

25th ASIAN EXPORT CONTROL SEMINAR

(Tokyo, 27 February – 1 March 2018)

THE WASSENAAR ARRANGEMENT: RECENT DEVELOPMENTS

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Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods & Technologies



www.wassenaar.org

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WASSENAAR ARRANGEMENT PURPOSES

To contribute to regional and international security and stability by promoting:

- Transparency
- Greater responsibility in transfers of **Conventional Arms** and **Dual-Use Goods & Technologies**, thus preventing:
 - destabilising accumulations
 - acquisition by terrorists

WASSENAAR ARRANGEMENT

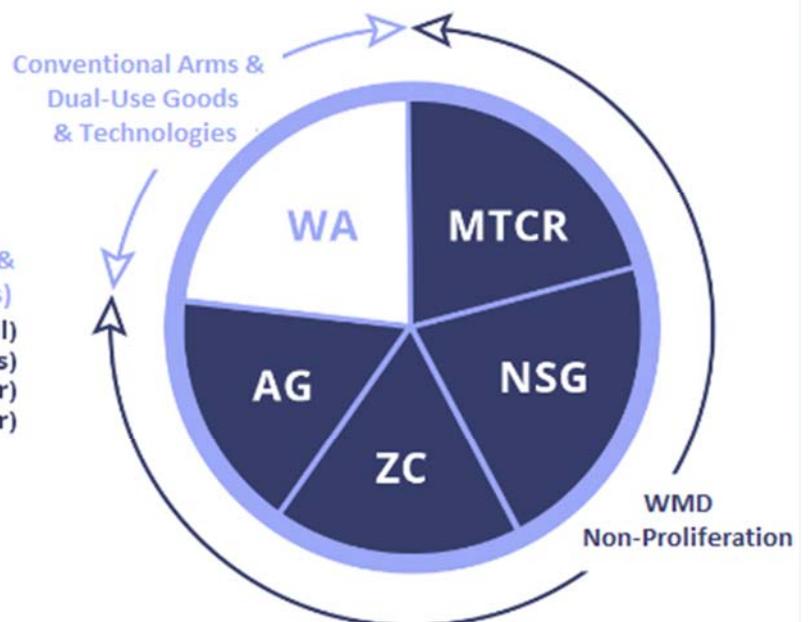
Currently 42 Participating States



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WHERE DOES THE WASSENAAR ARRANGEMENT FIT?

- WA: Wassenaar Arrangement (Conventional Arms & Dual-Use Goods & Technologies)
- AG: Australia Group (Chemical and Biological)
- MTCR: Missile Technology Control Regime (Missiles)
- NSG: Nuclear Suppliers Group (Nuclear)
- ZC: Zangger Committee (Nuclear)



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WASSENAAR ARRANGEMENT BASIC COMMITMENTS

To maintain effective export controls at the national level



To cooperate with WA partners and contribute to the WA's collective work

- WA Munitions and Dual-Use Export Control Lists
- General and Specific Information Exchange
- Best Practices, Elements and Procedures



National Implementation

WASSENAAR ARRANGEMENT STRUCTURE

Plenary - Overall decision-making body

Chair: United Kingdom 2018; Greece 2019

General Working Group - Policy and administrative issues

Chair: Slovakia 2018; Turkey 2019

Experts Group - Control Lists

Chair: Luxembourg 2017-2018; Latvia 2019

Licensing and Enforcement Officers Meeting - Practical implementation issues

Chair: United Kingdom 2017-2018

WASSENAAR ARRANGEMENT EXPORT CONTROL LISTS

- **Munitions List** (approx. 300 entries in 22 categories):
 - Including ammunition, parts and components, production equipment, technology, software
- **Dual-Use List** (over 1,000 entries in 9 categories):
 - Sensitive List (170 entries)
 - Very Sensitive List (80 entries)

“Catch-all” - Non-listed dual-use items

WASSENAAR ARRANGEMENT MUNITIONS LIST

Only one criterion for selection of items:

- the military specification

(“specially designed or modified for military use”)

WASSENAAR ARRANGEMENT DUAL-USE LIST

Dual Use Goods and Technologies are intended for
civil applications

They can also be used for military applications,
including in the production of military equipment

Dual-use selection criteria are multiple and complex
Specifications need to be set precisely



so as to avoid impeding *bona fide*
civil transactions

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WASSENAAR ARRANGEMENT DUAL-USE SELECTION CRITERIA



**Strategic relevance for export
controls?**

Major or key elements for ...
conventional military capabilities,
characterised by materials,
components,
performance, or other parameters

Feasibility of export controls?

Foreign availability
Objective specification
Controllability (available &
enforceable criteria)
No duplication of controls

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WASSENAAR ARRANGEMENT MAINTAINING THE EXPORT CONTROL LISTS

The Wassenaar Arrangement continued to focus in 2017 on new technologies, e.g.:

- lawful interception devices, electronic forensic tools, UAV jamming systems



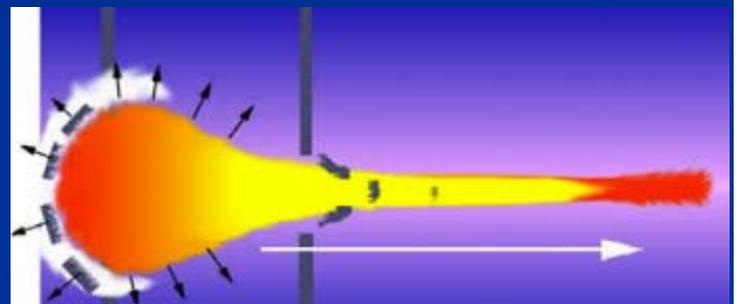
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WASSENAAR ARRANGEMENT MAINTAINING THE EXPORT CONTROL LISTS

Among the most significant new/updated export controls in 2017:

- military explosives;
specific electronic components
able to withstand extreme
environmental conditions;
diesel engines for submarines



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WASSENAAR ARRANGEMENT MAINTAINING THE EXPORT CONTROL LISTS

Relaxation of export controls in 2017, e.g.:

- high velocity mechanical cameras; hunting and shooting rifle-scopes



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WASSENAAR ARRANGEMENT MAINTAINING THE EXPORT CONTROL LISTS

Looking ahead (some possible examples):

Continued focus on sensitive new technologies :

- **additive manufacturing (3-D printing)** when used for high-end air and space applications or proliferation purposes
- **electronic forensics equipment** able to circumvent IT systems' safety devices
- **communications interception systems**, including lawful interception & data retention
- **new generation sensors**, sensor data fusion used in guided weapons
- **robotisation**
- the "Internet of Things"

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WASSENAAR ARRANGEMENT TRANSPARENCY MEASURES

General Information Exchange:

- Regional Views exercise
- Discussion of transfer risks and concerns, e.g.
 - suspicious acquisition/brokering activities
 - projects and programmes of concern
 - diversion activities

WASSENAAR ARRANGEMENT TRANSPARENCY MEASURES

Specific Information Exchange:

- Six-monthly reporting of certain transfers and denials to non-WA members
- 8 categories of arms transfers
- Sensitive dual-use goods and technologies transfers
- All denials of dual-use good and technologies transfers

WAIS – secure electronic communications network

WASSENAAR ARRANGEMENT BEST PRACTICES GUIDELINES, ELEMENTS & PROCEDURES

- Non-binding guidance for national export control policy and practice
- Regular review cycle
- Available on the WA website
- WA Participating State Licensing and Enforcement Officials exchange implementation experiences, including case studies and practical lessons learned

WASSENAAR ARRANGEMENT BEST PRACTICES, ELEMENTS & PROCEDURES

Examples:

- **Elements for Objective Analysis and Advice** Concerning Potentially Destabilising Accumulations of Conventional Weapons (1998, amended 2004, 2011)
- Best Practice Guidelines on Subsequent Transfer (**Re-Export**) Controls for Conventional Weapons Systems (2011)
- Introduction to **End User/End Use** Controls for Exports of Military-List Equipment (2014)
- Statement of Understanding on Control of **Non-Listed Dual-Use Items** (“Catch-all”) (2003)
- Best Practices for Implementing **Intangible Transfer of Technology** Controls (2006)
- Best Practice Guidelines on **Internal Compliance Programmes** for Dual-Use Goods and Technologies (2011)

WASSENAAR ARRANGEMENT RECENT BEST PRACTICE GUIDELINES

2015

- Best Practice Guidelines for **Transit or Transshipment**:
 - List of tools to help identify and mitigate the risk of illicit diversion
- Elements for the **Effective Fulfilment of National Reporting Requirements**

2016

- Best Practices for **Effective Export Control Enforcement (2000)** – updated
- Best Practices for **Effective Legislation on Arms Brokering (2003)** - updated

WASSENAAR ARRANGEMENT OUTREACH IN 2018

- Collective briefings
 - Enhanced Technical Briefing (Vienna, 25 June)
 - Post-2018 Plenary Briefing (Vienna, December)
- Bilateral dialogue/visits
- Technical contacts with other export control regimes and relevant international/regional organisations
- Arms Trade Treaty (ATT)

WASSENAAR ARRANGEMENT & THE ARMS TRADE TREATY (ATT)

- Wide-spread international acceptance of the need for export controls on conventional arms
- Goals of the ATT align with those of the WA
- WA members stand ready to share their experience and expertise with other countries

THE WASSENAAR ARRANGEMENT

On Export Controls for Conventional Arms and Dual-Use Goods and Technologies

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Introduction

The Wassenaar Arrangement (WA) has been established in order to contribute to regional and international security and stability, by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies, thus preventing destabilising accumulations. The aim is also to prevent the acquisition of these items by terrorists.

Participating States seek, through their national policies, to ensure that transfers of these items do not contribute to the development or enhancement of military capabilities which undermine these goals, and are not diverted to support such capabilities.

For more information, see the [About Us](#) link.

[Click here](#) to see documents related to the goals and principles of the WA.

[Frequently Asked Questions \(FAQ\)](#)

What's New

[Statement by the Plenary Chair on 2017 Outcomes, 7 Dec. 2017](#)

[List of Dual-Use Goods and Technologies & Munitions List \(Dec. 2017\)](#)

[Summary of Changes to Lists \(Dec. 2017\)](#)

[India becomes 42nd WA Participating State, 8 Dec. 2017](#)

[Interview with Jane's Defence Weekly, 23 Aug. 2017](#)

[Interview with Cercle Diplomatique, 1 Mar. 2017](#)

[Best Practices for Effective Legislation on Arms Brokering](#)

[Best Practices for Effective Enforcement](#)

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