

# THE **WORLDECR** EXPORT CONTROLS AND SANCTIONS FORUM **2024**



# LONDON

*official sponsors*

**S-RM**

**Hogan  
Lovells**

**BakerHostetler**

**KPMG**

**MAYER | BROWN**

**GW** Graf von Westphalen

**kpler**

**3-4 December 2024, at the offices of Hogan Lovells, London EC1A 2FG**



**Tom Blass,**  
**Editor,**  
**WorldECR**

## A world on the cusp

As at time of writing, which sees conflict escalating in the Middle East and Israel and Iran coming closer to direct confrontation, continuing war in Ukraine, and enduring uncertainties about the timescale of China's intentions, the fundamentals of compliance become increasingly important.

There is also an important election upcoming in the United States – the result of which is sure to weigh on the trajectory of future events.

In December, our panellists will be taking stock of these considerations and the many far-reaching changes in export control and sanctions developments through 2024, with a look to those that may be in store in 2025, and will tackle topics including:

- How semiconductor export controls impact not only the chip industry, but every company that includes them in its supply chain
- Key changes to UK sanctions rules, institutions – and jurisprudence
- Updated 'red flags' as Russia and its allies step up efforts to evade and circumvent sanctions and export controls
- Compliance beyond domicile jurisdiction: an obligation – but does it have to be a challenge?

As has become established practice, this year's Forum brings together government, industry, policy and legal private practice, to lead the trade compliance debate with sessions on:

- Recent enforcement actions by OFAC, BIS, and DDTC – and what they mean for your ICP
- Export control best practice for tangible and intangible goods
- Muscles in Brussels? The EU toughens up its 'national' security toolkit

And we're delighted to be joined by Thea Kendler, Assistant Secretary of Commerce for Export Administration at the US Department of Commerce's Bureau of Industry and Security, 'BIS', who will be sharing insights into BIS regulation and policy direction and expectations for industry.

### Networking

As in previous years, you can enjoy an **optional dinner** on the first evening of the Forum, following a networking drinks reception. To date, this relaxed and informal dinner for speakers, panelists and delegates, held in a local restaurant, has proven a great success. It is optional – there is an additional charge – but it is always a fun end to a long day and a great opportunity to build new contacts.

### Register today

You'll find all the registration information at the end of this document (or go to <https://www.worldecr.com/forums/london/>), but if you do have any questions please don't hesitate to contact my colleague Mark at [mark.cusick@worldecr.com](mailto:mark.cusick@worldecr.com)

We look forward to you joining the discussion in London in December.

Tom Blass  
Editor, WorldECR



### **Audience with Thea Kendler, Assistant Secretary of Commerce for Export Administration at the US BIS**

*WorldECR* is delighted to welcome Thea D Rozman Kendler, Assistant Secretary of Commerce for Export Administration at the US Department of Commerce's Bureau of Industry and Security ('BIS') as a speaker at the London Forum.

In 2024, BIS has announced many regulatory changes and also pronouncements on best practice and compliance guidance, much of which is pertinent to UK, EU and other non-US organisations, either directly or as part of their broader understanding of the export control and sanctions landscape at a time of challenge and change.

In her presentation, Assistant Secretary Kendler will be sharing insights into US BIS regulation and policy direction.

Thea D Rozman Kendler was sworn in as the Assistant Secretary of Commerce for Export Administration at BIS, following unanimous confirmation by the United States Senate.

Before joining the current Administration, she was a prosecutor in the Department of Justice's National Security Division, handling complex investigations and prosecutions affecting US national security and strategic trade controls.

### **Plugging the gaps: circumvention, evasion, typologies – and enforcement**

**Lourdes Catrain, Partner, Hogan Lovells (Brussels)**

**Aline Doussin, Partner, Hogan Lovells (London)**

Since the ratcheting-up of sanctions against Russia in 2022, key concerns for regulators have been to stymie attempts at evasion and circumvention of sanctions and export controls around, for example, the routing of dual-use and other goods through third countries.

In September, the G7 nations published the first ever joint guidance for industry on detecting circumvention and evasion efforts, with updated red flags and best practice on detection. But for each company and organisation, the challenges are unique.

In this session Lourdes Catrain and Aline Doussin will explore this critical compliance concern for industry, setting out key definitions, multijurisdictional differences, and also the day-to-day detection issues companies face, suggesting strategies for appropriate responses when evasion or circumvention is suspected or detected in the supply chain.





### **Full force of the law: compliance lessons from 2024 enforcement actions**

**Barbara Linney, Partner, Baker Hostetler**

Enforcement notices, such as those issued by the US Treasury’s Office of Foreign Asset Control (‘OFAC’) and BIS, provide the richest possible seam of sanctions and export control learning, detailing not only the reasons for a finding of an (alleged) violation, but also the factors considered to be either mitigating or aggravating.

In this session, Barbara Linney talks through the most significant enforcement actions of 2024, including (though not limited to, and potentially subject to revision!):

- The DDTC consent agreement with RTX for alleged ITAR breaches
- OFAC’s settlement with SCG Plastics for alleged Iran sanctions breaches
- The BIS penalty imposed on Streamlight for alleged violations of antiboycott rules

In her talk, Barbara will focus on the key compliance learnings of these and other actions and the steps organisations should take to incorporate them into their own ICPs.



### **Making waves across the Channel: EU sanctions update and trends**

**Dr Gerd Schwendinger, Partner, GvW Graf von Westphalen (Hamburg/Brussels)**

**Tanja Galander, Local Partner, GvW Graf von Westphalen (Berlin)**

Despite the challenges of making foreign policy decisions en bloc, the European Union has taken huge steps since February 2022 to beef up its sanctions and export control regime in response to Russia’s aggression and Belarus’s support for Moscow.

To date, Brussels has imposed 14 ‘Sanctions Packages’ – expanding the scope of restrictive measures (and export controls), and empowering EU Member States to take stronger enforcement actions.

In this session, Gerd Schwendinger and Tanja Galander set out the main developments shedding light on the ‘No exporting to Russia/Belarus’ clauses; on the obligation on Member States to treat sanctions violations as financial crime breaches; and on controversial provisions that, some argue, establish a de facto ‘secondary sanctions’-type regime, extending Brussels’ jurisdiction beyond the territory of the EU.





### **Chips with everything: semiconductors, export controls and your supply chain**

**Steve Brotherton, Principal, Global Export Controls & Sanctions Lead, KPMG (San Francisco)**

**Jonathan Essler, Partner, KPMG (Muenster, Germany)**

Tiny and brilliant, semiconductors constitute the beating heart of modern technology and also ongoing economic rivalries between nation states. Against the backdrop of technological advance and geopolitical pressures, recent years have seen the ramping up of controls on the export of semiconductors and the means of their production – in the United States, the Foreign Direct Product Rule has been especially impactful on supply chains.

This is not a sector-specific presentation – semiconductors are critical to every conceivable facet of industry, and disruption of this part of the supply chain can substantially impact everything down the line. In this session, Steve Brotherton and Jonathan Essler will address the latest developments in a fast-moving area of compliance, and address what non-semiconductor companies should also be doing to evaluate the impact and respond/prepare accordingly.



### **Compliance beyond the G7 and multilateral regimes**

**Mark Aston, Government & Regulatory Affairs Executive, IBM UK**

**Aaron Dunne, Head of the Global Law Office, DHL**

While much attention is given to the need to comply with sanctions and export controls within the G7 countries and signatories to the multilateral export control regimes, a key question is: How should MNCs address compliance issues in nations that don't 'align' with the regulatory values to which they are not accustomed or with which they are not familiar? And how should you conduct training relevant to employees outside of the home jurisdiction?

It's a question that raises myriad issues, such as: potential conflicts of law, rapidly evolving regulations, potential expansion of governments' authority to implement and enforce export and sanctions regulations, and the imposition of legal values and expectations. But the risks of not having in place a watertight policy are those of diversion of goods and potentially significant exposure to circumvention and evasion.





### **Dynamic compliance: industry compare and contrast**

**Claire Rivington-Kuhns, Regional Export Counsel, Google**

**Louie Vargas, Lead Sanctions Compliance Officer, Nordea Bank**

There is no one-size-fits-all approach to compliance: best practice is shaped by an organisation's size and the jurisdictions and sectors in which it operates. And yet, the underpinning principles and requirements – such as KYC and transaction screening, training, documentation and record keeping, and voluntary disclosure – are perennial.

This session sees two expert panellists – Google's Claire Rivington-Kuhns and Nordea Bank's Louie Vargas – share insights into the ways in which their organisations have responded to an evolving compliance landscape, inviting delegates to participate in engaged discussion around managing export control and sanctions obligations in a world of unexpected and continuing change.



### **Annus horribilis? Aerospace and defence compliance in a challenging year**

**Edouard Gergondet, partner, Mayer Brown (Paris)**

**Jason Hungerford, partner, Mayer Brown (London)**

**Christelle Dubouchet, Global Senior Legal Counsel, Sita Aerospace**

In a year that has seen geopolitical tensions escalate, what forces are shaping compliance for aerospace and defence companies? In this session, panellists look at key issues for the sector including:

- Key changes in military export control policy and regulation relating to the Ukraine war
- Israel/Gaza: broader impact of arms licence withdrawals
- Military end-use controls and catch-all
- Application of ITAR to non-US companies
- AUKUS: New opportunities for exporters?

Taking a multi-jurisdictional perspective, we're delighted that Jason Hungerford and Edouard Gergondet of Mayer Brown will be joined by Christelle Dubouchet, Global Senior Legal Counsel at Sita Aerospace, for this must-attend industry-focused session.





### **Anticipation and application: Intelligence, and the assessment and mitigation of risk.**

**Ian Massey, Head of EMEA, Corporate Intelligence, S-RM**

**Toby Thomas, Director of Research, Corporate Intelligence, S-RM**

Against a backdrop of geopolitical upheaval and uncertainty, how can business attempt to anticipate policymakers' responses, and sanctions risks in 2025? And how should such risks be weighed against other considerations?

While no-one possesses a crystal ball, in this session, Ian Massey and Toby Thomas of intelligence consultancy S-RM share their insight on these questions, also considering the tactical application of intelligence by corporates and financial institutions in response to the sanctions threat, highlighting how best practice continues to evolve in relation to assessing counterparty risk.



### **Key UK sanctions developments in 2024**

**Aline Doussin, Partner, Hogan Lovells**

In this session, Aline Doussin will provide a key overview of UK sanctions issues as they affect British businesses of all stripes, noting the significant changes to the Sanctions and Money Laundering Act ('SAMLA'), the respective roles of the Office of Financial Sanctions Implementation ('OFSI') and HMRC, the anticipated impact of the Office of Trade Sanctions Implementation ('OTSI'), and the main features of the regimes including as pertaining to Russia, human rights and corruption, and anti-terror legislation – a key presentation for all businesses and FIs exporting and transacting abroad.

Aline will also explore real-life lessons from recent jurisprudence – and the contractual and other learnings that businesses should draw from them.



### **Technologically speaking: CET through the UK regulatory lens**

**Richard Tauwhare, independent consultant, former Head of Export Control Policy in the UK FCDO**

While the Critical and Emerging Technology ('CET') debate has been most vocally and legislatively aired in the United States, the UK government is also increasingly taking steps to ensure that its export to, and acquisition by, countries of concern is controlled, limited and monitored.

In this session Richard Tauwhare talks through the government's concerns about CET and the ways in which that is expressed in policy and in legislation, including the canon of export control regulations (dual-use and military) and the National Security and Investment Act ('NSIA'), which seeks to screen – and sometimes block – acquisitions of UK businesses and intellectual property in 17 'sensitive areas of the economy'.



### **Trade, security and research: How China drives EU and UK policy**

**Branislav Aleksic, Head of Export Control and Corporate Security Department, Fraunhofer**

While the US government has been overt about the military and economic threat posed by China, in the UK and European Union that characterisation has been more muted, and national security-type regulation typically country-agnostic.

Nonetheless, fear of Chinese influence and technology acquisition increasingly (though often implicitly) underpins and drives UK and EU policy on critical areas of national security regulation including investment screening, research security and export controls

We're delighted that Branislav Aleksic will be setting the scene, with suggestions as to how business should factor China into their trade and security future planning.



### **Things and not quite things: Best practice in managing the export of tangible and intangible goods**

**Keith Huffman, Chief Legal Counsel, US Export Control at SAP**

**Mark Aston, Government & Regulatory Affairs Executive, IBM UK**

Export controls pertain not only to tangible goods ('the world of widgets'), but also, of course, to the intangible technology that can fly around the world by email, on the cloud, in memory sticks or on laptops. Fundamentally dissimilar though they are, tangible and intangible goods are essentially controlled by the same regulations.

- What is best practice for, e.g., US, UK and other controlled lists?
- Who should be granted access to which technologies? And how?
- How can internal compliance plans be optimised for both tangible and intangible technologies?



In this session, Keith Huffman of SAP and Mark Aston of IBM will take stock of current export control obligations for both 'widgets' and 'intangibles' in the dual-use space, touching on classification and 'technology mapping,' training and end-user checks with examples and case studies for best practice.



# THE WORLDECR EXPORT CONTROLS & SANCTIONS FORUM

3-4 December 2024, at the offices of Hogan Lovells, Atlantic House,  
Holborn Viaduct, London EC1A 2FG

## REGISTRATION FORM

Please register the following delegate(s) for The WorldECR Export Controls and Sanctions Forum 2024

### Delegate 1

NAME \_\_\_\_\_

POSITION \_\_\_\_\_

Conference only  Conference + dinner (please tick)

Organization \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

Zipcode \_\_\_\_\_

Country \_\_\_\_\_

Telephone \_\_\_\_\_

### Delegate 2

NAME \_\_\_\_\_

POSITION \_\_\_\_\_

Conference only  Conference + dinner (please tick)

### Delegate 3

NAME \_\_\_\_\_

POSITION \_\_\_\_\_

Conference only  Conference + dinner (please tick)

### Registration fees

For delegates from industry/academia/government: £495 (+VAT where appropriate)

For delegates from legal/professional/consulting firms: £995 (+VAT where appropriate)

Optional dinner upgrade: add £60

### Timetable

Day 1: light breakfast and registration from 8.00am; Chairman's welcome 9.00am; drinks reception 5.30pm; optional dinner 7.00pm

Day 2: light breakfast from 8.20am; sessions start 8.50am; close 12.30pm

## HOW TO PAY

1)  I will pay by card on line: please go to

<https://www.worldocr.com/forums/london/>

2)  Please invoice me for payment by bank transfer.

Please email your completed registration form to [mark.cusick@worldocr.com](mailto:mark.cusick@worldocr.com)

Signed \_\_\_\_\_

Date \_\_\_\_\_

For all payment enquiries, contact WorldECR's publisher,

Mark Cusick at [mark.cusick@worldocr.com](mailto:mark.cusick@worldocr.com)

### Terms and conditions

Please note, by registering for this event you accept the terms and conditions below.

### Registration Fee

Your fee includes the attendance at both days of the conference; morning, mid-morning and afternoon coffee and pastries, and lunch on day 1; drinks reception on day 1; programme materials.

### Registration policy

Delegates may not 'share' a registration without the organiser's authorisation.

### Payment policy

Payment must be received in full by the conference date. 'Additional delegate' prices are only available to delegates from the same organisation as the original full-fee delegate.

### Cancellations and Refunds

You must notify the conference organiser 48 hours before the conference if you wish to change the delegate.

If you wish to cancel your registration, you can do so incurring the following charges:

Cancellation more than 28 days before the event – full refund less 33% admin fee.

Cancellation between 27 and 6 days before the event – full refund less 50% admin fee.

Cancellation between 5 days before and the day of the event – no refund.

### Change of venue

The organisers reserve the right to change the venue should attendance numbers so demand.

### Change of speaker and presentation

The organisers reserve the right to change speakers and/or presentations.