



Export Control Requirements Document

Prepared by: TSCP Export Control Working Group (ECWG)

Consolidated from reviews of:

United States International Traffic in Arms Regulations (ITAR), United States
Export Administration Regulations (EAR),
UK Export Control, Netherlands Export Control,
French Export Control, EU Dual Use

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1. Introduction

1.1 Purpose

This document presents consolidated requirements for handling of items classified as Export Control (EC) according to the regulations listed in section 1.2.

1.2 Scope

The consolidation is based on the Transglobal Secure Collaboration Program (TSCP) Export Control Working Group (ECWG) requirements analysis¹ of the following Export Control regulations:

1. The International Traffic in Arms Regulations (ITAR) as implemented by the United States Department of State and its responsibility for the control of the permanent and temporary export and temporary import of defense articles and services as governed by the Arms Export Control Act.
2. The Export Administration Regulations (EAR) that are issued by the United States Department of Commerce under the Export Administration Act, the International Emergency Economic Powers Act (IEEPA) and various other legislation relating to the control of certain exports, re-exports of dual-use and civil items, as well as anti-boycott activities.
3. The United Kingdom Export Control Act (UK EC) and associated UK national law and EU law covering export control and trade control legislation for 'dual-use' and military items.
4. The Kingdom of The Netherlands General Customs Act and the Strategic Services Act (NL EC) and associated NL national law and EU law covering export control and trade control legislation for 'dual-use' and military items.
5. The French Republic Defence Code (FR EC) and associated French national law and EU law covering export control and trade control legislation for 'dual-use' and military items.
6. The European Union Council Regulation EC 428/2009 (EU Dual-Use) and associated EU member state national implementations, which hold the European Community regime for the control of exports, transfer, brokering and transit of dual-use and civil items.

The requirements analysis includes best practices from TSCP member organizations, to reflect common management processes such as:

- Definition, release and registration of an item (intended) for export.
- Various interactions between organizations or organizational units required when handling items classified as Export Control.

The requirements have been defined in the context of TSCP and its projects, such as Secure Email (SE) and Information Labeling and Handling (ILH), but should be applicable to any collaborative scenario that involves exchange of classified or otherwise marked sensitive items.

Full Details are available for TSCP Members and can be found at the TSCP SharePoint Library.

¹ Available through TSCP only; please see www.tscp.org for contact details.