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Interactive Pre-Forum Master Class, 28th September 2015

**A Practical Guide for Export Compliance Management Focusing on:** Product Classification, Technical Data, Screening, Due Diligence and Meeting Licensing Requirements

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Today, in Europe, export controls and EU sanctions are high on the corporate compliance agenda. With the toughest sanctions imposed on Russia since the Cold War and policy makers continuing to broaden the sanctions list, it has become ever more challenging for European Exporters from a multitude of industries to avoid penalties for sanctions they are not aware of.

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  - Export Controls
  - International Trade
  - International Regulations and Compliance
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AGENDA AT A GLANCE

PRE-FORUM FULL DAY MASTER CLASS | MONDAY 28TH SEPTEMBER 2015

A Practical Guide for Export Compliance Management Focusing on: Product Classification, Technical Data, Screening, Due Diligence and Meeting Licensing Requirements

8:30 Registration and Morning Refreshments
9:00 Overcoming the Challenges and Grey Areas When Classifying Your Product, Software or Technology Throughout the Production Cycle

New Screening Strategies: Detecting and Preventing Suspicious Transactions with Denied Parties Under the Fast Evolving Export Regimes

10:45 Product Classification: Know Your Product and Ensure that Your Trade Compliance Department Works Closely with Other Relevant Departments

12:00 Networking Luncheon

13:15 License requirements: The Granting of Licenses and Enforcement Priorities

14:00 Breakout Sessions:

1 Stream 1: Chemical Industry

2 Stream 2: Software and Technology

3 Stream 3: Oil & Gas Industry
Sanctions: The Business Impact on Tackling the Lack of Clarity on the Definitions Used in the Oil and Gas Regulations

15:00 Afternoon Refreshments

15:30 Tracking and Controlling Ownership: The Approaches in Spotting Listed Parties

16:30 Forum Adjourns

FORUM DAY TWO | WEDNESDAY 30TH SEPTEMBER 2015

8:30 Morning Refreshments
9:00 Opening Remarks by Co-Chairs
9:15 Conducting a Thorough Internal Investigation into Potential Violation Allegations

10:15 Morning Refreshments

10:30 European Export Controls and Sanctions: How do they relate to you, Where do you Stand Today and What to Prepare for Tomorrow?

11:30 Special Focus: Deploying an Effective Export Compliance Programme

12:30 Networking Luncheon & Exhibition

13:45 Know Your Customer and Supplier: Effectively Managing Your End-to-End Export Supply Chain

15:15 Afternoon Refreshments

15:30 Merger & Acquisitions: Mitigating Export Control Liability When Acquiring a Target Company

16:30 Europe-Based Company Perspective on the US Trade Controls and Sanctions: How to Comply with the Different Set of Regulations

17:30 Closing Remarks by Co-Chairs

17:45 End of Forum

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In direct response to market demand, C5 has brought to you a dedicated full day interactive and hands-on pre-forum Master class. Walk away with valuable knowledge, where the fast evolving export controls regime has become ever more complex in a rapidly changing and tightening European enforcement landscape. Join industry leaders and overcome the practical challenges impacting your company by addressing the key concerns of classifying your product throughout the production cycle and fostering cutting-edge risk mitigation approaches for screening.

**Overcoming the Challenges and Grey Areas When Classifying Your Product, Software or Technology Throughout the Production Cycle**

- Navigating through the grey areas on classification
- Understanding and interpreting national, EU and US legislation
- Exploring the cross references between different control lists
- What to do when your product does not fit into a specific category
- Detecting when your product is controlled under the catch-all clause
- Identifying your product, technology or software under the correct category
- Knowing when your product is not listed but is still subject to controls
- Examining the components that are listed within your product
- The consequences of modifying and repairing your product
- Be aware of the end-use of your product
- Key considerations for classification throughout the production cycle
- Determining whether your product is under a controlled list
- Recognising when your product becomes a part of the controlled list
- Managing your data effectively
- Ensuring your company works closely with their trade compliance department to then take ownership of product classification
- Determining what checks need to be made and at which stage of the production cycle
- Sufficiently recording and obtaining information for correct classification
- Staying up-to-date with the control lists
- Identifying when your product is exempt from license requirements

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**Product Classification**

- The practical approaches to the regulation
- Understanding the level of enforcement employed
- Knowing the current landscape of the regulation
- Interpreting the regulation on EU and national levels
- Gaining clarity of the rules that have been implemented
- Ensuring that you can practically comply with the regulation
- Knowing what the regulators expect from you
- Combating the restrictive measure of the regulation
- Satisfying the key provisions of sanction requirements
- The Green Book: how is it going to look, the on-going discussion on what products should be controlled and how to gain a level playing field

10:15 **Morning Refreshments**

10:45 **Know Your Product and Ensure that Your Trade Compliance Department Works Closely with Other Relevant Departments**

- Determining the correct classification of your product when navigating through Export Control Numbers
- Managing your company's data by documenting classification decisions
- Handling stages when Product Classifications are about to change or vary
- Managing multiple classification systems required by government officials
- What should you review and the rationale behind your product
- What is the end-use of your product?
- Is your product prohibited or dual-list
- What are the alternative classifications?
- How to know your product is not listed
- Strengthening your classification review process of dual use goods and the grey areas
- Updating the correct product code to assign the harmonised Schedule Numbers
- Knowing which products are controlled on a global basis per division
- Navigating the depth and detail of the new classification reform in the US

12:00 **Networking Lunch**

13:15 **License Requirements: The Granting of Licenses and Enforcement Priorities**

- Understanding the licensing process
- What is the criteria for granting export licenses?
- Effectively managing time during the application stage
- How do government officials co-ordinate with their customs authority to control the items that actually go out?
- How are MS Licensing Authorities adopting the Intra-Community Transfer Directive 2009/43/EC?
- How do Member States enforce and police compliance within the current export regime?

**Breakout Sessions**

**Stream 1: Chemical Industry**


- Why control on restricted chemicals is important and what you need to do to mitigate the risks
- How to classify raw materials and products and when can your product be used for illicit purposes
- When to apply for a valid EPP license
- What restrictions can you expect?
- The Chemical Weapons Convention: addressing the threat posed by chemical weapons
- The Convention on Narcotic and Psychotropic Drugs
- The Explosive Precursor Regulation
- The Rotterdam Convention on Prior Informed Consent and time frames for procedures
- What are the prerequisites for purchasing, possessing, using or processing sales?
- What kind of control measures need to be in place to avoid committing a criminal offence?
- What are your obligations in case of exporting restricted chemicals?
- What to do in case of an inspection by supervising authorities
- What are your obligations under the regulation for banned exports or those subject to notification?
- Where is the destination of your products or origin of your feedstock?
- Implementing an effective Control Technology Plan (CTP)
- Communicating with ECHA

**Stream 2: Software and Technology Industry**

**Overcoming the Challenges of EU and US Controls: The Wassenaar Arrangement, Software of US Origin, Encryption and The Cloud**

- Complying to the Wassenaar Arrangement, EU and US controls
- What controls are appropriate for the use of parts, chips, technology, biotech or software of US origin
- Key encryption updates, what are the special rules and requirements and how to combat the lack of de-controls
- Preparing required license applications in accordance with EU standards and guidelines
- Identifying fundamental risks in your platforms and software
- Meeting recordkeeping requirements for technical data exports
- Managing the virtual access control risks for third parties
- Determining where your data resides in the cloud
- Ensuring appropriate measures to prevent unauthorised access of controlled technology and software

Register online at www.C5-Online.com/EEC
Stream 3: Oil & Gas Industry
Sanctions: The Business Impact on Tackling the Lack of Clarity on the Definitions Used in the Oil and Gas Prohibitions

Antonio Ciavatta
Senior Counsel – International Trade Compliance
GE Oil & Gas (Italy)

Casper Vanbjerg Hansen
Group Compliance Manager
Haldor Topsoe (Denmark)

Dr. Christian-Jürgen Bühring
Director Legal Services & Export Control
Nukem Technologies (Germany)

• Satisfying the restrictive measures on the export of equipment and technology
• Employing the provision of technical assistance with listed items
• Avoiding items contravening EU, US and Russia sanctions
• Strengthening your services and vessels for projects under the current gas prohibitions
• Moving from offshore to onshore projects
• Reviewing the financial impact of sanctions on the Rosneft case and how it has affected you
• Updating yourself on the proposed new measures

15:00 Afternoon Refreshments

15:30 Tracking and Controlling Ownership: The Approaches in Spotting Listed Parties

Paul Coomber
EMEA Logistics & Compliance Analyst
Arinc (UK)

Lourdes Catrain
Partner
Hogan Lovells (Belgium)

• Enhanced due diligence when integrating the 50% Rule and criterion
• Who are the majority owned listed companies under the EU and US sanction regimes?
• Finding ownership of shareholders who are not on the list
• What to do when there is no direct list of black listed parties
• Tracking regions with a language barrier
• How deep do you have to dig to get the information you require?
• Avoiding indirect transactions which may result in a breach of the relevant sanctions
• Knowing your customer and supplier
• The screening processes between different companies
• Having enough information to validate a black listed company
• Overcoming the consequences of dealing with a black listed party
• Supervising export controls issues and economic sanctions in your joint venture relationship

16:30 Forum Adjourns

Join the conversation!
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International Trade Compliance Experts: Networking Group
Round Table Discussion

• Having the necessary checks to ensure that the target has
• When to take over a target
• Whether you are taking over a liability on breach of export controls
• What are you buying?

Konstantinos Adamantopoulos
Partner, Peters and Peters (UK)

Michael O’Kane
Partner and Head of Business Crime Team

EMEA Trade Compliance Lead

Richard Davenport

Partner, Konstantinos Katsoulis

Peters and Peters (UK)

Richard Davenport

EMEA Trade Compliance Lead

Liability When Acquiring a Target Company

Afternoon Refreshments

Networking Luncheon

Know Your Customer and Supplier: Effectively Managing Your End-to-End Export Supply Chain

Miriam Gonzalez
Export Controls and Sanctions, TNT (Amsterdam)

Laura Samoilenco
EMEA Customs Compliance Officer

Kees Wagenaar
Senior Vice President Continental Europe

Bernadette Peers
Compliance Manager

Bruno Fransman
Regional Director Global Trade Compliance Assurance

Avnet (Belgium)

Understanding how each member in the supply chain affects the individual business
• How to import from different markets, manufacture at a lower cost and be more competitive
• Recognising the changes within European export controls and improve your department logistics
• Knowing how the changes have affected each member of the supply chain and what can be done to enhance diligence
• Considering the transit license
• How to cope when it comes to non-delivery
• Supply agreements in Russia: who are your distributors

Peter Van den Broecke
Partner, Peters and Peters (Belgium)

MEGA Trade Compliance Lead

13:00

Europe-Based Company Perspective on the US Trade Controls and Sanctions: How to Comply with the Different Set of Regulations?

Konstantinos Katsoulis
Senior Manager, Global Trade Compliance

PerkinElmer (Belgium)

Jeremy Otis
Head of Contracting, F-Secure (Finland)

Jasper Helder
Partner, Baker & McKenzie (Netherlands)

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