

International Conference

Sanctions & Embargoes + US-Export- & Re-Export Controls

The Conference for all Exporters, Financiers & Investors Dealing with Difficult Countries!

- Prevent Circumvention of Embargo Rules with Due Diligence on Buyers!
- Sanctions and Embargo Busting – Red Flags!
- Financing International Trade – Indispensable Information for Bankers!
- Applicability of US Export Control Rules & Sanctions in Frequently Unknown Situations – The Use of Parts, Chips, Technology, Biotech or Software of US Origin!
- The Right License for the Right Country, Product & Buyer?
- US - China End-use Controls!
- Wassenaar Arrangement, EU & US controls - Challenges of Compliance!
- Recent enforcement cases!

important for:

- *all exporters of high tech equipment*
- *countries affected by embargoes – Iran, Sudan, Syria, Cuba, Burma, North Korea*
- *persons & companies - Balkans, Belarus, Lebanon, Iraq, Somalia, Congo, Zimbabwe,*
- *processors, resellers of US origin products, parts, software, technology, biotech*
- *trade finance experts + compliance officers in banks and companies*

Thursday, April 18 + Friday, April 19, 2013

10.00 – 18.00 - 9.00 – 17.00

**Austrian Federal Economic Chamber of Commerce – Room 1
Wiedner Hauptstrasse 63, 1040 Vienna - Austria**

in cooperation with

BAKER & MCKENZIE

DIWOK HERMANN PETSCHKE

Who should attend?

- ◆ Exporters machinery, software, technology
- ◆ Compliance Officers
- ◆ Importers and Exporters
- ◆ Trade Finance Experts
- ◆ Forwarding + customs agents
- ◆ Lawyers

Background

US Sanctions-, Export or Re-export Control Regulations apply when firms

- ◆ sell or resell US origin products or services
- ◆ sell or resell products, parts or components using US origin software or technology
- ◆ use US origin parts and components in a manufacturing or assembly process
- ◆ incorporate US origin subsystems, software and technology into products
- ◆ sell products with US origin to domestic customers that export these products
- ◆ re-export US origin products, software or technology to sensitive destinations

Objective

For an EU company, bank, it is essential that you comply with your local, EU, UN and US regulations. Violation may severely affect your business! This conference will enable you to stay within the law!

Global business integration leads to an increase of sales and re-sales of US items. Either as traded items (as measuring instruments), in assembled form (e.g. chips in an electronic control, computer or machine), or as software. Even if a US product has been imported legally into the EU, it doesn't mean that the export can be done without a U.S. license! This neglect of US re-export-regulations can lead to a total ban to trade with US goods for the non-compliant company and bank.

Learn, when and how the U.S. sanctions, export and re-export controls regulations are applied, how they interrelate with EU regulations how to apply this knowledge in your daily business to avoid unintentional diversion of U.S. products and technology to sensitive activities and/or destinations.

Speakers

Nicholas Coward, Lawyer; Partner Baker & McKenzie, Washington; specializes in outbound trade compliance matters including the extraterritorial application of U.S. law, particularly U.S. export control laws, anti-boycott regulations and trade sanctions/embargoes maintained by the U.S. Government against various countries, WTO, International Trade Regulation & Customs; Corporate Compliance

Jasper Helder, Lawyer; Partner Baker & McKenzie, Amsterdam; is a leading EU customs and international trade attorney who counsels multinational companies on EU customs and export controls/sanctions.

Bart McMillan, Lawyer; Partner Baker & McKenzie; Chicago; he advises U.S. and non-U.S. companies on matters arising under U.S. export controls, trade sanctions, and antiboycott rules. A significant portion of Mr. McMillan's export controls practice concerns the U.S. International Traffic in Arms Regulations (ITAR).

Jonathan Poling, Lawyer; Partner Baker & McKenzie; Washington; former chief prosecutor for the US department of justice for trade sanctions and export control violations with particular experience in the financial industry.

Dave Cuckney, ICC Commercial Crime Services (CCS), the anti-crime unit of the ICC, regularly advises its banking, trading, shipping and insurance members on the latest techniques employed by those seeking to circumvent certain sanctions regimes.

Martin Vogt, LL.M., Lawyer, Director AML Compliance Deutsche Bank AG, Frankfurt a.M., 15 years internal legal counsel and 5 years Global Sanctions Officer Dresdner Bank and then Commerzbank. Now embargoes and sanctions officer on group level Deutsche Bank Group

Program

Introduction

- Increased globalization of export controls
- Relevance and importance of US export controls and trade embargoes for European companies
- Relevant US agencies involved in export compliance, their roles and inter-relationships
- Relationship to EU export controls

US Export Controls

- Status of US export controls reform
- US Export Administration Regulations and the US International Traffic in Arms Regulations
- Basic principles and screening checklist
- Licensing requirements and process
- Penalties
- Support documentation
- Anti-terrorism and WMD controls: Importance of screening and associated risks for EU companies (possibility of being listed as a supporter of terrorism/WMD proliferation)
- Catch-all controls: comparison of Wassenaar, EU, UN and US end-use controls (include US/China end-use controls)
- Recent Enforcement Cases against EU Companies:
- Illegal re-exports, causing illegal exports from the US, UK record-keeping cases

US Trade Embargos

- Current key programs: Iran, Sudan, Syria, North Korea, Cuba, Ivory Coast, Angola, Rwanda
- Relevance to EU companies - US involvement in EU transactions (parental involvement, supplies, technical assistance, legal assistance, etc.); Cuba - foreign owned/controlled subsidiaries
- Guidance for US citizens/permanent residents working for EU companies
- ILSA (Iran Sanctions Act)
- Relaxation of Burma embargo

Mergers & Acquisitions

- Importance of due diligence
- Successor liability

Sanctions Compliance in Financial Institutions

- EU and US regulations, "jurisdictional links"
- Measures taken by financial institutions to achieve compliance
- Example cases; further developments, esp. with regard to documentary business

Sanctions and Embargo Busting – Methodology used by criminals and fraudsters

- Methods to avoid Export Controls (Goods Focus)
- Methods to avoid Export Controls (Money / Finance Focus)
- Fraudulent Documents

Case-Studies

- Setting up an export compliance program and procedures in companies and banks
- US content: the de minimis rule and one-time reports (EU equipment, US software/components)
- Product classification workshop
- "Don't let this happen to you" type workshop - based on facts of recent EU-related cases, including Iran scenarios
- Encryption: special rules and requirements

Registration form

US Commercial Service

Mail or Fax to: ICC Austria, **Mrs. Cennet Kacan**
 @ E-Mail: c.kacan@icc-austria.org
 responsible for the content: **Mr. Stephan Kranebitter**
 @ E-Mail: s.kranebitter@icc-austria.org

☎ Tel.: +43-1-504 83 00-3718
 ☎ Fax: +43-1-504 83 00-113718
 ☎ Tel.: +43-1-504 83 00-3709

Participant Information

Mr. Mrs.

Family Name: First (given) Name:

Organisation / Company:

Address:

Postal Code, City: Country:

Telephone: Fax:

E-Mail: Job Title / Position:

Invoice data

Organisation / Company:

VAT Number (obligatory for invoicing for European participants):

Address:

Postal Code, City: Country:

Registration

<p>I want to register for the conference and agree that my name/address is registered electronically by ICC Austria who will inform me about further programs by e-mail.</p>	<p>US Export-, Re-Export Controls and Embargo Regulations Austrian Federal Economic Chamber of Commerce – Room 1 Wiedner Hauptstrasse 63, 1040 Vienna - Austria 18. April 2013 10.00 a.m. – approx. 6.00 p.m. 19. April 2013 9.00 a.m. – approx. 5.00 p.m.</p>
<p>Participation fee: incl. conference documentation, Coffee break, Lunch</p>	<p style="text-align: center;">EUR 890,-- (plus 20% VAT)</p>
<p>Closing date: 10 working days before conference</p>	
<p style="text-align: center;">Once confirmed by ICC Austria, your registration is legally binding ! The fee shall be paid within two weeks from receipt of invoice - in case of late registration verifiably before the Conference starts !</p>	

Cancellation Policy

A full refund will only be given for cancellations received up to 7 working days before the event. Cancellations must be made in writing. Should you unable to attend you can nominate a colleague as replacement.

.....
 Date Signature

Information about ICC Austria - *The world business organization*

ICC Austria assists its members in their daily questions around:

- Bank Guarantees, Letters of Credit
- Foreign trade and law, import-export contracts, International trade terms and conditions, Incoterms
- Dispute prevention, dispute resolution and arbitration
- Prevention of commercial crime, corruption, counterfeiting, investment fraud, shipping fraud
- International negotiations in the light of cross cultural differences