



**Important for all Exporters, Financiers & Investors dealing with Difficult Countries!**

# **Sanctions & Embargoes**

## **US/EU-Export- & Re-Export Controls**

### **for Banks and Corporates**

- ◆ **New Developments - EU & US Sanctions**
- ◆ **Iran, Russia, Cuba, Syria, Libya – recent developments of sanctions**
- ◆ **Sanctions relating to Money Transfers & Trade Financing**
- ◆ **Due Diligence Required on Transaction Parties**
- ◆ **Compliance Requirements and Challenges**
- ◆ **Extraterritorial Application of US Sanctions & Export Controls**
- ◆ **Interplay of US & EU Controls**
- ◆ **Restrictions on Dealings with US-Origin Items**

**Tue. 7<sup>th</sup> + Wed. 8<sup>th</sup> November 2017**

**9.00 a.m.– 5.00 p.m.**

**Fleming's Hotel Wien-Westbahnhof  
Neubaugürtel 26-28, 1070 Vienna, Austria**

**Oberbank**  
3 Banken Gruppe

**Baker  
McKenzie.**

## Target Group

- ◆ processors, distributors, resellers of US-origin goods + technology + software
- ◆ Compliance Officers in Banks + Corporates
- ◆ Exporters machinery, software, technology
- ◆ Importers + Exporters
- ◆ Trade Finance Experts
- ◆ Forwarding & Customs Agents
- ◆ in house legal counsels + lawyers

## Background & Objectives

EU Sanctions – also referred to as “restrictive measures” – against third countries, individuals or entities, are an essential EU foreign policy tool that it uses to bring about change in policy or activity by the target country, government, entities or individuals.

US Sanctions-, Export or Re-export Control Regulations apply whenever firms

- sell or resell US origin products or services
- sell or resell products, parts or components using US origin software or technology
- use US origin parts & components in a manufacturing or assembly process
- incorporate US origin subsystems, software & technology into products
- sell products with US origin to domestic customers that (might) export these products
- re-export US origin products, software or technology to sensitive destinations

**For an EU manufacturer, bank, trader, forwarder it is therefore essential to comply with your respective local, EU, UN & US regulations. Violations may severely affect your business! This conference will enable you to stay within the law!**

Global business integration leads to increasing sale & re-sale of EU and US items. Either as traded items (e.g. as measuring instruments), in assembled form (e.g. chips in an electronic control, computer or machine), or as software. Even if, for example, a US product has been imported legally into the EU, it doesn't mean that the export can be done without a US license! The neglect of US re-export-regulations can lead to a total ban to trade with US goods for the non-compliant company & bank and severe fines.

**Learn, when and how EU and US sanctions, export and re-export controls regulations are applied, how they interrelate with each other, how to apply this knowledge in your daily business to avoid unintentional diversion of EU and/or US products and technology to sensitive activities and/or destinations.**

## Speakers/Speaker

- **Nicholas Coward**, Lawyer; Partner Baker McKenzie, Washington; specializes in outbound trade compliance matters including extraterritorial application of US law, particularly US export control laws, anti-boycott regulations, trade sanctions/embargoes maintained by the U.S.A. against various countries, WTO, Internat. Trade Regulation & Customs; Corporate Compliance
- **Ryan P. Fayhee**, Lawyer, Partner Baker McKenzie, Washington; counsels clients on compliance issues related to export controls, sanctions and anti-corruption laws & regulations; previously was with the US Department of Justice as leading national security prosecutor in the areas of export controls, sanctions and enforcement

## Sanctions & Embargoes, US/EU-Export- & Re-Export Controls

- **Peter Köck**, Head of Banking, VA Intertrading, responsible for cash management, L/Cs, documentary collections for import and export, country risk management including confirmation and forfaiting of L/Cs, credit insurance and ECAs, structured trade finance (pre-export financing, project finance based on offtake agreements).
- **Marc Lager**, Lawyer, Partner, Baker McKenzie Diwok Hermann Petsche Rechtsanwälte LLP & Co KG; extensive experience advising domestic and international clients on a variety of competition law issues covering merger control, distribution systems, abuse of dominance, cartel investigations, cooperation agreements, research and development, and export controls
- **Sylwia Lis**, Lawyer, Partner, Partner Baker McKenzie, Washington, specializes in international trade compliance matters arising under US export and re-export controls, trade sanctions, antiboycott laws, and U.S. foreign investment restrictions
- **Julia Pfeil**, Lawyer, Senior Associate, Baker McKenzie, Frankfurt am Main; advises national and international companies on administrative compliance on the EU, federal, State and municipal level, with a focus on environmental law and trade compliance; helps clients comply with RoHS/ WEEE, ELV Directives, REACH and other product-related environmental regulations.
- **Claudia Raml**, Senior Director, Corporate and International Finance, Head of Department for Documentary Credits and Bank Guarantees at Oberbank AG, responsible for Payment Services and Export & Trade Finance including factoring, forfaiting, and credit insurance, Member of the Banking Commission

## Programme

### DAY 1

## US Sanctions & Embargoes

### Introduction (Nicholas Coward)

- Increased globalization of export controls
- Relevance and importance of US export controls and trade embargoes for European companies

### US Export Controls / Sanctions Enforcement and investigations (Ryan Fayhee)

- Status of US export controls
- Relevant US agencies involved in export compliance, their roles and inter-relationships
- Basic principles and screening checklist, Licensing requirements and process (documentation)
- Anti-terrorism and WMD controls: Importance of screening and associated risks for EU companies
- Recent Enforcement Cases against EU Companies, Penalties
- Illegal re-exports, causing illegal exports from the US
- Penalties and Voluntary Self-Disclosure

### Compliance with US Trade Sanctions and Export Controls (Sylwia Lis)

- Enforcement & Penalties
- US Sanctions and Export Controls
- Restricted Parties
- Red Flags: Screening for Diversion Risks
- Recordkeeping
- Takeaways

### Recent Trade Sanctions Developments (Sylwia Lis)

- Iran
- Russia
- Syria, Cuba and others

## DAY 2

**EU Export Controls & Embargoes****EU Sanctions and recent developments (Julia Pfeil / Marc Lager)**

- Relationship between EU and US export controls
- Applicability of EU Sanctions, EU Sanctions – General Rules

**New possibilities in Iran (Julia Pfeil / Marc Lager)**

- actual situation, licensing requirements
- bank transfers and acceptable banks
- Snap Back Mechanism

**Focus Russia (Julia Pfeil / Marc Lager)**

- actual situation and effects on the economy
- Restrictive measures (asset freezes and visa bans), Restrictions for Crimea and Sevastopol
- Measures targeting sectoral cooperation and exchanges with Russia ("Economic sanctions")
- Measures concerning economic cooperation

**EU Export Controls / EU Embargoes (Julia Pfeil / Marc Lager)**

- Export Control for Listed Goods and for Non-Listed Goods (catch all)
- Technology Transfer, Person Controls
- Setting up an export compliance program and procedures in companies, Case-Studies

**Impact of the sanctions on business practice and cash flow (Peter Köck)**

- Know your sanctions, Banking Policy
- Practical Experience – Possibilities and Pitfalls

**Bank's KYC and compliance requirements and their impact on customers (Claudia Raml)**

- Compliance, sanctions, money laundering/fraud: different terms, similar examination schemes
- Identify, verify, monitor: Due Diligence and Enhanced Customer Due Diligence
- Examples and Best Practice: Succeeding in transfers, export & trade finance

**Panel Discussion with the Experts****Questions & Answers****ICC Austria** - *Your Partner for International Trade and Law*

ICC Austria assists its members in their daily legal & practical questions – please call in...

- Bank Guarantees, Letters of Credit, Trade Finance and contracts
- import-export contracts, Incoterms, International trade terms and conditions,
- Dispute prevention, dispute resolution and arbitration
- Prevention of corruption, commercial crime, counterfeiting, investment fraud, shipping fraud
- International negotiations in the light of cross cultural differences

**Publications** On request we will provide you with our complete list of publications!

Publ. Nr.	Sprache	Titel	€
745	En	International Standard Banking Practice (Revision 2013)	25,00
745 ED	DeEN	ISBP – International Standard Banking Practice – 2013 revised Edition	38,00

## Registration Form

Mail or Fax to:

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ICC Austria

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responsible for the content: **Mag. Angelika Zoder***further ICC Austria conferences and courses:*

- **Optimale Vertragsgestaltung in spanischer Sprache**, 21. Juni 2017, Wien
- **Managing of Investments in Serbia**, 28 June 2017, Vienna
- **Optimale Vertragsgestaltung in englischer Sprache**, 27. Sept. 2017, Wien

For further details please visit: [www.icc-austria.org](http://www.icc-austria.org)

## Registration

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**Sanctions & Embargoes****US/EU-Export- & Re-Export Controls****7<sup>th</sup> + 8<sup>th</sup> November 2017, 9.00 a.m.– 5.00 p.m.****Fleming's Hotel Wien-Westbahnhof, Neubaugürtel 26-28, 1070 Vienna, Austria****Participation fee:**incl. Seminar documentation,  
Coffee break, Lunch**€ 890,00** + 20% VAT

Price for ICC Austria Members:

**€ 712,00** + 20% VAT**Closing date:****4 working days before****Get 4% early booking discount  
if you book until 15 Sept 2017****Please be advised that your registration is already valid with the written confirmation! The fee must be paid verifiably before the closing date!**

## Participant Information

Family Name: ..... First Name: ..... ☐ Mr. ☐ Mrs.

Organisation / Company: .....

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E-Mail: ..... Telephone: ..... Fax: .....

Job Title / Position : .....

## Invoice data

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## Cancellation Policy:

A full refund will only be given for cancellations received up to 14 working days before the event. Cancellations must be made in writing. Should you be unable to attend you can nominate a colleague as replacement

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Date

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Signature