

















THE WORLDECR EXPORT CONTROLS AND SANCTIONS FORUM 2015 LONDON

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14-15 OCTOBER, DEXTER HOUSE, THE ROYAL MINT, EC3

Welcome



Tom Blass, Editor, WorldECR In October, we will be holding our third London *WorldECR* Export Controls and Sanctions Forum, building upon two previous successful events, but introducing new topics and perspectives to reflect the changing times.

It's the question that every business is asking: How, against the swirling backdrop of geopolitics and regulation, can it maintain its success and remain compliant? Our speakers join us from across the European Union, the United States and Asia to share the fruits of their experience on a wide range of issues and challenges including:

- Appropriate responses to changes in technology and regulation (including the Cloud and 3-D printing)
- Building a state-of-the-art compliance programme
- Export control reform in Europe and the U.S.
- The continually changing landscape of sanctions
- 'Red flags' and how to respond to them

Our readers appreciate that we work hard to make *WorldECR* both international and topical and we look to carry that focus into the Forum. So please come and join us in October at an event that promises to be truly cosmopolitan, vibrant and thoroughly informative.

Getting to know fellow professionals

During the two days of the Forum, there will be ample opportunities to make new contacts with fellow professionals, including coffee breaks and lunch on both days, plus a drinks reception at the end of day 1, kindly sponsored by Braumiller Law Group.

As in previous years, an **optional dinner** on the first evening of the Forum, following the drinks reception. To date, this relaxed and informal dinner for speakers, panellists and delegates who are staying over, held in a local restaurant, has proven a great success. It is optional – there is an additional charge – but it should prove a fun end to the first day and, again, a great opportunity to build new contacts.

Key dates and offers

Please allow me to draw your attention to the following promotions:

- If you register by 20 September you can save £200
- Additional delegates from the same organisation can save an additional £100.

Tom Blass Editor, WorldECR

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Ambassador Roald Næss – The Missile Technology Control Regime and challenges to non-proliferation

Established in 1987, the Missile Technology Control Regime (MTCR) today boasts 34 members. It is the only one of the multilateral non-proliferation regimes to focus on the unmanned means of delivery for weapons of mass destruction.

In his presentation, the Regime's chair, Ambassador Roald Næss, will outline the role of the MTCR, its cooperation with other organisations including the Wassenaar Arrangement, Nuclear Suppliers Group and Australia Group, placing its work in a broader non-proliferation context, against a backdrop of technological change and new challenges from rogue states and non-state actors.

Ambassador Næss began working with the Norwegian Foreign Ministry in 1981, and has previously presided over the Nuclear Suppliers Group, and served as his country's ambassador to Iran and to Ireland.



Stéphane Chardon – The EU export control review process

In the Spring of 2014, the European Commission published a Communication setting out policy options for the modernisation of the EU dual-use regime which explored how it should reflect changes in technology, business needs, and shifting economic and political circumstances. This year the Commission is conducting an impact assessment of the options outlined in the document with a view to presenting proposals for new legislation early 2016.

The current EU dual-use regime is a topic on which few export control professionals in Europe reserve their opinion. We're delighted that Stéphane Chardon of DG TRADE – Export Controls will be talking delegates through the current review of export controls, and how business can be involved in the ongoing process of change.



Suzanne Kao – Due diligence and post-merger integration

Against a backdrop of higher penalties, assiduous enforcement and generally raised awareness of export control and sanctions, those issues now take a high profile both in pre-acquisition due diligence of target companies in M&A, but also in post-merger integration.

Suzanne Kao, Director, Export/Import Controls and Compliance at Deloitte, will discuss best practice and strategies for assessing potential liabilities or weak spots in a target company, and, once the deal is done, how to integrate compliance teams, programmes and strategies.







Being an effective export controls professional: communication, training, negotiation with colleagues and partners – Panel Discussion

The panel will explore how export controls professionals in industry can maximise their effectiveness within their companies and the key skills needed to do so: including communicating with colleagues across departments and teams and at board level, implementing training programmes and awareness, negotiating with partners, suppliers and customers – as well as exploring the value of professional development and accreditation. The panel brings together Allison Porcella (Pratt & Whitney Aero Engines), Fredrik Hallgren (Ericsson) and Leigh Zone (GE).

International Trade Compliance Manager at Pratt & Whitney Aero Engines International, Allison Porcella specialises in the complex, operational management of U.S. and European trade controls. During her career, Allison has worked in both industrial and consulting capacities, for large-scale, multi-national organisations. Her experience has included the development and implementation of trade compliance programmes, strategic planning, leading classification projects, creating and delivering training programmes, and conducting audits and investigations.

Fredrik Hallgren is the Director of Group Trade Compliance (Group Function Legal Affairs) responsible for the trade compliance programme within the Ericsson Group. As such, it is his responsibility to ensure that the Ericsson Group is well equipped to comply with export controls, sanctions and customs regulations worldwide.

Leigh Zone joined GE Aviation Systems Ltd in May 2009 as ITC Manager, and since April 2015 has become part of the European Divisional team within the newly created GE Corporate ITC Centre of Excellence. He manages and directs the corporate compliance programme at the Bishops Cleeve Cheltenham site, ensuring compliance with all applicable worldwide export and import control laws and regulations.



Olga Torres – export control developments in the U.S. and their impact on EU business

With ongoing export control reform, forthcoming guidance on the Cloud and cybersecurity items – and the ratcheting up of controls on items bound for Russia – export controls in the United States continue to develop with a rapidity that sees many businesses, both U.S. and non-U.S. struggling to play catch-up. Help is at hand for Forum delegates.

In her presentation, Olga Torres of Braumiller Law Group (and former member of the Defense Trade Advisory Group) will explain the key elements of recent developments in U.S. export controls (including the transfer of some items from ITAR to the new CCL 600 series, proposed revisions to definitions, the cybersecurity rule, harmonisation of destination control statements and additional improvements and harmonisation of export clearance provisions), and remind delegates as to why non-U.S. businesses need to take notice of what happens on the other side of the Atlantic.



Les Carnegie – Recent developments in U.S. sanctions

The past 18 months have seen considerable change in the geopolitical – and hence sanctions – landscape.

Apparent stalemate with Russia has resulted in a stand-off in relations and very much reduced trade, a surprise détente between Washington and Havana has culminated in a loosening of restrictions on dealing with Cuba (with more to come). Recently announced 'cyber sanctions' would impose restrictions on those responsible for cyber attacks on U.S. companies, and there is the possibility of a significant lifting in whole or in part of sanctions against Iran.

Les Carnegie, partner at Latham & Watkins, will be updating delegates on U.S. sanctions policy as at the time of the Forum, and, most importantly, the business impact of the state of play, whether challenge or opportunity.



Marian Niestedt – update on German export controls

Germany is the largest exporter in the European Union and its export control regime is one of the most assiduously enforced. It has also traditionally enjoyed strong trading relationships with the Middle East and Russia – as well as being a favoured investment destination.

Against the backdrop of changes to the German Foreign Trade and Payments Act (Außenwirtschaftsgesetz), Marian Niestedt of the law firm Graf von Westphalen describes the lay of the land and specific features of the German export control regime, the significance of recent developments, and what might be in store.



Alan Gourley – Exports and the defence industry

A shrinking U.S. market for defence items is only one of the hurdles faced by European defence contractors. With the rapidly changing regulatory landscape, constant revision of how export controls are assimilated into business operations and of how international markets are understood is imperative.

In his presentation, Alan Gourley, partner at the law firm Crowell & Moring, helps map out the terrain, looking at the impact of U.S. export control reform on the sector (including the revision of ITAR and the creation of the new 600 series on the Commerce Combined List (CCL), as well as pertinent developments within other agencies.



Cari Stinebower – Practical implications of instituting an OFAC-ready global sanctions compliance programme

Cari Stinebower, partner at Crowell & Moring, will facilitate a benchmarking discussion to address practical implications of instituting a global sanctions compliance programme, focused on OFAC sanctions as a base line.

The session will address issues such as the conflicts that can arise from strong EU data privacy rules that restrict screening against non-EU sanctions lists, EU blocking statutes, and restrictions on transfers of data across border – and how those restrictions also can cross over into anti-money laundering compliance challenges.

The session will also examine what the conservative compliance environment means for customers of banks in the form of customer questionnaires and de-risking.



Ian J. Stewart – Understanding the 'Procurement Channel' under the P5+1

The Joint Comprehensive Plan of Action signed between members of the P5+1 and Iran includes measures intended to ensure that single and dual-use goods of nuclear relevance cannot be diverted to a clandestine nuclear programme in Iran, and that Iran cannot stockpile such goods for nuclear end uses in the future.

These measures form the 'Procurement Channel', which will operate a Working Group of the Joint Commission. It is essential that any company wishing to supply nuclear-relevant goods (which will include many dual-use products) to Iran in the wake of the JCPOA understands the working of the procurement channel – which is likely to be a dominant feature of trade with the Islamic Republic for years to come.

Ian J. Stewart, head of the Project Alpha programme at King's College London, will be presenting to delegates on the channel and how it is intended and will function.



Stacey Winters – The EU and U.S. export control regimes compared

There are obvious similarities between the U.S. and EU export control regimes: both maintain dual-use control lists based upon those of the Wassenaar Arrangement and other multilateral regimes, and there is broad consent between the U.S. government and the European Commission as to the foreign policy and security imperatives their systems are intended to realise.

But in other respects, such as the variance between the way the EU regulations are interpreted by Member States, very different approaches to licensing, attitudes to enforcement and monitoring, the EU regime is fundamentally different to its U.S. counterpart.

In her presentation, Deloitte partner and Global Export Controls and Sanctions Leader, Stacey Winters contrasts the U.S. and EU systems, drawing attention to the key divergences that every business must understand if it is to ensure compliance across both jurisdictions.



Sophie Delhoulle – Excellence in compliance training

Training and communication is one of the five elements in the generally recognised Corporate Compliance Framework (the others being leadership, risk assessment, standards and controls, and oversight). But in order to be effective throughout an organisation, how is training best undertaken?

In her presentation, Sophie Delhoulle, director of legal services at Accenture for EMEA, shares her experience of assessing trade compliance training needs, creating relevant content, identifying the audience, and distributing the training throughout the company, for long-lasting impact and strengthening of all-round compliance culture.



Maya Lester – EU sanctions, designations and challenges

Sanctions have kept the EU institutions busy in 2014-15 – ramping up EU restrictive measures, responding to frequent challenges to sanctions and designations, and the possibility of a ramping down of sanctions on Iran and Russia, two of the most significant regimes imposed by the European Union.

In her presentation, barrister Maya Lester of Brick Court Chambers gives delegates an overview of the developments in Europe, and describes how the European courts are considering the many and varied legal challenges to sanctions regimes.



Laurence Carey – ICPs: responding to external circumstances

The ideal ICP should create a 'compliant' and 'business-enabling' environment. Therefore, when developing, enhancing and implementing a company's ICP, beside the increased export control regulations and global security concerns, the company's business strategy and risk assessments analysis should be influential factors. However to achieve this important balance it is imperative that the ICP should be flexible.

Drawing on her experience in the aerospace and defence sector, Laurence Carey, Group Trade Control Manager at the Marshall Aerospace & Defence Group, will look at how economic, demographic, political and technological factors may play a significant part in shaping or re-shaping A&D companies' business strategy plans – and their internal export control compliance strategies.







Developing a compliance program fit for the 21st century and beyond – Panel Discussion

In the light of the ever-expanding reach of global business, security concerns and risks, what are the key components of a state-of-the-art export controls compliance programme – and related challenges? Panellists share their experiences and thoughts on topics including screening, classification, cyber-threats and supply chain security.

Sylvia Coburg is the Boeing Global Trade Controls regional lead for Trade Compliance for Europe, Russia, Israel and Turkey. In this role, Sylvia has managed complex global trade strategies for established and emerging business in support of Boeing's commercial and military entities in the region. She has supported entities with numerous regulatory audits, in several EU jurisdictions, in matters of export control, customs and ozone depleting substances.

Panellist, Laurence Carey is Group Trade Control Manager for Marshall Aerospace & Defence Group, in the UK, where she is responsible for all aspects of export control matters, including the maintenance of an efficient internal compliance programme and the provision of export control advice to the Marshall Aerospace & Defence Group. She is a member of the Export Group for Aerospace and Defence (EGAD) and sits on various EGAD sub-committees working closely with industry and the UK government on export control regulatory issues.

Nisha Sawhney is lead global counsel responsible for delivering strategic, transactional and day-to-day advice and support on regulatory law matters and investigations across Rio Tinto Group businesses. Her role includes developing consistent practices and approaches on regulatory law issues, with a particular focus on international trade, anti-corruption, anti-money laundering, fraud and human rights-related matters.



Robin Randall – Developments in controls on The Cloud

Cloud computing poses export control challenges to almost every facet of business, but it's been a difficult – almost literally nebulous – area for compliance practitioners to get a grip on, and until recently guidance has failed to keep pace with the increasing use of The Cloud as a means of storing data, or the growth of related technology.

In his presentation, Robin Randall will review the challenges and best practices in approaching export controls relating to The Cloud in all the contexts in which it is routinely employed. He will also discuss current developments in surveillance and intrusion controls.

Robin Randall is the Group Export Regulations Coordiator (GERC) for IBM's Europe IOT Region. He serves as the focal point between the Corporate Export Regulations Office (based in Washington, DC) and the 36 Country and Site Export Regulation Coordinators (ERCs) in his region.



Sanjay Notani – the Indian export control regime

India boasts a sophisticated export control regime based around its SCOMET (Special Chemicals, Organisms, Materials, Equipment and Technologies) list. But navigating the system can be extremely confusing for the outsider.

FOGUS ON ASIA

In his presentation, Sanjay Notani, partner at Economic Laws Practice, having six offices in major cities, explains how export controls are regulated and enforced, the basis and characteristics of controlled items in India, sharing some of the tricks to navigating the licensing process and detailing possible pitfalls.

Sanjay will also outline recent changes to the SCOMET list, and changes on the horizon.



George Tan – Update on Asia's export controls

Many Asian nations are regarded as lacking rigour and sophistication but, as George Tan will explain, this is changing. Governments in the region are responding to increasing pressure to step up both the quality of export control legislation and enforcement.

The past 18 months have proved to be exciting for export control development in the Asia Pacific region. The Philippines has filed its Strategic Trade Management Act (STMA) at the Senate and House of Representatives while the export control regimes of Singapore and Malaysia have also undergone changes to maintain relevance in light of recent advances in technology. There have also been changes in Hong Kong and Singapore – with new legislation on the cards for Thailand and Indonesia.

WorldECR editorial board member George Tan, of Singapore consultancy Global Trade Security Consulting, will be helping delegates understand and navigate the changing picture of export controls in the region – with an update on recent developments, and an outline of what's in store.



Johnny Xie – China's export control system

China is the world's second largest economy, and recently surpassed the United States as the world's largest trading nation – with annual trade in goods valued at \$4 trillion in 2014. While not a member of the Wassenaar Arrangement, the MTCR or the Australia Group, its control lists and legislation are sophisticated and extensive – if not always easy to navigate.

Johnny Xie, general manager of Tradewin – whose previous experience includes working both for Chinese Customs and U.S. corporations and consultancies – is among a handful of professionals able to give a lucid explanation of Chinese export controls in law and practice. In addition to describing the relevant legal framework and respective role of ministries, Johnny will walk delegates through the licences available to exporters, how to apply and whom to apply to, and the distinctive features of China's control lists.

This is a must-attend session for anyone doing business in China.



Carolina Dackö – Swedish export controls, law and policy

In common with other Scandinavian countries, companies in Sweden have a strong record on corporate compliance relating not only to export controls and sanctions but other areas where governance and ethics are at stake. And, of course, Sweden is a leading manufacturer and exporter of technology, hi-tech products and, traditionally, defence items.

In her presentation, Carolina Dackö of the law firm Vinge outlines the key features of Swedish export controls and the country's responsible authorities and describes recent updates to the law. In addition, Carolina will discuss recent policy issues arising in Sweden – for example, as arising out of controversial export decisions and proposed changes to enforcement.







Life after consent agreements – Panel Discussion

Recent years have seen a marked upswing in multi-million-dollar enforcement actions by U.S. regulators. Companies finding themselves 'caught in the net' of major settlements with U.S. government authorities need to pay particular attention to their conduct subsequent to their entering into agreements with those agencies – payment of fines or penalties representing only part of the story.

In this session, Pablo Lecour of Deloitte's global trade group will facilitate a discussion on post-settlement consent agreements and audits, looking at effective preparation, monitoring, the respective roles of consultants/monitors and in-house people, and the other myriad issues arising from what can be game-changing events in the life of a company.

Joining Pablo in this panel discussion are Josh Fitzhugh and David Ring.

Josh Fitzhugh is the Vice President and Head of Trade Controls for BAE Systems plc, based at the company's Head Office in Farnborough, Hampshire, UK. Since joining the company in March 2011, he has focused on overseeing group export control compliance and licensing, enhancing group export control compliance procedures and processes, and managing group relationships with government regulators and industry on export control matters.

David is a partner at U.S. law firm Wiggin and Dana, and formerly Global Director of Compliance Investigations for United Technologies Corp. (UTC), and Director of International Trade Compliance for one of UTC's aerospace companies. David has experience with consent agreements both as in-house counsel and as a U.S. State Department appointed monitor.



Charles Claypoole – Impact of sanctions on arbitration and international disputes

The force of sanctions is making itself felt not only in international trade, but also in international disputes. In his presentation – and with a clear eye on the impact to businesses – Charles Claypoole of Latham & Watkins will outline some of the key legal issues arising out of contracts potentially hit by sanctions, including:

- the extent to which sanctions may constitute *force majeure* or otherwise impact contractual obligations,
- the interplay between different sanctions regimes, and
- the different laws that may be relevant in an international arbitration, such as the procedural law of the arbitration (determined by its seat), the substantive law of the contract, and other laws that may be relevant, including (due to the nationality of the contracting parties) the place of performance of the contract, or the place of enforcement of an arbitral award.



Ryan Lynch Cathie – The export control regimes of the Middle East

Given increasingly vibrant economies, their position in many of the world's most important trade routes, and their proximity to some of the world's hotspots, Middle Eastern countries are crucial to many businesses with international operations. Their export control regimes, however, are typically overlooked and lack transparency.

Ryan Lynch Cathie will look at the Middle East approach to export controls and controlled items, how they're enforced and monitored, transhipment issues and other practicalities, as he draws on examples from, and his personal experience of, key jurisdictions within the Middle East region.

Ryan Lynch Cathie is the Managing Director of Products and Innovation at Securus Strategic Trade Solutions, LLC, and a research fellow at the Center for Policy Research at the University at Albany, State University of New York (SUNY-Albany).

All smiles: last year's event, the second London Forum



October 2014: the second WorldECR Export Controls and Sanctions Forum proved a great success



















THE WORLDECR EXPORT **CONTROLS & SANCTIONS FORUM**

14-15 October 2015, Dexter House, The Royal Mint, London EC3

REGISTRATION FORM

Please register the following delegate(s) for The WorldECR Export Controls and Sanctions Forum 2015

Delegate 1	Delegate 2
NAME	NAME
POSITION	POSITION
Conference only Conference + dinner (please tick)	Conference only Conference + dinner (please tick)
Organisation	
Address	Delegate 3
Address	NAME
City	POSITION
Post/Zipcode	Conference only Conference + dinner (please tick)
Country	Delegate 4
Telephone	NAME
Email	POSITION
	Conference only Conference + dinner (please tick)

FEE PER 1ST DELEGATE (INCLUDES VAT @ 20%)

REGISTER & PAY CONFERENCE CONFERENCE + DINNER £1145 + VAT =£1374

BY 20 SEPTEMBER 2015 £1095 + VAT = £1314

AFTER 20 SEPTEMBER 2015 £1295 + VAT =£1554 £1345 + VAT = £1614

FEE PER ADDITIONAL DELEGATE (INCLUDES VAT @ 20%)

REGISTER & PAY CONFERENCE CONFERENCE + DINNER £1045 + VAT = £1254

BY 20 SEPTEMBER 2015 £995 + VAT = £1194

AFTER 20 SEPTEMBER 2015 £1195 + VAT =£1434 £1245 + VAT = £1494

HOW TO PAY*

1) I will pay by card on line: please go to www.worldecr.com/conference-payment

2) \Box Please invoice me.

Please email your completed registration form to mark.cusick@worldecr.com

3) \Box I am paying by cheque

I have enclosed a cheque made payable to D.C. Houghton Ltd for £_ Please send your completed registration form with cheque to: D.C. Houghton Ltd, Suite 17271, 20-22 Wenlock Road, London N1 7GU, England

Signed

Date

***PAYMENT OPTIONS FOR NON-UK DELEGATES**

Non-UK-based delegates may be able to avoid paying VAT. For further details - or if you prefer to pay in a different currency - please email mark.cusick@worldecr.com

Terms and conditions

Please note, by registering for this event you accept the terms and conditions below.

Registration Fee

Your fee includes the attendance at both days of the conference; morning, mid-morning and afternoon coffee and pastries, and lunch on both days: drinks reception on day 1; programme materials.

Registration policy

Delegates may not 'share' a registration without the organiser's authorisation.

Payment policy

Payment must be received in full by the conference date. 'Additional delegate' prices are only available to delegates from the same organisation as the original full-fee delegate.

Cancellations and Refunds

You must notify the conference organiser 48 hours before the conference if you wish to change the delegate.

If you wish to cancel your registration, you can do so incurring the following charges:

Cancellation more than 28 days before the event - full refund less 33% admin fee.

Cancellation between 27 and 6 days before the event – full refund less 50% admin fee.

Cancellation between 5 days before and the day of the event - no refund.

Change of venue

The organisers reserve the right to change the venue should attendance numbers so demand.

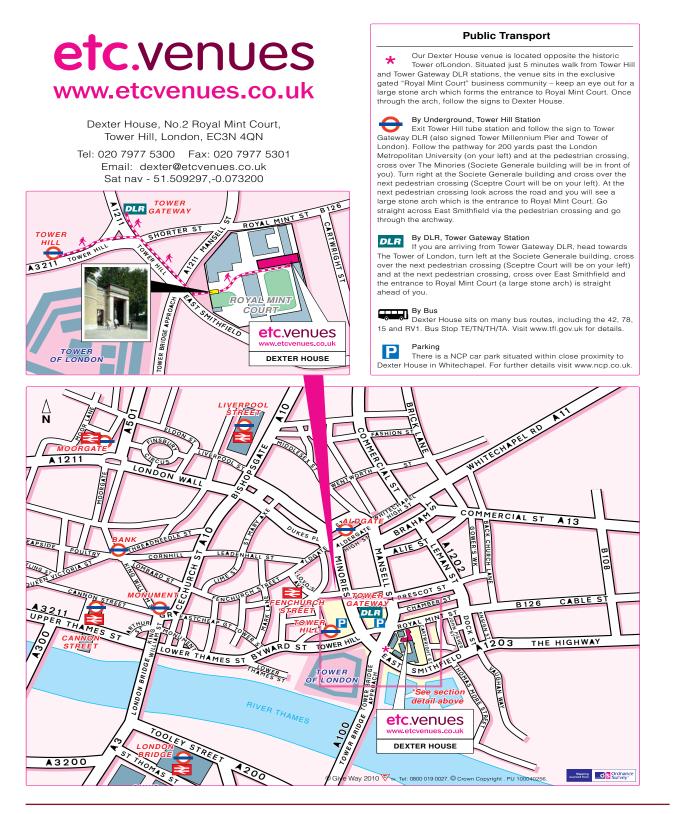
Change of speaker and presentation

The organisers reserve the right to change speakers and/or presentations.

The Venue

THE VENUE – AND GETTING THERE

The Venue for the WorldECR Export Controls and Sanctions Forum 2015 is Dexter House, the Royal Mint, a conference, exhibition, meeting and training venue next to the Tower of London and Tower Bridge, located next to Tower Hill station and with convenient transport links to Canary Wharf via the DLR. Tower Hill station station is on the District and Circle Underground lines. (The information below is provided by the venue.)



Hotels

HOTEL CHOICES

The area around the Tower of London is well served by hotels.

We have negotiated a special reduced rate with the 5-star **Grange Tower Bridge hotel**, 45 Prescot Street, London, E1 8GP. This hotel is just a few minutes' walk from the venue.

To take advantage of the special rate when booking, contact the hotel directly by phone on +44 (0) 20 7959 5000 or email reservations@grangehotels.com and quoting the special booking code 141015Y

Alternative hotels nearby include: Guoman Tower Hotel; Doubletree by Hilton; Apex City of London Hotel; and The Chamberlain Hotel.