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FSI EKSPORTKONTROLLSEMINAR

# Utvikling internasjonalt rundt eksportkontroll, hva er viktig å følge med på?

02.05.2023

Håkon Lindteigen, VP Corporate Compliance KOG ASA



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# Halo

## Magnussen unhappy with “awkward and annoying” halo

HAAS'S KEVIN MAGNUSSEN CRITICISES THE HALO DEVICE FOLLOWING THE FIRST PRE-SEASON TEST

March 5, 2018 Sian Cowper F1, News 0



Circuit de Catalunya, Barcelona, Spain. Tuesday 27 February 2018. World Copyright: Jerry Andre/LAT Images ref: Digital Image\_JA14139

Kevin Magnussen has described the halo as “awkward and annoying” after driving with the device in place at last week’s pre-season test in Barcelona.

The Dane has been a long-time critic of the halo – which is designed to increase head protection – and driving the 2018 car for the first time hasn’t changed Magnussen’s opinion.

## Max Verstappen among drivers to speak out against halo cockpit safety system

- FIA has announced head-protection device will be mandatory from 2018
- ‘It’s not just the looks, I don’t think it is necessary’, says Red Bull driver



▲ The new halo head-safety system has also been strongly criticised by Haas’s Kevin Magnussen and GPDA director Romain Grosjean. Photograph: Getty Images

Several [Formula One](#) drivers have spoken out strongly in opposition to the introduction of the halo cockpit protection system in the lead-up to the Hungarian Grand Prix this weekend.



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March 6, 2018 | Dan Cooper | F1 News



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# Halo 2

## Drivers praise halo and F1 safety as Grosjean makes ‘miracle’ escape from crash

29 November 2020

BAHRAIN

GROSJEAN

HAAS





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March 5, 2018 | San Cooper | F1 News | 0



Circuit de Catalunya, Barcelona, Spain, Tuesday 27 February 2018. World Copyright: Jerry Andrews/Al Images ref: Digital image: JH1419

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# Halo 3

## Internal Compliance Programme

### The HALO of export control risk management



Export Control Group  
International



Ministerie van Buitenlandse Zaken

## Internal Compliance Programme

Richtlijnen voor het opstellen van een Intern nalevingsprogramma voor Strategische en Foltergoederen, Technologie en Sancties



### Drivers praise halo and F1 safety as Grosjean makes 'miracle' escape from crash

March 5, 2018





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## Exclusive: Biden to hit China with broader curbs on U.S. chip and tool exports

By Karen Freifeld and Alexandra Alper



WASHINGTON, Sept 11(Reuters) - The Biden administration plans next month to broaden curbs on U.S. shipments to China of semiconductors used for artificial intelligence and chipmaking tools, several people familiar with the matter said.

The Commerce Department intends to publish new regulations based on restrictions communicated in letters earlier this year to three U.S. companies - KLA Corp ([KLAC.O](#)), Lam Research Corp ([LRCX.O](#)) and Applied Materials Inc ([AMAT.O](#)), the people said, speaking on the condition of anonymity. The plan for new rules has not been previously reported.

# VERDEN ENDRES RASKT





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Maritime**



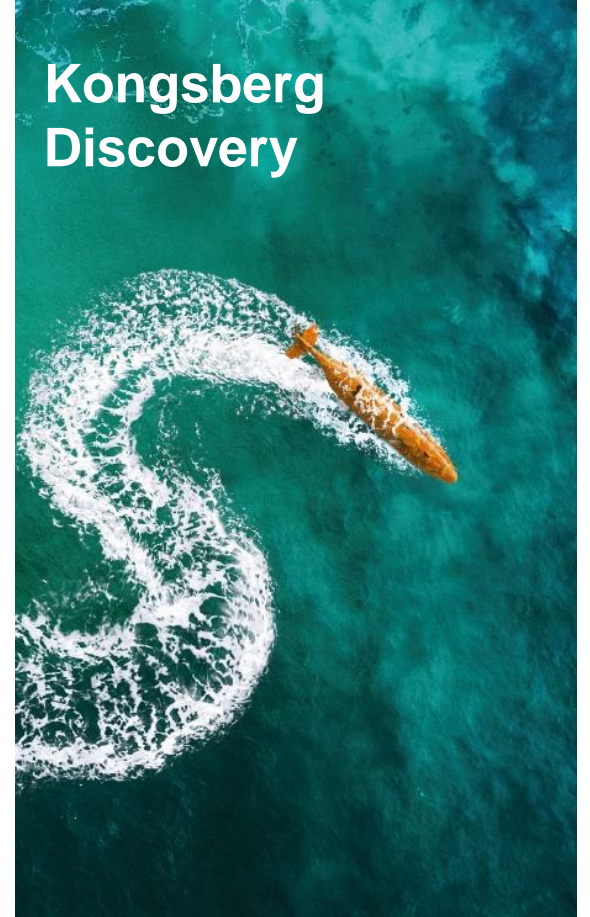
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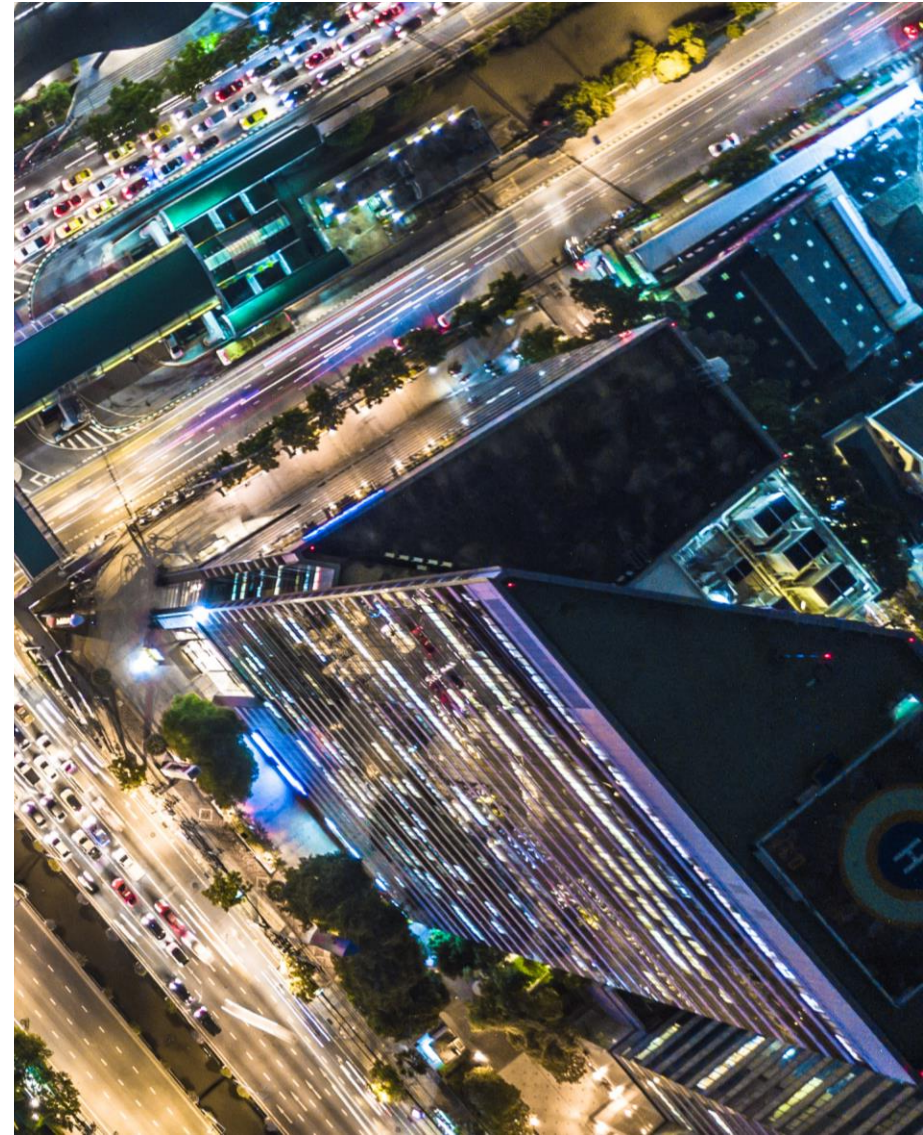




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**Patria**

# TRADE COMPLIANCE PROJECT







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# About **The Trade Compliance Project**



Started in June 2019 to share best practices, benchmark on trade compliance topics



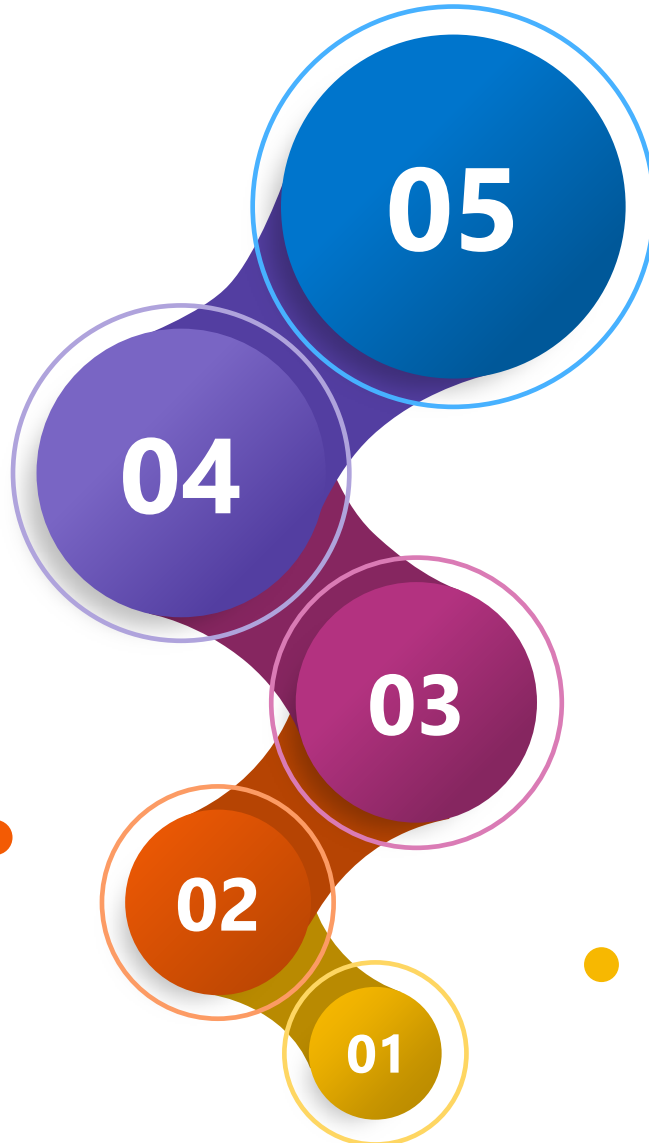
Has raised and improved awareness through 15 audits in Phase II, annual events and joint benchmarks, created an incredible network in our Companies.



Was recognized with an Award in December 2021, inspiring other Companies to do Compliance collaboration.



# The Project Objectives



## Identify key resources

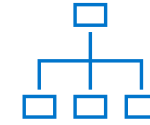


To encourage interest and teamwork with all parts of the organization

## Grow Culture



Of trade compliance by setting it as a top priority, encouraging leadership and involvement of personnel



## Give visibility to What we do

As responsible businesses and our engagement in these topics



## Create Networks

Of trade compliance and non-trade compliance professionals to cooperate and improve our practices

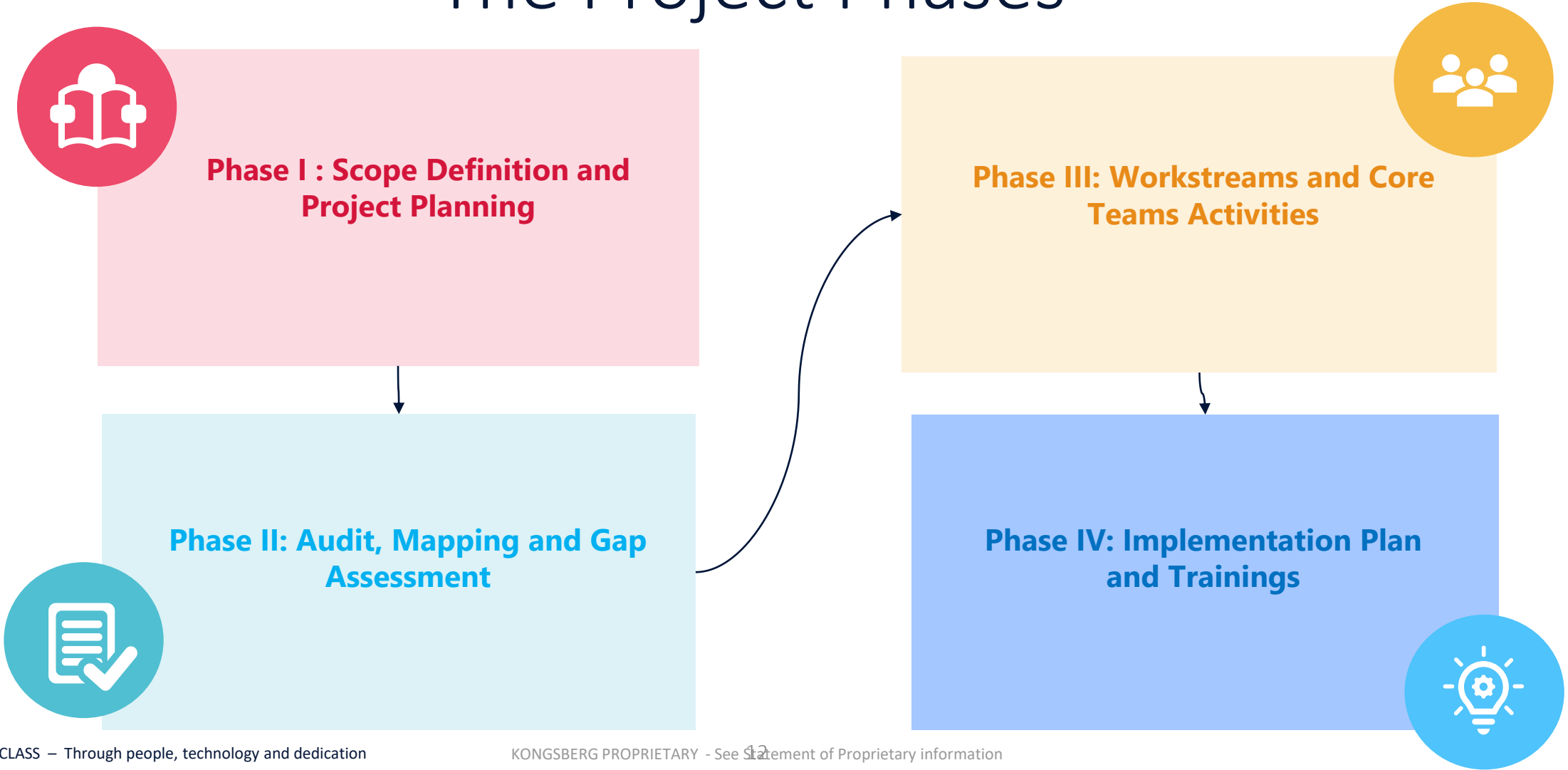


## Raise Awareness

On the criticality of trade compliance for current and future business

# Trade Compliance Project

## The Project Phases





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# ICP Requirements Assessed:

## All ICP Guidelines (in the US or in Europe, EU Commission) Recommendation:





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# Trade Compliance Project Audit Team



Rosa Rosanelli is VP and Head of Compliance in Patria

Rosa is also Project Lead for the “Trade Compliance Project” and chair the ASD Export Control Committee

A Lawyer specialized in export controls, Rosa holds a Master in Law of Air, Space and Telecommunications at Paris XI University and a Master in International Relations (International law) at Rome La Sapienza University. She is currently also enrolled in an Executive MBA program.



Lars Løken former Director of Export Control Licensing at the Norwegian Ministry of Foreign Affairs. Coordinating Defence and Dual-Use licensing processes and decision making, development of destination country policies and industry outreach.

Military background including NATO headquarter.

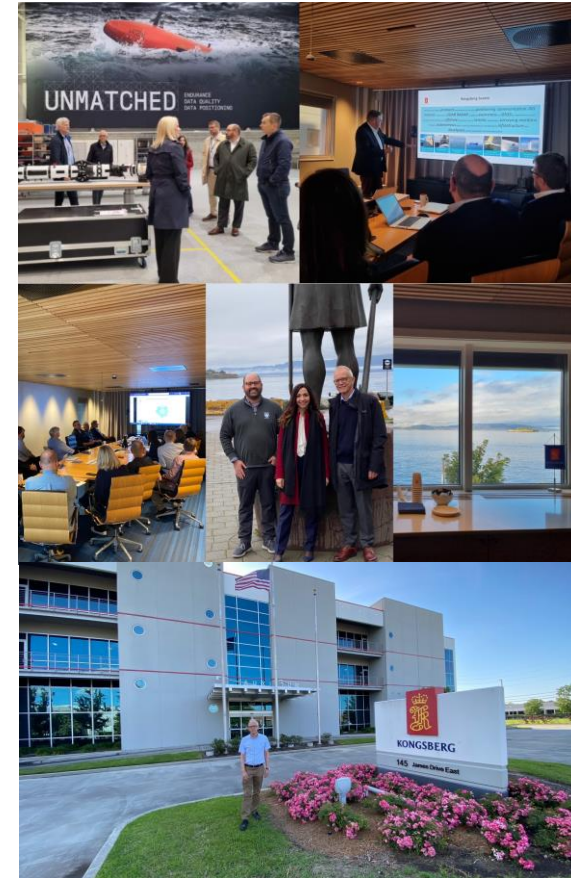
Master in law from University of Oslo



Tyler Nielsen is the CEO of Sanctions Advisory

He previously served with the US Department of the Treasury, US Department of State, US Embassy Helsinki and most recently as the Head of Advisory – Sanctions at Nordea.

Tyler brings unique insights on the formulation of sanctions policy and application of sanctions enforcement.





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# Elementer å tenke på







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# Hvem skal vi forholde oss til?



## Export Administration Regulations

2013



U.S. Department of Commerce  
Bureau of Industry and Security



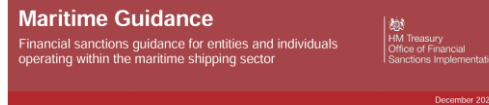
### United States Publishes a Global Maritime Advisory to Counter Sanctions Evasion by Iran, North Korea, and Syria



Department of the Treasury    Department of State    United States Coast Guard

#### Sanctions Advisory for the Maritime Industry, Energy and Metals Sectors, and Related Communities

Issued: May 14, 2020  
Title: Guidance to Address Illicit Shipping and Sanctions Evasion Practices



## INSPEKTIONEN FÖR STRATEGISKA PRODUKTER



	China	Hong Kong	Singapore	Taiwan
<b>Key Regulators</b>	Ministry of Commerce Chinese Customs Bureau	Trade and Industry Department Customs and Excise Department	Ministry of Trade and Industry Singapore Customs	Bureau of Foreign Trade
<b>Licensable Export Activities (Dual-Use &amp; Military)</b>	Import, Export, Transit, Tranship (Dealing with military items is restricted to authorised entities)	Import, Export, Tranship, Transit	Export, Tranship, Transit, Intangible transfer, Brokering	Export, Tranship, Transit
<b>License Types</b>	Individual General	Individual AIP for Bulk Users US's HK rule	Individual/Bulk Brokering permit ITT permit	Individual Bulk
<b>Classification List</b>	Own system with multiple lists, only in Chinese	Munitions List Dual-Use Goods List (EU numbering system)	Military Goods and Dual-Use Goods List (EU numbering system)	EU lists



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# USA Compliance Program Guidelines ITAR

Gammel

Ny (desember 2022)



Bureau of Political Military Affairs  
Directorate of Defense Trade Controls  
Office of Defense Trade Controls  
Compliance

## Compliance Program Guidelines

Comprehensive operational compliance programs include manuals that articulate the processes to be followed in implementing the company program. Important elements of effective manuals and programs include:

### Organization Structure

- Organizational charts.
- Description (and flow charts, if appropriate) of company's defense trade functions.
- Description of any management and control structures for implementing and tracking compliance with U.S. export controls (including names, titles, and principal responsibilities of key officers).

### Corporate Commitment and Policy

- Directive by senior company management to comply with Arms Export Control Act (AECA) and the International Traffic in Arms Regulations (ITAR).
- Knowledge and understanding of when and how the AECA and ITAR affect the company with ITAR controlled items/technical data.
- Knowledge of corporate internal controls that have been established and implemented to ensure compliance with the AECA and ITAR.

### Examples of detail:

- Citation of basic authorities (AECA, ITAR).
- Identification of authorized U.S. Government control body (Directorate of Defense Trade Controls ("DDTC")).
- Corporate policy to comply fully with all applicable U.S. export control laws and regulations.

4 sider



**Bureau of Political-Military Affairs  
Directorate of Defense Trade Controls  
Office of Defense Trade Controls Compliance**

**International Traffic in Arms Regulations (ITAR)  
Compliance Program Guidelines**

63 sider



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# EU informasjon og nylige oppdateringer

European Commission dual-use trade controls webpage

<https://ec.europa.eu/trade/import-and-export-rules/export-from-eu/dual-use-controls/>

Trade and Technology Council (TTC) – report on stakeholders inputs (May 2022)

<https://futurium.ec.europa.eu/en/EU-US-TTC/wg7/documents/summary-public-feedback-consultation-working-group-7>

Guidance on Russia Sanctions

[Sanctions adopted following Russia's military aggression against Ukraine](#)

EU sanctions map

<https://www.sanctionsmap.eu/#/main>



EU Dual-use Regulation including list of dual-use items

[EUR-Lex - 02021R0821-20220505 - EN - EUR-Lex \(europa.eu\)](#)

Information notice from Member States and national measures (February 2022)

[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022XC0208\(02\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022XC0208(02)&from=EN)

Guidelines on internal compliance programmes for dual-use research (September 2021)

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021H1700>



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# Risiko for avledning

## Global Advisory on Russian Sanctions Evasion Issued Jointly by the Multilateral REPO Task Force March 9, 2023

### Overview

Shortly following Russia's invasion of Ukraine in February 2022, Australia, Canada, France, Germany, Italy, Japan, the United Kingdom, the United States, and the European Commission launched the Russian Elites, Proxies, and Oligarchs (REPO) Task Force, a multilateral effort that has used information sharing and coordination to isolate and exert unprecedented pressure on sanctioned Russian individuals and entities. The REPO Task Force, consisting of Finance Ministry and Justice or Home Ministry participation in each member jurisdiction, has successfully used their respective authorities to track Russian sanctioned assets and heavily restrict sanctioned individuals and entities from accessing the international financial system. The REPO Task Force's work has leveraged cooperation from like-minded countries outside of the task force and worked in close coordination with the European Commission's Freeze and Seize Task Force. These efforts have denied regime insiders access to revenue streams and economic resources used to support Russia's war of aggression in Ukraine.

The REPO Task Force's collective efforts have resulted in the freezing of tens of billions of dollars and the freezing or seizure of high-value goods or property. However, some sanctioned Russian elites and their financial networks have managed to evade sanctions and, in some instances, maintain access to funds. Additionally, in some instances, sanctioned individuals and entities may be able to generate additional revenue or procure export-controlled and sanctioned items. This illicit financial activity runs in direct contravention of the multilateral sanctions that impose costs on Russia for its unprovoked war and deny the access of sanctioned Russian individuals and entities to the international financial system.

To underscore the REPO Task Force's commitment to work collaboratively with the private sector, and to deny key Russian elites and proxies' access to revenue and sensitive goods and technologies, the REPO Task Force has identified certain typologies of Russian sanctions evasion tactics and is issuing recommendations to mitigate the risk of exposure to continued evasion. This advisory will contribute to effective sanctions implementation across REPO Task Force members' jurisdictions by preventing the undermining of financial sanctions, export controls, and other restrictive measures designed and implemented in response to Russia's unprovoked war of aggression in Ukraine. Typologies identified in this advisory include: the use of family members and close associates to ensure continued access and control; the use of real estate to hold value, benefit from wealth; the use of complex ownership structures to avoid identification; the use of enablers to avoid involvement, leverage expertise; and the use of third-party jurisdictions, false trade information to facilitate sensitive goods shipment to Russia.

To complement this effort, private sector partners should closely review advisories and publications issued by REPO Task Force members relevant to the jurisdictions and industries in which they operate. The REPO Task Force remains committed to continued collaboration and coordination to restrict sanctioned individuals and entities from using the international financial system to fund Russia's brutal war of aggression and to ensuring effective and robust enforcement of sanctions, including by criminal prosecution.



3 minute read · April 14, 2023 2:58 AM GMT+2 · Last Updated 17 days ago

## US, UK, EU officials met with financial firms on Russian sanctions evasion

By Andrea Shalal and David Lawder



People attend the 2023 Spring Meetings inside the International Monetary Fund in Washington, U.S., April 12, 2023. REUTERS/Elizabeth Frantz

WASHINGTON, April 13 (Reuters) - Senior officials from the United States, Europe and Britain met on Thursday with financial institutions to brief them on efforts by Russia to evade Western sanctions imposed over its invasion of Ukraine, a senior U.S. Treasury official told reporters.

The firms - from the United States, Britain and Europe - assured the officials that they were working hard to avert Russian efforts to evade sanctions and export controls, said the official, speaking on condition of anonymity.



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- Jointly sponsored by the United States and the European Union in Brussels, Belgium on March 14-16, 2023.
- The Conference focused on interagency coordination and information-sharing within and among governments in implementing export and strategic trade controls.
- One of the key objectives of this seminar was to highlight the full suite of national security policy and open-source information tools available to governments seeking to implement catch-all controls.
- This seminar contributed to convey skills and expertise relevant for effective implementation of catch-all controls, including risk assessment, end-use/end-user analysis, and improved information sharing.
- The seminar featured case study reviews and scenario-based break out exercises, and will bring together approximately 135 policy, licensing, enforcement, and NGO representatives from 40+ countries and organizations, primarily AG and MTCR member states.



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# Avledning

## The Iranian drones deployed by Russia in Ukraine are powered by stolen Western technology, research reveals

By Tim Lister, CNN  
Updated 3:19 AM EDT, Fri April 28, 2023



### KEY POINTS

- Key components from Western countries have been found in the military equipment used by Russian forces in Ukraine.
- Research demonstrates the illicit procurement and misuse of semiconductors by overseas entities.
- Although the semiconductor companies and government officials CNBC spoke to acknowledge the unauthorized use of American chips is a serious issue, experts can't agree on who is to blame.



Western companies were quick to shutter operations in Russia after the country's military invasion of Ukraine last February. But U.S. and European microelectronic tech continues to power the Kremlin's war.

Key components from more than a dozen Western countries have been found in the military equipment used by Russian forces in Ukraine, according to research from the British academic journal Royal United Services Institute. A separate report from independent research group Conflict Armament Research analyzed the components of four Iranian-made drones, also known as unmanned aerial vehicles, used by Russia in Ukraine and found the vast majority of the technological devices originated from U.S. companies.



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# Commerce Implemented New Export Controls on Advanced Computing and Semiconductor.



FOR IMMEDIATE RELEASE

October 7, 2022

[www.bis.doc.gov](http://www.bis.doc.gov)

BUREAU OF INDUSTRY AND SECURITY

Office of Congressional and Public Affairs

[OCPA@bis.doc.gov](mailto:OCPA@bis.doc.gov)

## Commerce Implements New Export Controls on Advanced Computing and Semiconductor Manufacturing Items to the People's Republic of China (PRC)

Washington, D.C.—The Department of Commerce's Bureau of Industry and Security (BIS) is implementing a series of targeted updates to its export controls as part of BIS's ongoing efforts to protect U.S. national security and foreign policy interests. These updates will restrict the People's Republic of China's (PRC's) ability to both purchase and manufacture certain high-end chips used in military applications and build on prior policies, company-specific actions, and less public regulatory, legal, and enforcement actions taken by BIS.

The export controls announced in the two rules today restrict the PRC's ability to obtain advanced computing chips, develop and maintain supercomputers, and manufacture advanced semiconductors. These items and capabilities are used by the PRC to produce advanced military systems including weapons of mass destruction; improve the speed and accuracy of its military decision making, planning, and logistics, as well as of its autonomous military systems; and commit human rights abuses. Finally, these rules make clear that foreign government actions that prevent BIS from making compliance determinations will impact a company's access to U.S. technology through addition to the Entity List.

"As I told Congress in July, my north star at BIS is to ensure that we are appropriately doing everything in our power to protect our national security and prevent sensitive technologies with military applications from being acquired by the People's Republic of China's military, intelligence, and security services," **said Under Secretary of Commerce for Industry and Security Alan Estevez**. "The threat environment is always changing, and we are updating our policies today to make sure we're addressing the challenges posed by the PRC while we continue our outreach and coordination with allies and partners."

"The PRC has poured resources into developing supercomputing capabilities and seeks to become a world leader in artificial intelligence by 2030. It is using these capabilities to monitor, track, and surveil their own citizens, and fuel its military modernization," **said Assistant Secretary of Commerce for Export Administration Thea D. Rozman Kendler**. "Our actions will protect U.S. national security and foreign policy interests while also sending a clear message that U.S. technological leadership is about values as well as innovation."



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# «Chip war»

POLITICO

SEMICONDUCTOR & CHIP PRODUCTION

REPORTAGE

## The Netherlands to block export of advanced chips printers to China

The Hague follows US lead in efforts to choke off China from cutting-edge chips supplies.



The new export restrictions cover a slice to ASML, the global leader in producing advanced microchip printing machines based in Veldhoven, in the southern Netherlands. (Jens Laguarda/FP via Getty Images)

BY PETER HAECK  
MARCH 8, 2023 | 9:26 PM CET | 3 MINUTES READ



The Dutch government confirmed for the first time Wednesday it will impose new export controls on microchips manufacturing equipment, bowing to U.S. pressure to block the sale of some of its prized chips printing machines to China.

The U.S. and the Netherlands reached an agreement to introduce new export restrictions on advanced chip technology to China at the end of January, but until now, the Dutch government hadn't commented publicly on it. The deal, which also included Japan, involves the only three countries that are home to manufacturers of advanced machines to print microchips. It is a U.S.-led initiative to choke off the supply of cutting-edge chips to China.

"Given the technological developments and geopolitical context, the government has concluded that it is necessary for the (international security) to expand the existing export controls on specific manufacturing equipment for semiconductors." Foreign Trade Minister Liesje Schreinemakers wrote in a letter to Dutch lawmakers published Wednesday evening.



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European Power

### Caught in the crossfire: Why EU states should discuss strategic export controls

The latest US export controls on semiconductor technologies traded with China mark the beginning of a new era for global technology trade. European states need to urgently discuss strategic export controls in order to participate in it.

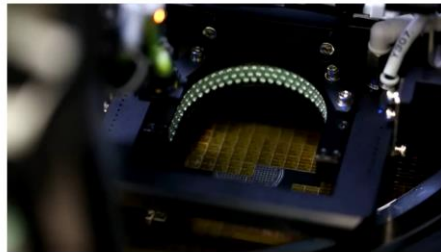
REUTERS World Business Markets Legal Breakingviews Technology Investigations Sport

Technology

4 minute read · March 31, 2023 12:35 PM GMT+2 · Last Updated a month ago

## Japan restricts chipmaking equipment exports as it aligns with US China curbs

By Tim Kelly and Miho Uranaka



TOKYO, March 31 (Reuters) - Japan said on Friday it will restrict exports of 23 types of semiconductor manufacturing equipment, aligning its technology trade controls with a U.S. push to curb China's ability to make advanced chips.

Japan, home to major chip equipment makers such as Nikon Corp (7731.T) and Tokyo Electron Ltd (8035.T), did not specify China as the target of the restrictions, saying manufacturers would need to seek export permission for all regions.

Bloomberg

US Edition

Live Now Markets Economics Industries Technology Politics Wealth Pursuits Opinion Businessweek Equality Green

Politics

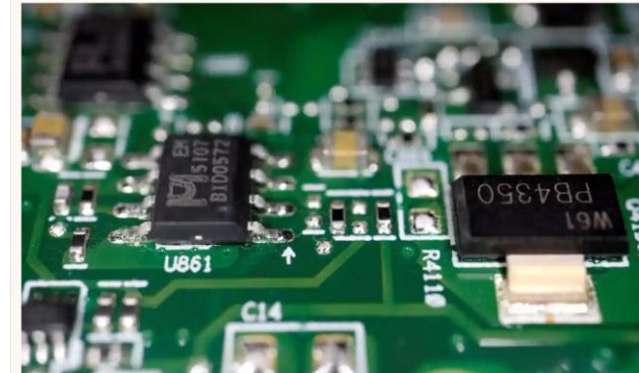
## Germany in Talks to Limit Export of Chip Chemicals to China

- The move could affect German companies including Merck, BASF
- Chancellor Scholz has been striking a harder line on China

## The Guardian view on US-China chip wars: no winners in zero-sum battles

Editorial

UK policy is to ensure its industry doesn't suffer collateral damage in the contest for tech supremacy



'Microchips are the lifeblood of an advanced economy' Photograph: Florence Lo/Reuters

Rishi Sunak is readying a billion pounds to subsidise the UK's fledgling microchip industry. It sounds big. But the British government is merely reacting to US economic warfare against China. Behind the talk of "friendshoring" and resurgent industrial policy is a struggle to avoid collateral damage in the battle between China and the US for tech supremacy.





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# G7

the japan times  
THE INDEPENDENT VOICE IN ASIA

NEWS OPINION LIFE COMMUNITY  
NATIONAL ASIA PACIFIC BUSINESS WORLD REFERENCE

**BUSINESS**

**G7 trade ministers vow to cooperate on tech export controls**



Japan Minister Hirofumi Hoshino attends an online meeting of the trade ministers of the Group of Seven countries held on Tuesday | MINISTRY OF ECONOMY, TRADE AND INDUSTRY / VIA KYODO

KYODO SHARE Aug 5, 2023

Listen to this article  
0:00 / 3:16

Trade ministers from the Group of Seven advanced economies on Tuesday agreed to cooperate to impose export controls for cutting-edge technologies amid concerns that countries such as China may use them for military purposes and surveillance.

"We reaffirm that export controls are a fundamental policy tool to address the challenges posed by the diversion of technology critical to military applications as well as for other activities that threaten global, regional, and national security," the ministers said in a joint statement after an online meeting.

The G7, which consists of Britain, Canada, France, Germany, Italy, Japan and the United States, plus the European Union, also underscored the need to use such export restrictions to address the "misuse" of critical and emerging technologies by "malicious actors," without citing specific countries.

Japan, which holds the rotating G7 presidency this year, has joined U.S.-led efforts to stymie China's ability to develop high-end semiconductors, which could be used for military modernization and artificial intelligence training.

"We continue to work with other states in strengthening effective and responsible export controls in a way that keeps pace with rapid technological developments," the statement said.

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# Eksportkontroll – Menneskerettigheter

## Code of Conduct

THE WHITE HOUSE



Administration Priorities The Record

DECEMBER 10, 2021

### Joint Statement on the Export Controls and Human Rights Initiative

BRIEFING ROOM STATEMENTS AND RELEASES

The following is the text of a joint statement signed by the governments of Australia, Denmark, Norway, and the United States

Begin Text:

We, Australia, Denmark, Norway, and the United States, recognize that advanced technologies are a vital part of global economic growth and communication, helping people become more interconnected, share knowledge, and advance freedom, democracy, and opportunity. Legitimate trade in these technologies, and responsible use, is essential for the well-being of our future generations. At the same time, authoritarian governments increasingly are using surveillance tools and other related technologies in connection with serious human rights abuses, both within their countries and across international borders, including in acts of transnational repression to censor political opposition and track dissidents. Such use risks defeating the benefits that advanced technologies may bring to the world's nations and peoples.

Over the coming year of action, we commit to working to establish a voluntary, nonbinding written code of conduct around which like-minded states could politically pledge, to use export control tools to prevent the proliferation of software and other technologies used to enable serious human rights abuses. In addition, we will use the year of action to consult with industry and academia in our efforts.

In collaboration with various international partners the Biden Administration released the Export Controls and Human Rights Initiative [Code of Conduct](#) (“Code of Conduct”) on March 30, 2023, which aims to counter the misuse of goods, software, and technology that enable serious human rights abuses. This effort stems from the [Export Controls and Human Rights Initiative](#) (the “Initiative”), a multilateral effort launched by Australia, Denmark, Norway, and the United States in a [joint statement](#) on December 21, 2021. Our previous blog post on the Initiative can be found [here](#). The Code of Conduct is voluntary, nonbinding, and currently endorsed by Albania, Australia, Bulgaria, Canada, Croatia, Czechia, Denmark, Ecuador, Estonia, Finland, France, Germany, Japan, Kosovo, Latvia, The Netherlands, New Zealand, North Macedonia, Norway, Republic of Korea, Slovakia, Spain, the United Kingdom, and the United States (the “Subscribing States”).

The Code of Conduct asks Subscribing States to:

- Consider human rights when reviewing potential [exports](#) of dual-use goods, software, or technologies that could be used for serious violations or abuses of human rights.
- Consult with stakeholders (e.g., private sector, academia, and civil society) regarding human rights concerns and effective implementation of export controls.
- Exchange information on emerging threats and risks associated with exports of goods, software, and technologies that pose human rights concerns.
- Communicate best practices in developing and implementing export controls.
- Urge private sector due diligence efforts that align with national law, the [UN Guiding Principle on Business and Human Rights](#), and other complementing international instruments.
- Encourage other States to subscribe to the Code of Conduct and implement similar national programs and procedures.



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**Takk**

