

GLOBAL TRADE LAW SERIES

EXPORT CONTROL LAW AND REGULATIONS HANDBOOK

**A PRACTICAL GUIDE TO MILITARY
AND DUAL-USE GOODS TRADE
RESTRICTIONS AND COMPLIANCE**

THIRD EDITION

EDITED BY

**Yann Aubin
Arnaud Idiart**



Export Control Law And Regulations Handbook Global Trade Law

**Germano Franceschin, Francesco
Misuraca**



Export Control Law And Regulations Handbook Global Trade Law:

Export Control Law and Regulations Handbook Yann Aubin, Arnaud Idiart, 2016 Export control laws and regulations are the legal framework for countries around the globe to ensure world peace and stability and their importance in international trade is growing. The reasons behind this growth lie in the evolution of technology, the fact that increasing amounts of goods and services are subject to controls, such goods and services representing a very large segment of world trade and the increasing threat linked to terrorism. Consequently, export control laws and regulations have become extremely important for those involved in the international trade of goods and services with a direct or even indirect military use. Export control laws and regulations are complex, difficult to understand and constantly evolving. Infringements can lead to very serious sanctions, civil administrative or criminal, and not to be minimized the risk of serious damage to the corporate image of one or more parties to a questionable transaction. Yann Aubin and Arnaud Idiart are involved in such issues on a day to day basis in their respective capacities as lawyer and export compliance officer within the European Aeronautics Defence and Space Company EADS. They have gathered contributions from expert practitioners and university scholars to make the *Export Control Handbook* as useful as possible.

Export Control Law and Regulations Handbook Yann Aubin, Arnaud Idiart, 2016-05-15 The importance of export control laws and regulations in international trade continues to grow, not only because of the increase in world trade and technology dispersion but also due to concerns surrounding national and regional stability and the risk of terrorism. Accordingly, familiarity with export control laws and regulations around the world has become extremely important for those involved in the international trade of dual use or military goods, technology and services. In this preeminent handbook, now in its third edition, two experienced professionals have gathered contributions from expert practitioners and academics. The third edition adds three new country chapters: Brazil, Israel and Sweden, and a new separate chapter on sanctions and embargoes. In addition to chapters on the international regime in general, the book provides a practical overview of the export import control regimes covering defence and dual use goods and services in fourteen key jurisdictions. Country reports each follow the same structure for easy comparison. Issues and topics covered include the following and much more: import export legal and regulatory requirements for controlled goods and services; sanctions for breach of such requirements; civil administrative or criminal licence application processes; arms, dual use and other products embargo including chemical and biological materials and technology and enforcement measures. The Handbook also makes available through an online application all important standard export control related forms, templates and other related documents, all of which readers can use to draft their own documents. The Handbook is invaluable to any professional such as lawyers, compliance key players, procurement, logistics, finance and customs practitioners working in relation to an organisation with a need to know the specific requirements to be followed for the efficient and legally compliant import or export of controlled military or dual use goods, technologies or services.

Der Arms Trade Treaty und die Kontrolle von Dual-use-Gütern

Laura Louca, 2018-08-07 Der internationale Waffenhandel war bis zur Verabschiedung des Arms Trade Treatys ATT eine unregelmäßige Materie die aufgrund des hohen Waffenexports von Großmächten und angesichts zunehmender bewaffneter Konflikte auf der Welt in den letzten Jahren immer mehr Bedeutung erlangt hat Die Untersuchung trägt zur Klärung von Problemen bei die sich im Rahmen des Handels mit konventionellen Waffen und Dual use Gütern stellen Dabei werden die wichtigsten Exportkontrollabkommen zunächst summarisch dargestellt Danach wird das Verhältnis des ATT zu diesen Abkommen analysiert Anschließend wird der ATT hinsichtlich seiner Regelungslücken ausführlich ausgelegt Besonderes Augenmerk wird vor diesem Hintergrund dem Spannungsverhältnis zwischen Souveränität und Menschenrechten gewidmet Abschließend wird der Zusammenhang zwischen dem ATT und der Dual use Güter Kontrolle hergestellt Dabei werden Lösungsvorschläge entwickelt die sich mit der Kontrolle von Dual use Gütern befassen

Export Control Law and Regulations Handbook Yann Aubin, Arnaud Idiart, 2007 Export control laws and regulations are the legal framework for countries around the globe to ensure world peace and stability and their importance in international trade is growing The reasons behind this growth lie in the evolution of technology the fact that increasing amounts of goods services are subject to controls such goods services representing a very large segment of world trade and the increasing threat linked to terrorism Consequently export control laws and regulations have become extremely important for those involved in the international trade of goods services with a direct or even indirect military use Export control laws and regulations are complex difficult to understand and constantly evolving Infringements can lead to very serious sanctions civil administrative or criminal and not to be minimized the risk of serious damage to the corporate image of one or more parties to a questionable transaction Yann Aubin and Arnaud Idiart are involved in such issues on a day to day basis in their respective capacities as lawyer and export compliance officer within the European Aeronautics Defence and Space Company EADS They have gathered contributions from expert practitioners EADS and Thales as well as Hogan and Hartson LLP and university scholars Paris 11 Law School Institute of Space and Telecommunications Law IDEST faculty and advanced students to make the Export Control Handbook as useful as possible The Export Control Handbook provides a practical examination of the export import control regimes of defense and dual use goods and services of a number of selected jurisdictions around the world China European Union France Germany India Italy Japan Russian Federation Spain United Kingdom United States The Handbook contains a very useful appendix including among other things compliance procedures and standard country specific application or related forms The aim of each country specific chapter of the Handbook is to provide actionable information designed to guide foreign entities wishing to undertake production in the jurisdiction e.g. through a local subcontractor or a local subsidiary which could be a joint venture in order to subsequently export that product anywhere in the world The Export Control Handbook is invaluable to any international trade professional lawyer compliance officer etc or entity with a need to know the specific requirements to be followed in the jurisdiction in question for the efficient and legally compliant import or export

of controlled military or dual use goods or services **Switzerland Investment, Trade Laws, Regulations Handbook Volume 1 Strategic Information and Basic Laws** IBP, Inc.,2018-02-20 2011 Updated Reprint Updated Annually

Switzerland Investment and Trade Laws and Regulations Handbook **Theory and Practice of Export Control** Dai Tamada,Philippe Achilleas,2017-10-12 This is the first book to focus on the theoretical and practical issues of export control It combines the points of view of Japanese and French academics and practitioners including personnel at several governmental institutions and private companies Presenting the results of a collaboration between Japanese and French academics it contributes to the development of a new debate on export control Although export control has been discussed within the framework of international law in terms of peace and security its scope has now been expanded to international economic law i e WTO law and international investment law This means that in order to discuss export control appropriately the two areas of law have to be combined At the same time this topic is not only academic and theoretical but touches upon very real and practical aspects of trade export and foreign investment When we tighten embargos and economic sanctions for anti terrorism or anti nuclearization purposes we encounter more and more cases of conflict between security and the liberalization of economic relations in the world For this reason a wide range of collaborative work is needed in this area This timely book addresses various aspects of the current export control debate **The Oxford Handbook of International Commercial Policy** Mordechai E. Kreinin,Michael G. Plummer,2012-05-31 This volume of contributions from some of the world s best known international trade economists explores and analyzes the various aspects of commercial policy in a way that standard texts in international economics do not It does this in two parts the first part covers general approaches to commercial policy including theoretical institutional historical and empirical contributions while the second part is comprised of country specific and regional applications including a series of case studies of key players in the international trading system and emerging markets **US Investment, Trade laws and Regulations Handbook Volume 1 Strategic Information and Regulations** IBP USA,2013-08 US Investment and Trade Laws and Regulations Handbook **Legal Guide to GATS** Nellie Munin,2010-01-01 According to the WTO over a fifth of world trade consists of transactions in services The General Agreement on Trade in Services GATS was created to extend the multilateral trading system to services in the same way the General Agreement on Tariffs and Trade GATT provides such a system for trade in goods Given its reach the treaty s significance continues to grow *Sweden Investment, Trade Laws and Regulations Handbook Volume 1 Strategic Information and Basic Laws* IBP USA,2013-08 2011 Updated Reprint Updated Annually Sweden Investment and Trade Laws and Regulations Handbook **The International Trade Policy for Technology Transfers** Yi Shin Tang,2009-05-05 This book provides a robust guideline to both policymakers and researchers wishing to identify and categorize the factors that influence the process of technology flows across national boundaries as well as the economic theories and legal arguments that may support a given position in international forums In particular the work discusses how

certain negotiation strategies may optimally deal with such barriers and lead to more effective institutional arrangements in the current global geography of technological development

Anti-dumping Law and Practice of China Xiaochen Wu, 2009-01-01 For over a decade China has been globally recognized as the leading recipient of antidumping measures On the other hand China s use of antidumping measures is equally noteworthy Xiaochen Wu s timely book takes a very practical approach as it examines its subject in a broad context Besides providing a rich and detailed interpretation of the legal provisions it discusses complex technical aspects of the Chinese antidumping law in a very pragmatic way notably by providing actual instances of their application in the antidumping investigations conducted by the Chinese Ministry of Commerce MOFCOM This book is also very handy since it consolidates detailed statistics pertaining to Chinese antidumping proceedings since 1997 as well as all important legal texts including China s antidumping law and the 15 MOFCOM implementing provisions along with relevant legal interpretation Readers will quickly discover that the book is thoroughly enriched with the thoughtful commentary and pertinent observations of its author Having addressed and understood antidumping matters both from the public and private sector perspective Xiaochen Wu provides a very unique and extensive analysis of the Chinese antidumping law and its practice In sum this work incorporates the essence of his personal experience as witnessed in the insightful examination of each antidumping provision and thoughtful reflections on complicated and exceptional situations which have come up in trade proceedings or which may very well arise in the not too distant future

India Germano Franceschin, Francesco Misuraca, 2011-01-01 India a Union of 28 States and 7 territories with a population of over a billion people and multiple cultures and languages is a democratic republic often called quite rightly the largest democracy in the world Because the well established English legal system endured after independence in 1947 India categorically remains a common law jurisdiction and its legal practice and procedure is conducted almost exclusively in English Nonetheless Indian law is sufficiently complex in ways that are distinct from other European based systems that a book such as this in which the business legal system of India is thoroughly reviewed will be really welcomed by both practitioners and academics This book examines the full spectrum of India s legal system as it applies to commercial customs and tax matters and covers among much else such elements as the following division of executive and legislative powers between the Union and the individual States role of the Supreme Court and State high courts role of State legislative assemblies levels of appeals in judiciary system power of specialised State tribunals in for example tax company law bankruptcy power of the State to appropriate property constitutional protection of culture and environment use and citation of foreign judgments and jurisprudence contract law trusts industrial relations minimum wage law income tax rules and procedure bilateral double taxation agreements copyright and trademark protection semiconductor integrated circuits layout design protection of plant varieties and farmers rights competition law multi State cooperation agreements and regulation of financial services An extensive appendix supplies texts of the Constitution of India the Indian Penal Code and 23 Legislative

Acts pertaining to commercial customs and tax matters There is a sample franchise agreement and an informative summary of current and projected foreign trade policy through 2014 Both as a guide to business lawyers working with Indian partners and as a comparative law treatment of the world s second most populous country and a rapidly growing economic powerhouse this book has no peers The Law of Globalization Laurence Boulle,2009-01-01 There is a growing clamour particularly from the main beneficiaries of globalization that rules need to be established to govern the international economy with a specific focus on questions such as copyright violations trade sanctions and protections for foreign investment Those who perceive they are disadvantaged by globalization demand other legal protections in relation to employment cultural traditions and the environment Harmonization, Equivalence and Mutual Recognition of Standards in WTO Law Humberto Zúñiga Schroder,2011-01-01 Standards are a feature of virtually all areas of trade in products and services Yet although standards may achieve an efficient economic exchange they have discriminatory consequences for trading partners when governments formulate or apply them in such a way as to cause obstacles to trade thus enrolling standards among the increasingly significant non tariff barriers regulated by the WTO This unique and original study analyses the functions that standards fulfil in the market their effect on trade and the legal regime based on harmonization equivalence and mutual recognition developed by the WTO to deal with standards The author investigates the way in which both the WTO Technical Barriers to Trade TBT and the Sanitary and Phytosanitary SPS Measures Agreements regulate these three tools and discusses key topics including The definition of the concept International Standard in the TBT Agreement Guidelines on equivalence issued by organizations such as the Codex Alimentarius Commission the World Organization for Animal Health and the International Plant Protection Convention Parallels between the EC mutual recognition regime and the WTO system This is the first work on its subject With its detailed and practical analysis of WTO law on standards the book is a fundamental reference for practitioners academics and policy makers in international trade law Globalization and Animal Law Thomas G. Kelch,2017-05-01 The rise of the globalized economy has rendered an even more profound change in the relationship between humans and other animals than the ancient progression from huntergatherer to agricultural society In today s global markets multinational corporations exploit the economic value of animals throughout the world on an unprecedented scale The philosophical and legal notions that animals are mere unfeeling machines or pieces of property although more or less taken for granted for centuries has been challenged if not burst asunder in recent decades in law moral philosophy and cognitive and other sciences and regulation of the treatment of animals in agriculture experimentation entertainment and other areas has begun to make substantial inroads in national and international law This book provides a detailed analysis of international and comparative animal law focusing on the impact of today s globalized economy on animal law Describing a wide range of domestic and international laws relating to the treatment of animals the author explicates the sorts of legal rules which affect the global animal marketplace Representative norms in existing animal protection laws are

analyzed and critiqued illustrating the diverse approaches taken by different countries and by the international community in regulating uses of animals Among the issues covered are the following contemporary philosophical thought on the relationship between humans and animals recent scientific research relating to cognitive and other abilities of animals legal issues relating to factory farming and animal slaughter legal protection of animals during transport regulatory schemes on animal experimentation laws on the use of animals in entertainment laws on protection of companion animals regulation of trade in endangered species international trade issues relating to animals including consideration of the provisions of GATT and the seminal WTO GATT decisions in the Tuna Dolphin Shrimp Turtle Tuna Labeling and EU Seal Products cases constitutional protection for the interests of animals intellectual property law issues relating to animals efforts to have the legal personhood of certain animals judicially recognized and what the future may hold for animal law in the global economy To ensure the consideration of a full range of legal approaches the laws analyzed come from a wide variety of countries and jurisdictions including Australia Austria Brazil Canada the EU Germany India Ireland New Zealand Switzerland the UK and state and federal laws of the US Numerous international treaties and conventions relevant to animal treatment and animal law are also covered including the Berne Convention for the Protection of Literary and Artistic Works the CITES Convention the European Convention for the Protection of Animals Kept for Farming Purposes the European Patent Convention the GATT Treaty the TRIPS Agreement and the Universal Copyright Convention It is not difficult to grasp given the continuing increases in production consumption and use of animals and animal products worldwide that legal initiatives in this often emotional and acrimonious area of law are frequently contentious and hard fought But this is really just the dawn of animal law which has only recently become recognized as an important cutting edge topic and this area of the law promises to develop rapidly in the future This book is enormously valuable in contributing to the continuing development and understanding of this law clearly laying out the contours and boundaries of existing animal laws in our global economy and allowing legal educators concerned lawyers and policymakers to teach formulate proposals argue cases and defenses and secure a firm purchase on future trends and developments in animal law

Research Handbook on Human Rights and Digital Technology Ben Wagner, Matthias C. Kettemann, Kilian Vieth-Ditlmann, Susannah Montgomery, 2025-01-09 Bringing together perspectives from academia and practice this second edition Research Handbook provides fresh insights into debates surrounding digital technology and how to respect and protect human rights in an increasingly digital world New and updated chapters cover the issues posed by the management of key internet resources the governance of its architecture and the role of different stakeholders *World Trade Organization Agreement on Anti-dumping* K. D. Raju, 2008-01-01 The WTO Secretariat reports that during the period from 1995 to June 30 2007 WTO members initiated 3097 anti dumping investigations Of these 474 were put forward by India which made it the largest user of this measure among WTO Members The traditional argument of developing countries was that loopholes or absence of clear definitions in the anti dumping rules

have increased the possibility of abuses and discretionary practices against them Now many developing countries like India have become frequent users of this measure For a better understanding of the various provisions of the WTO s Anti dumping Agreement ADA a critical investigation of the resulting jurisprudence is a necessity To that end this timely work has a fivefold aim and To explore the jurisprudence that has emerged around the anti dumping regime and how it affected developing countries and To assess how effectively and to what extent the WTO s Dispute Settlement Body DSB is able to analyze the violations of ADA provisions and To examine domestic compliance with DSB decisions and To study the Indian cases which come before the nation s Customs Excise andamp Sales Tax Appellate Tribunal various High Courts and the Supreme Court of India and and To offer recommendations for the improvement of the anti dumping regime from a developing country perspective

The Law of Arms Control and the International Non-proliferation Regime Tom Coppen,2016-12-08 Nuclear proliferation poses a serious threat to international peace and security The non proliferation regime is the body of public international law that aims to counter this threat It has been a cornerstone of global security for decades This book analyses its main instruments The book focuses on the Nuclear Non proliferation Treaty international trade controls and the International Atomic Energy Agency It describes the internal mechanics of these mechanisms their development and their strengths and weaknesses It shows how they together are the basis of a political legal order that is more than the sum of its parts offering new insights on the role of international law in an area dominated by security driven politics

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The Enigmatic Realm of **Export Control Law And Regulations Handbook Global Trade Law**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing lacking extraordinary. Within the captivating pages of **Export Control Law And Regulations Handbook Global Trade Law** a literary masterpiece penned with a renowned author, readers embark on a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book's core themes, assess its distinct writing style, and delve into its lasting impact on the hearts and minds of people who partake in its reading experience.

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