




Export Control Update- Issues Being Discussed at European Level

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An aerial photograph of a large shipping yard. The yard is filled with numerous stacks of intermodal containers in various colors, including blue, red, orange, green, and white. Yellow gantry cranes are positioned between the stacks, and a paved road with white lane markings runs through the center. The overall scene depicts a busy port or logistics hub.

Agenda

- ◆ Russian Sanctions
- ◆ EU-US TTC
- ◆ Export Control issues for EU-funded projects
- ◆ New Export Control Legislation in Germany
- ◆ ESG Criteria and “Controversial Weapons”



EU Russia Sanctions

- ◇ 6th Package of Sanctions to be released soon
- ◇ Guidelines were welcome, clear
- ◇ First time implementation of US principle of MEU
- ◇ Raised question of the degree of cooperation with the US, and likelihood that this is used for other countries as well
- ◇ Countersanctions and the Titanium issue



EU- US Trade & Technology Council

- ❖ Coordination developed under push of developments in Ukraine
- ❖ The next edition of the EU/US Trade and Technology Council (TTC) is now scheduled for 15-16 May.
- ❖ Negotiations will have a marked focus on “shared democratic values”



Export Control issues associated to EU Funded Programs and Joint Cooperative Efforts

- ❖ EU funded projects have made the issue of further harmonization and convergence between EU MS on export controls even more urgent
- ❖ Intra-EU transfers and use of ICT Directive GTLs
- ❖ Exports to third countries of jointly developed and produced systems
- ❖ 2021 Multilateral Agreement as a possible model



New Export Control Legislation in Germany

- ❖ Public Consultation
- ❖ Limited information available as to the Government's objectives, except as mentioned in the Coalition agreement *“to enshrine the EU's common position with its eight criteria and the Federal Government's political principles for the export of war weapons and other armaments, the small arms principles and the expansion of post-shipment controls in such a law. There can only be exceptions in justified individual cases, which must be documented in a publicly comprehensible manner. We will make the arms export control report transparent.”*
- ❖ Timeline: initial draft expected for summer



ESG Criteria and Controversial Weapons definition

- ❖ In the context of taxonomy and sustainable finance
- ❖ ESG/investors/risk community became vocal about acceptability of investments.
- ❖ “Controversial weapons” definition has been interpreted in very different ways
- ❖ Need to explain to financial partners more and in details when we talk to bank and insurers on daily bases.



Questions?