

# **LAW OF THE REPUBLIC OF UZBEKISTAN ON EXPORT CONTROL**

## **Article 1. Purpose and Main Objectives of this Law**

The purpose of this Law is to regulate relations in the field of export control. The main objectives of this Law are to ensure the security of the Republic of Uzbekistan and to fulfill the international obligations of the Republic of Uzbekistan in the area of non-proliferation of weapons of mass destruction and other types of arms through the implementation of export control.

## **Article 2. Legislation on Export Control**

The legislation on export control consists of this Law and other legislative acts. If an international treaty of the Republic of Uzbekistan establishes rules other than those provided for by the legislation of the Republic of Uzbekistan on export control, the rules of the international treaty shall apply.

## **Article 3. Export Control**

Export control is a set of measures aimed at ensuring the procedure established by the export control legislation for the export from the territory of the Republic of Uzbekistan of export control items (hereinafter B– export of export control items) by legal entities and individuals.

## **Article 4. Export Control Items**

Export control items are goods, equipment, scientific and technical information, works and services, and results of intellectual activity (specified in the lists of export control items) which, due to their inherent properties and characteristics, may significantly contribute to the creation of weapons of mass destruction (nuclear, chemical, bacteriological (biological), and toxin weapons), their delivery systems (missiles and other technical means capable of delivering weapons of mass destruction), and other types of weapons and military equipment. The lists of export control items shall be published in the prescribed manner.

## **Article 5. Basic Principles of Export Control Implementation**

The basic principles of export control implementation are:

- ✎ Priority of the security interests of the Republic of Uzbekistan;
- ✎ Good-faith fulfillment of the international obligations of the Republic of Uzbekistan;
- ✎ Transparency and accessibility of information on export control issues.

## **Article 6. Methods of Export Control Implementation**

The methods of export control implementation include:

- ✎ Establishment of procedures for export of export control items;
- ✎ Control over the procedures for the export and use of export control items;

- ✎ Internal compliance programs;
- ✎ International cooperation in the field of export control.

#### **Article 7. Powers of the Cabinet of Ministers of the Republic of Uzbekistan in the Field of Export Control**

The Cabinet of Ministers of the Republic of Uzbekistan shall:

- ✎ Ensure the implementation of state policy in the field of export control;
- ✎ Determine the procedures for the export and use of export control items;
- ✎ Approve the lists of export control items;
- ✎ Establish restrictions and prohibitions on the export of export control items, including with regard to certain foreign states, in order to ensure the security of the Republic of Uzbekistan and fulfill its international obligations;
- ✎ Determine the procedure for internal compliance;
- ✎ Exercise other powers in accordance with the legislation.

#### **Article 8. Authorized Government Body in the Field of Export Control**

The authorized government body in the field of export control is the Ministry of Foreign Trade of the Republic of Uzbekistan (hereinafter B– the authorized body).

The authorized body shall:

- ✎ Issue export licenses for export control items in the prescribed manner;
- ✎ Coordinate the activities of state bodies in the field of export control;
- ✎ Organize the dissemination of information to legal entities and individuals on the procedure for the export and use of export control items;
- ✎ Request documents and other information necessary for the implementation of export control;
- ✎ Issue written end-use assurances for the use of export control items by foreign states within the territory of the Republic of Uzbekistan;
- ✎ Develop proposals for improving export control legislation;
- ✎ Exercise other powers in accordance with the legislation.

#### **Article 9. Procedure for Export and Use of Export Control Items**

The export and use of export control items shall be carried out in accordance with the procedure determined by the Cabinet of Ministers of the Republic of Uzbekistan.

In cases established by the Cabinet of Ministers, the export of export control items is

permitted upon receipt of a written assurance from the foreign state and/or foreign legal and natural persons receiving the items that such items will not be used for the development of weapons of mass destruction, their delivery systems, or other types of weapons and military equipment.

The authorized body may, in cases established by the legislation, impose additional requirements when issuing licenses for the export of export control items.

The export of nuclear, chemical, and bacteriological (biological) materials, including pathogens and strains of especially dangerous infections that can be used as components for the production of weapons of mass destruction, shall be carried out with the consent of the chambers of the Oliy Majlis of the Republic of Uzbekistan in accordance with the legislation.

#### **Article 10. Control over Export and Use of Export Control Items**

Control over the export and use of export control items includes:

- ✎ Customs control during the export of export control items;
- ✎ Verification of the conformity of exported goods, equipment, scientific and technical information, works, services, and results of intellectual activity with the lists of export control items;
- ✎ Obtaining written assurances that the exported items will not be used for the creation of weapons of mass destruction and their delivery systems, or other types of weapons and military equipment, in cases established by the Cabinet of Ministers;
- ✎ Monitoring of the export and use of export control items;
- ✎ Collection and verification of information regarding violations of export and use procedures;
- ✎ Imposition of liability measures on persons violating the established procedure for export and use of export control items.

#### **Article 11. Internal Compliance**

Internal compliance refers to a set of measures established by legal entities to ensure adherence to procedures for export and use of export control items.

Implementation of internal compliance is mandatory for legal entities engaged in the export of export control items, as well as for organizations engaged in scientific and/or production activities related to meeting state needs in maintaining defense capabilities and security of the Republic of Uzbekistan.

#### **Article 12. Duties of Legal and Natural Persons when Exporting Export Control Items**

Legal and natural persons engaged in the export of export control items shall:

- ✎ Obtain a license for the export of such items;

- ✎ Provide, upon request of the authorized body and other state bodies, documents and other information necessary for export control;
- ✎ Notify the authorized body if they possess information indicating the possible use of exported goods, equipment, scientific and technical information, works and services, and results of intellectual activity not included in the export control lists, for the development of weapons of mass destruction, delivery systems, or other types of weapons and military equipment.  
They shall also be responsible for the accuracy of the information provided for obtaining the export license.

### **Article 13. International Cooperation in the Field of Export Control**

International cooperation in the field of export control shall be carried out in accordance with the legislation and international treaties of the Republic of Uzbekistan.

### **Article 14. Use of Information Provided for Export Control Purposes**

Information provided to state bodies for the purposes of export control shall be used solely for export control purposes.

### **Article 15. Dispute Resolution**

Disputes in the field of export control shall be resolved in accordance with the legislation.

### **Article 16. Liability for Violation of Export Control Legislation**

Persons guilty of violating export control legislation shall bear liability in the manner prescribed by law.

**President of the Republic of Uzbekistan**

**I. KARIMOV**

Tashkent,

August 26, 2004

No. 658-II