



# SPANISH AMERICAN SYMPOSIUM ON INDUSTRIAL COOPERATION

16 July 2003

# INTERNATIONAL COOPERATION AND EXPORT CONTROL INITIATIVES

- United States Department of Defense and the Kingdom of Spain Ministry of Defense Declaration of Principles for Enhanced Cooperation in Matters of Defense Equipment and Industry (DoP).
- Letter of Intent for the European defense industry restructuring(LoI).

# DoP

- Signature: April 2001.
- Main objective: Establishment of a framework that will facilitate greater integration of their respective defense companies.
- Plenary and 4 Working Groups in specific areas (Security of Supply, Security of Information, Market Access, Export Control, Harmonization of Military Requirements, Research and Development, Technical Information, Ownership and Corporate Governance).
- DoP is not mandatory.
- DoP represents a tool for the signature of possible agreements in the above-mentioned areas.

# DoP (Export Control Working Group)

- 1st meeting: 14 and 15 January 2003.
- Objectives:
  - Review of U.S. and Spain export control systems.
  - Identification of similarities and differences between both systems.
  - Study of areas for cooperation in cooperative programmes.
  - Analysis of initiatives promoted in international fora.

# DoP (Export Control Working Group)

## ■ Topics of special interest:

- Significant differences between both systems (lists of goods and countries of destination).
- Accepted extension of GPL/Global Authorization and simplified mechanisms to transfers to countries of destination jointly accepted in cooperative programmes.
- Further discussion on retransfer conditions (DTSI, *blanket assurances*, end-use documents).
- Different ways of exerting control on intangible transfers of technology (Internet, seminars, research).
- Same approach on several initiatives presented in international fora (SALW, brokering, *catch-all* clause, specific information exchange in CA and DU).

# DoP (Export Control Working Group)

- Future work:

- Review of legislative changes in both countries.

- Establishment of simplified procedures for export of defense equipments under cooperative programmes.

- Study and possible approval of retransfer conditions (*"blanket assurances"*).

# LoI

- Signature: 8 July 1998 (United Kingdom, France, Germany, Sweden, Italy, Spain).
- Main objective: Creation of an administrative and juridical framework that will facilitate the signature and development of cooperative military programmes.
- Executive Committee and 6 Subcommittees.
- Framework Agreement: Signature (27 July 2000) and ratification process by 5 countries.
- International Treaty which is mandatory.

# LoI (Subcommittee 2 on Export Procedures)

## Instruments:

- \* Global Project Licence
- \* Permitted export destinations



# LoI (Subcommittee 2 on Export Procedures)

## o GPL (Article 12):

- Different formats.
- Harmonization of the required data.
- Applicable to the leader company and subcontractor firms.
- Inclusion of systems, subsystems and components.
- Validity period: 3 years (renewable).
- Non reexport clauses between LoI Participant States.
- Extension to introductions/imports.
- Companies from non LoI countries can apply for a GPL (in 4 LoI countries).
  - Creation of a Previous Agreement for a GPL.
- Simplified procedures in previous stages of the programmes (subcontracting relations).

# LoI (Subcommittee 2 on Export Procedures)

- o Permitted export destinations (Article 13):
  - Approval by consensus between the Participant States involved in the programme.
  - Can be modified if there is a change in the country of destination circumstances (internal or regional stability, respect for human rights, security).
  - Agreement on reexport and end-use requirements with regard to third countries (national end-use documents).