



Federal Office
for Economic Affairs
and Export Control

PSC – Workshop for State Parties' representatives on the occasion of PrepMeet 1

Post-Shipment-Controls Definition - Scope - Procedures

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<http://www.bafa.de/>



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Traditional approach



Art. 11 - Diversion

Para. 1:

Each State Party involved in the transfer of conventional arms covered under Article 2 (1) shall take measures to prevent their diversion.

Para. 3:

Importing, transit, trans-shipment and exporting States Parties shall cooperate and exchange information, pursuant to their national laws, where appropriate and feasible, in order to mitigate the risk of diversion of the transfer of conventional arms covered under Article 2 (1)



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Measures - an aspect of bilateral cooperation

- Strengthening the confidence between exporting and importing state
- Building up a trustworthy relationship with the end-user in the partner country





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Measures and cooperation

Before the
transfer

Customs
Clearance

After the
transfer

Please see: Guidance in Annex D to the ATT Working Group on Effective Treaty Implementation Chair's Draft Report to CSP 4.



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Measures after export

Exporting State

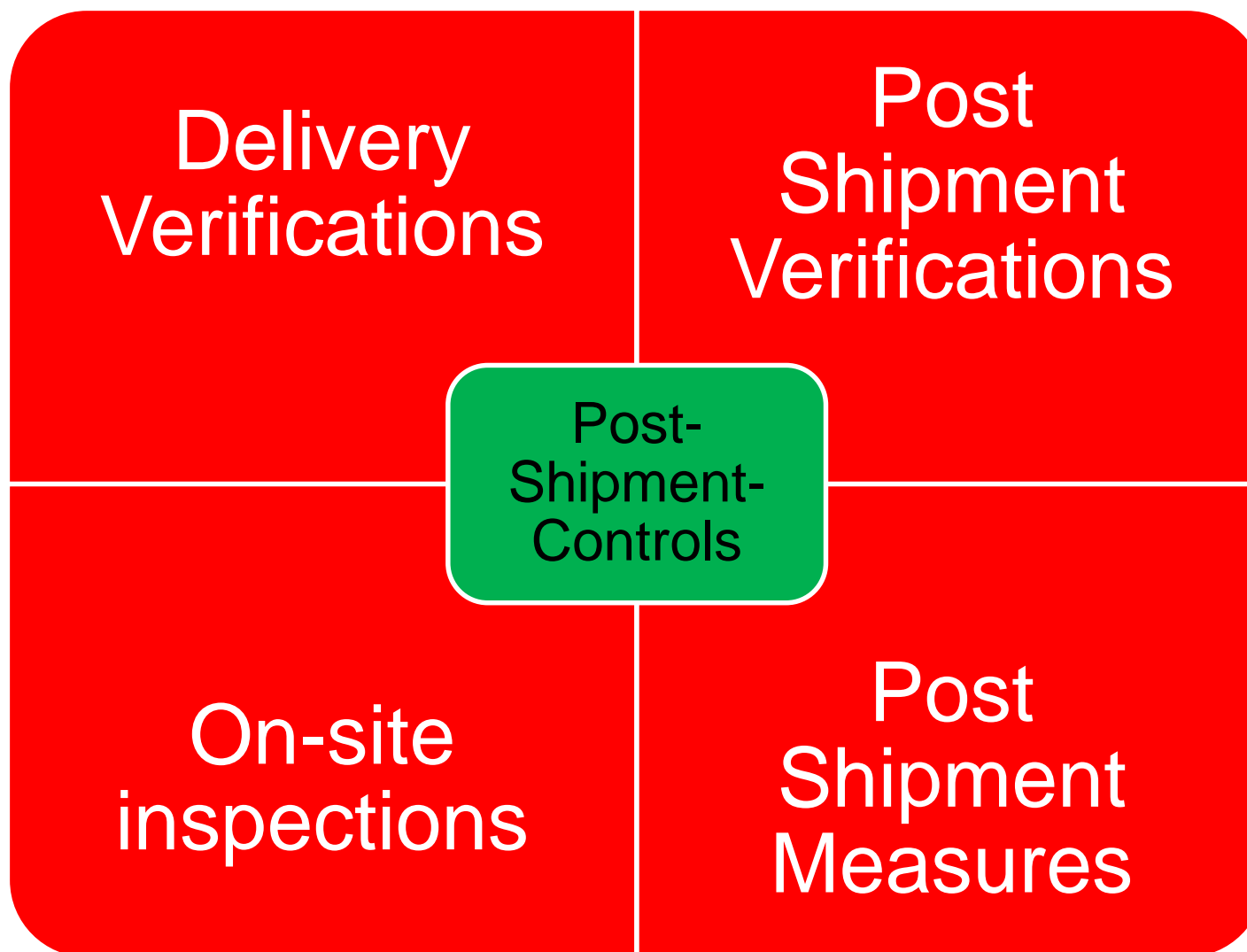
- Documents presented by the exporter (customs import documentation, statements by the end-user etc.)
- Foreign trade audits

Cooperation between importing and exporting State

- Post-Shipment-Controls

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Post-Shipment-Controls – different terms



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Expression „Post-Shipment-Controls“

- Physical checks
- On the territory of the importing State
- Conducted by the exporting State
- After the transfer to an authorized end user





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Relevant aspects and challenges

Policy

- Legal basis
- Part of the strategic trade control system
- Decision making process
- Cost and resources
- Expectation management

Cooperation

- Political sensitivities and sovereignty aspects
- Legitimate interests of the end user
- Dialog with the importing state

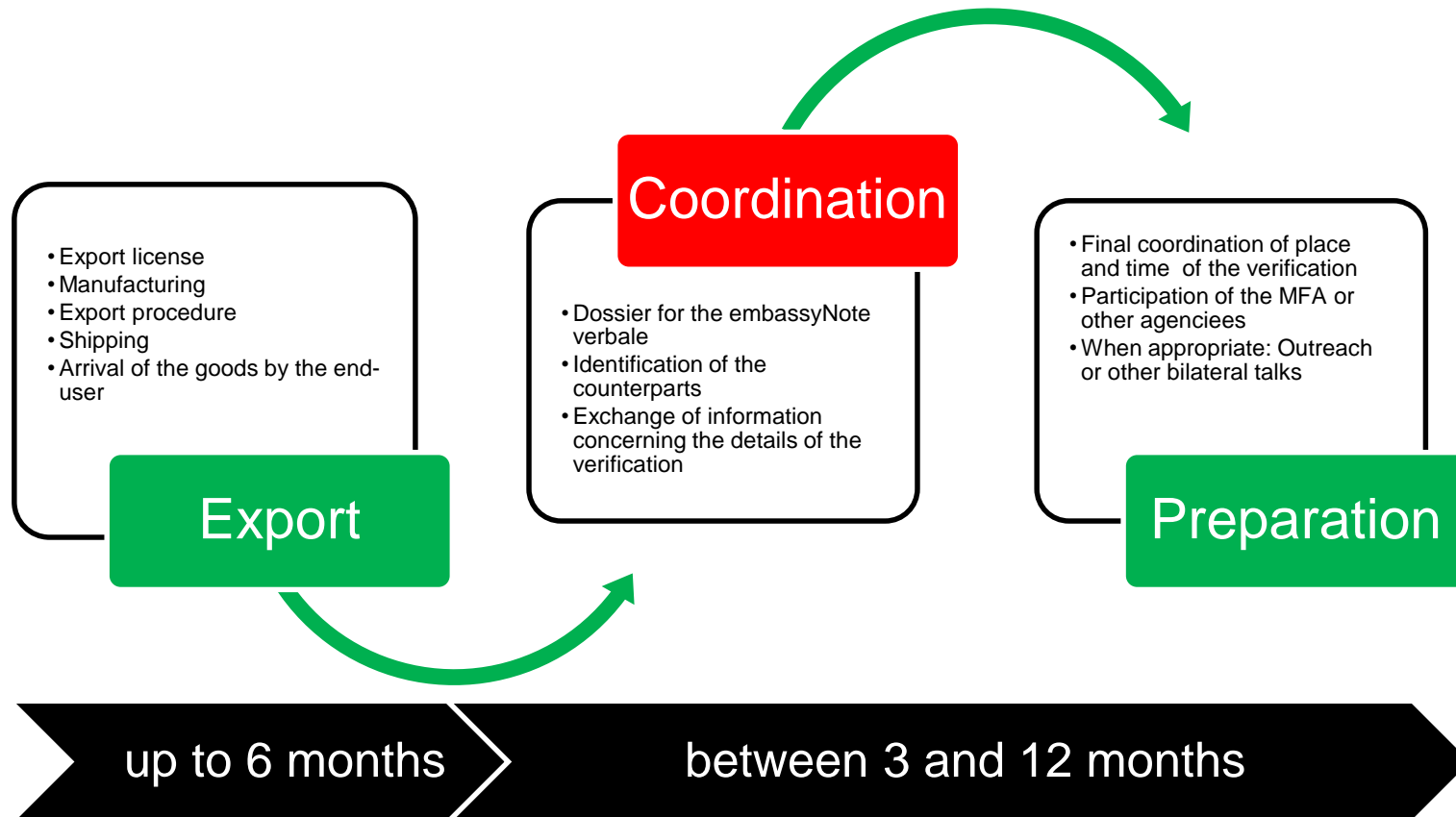
Logistics

- Place of the PSC
- Cost, staff and expertise
- Security and health
- Travel restrictions



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Workflow – coordination, cooperation, communication





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Procedure in cooperation between exporting and importing state

1

- Welcome
- Explanation of the control instrument
- Clarification about the procedure (photos etc.)

2

- Security checks (disarmed weapons!!!)
- Check of the serial numbers of the weapons
- Random test: Disassembling of the weapons

3

- When applicable: Dokument checks
- Closing remarks
- Reporting

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Thank you very much for your attention !



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http://www.bafa.de/EN/Foreign_Trade/foreign_trade_node.html