



The State Export Control System of Ukraine

The State Service of Export Control of Ukraine

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The State Export Control –

set of measures to control international transfers of military and dual-use goods, their use by individuals and legal persons, implemented by the specially authorized executive body and other state agencies in order to protect the national security interests and in accordance with Ukraine's international commitments

Article 1 of the Law of Ukraine

“On the State Control over International Transfers of Military and Dual-Use Goods”

No. 549-IV of 20 February 2003



International Organizations

Ukraine is a member of

Ukraine is a member of a number of international treaties and conventions, including:

- **Nuclear Non-Proliferation Treaty (ratified in 1994);**
- **Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (ratified in 1998);**
- **Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (in 1975);**
- **Comprehensive Nuclear-Test-Ban Treaty (ratified in 2000);**
- **Safeguard Agreements with IAEA,
and several others**

Ukraine is a member of all multilateral nonproliferation regimes:

- **The Wassenaar Arrangement**
- **Nuclear Suppliers Group**
- **The Zangger Committee**
- **The Missile Technology Control Regime**
- **The Australia Group.**



Background

(History of SSEC)

Government Expert Technical Commission

Decree of the President of Ukraine, dated 20.01.1992 No. 45

**Regulation of the Cabinet of Ministers of Ukraine, dated 25.03.1992
No. 153**

Government Commission on Export Control

Decree of the President of Ukraine, dated 3.01.1993 No. 3/93

**Regulation of the Cabinet of Ministers of Ukraine, dated 4.03.1993
No. 160**

Expert Technical Committee at the Cabinet of Ministers of Ukraine

**Regulation of the Cabinet of Ministers of Ukraine, dated 21.09.1993
No. 779**

The State Service of Export Control of Ukraine

Decree of the President of Ukraine, dated 28.12.1996 № 1279/1996



Background Information

The State Service of Export Control of Ukraine

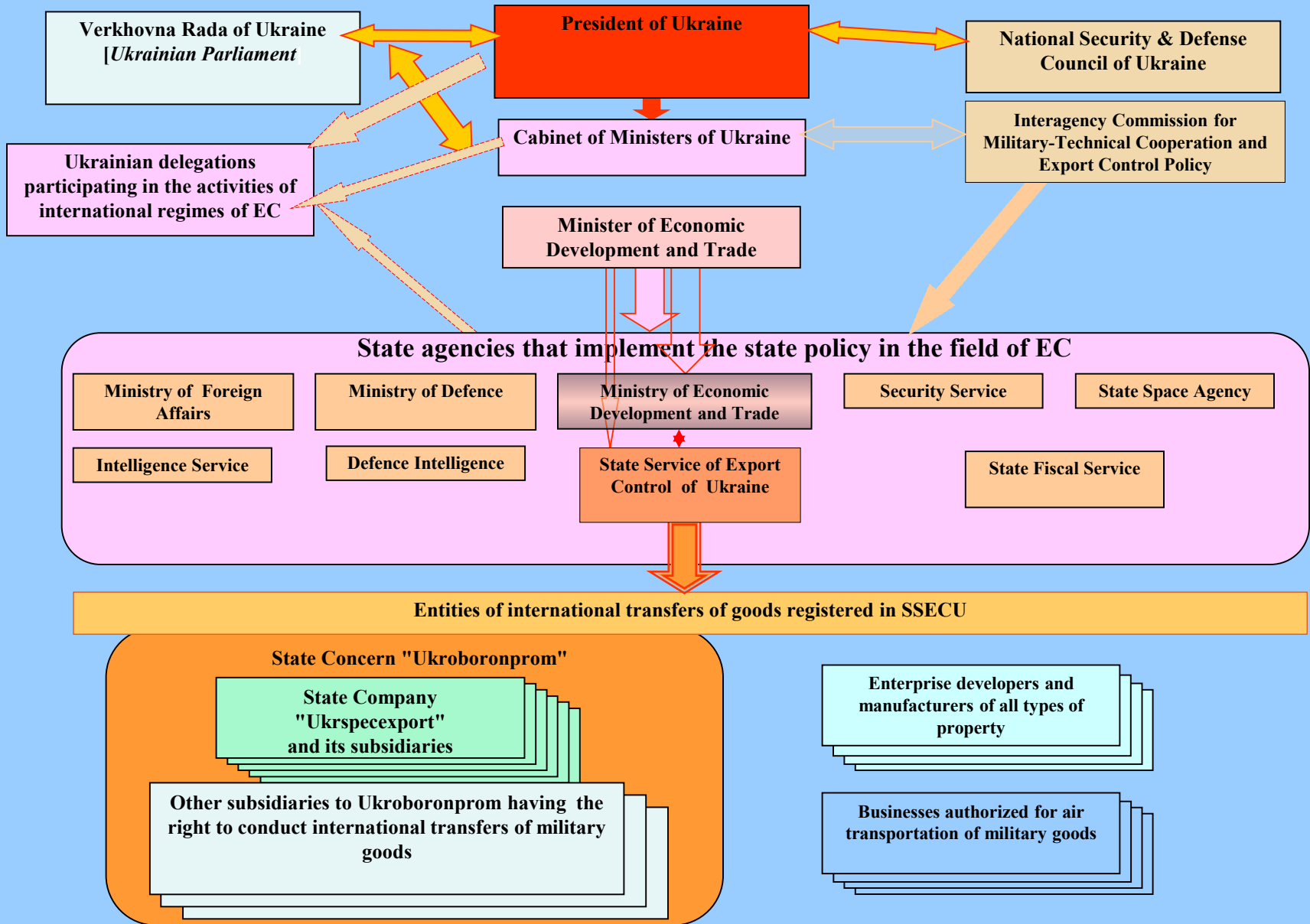
Regulation of the Cabinet of Ministers of Ukraine

dated 31.03.2015

№ 159

The State Service of Export Control of Ukraine is an executive body on export control issues authorized to implement the state policy on export control

Activities in the area of export control regulated by the Law of Ukraine "On the State Control over International Transfers of the Military and Dual-Use Goods", Decrees of the President of Ukraine and the Cabinet of Ministers of Ukraine.





Legal Basis of the State Export Control

- **Constitution of Ukraine and Ukrainian Laws**
 - *Law of Ukraine “On the State Control over International Transfers of the Military and Dual-Use Goods”*
- **Decrees of the President of Ukraine**
- **Governmental Regulations**
- **Directives of the President of Ukraine and Cabinet of Ministers of Ukraine**



Basic procedures of the state export control for export of military goods

1

Preliminary expertise

2

Establishing ICP; State certification of ICP

3

Empowerment for international transfers of military goods

4

Approval for negotiation and monitoring their implementation

5

Granting permission to export military and dual-use goods

6

Establishing specific conditions for export of goods

7

Customs and border control

8

Delivery control

9

Reporting by entities on international transfers of goods

10

Inspections of end-use for compliance with declared purposes

11

Taking measures to violators of export control regulation



Basic procedures of the state export control for export of dual-use goods

1

Preliminary expertise

2

Establishing ICP; State certification of ICP

3

Approval for negotiation and monitoring their implementation

4

Granting permission to export military and dual-use goods

5

Establishing specific conditions for export of goods

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Customs and border control

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Delivery control

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Taking measures to violators of export control regulation



Decision on the export control issues are documented as follows:

- **Registration certificate of a company** as an entity which performs international transfers of commodities and related explanation of the transfer procedures;
- A State Certificate for the internal compliance system of a company;
- Guarantee documents:
 - International Import Certificate;
 - Delivery Confirmation Certificate;
 - End User Certificate.

Authorization documents:

- Permits (single, general, open);
- Conclusions (single, general, open).



Mechanism of the state control over end-use of transferred goods

**Decree of the Cabinet of Ministers of Ukraine
of 27 May 1999, № 920**

*Types of documents of guarantee that are submitted
in case of import of military goods to Ukraine :*

End-User Certificate

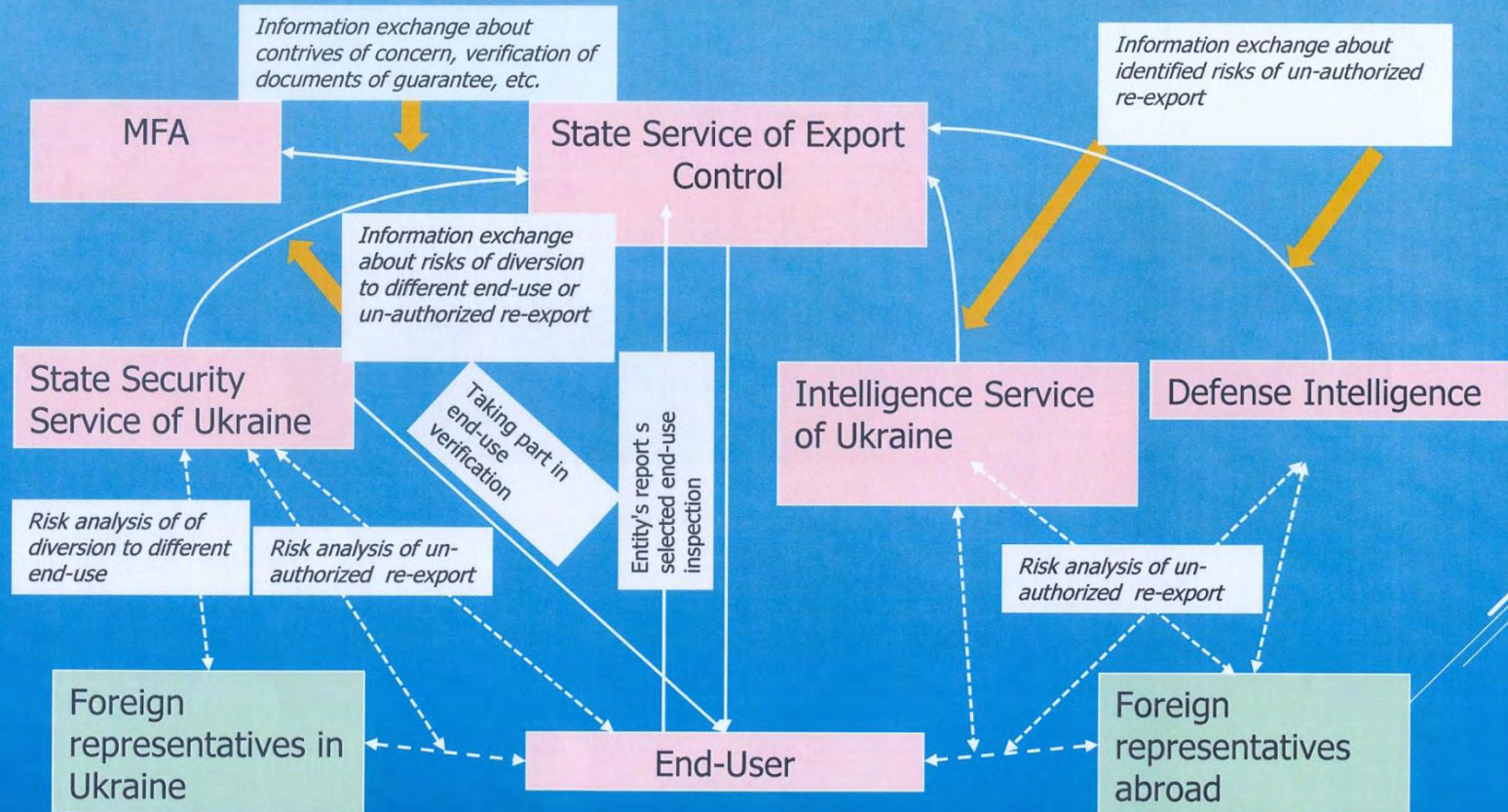
International Import Certificate

Delivery Confirmation Certificate

End-use inspection of imported goods :

**inspection with a foreign exporter of the factual end-use of goods imported into Ukraine
under the state guarantee regarding their end-use for declared purpose
(an international import certificate)**

Co-operation of the state agencies during **end-use verification and preventing un-authorized re-export**



MECHANISM OF INTERNATIONAL CO-OPERATION OF UKRAINE IN ISSUES OF EXPORT CONTROL

Ukraine as a member of the UN and OSCE, a party to fundamental international treaties and memoranda in the non-proliferation area, a member of all international export control regimes Ukraine has broad possibilities to conduct consultations on export control issues and provide information exchange with relevant international institutions and separate states:

1. Ukraine liaises with states-members of such treaties and organizations during their official events.
1. Information about international transfers (export, import) of military goods and dual-use goods that are subject to declaration under the UN, OSCE, WA or CWC requirements is submitted to regularly and timely.
2. Such information in a general form every year is also submitted to the Verkhovna Rada and published on the web-site of the State Service of Export Control of Ukraine.
3. In some cases, based on international standards, ex. during transfers of sensitive goods, Ukraine conducts consultations with states-members of international export control regimes.
4. Have been established and are used effectively mechanisms of bilateral information exchange and consultations. As an example of such mechanism is long-lasting co-operation between Ukraine and the USA within the frame of bilateral Ukrainian-American Working Group on non-proliferation issues and export control.
5. Ukraine also co-operates with EU states (Germany, Sweden) and the USA within the frame of different international projects aiming at enhancing export control.



Lists of Commodities That are Subject to Export Control

The State Export Control over international transfers of special commodity categories is performed in accordance with the established procedure approved by the Cabinet of Ministers of Ukraine's Regulations:

- No. 1807, dated 20.11.2003 “On Approval of the Procedure of the State Export Control over International Transfers of Military Goods”;**
- No. 86, dated 28.01.2004 “On Approval of the Procedure of the State Export Control over International Transfers of the Dual-Use Goods”.**

The lists of commodities that are subject to export control are provided in the annexes to the abovementioned Regulations. These lists correspond to the Control Lists of International Export Control Regimes:

- - The Wassenaar Arrangement;**
- - Nuclear Suppliers Group;**
- - the Australia Group;**
- - the Missile Technology Control Regime.**



**Unified dual-use goods control list of
Ukraine**

*decree by the Cabinet of Ministers of Ukraine
№ 1 of 11.01.2018*



Latest trends



Introduction of electronic licensing



**More information on the State Export Control Service of Ukraine,
national legislation in the sphere of export control, you can find by**

visiting our website <http://www.dsecu.gov.ua>

[*norma@dsecu.gov.ua*](mailto:norma@dsecu.gov.ua)

[*general@dsecu.gov.ua*](mailto:general@dsecu.gov.ua)

Thank You for your attention!