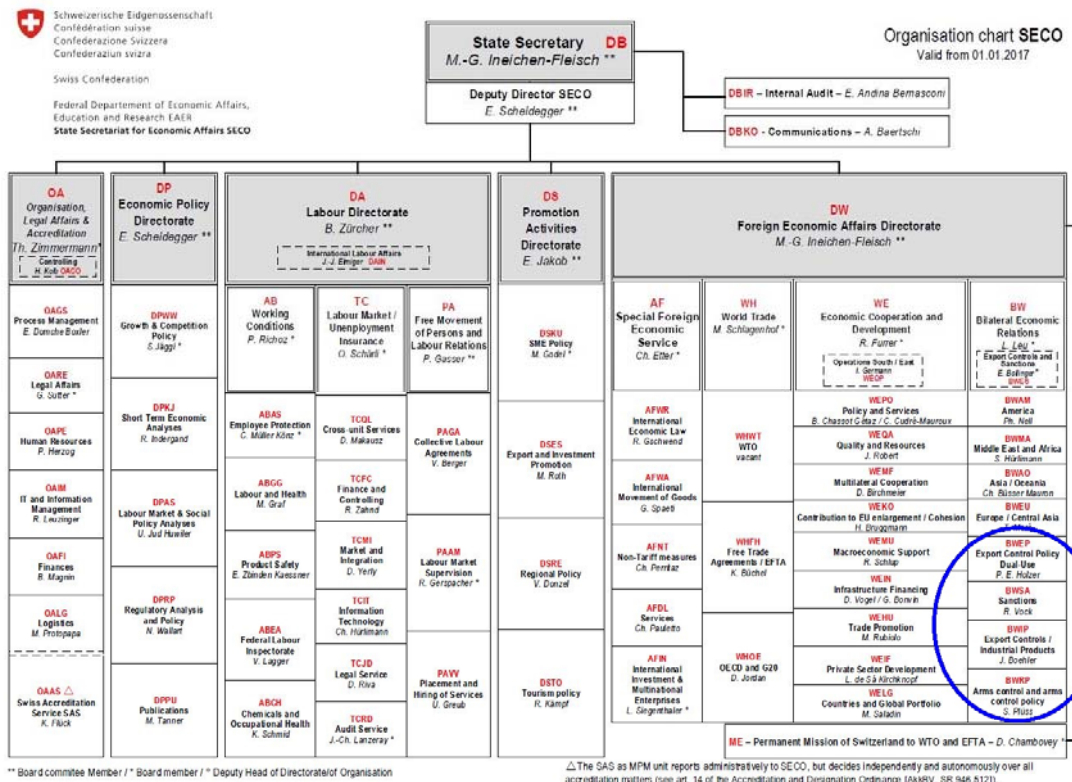


International context

- Nuclear Suppliers Group (NSG)
- Australia Group (AG)
- Missile Technology Control Regime (MTCR)
- Wassenaar Arrangement (WA)
- Chemical Weapons Convention (CWC)
- Biological Weapons Convention (BWC)
- Sanctions (UN, EU, CH)



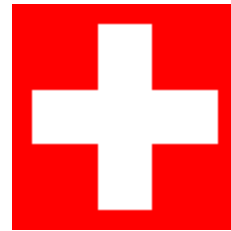
National context - SECO





National context - legal basis (1)

- Goods Control Ordinance (GCO) art. 3 - licence requirements
 - (1) "Any person who wishes to export nuclear goods [...], dual-use goods [...], special military goods [...], strategic goods [...] or goods subject to national export controls [...] requires an export licence [...]"
 - (3) "[...] parts and components [which] are among the main elements of [a certain] good or make up more than 25 per cent of its value [...]"
 - (4) Catch-all clause



- Customs treaty between Liechtenstein and Switzerland



National context - legal basis (2)

- GCO, art. 5 - requirements
 - (2) "Where the licence is for a legal entity, the applicant must provide SECO with proof of reliable internal controls on compliance [...]"



- GCO, art. 26 - controls
 - (1) "SECO examines the applications for licences and carries out the controls [...]"



National context - licences

- 1 October 2014 - 30 September 2015
 - 7,957 granted licences (CHF 4.508bn) without general licences and International Import Certificates (IIC)

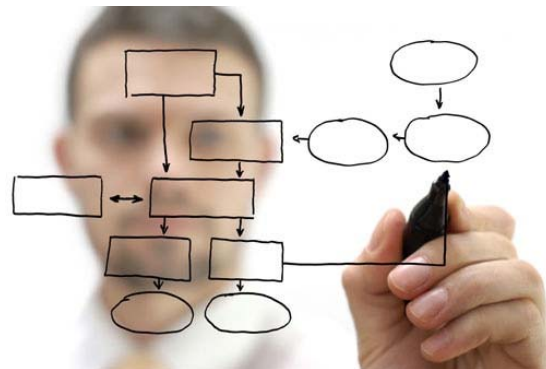


- 1 October 2015 - 30 September 2016
 - 7,633 granted licences (CHF 3.107bn) without general licences and IIC



ICP (1)

- The necessity of ICPs
 - Proliferation
 - Compliance and reputation
 - Export applications



- The merits of ICPs
 - Effectiveness and efficiency
 - Compliance
 - Export privileges





ICP (2)

- Mandatory elements of ICPs
 - Management commitment and policy statement
 - Definition of responsibilities
 - Classification of goods
 - “Know your customer”
 - Training
 - Internal audits



Outreach to industry (1)

- Why outreach
 - Knowledge
 - Sensitise
 - Improve export controls





Outreach to industry (2)

- Before and during the outreach meeting
 - Organisation
 - Product range
 - Previous experiences
 - Information
 - Legal framework
 - Compliance
 - Transparency



Outreach to industry (3)

- After the outreach meeting
 - Clarifications
 - Classifications
 - Licences
 - Controls





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