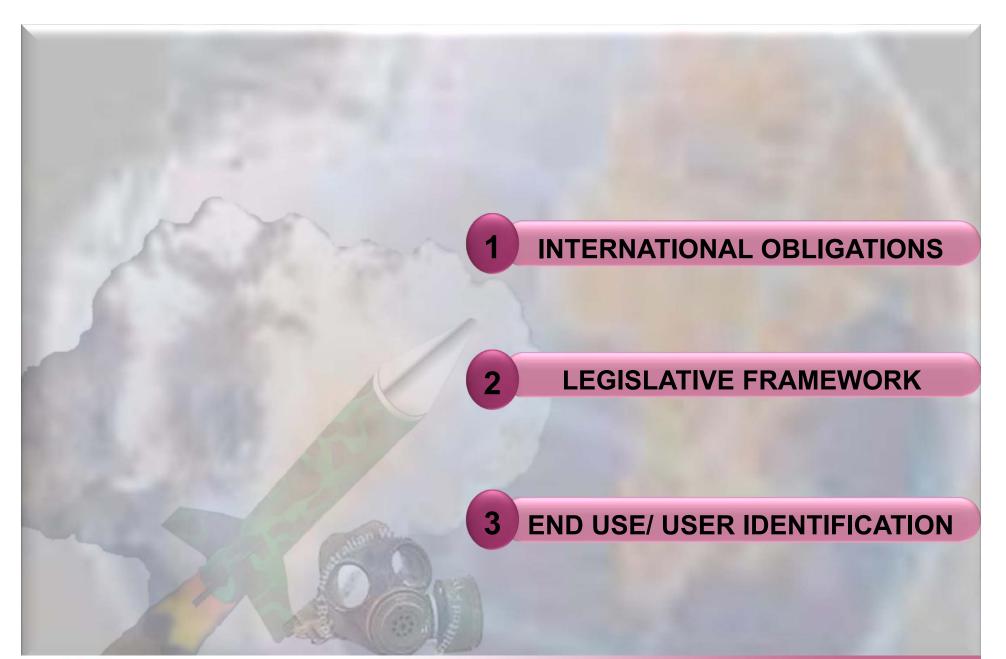


SOUTH AFRICAN COUNCIL FOR THE NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

SECDIV INTERNATIONAL SEMINAR ON STRATEGIC EXPORT CONTROLS

ISLAMABAD, PAKISTAN: 9-10 MAY 2018

"Identification of End Use/End User of Concern" by Florah Mamashela





INTERNATIONAL OBLIGATIONS

NON-PROLIFERATION:

- Chemical Weapons Convention (CWC)
- Biological & Toxin Weapons Convention (BTWC)
- Nuclear Suppliers Group (NSG)
- Missile Technology Control Regime (MTCR)
- Comprehensive Nuclear Test Ban Treaty (CTBT)
- Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

MR18

OTHER:

- Zangger Committee
- Wassenaar Arrangement



Slide 3

LEGISLATIVE FRAMEWORK

	Nuclear Energy Act, 1999 (Act No. 46 of 1999)	Administered by the Minister of Energy	Allows for the control of transfers of nuclear items listed in Part 1 of the NSG	Imports and exports of NSG Part 1 nuclear items are controlled IAEA Safeguards delegated by DoE to NECSA
	National Conventional Arms Control Act, 2002 (Act No. 41 of 2002)	Administered by the National Conventional Arms Control Committee	Allows for the control of transfers of items listed in the Wassenaar Arrangement	Control transfers, contracting and marketing of items listed in the Wassenaar Arrangement
Annual and an and	The Non- Proliferation of Weapons of Mass Destruction Act, 1993 (Act No.87 of 1993)	Administered by the South African Council for the Non- Proliferation of Weapons of Mass Destruction	Allows for control over weapons of mass destruction (chemical, nuclear, biological and their delivery systems (missile))	Imports and exports of dual-use items (NSG Part 2, MTCR, CWC and BTWC) are controlled



SOUTH AFRICAN COUNCIL FOR THE NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

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IDENTIFICATION OF END USE/ END USER OF CONCERN

Government Notice No. R.16 of 03 February 2010

- Any persons in control of any activity with regard to controlled goods or in possession or custody or control of controlled goods should register with the Council
- Only registered companies are issued with permits

Government Notice No. R.17 of 03 February 2010

- Implementing provisions of the CWC wrt Article VI Declarations
- Declaration data is collected from producers, processors, consumers, importers & exporters of scheduled chemicals

Inter-departmental licensing evaluation committee

- Includes DIRCO, DI and SSA
- DoE also presents NSG Part 1 export, import and transport authorisations



IDENTIFICATION OF END USE/ END USER OF CONCERN

Industry Awareness

- Through regular visits, information session to industry
- Internal Compliance for industry
- Inspections to visit entities that are involved in controlled activities

Inter-departmental working committees

 Includes, DoH, DAFF, SAMHS, ARC, NICD, research institutions and industry associations

Liaison with border control authorities

- NPC signed a MoU with the South African Revenue Services (Customs)
- Electronic Data Interchage (EDI) system allows for a clearance to be stopped for physical examination, detained/queried for additional information, etc through the submission of electronic import and export permit data



IDENTIFICATION OF END USE/ END USER OF CONCERN

UNSC Sanctions List

South Africa has no "red" list

MTCR and NSG Guidelines

Denials and complimentary information used as a guide

Evaluation of company profile not matching the end-use

Not matching the end-use or type of civilian use different

Action, if there's a concern

- No denial necessarily but guarantees are put in place such as EUCs, GTGA, IGA and verification inspections
- Therefore, the responsibility for the item is paced on the recipient end-user and/or country



QUESTIONS?

THANK YOU

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