



 lisakucher3  Jan 26, 2021 2 min read

Internal Compliance Program – Series (2) – Do's and Don'ts when starting the ICP process

Today, in the second article in the hands-on practical advice series on Internal Compliance Programs for Export Control:

Part 2: Do's and Don'ts when starting the ICP process

Do's:

- take a look on the EU Commission Guidance (Recommendation 2019/1318/EU of 30 Jul 2019 for dual-use items, Recommendation 2011/24/EU of 11 January 2011 for defence-related products)
- search for guidelines issued by your national licensing authorities (e.g., Luxembourg's OCEIT, Germany's BAFA, Belgian Flanders Strategic goods Control Unit)
- collect all national export control legislation (pay attention to EU legislation as well, e.g., for dual-use items) and have a look on websites issued by licensing authorities (e.g., Luxembourg's Guichet pages) and check if these are regularly updated
- collect any information on problems and questions having appeared in the past
- verify if all your products have valid and checked CN (combined nomenclature in customs) numbers
- check if your products have been assessed in the past against export control lists in the field of military or dual-use items
- have a look on how your company is currently screening your customers against sanctions lists and operating due diligence and know-your-customer processes for customers and end-users of your products

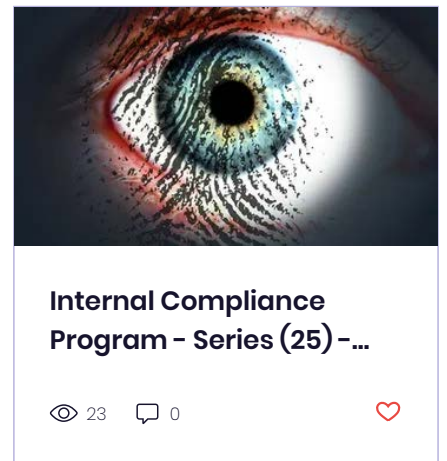
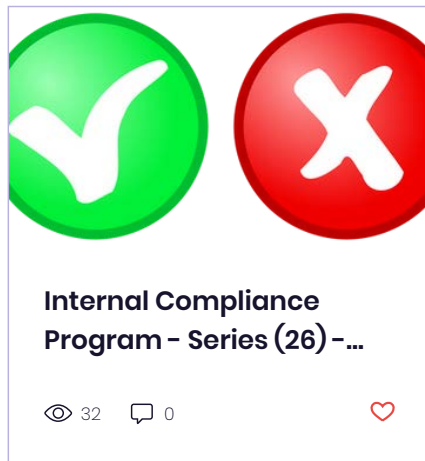
Don'ts:

- do not envisage to copy-paste any other company's ICP
- do not rely on third parties promising you to sell you ready-made ICPs (more on that topic in the next contribution)
- do not think that you are able to draft and submit your ICP within two weeks
- do not start on the basis that your ICP will be done without any internal resources from your side (in particular, input and assistance from compliance team, product engineering, customer relations, sales department, management)
- do not think that the ICP is a one shot (as it requires periodic updates and auditing)



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