

Latest measures on developing Russian export control system

In recent years Russian authorities took a number of measures aimed at strengthening and improving arrangements on the control of exports of “dual-use” items and technology, which covered the following areas:

1. Legislation. Russia continued working on increasing efficiency of “catch-all” approach incorporated in Russian legislation in 1998. On August 15, 2005 Government of Russia adopted Regulation not just outlining instances when “catch-all” is applied but also setting up criteria that help producers to identify by themselves in advance proliferation risks of bound-for-export non-listed dual-use items.

National control lists were subject to regular review and amendment due to changes agreed in multilateral non-proliferation regimes. For example, last January President of the Russian Federation signed an Order on changes in national control list of chemical products, equipment and technologies, which may be used for CW development and production.

In October 2006 Government of Russia adopted Regulation on controls of fulfillment of end-user commitments by foreign importers of Russian-made small arms and light weapons. It requires, inter alia, mandatory consent by the importer to post sale inspections of Russian SALW.

2. Federal authorities’ policies and activities in export control field. Following the launch of administrative reform in 2004, in year 2005 a special interagency Commission on export control chaired by Deputy Prime Minister, Minister of Defense Sergei B. Ivanov resumed its work. In 2006 there were four sessions dealing with key issues of further development of national control system and of international cooperation in this field.

3. Law-enforcement. In past several years law-enforcement agencies initiated more than 60 criminal and over 300 charges against persons engaged in proliferation activities and illicit export of controlled items.

4. ICP. Under Russian law introduction of such program is an obligation for entities involved in scientific and production activities related to national security or defense and engaged on regular basis in international operations with listed items and technology. Besides, to apply for General export license a company needs to have its ICP certified by state authorities. As per end of 2006 there were more than 400 companies with ICPs.

5. Identification. According to Russian law, responsibility for identification of items intended for export - whether they are subject to control or not - rests with an exporter. Nevertheless, he/she can commission an independent center (now there are 18 such centers) to conduct a relevant expertise. The right to conduct the expertise is

granted only to organizations, which obtained a special permission (authorization) in compliance with procedure established by the Government.