

26th ASIAN EXPORT CONTROL SEMINAR (Tokyo, 26-28 February 2019)

WASSENAAR ARRANGEMENT UPDATES

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Head of Secretariat

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



www.wassenaar.org

OUTLINE OF PRESENTATION

- Brief Background
- Current Context
- Control Lists
- Information Exchange
- Best Practices
- Outreach

WA 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

WA PARTICIPATING STATES

(Currently 42)



TOP 20 CONVENTIONAL ARMS EXPORTERS (2015-2017)

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2015-2017</u>
United States	10048	10304	12394	32746
Russia	5608	6937	6148	18693
France	2077	2278	2162	6517
Germany	1769	2535	1653	5957
China	1832	2192	1131	5155
United Kingdom	1149	1365	1214	3727
Israel	727	1433	1263	3424
Spain	1163	507	814	2484
Netherlands	464	471	1167	2103
Italy	711	670	660	2041
South Korea	101	585	587	1274
Ukraine	400	535	240	1175
Turkey	288	311	244	842
Switzerland	437	186	186	809
Canada	356	144	87	586
Sweden	184	267	83	535
Norway	240	150	134	523
Czech Republic	138	133	110	381
Australia	87	134	97	318
Belarus	142	152	23	317

Units: Estimated millions of U.S. dollars in exports (see SIPRI for detailed calculations)

WA PARTICIPATING STATE SHARE OF GLOBAL CONVENTIONAL ARMS EXPORTS

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2015-2017</u>
WA PS Total	\$25.5 bn	\$28.0 bn	\$28.3 bn	\$81.8 bn
Rest of the world	\$3.0 bn	\$4.3 bn	\$2.8 bn	\$10.1 bn
WA PS Share of Global Exports	89%	86%	91%	89%

Units: Estimated U.S. dollar value of exports (see SIPRI for detailed calculations)

Source: SIPRI Arms Transfers
Database, www.sipri.org

WA BASIC COMMITMENTS

To Maintain Effective Export Controls at the National Level



To Contribute to the WA's Collective Work

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



National Implementation

WA STRUCTURE

Plenary - Overall decision-making body

2019 Chair: Greece

General Working Group - Policy and administrative issues

2019 Chair: Turkey

Experts Group - Control Lists

2019 Chair: Latvia

Licensing and Enforcement Officers Meeting - Practical implementation issues

2019 Chair: United Kingdom

WA 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” principle** - Non-listed dual-use items (national decision)

WA MUNITIONS LIST

Only one criterion for the selection of items:

- the military specification

(“specially designed or modified for military use”)

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**

WA CONTROL LISTS: UPDATING

To keep pace with

- advances in technology
- international security developments
- market trends

Control List changes

- government experts work with industry
- changes approved by the annual WA Plenary in early December
- updated Lists published on WA website
- implemented nationally, including by an increasing number of non-WA countries

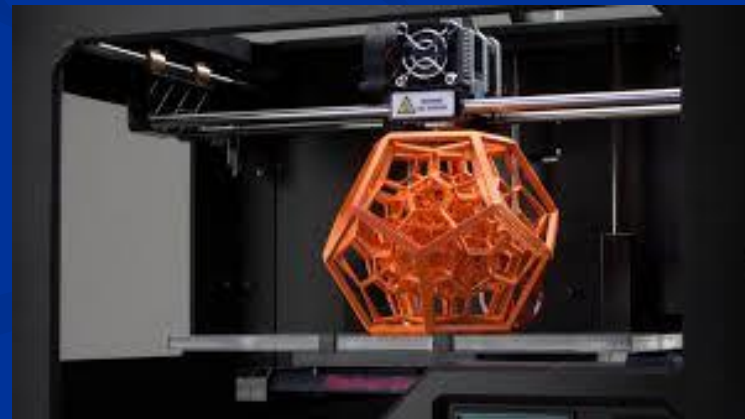
2018 WA LIST REVIEW PROCESS

- 231 papers representing national proposals and Working Group outcomes
- 81 different proposals – approx. 75% agreed
- 73 WA Participating State experts

CONTROL LISTS

In recent years, the WA has focussed on emerging technologies of concern such as:

- Forensics equipment
- Cryptography and intrusion software
- Communications interception
- Drone (UAVs) jamming
- Additive manufacturing (3D printing)
- Spacecraft and space launch platforms



2018 WA CONTROL LIST CHANGES

Examples:

- New entry: Air-launch platforms for spacecraft
- New sub-entry: Electro-magnetic pulse and electro-static discharge-resistant software
- Decontrol note for civil applications of the “Internet of Things”
- Restructure and clarification: Specially designed nuclear power-generation or propulsion equipment
- Introduction of Post-Quantum cryptography controls



WA TRANSPARENCY MEASURES

General Information Exchange:

- Discussion of transfer risks and concerns in different parts of the world (i.e., suspicious acquisitions and possible diversions)

Specific Information Exchange:

- Six-monthly reporting of certain transfers and denials to non-WA members; other voluntary reporting of relevant export control decisions

WAIS – secure electronic communications network

LICENSING & ENFORCEMENT OFFICERS MEETING (LEOM)

- Licensing and enforcement officers of WA Participating States share experiences of national implementation, including case studies and lessons learned
- Annual meeting in Vienna and intersessional contacts and networking

BEST PRACTICES GUIDELINES, ELEMENTS & PROCEDURES

- Non-binding guidance for national export control policy and practice
- Some 25 best practices, elements and procedures
- Regular review and updating cycle
- Available on the WA website

WA BEST PRACTICE GUIDELINES

Examples:

- Elements for **Objective Analysis and Advice Concerning Potentially Destabilising Accumulations of Conventional Weapons** (1998, amended 2004, 2011)
- Best Practice Guidelines for **Exports of Small Arms and Light Weapons** (2002/2007)
- Statement of Understanding on **Control of Non-Listed Dual-Use Items (“Catch-all”)** (2003)
- Implementing **Intangible Transfers of Technology Controls** (2006)
- **Internal Compliance Programmes** for Dual-Use Goods and Technologies (2011)
- **Subsequent Transfer (Re-export) Controls** for Conventional Weapons Systems (2011)
- Introduction to **End-User/End-Use Controls** for Exports of Military-List Equipment (2014)

RECENT WA 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

2018

- List of **Advisory Questions for Industry (2003)** - updated

WA OUTREACH

- Collective briefings:
 - Enhanced Technical Briefing (next in 2020)
 - Post Plenary Briefing (December 2019)
- Bilateral dialogue/visits by invitation
- Technical contacts with MTCR and NSG
- Contacts with other relevant international/regional organisations
- Participation in other relevant events, including government officials, industry and civil society

WASSENAAR ARRANGEMENT & THE ARMS TRADE TREATY (ATT)

- Wide-spread international acceptance of the need for export controls on conventional arms
- Alignment of purpose between the WA and the ATT
- WA members 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

[HOME](#) | [ABOUT US](#) | [NATIONAL CONTACTS](#) | [CONTROL LISTS](#) | [BEST PRACTICES](#) | [OTHER DOCUMENTS](#) | [OUTREACH](#) | [RELATED LINKS](#)



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 \(FAQ\)](#)

Highlights

[List of Dual-Use Goods and Technologies & Munitions List \(Dec. 2018\)](#)

[Summary of Changes to Lists \(Dec. 2018\)](#)

[List of Advisory Questions for Industry \(Dec. 2018\)](#)

[READ MORE](#)

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Contact

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Wassenaar, The Hague

Wittenburg Castle – where agreement was reached in December 1995 to establish the Wassenaar Arrangement



Vienna, Austria

Vienna - where the Wassenaar Arrangement holds its regular meetings and the Secretariat is located



www.wassenaar.org