



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, Syria, Libya, Cuba – 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

Mon 5th + Tue 6th November 2018

9.00 a.m.– 5.00 p.m.

Fleming's Selection Hotel Wien-City
Josefstädter Strasse 10 - 12, 1080 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 & US 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

- **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
- **Susanne Pissenberger**, Officer at VA Intertrading Aktiengesellschaft, being responsible for Trade Finance in regard to documentary business, credit insurance, country risk management, payment transactions and Compliance including KYC check, control of sanction, AML, CFT and Corruption regulations.
- **Marc Lager**, Lawyer, Partner, Baker McKenzie, Vienna; specializes in international trade compliance matters arising under EU export controls, trade sanctions and foreign investment restrictions

Sanctions & Embargoes, US/EU-Export- & Re-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
- **Anahita Thoms**, Lawyer, Partner, Baker McKenzie, Düsseldorf; focuses her practice on global investigations, particularly in the fields of international trade law and data protection. She heads Baker McKenzie's International Trade Practice in Germany.
- **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
- **Mario Horjak**, Officer responsible for Export Controls Andritz AG Graz, Manager Export Controls Andritz Group; in charge of export control processes at Andritz AG in Austria (so-called ICP=internal control program) and the roll-out of these processes to the worldwide subsidiaries of Andritz (with exception of those in the USA)

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 (Marc Lager / Anahita Thoms)

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

New possibilities in Iran (Anahita Thoms)

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

Focus Russia (Anahita Thoms)

- Current 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

Best Practices on Restricted Party Screening / Case Studies (Marc Lager)

- Best practices in developing an effective program

EU Export Controls (Marc Lager)

- Export Control for Listed Goods and for Non-Listed Goods (catch all)
- Reform of the Dual-Use Regulation

Elements of an effective compliance program (Marc Lager / Anahita Thoms)

- Setting up an export compliance program and procedures in companies, Case-Studies

Impact of the sanctions on business practice and cash flow (Susanne Pissenberger)

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

The ICP [Internal (Export) Controls Program] in Austria (Mario Horjak)

- Definition of an ICP
- 10 commandments of an ICP
- IT integration in the ICP

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

Succeeding – or not - in transfers, export & trade finance (Raml / Pissenberger)

- Examples and Best Practice

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
 @ mail: m.hribernik@icc-austria.org
 ☎ Tel.: +43-1-504 83 00-3700
 ☎ Fax: +43-1-504 83 00-3703
 responsible for the content: **Mag. Angelika Zoder**

further ICC Austria conferences and courses:

- **Trade Finance Week, 18 - 22 June 2018, Vienna**
 - * 14th Global Conference on Bank Guarantees
 - * Case Studies on Bank Guarantees and Letters of Credit
 - * 12th Global Conference on Letters of Credit
- **IRAN - Export Contracts & Investment, 7 Nov 2018, Vienna**

For further details please visit: www.icc-austria.org

Registration

BakerMcKenzie

Sanctions & Embargoes

US/EU-Export- & Re-Export Controls

5th + 6th November 2018, 9.00 a.m.– 5.00 p.m.

Fleming’s Selection Hotel Wien-City, Josefstädterstr. 10 - 12 , 1070 Vienna, Austria



Participation fee:

incl. Seminar documentation,
Coffee break, Lunch

€ 890,00 + 20% VAT

Price for BakerMcKenzie clients:

€ 712,00 + 20% VAT

Closing date:

4 working days before

**Get 4% early booking discount
if you book until 3 Sept 2018**

Your registration is already valid with the written confirmation! The fee must be paid verifiably before the closing date! We do not accept credit card payments.

Participant Information

Family Name: First Name: Mr. Mrs.

Organisation / Company:

Address:

Postal Code, City:Country:.....

E-Mail:Telephone: Fax:

Job Title / Position :

Invoice data

Organisation / Company:

VAT Number (obligatory for invoicing for European participants):

Address:

Postal Code: City:.....

Country:

Cancellation Policy/ Data Protection:

Upon signature of the registration the General Terms and Conditions of ICC Austria, available with <https://www.icc-austria.org/en/About-us/General-terms-and-conditions/Seminars.htm>, are accepted. 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. I acknowledge and agree that my data will stored electronically for registration purposes. My data will not be forwarded to third parties.

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