

# **When filled in the form is to be kept secret in accordance with section 24 subsection 1 subparagraph 20 of the Act on the Openness of Government Activities (621/1999)**

**KNOW YOUR CUSTOMER**

Exporters must comply with the legislation on dual-use items and sanctions. Exporters must also take into account the risks associated with sanction circumvention. In their consideration of authorisation, Member States shall take into account all relevant considerations, including respect for human rights in the country of final destination.

The exporter shall provide information on the grounds for its application and also in other respects contribute to the proper review of the matter it has instigated. The exporter shall provide the authority with information, in particular about the end-user, the country of destination and the end-use of the item exported. This form contains questions put to companies by the Export Control Unit of the Department of Trade at the Ministry for Foreign Affairs in the context of export control matters involving dual-use items. This form is not the sole means of review, however.

As the national competent authority responsible for the export control of dual-use items, the Export Control Unit at the Ministry for Foreign Affairs has the basis under Article 6(1)(c) of the EU General Data Protection Regulation to process personal data in its consideration of authorisations. The processing is necessary for compliance with the obligations under the Act on the Control of Exports of Dual-Use Goods. When filled in, the form may contain personal data. This shall be processed in accordance with data protection legislation. Information relating to the processing of personal data and data protection at the Ministry for Foreign Affairs is available at: <https://um.fi/dataprotection>

1. **END-USER AND CONSIGNEE**
2. What is the line of business of the end-user/consignee?
3. Is the business area of the end-user/consignee consistent with the exported items?
4. Are you familiar with the business of the end-user/consignee and with any changes in their business profile?
5. Have you been supplied with documents on the background and business of the end-user/consignee?
6. Who owns the end-user/consignee? Is the owner a private entity or a state entity? Is the owner part of a larger group? If the owner is a state entity, please describe the entity and its duties and responsibilities.
7. Does the end-user/consignee serve one or more public authorities? For example by carrying out planning or development for a public authority in the country of destination.
8. Do you know who the management of the end-user/consignee are? Do you know who exercises a controlling interest in the end-user/consignee? Have you met the management and/or other personnel of the end-user/consignee?
9. Does the end-user/consignee have, or has it had, links with politically exposed persons or sanctioned persons or entities?
10. Do you have an export history with the end-user/consignee, or is this a new export customer?
    * 1. If there are previous exports, please specify these and indicate whether export authorisation was sought.
         1. Is the current export in line with previous exports, are the two similar?
         2. What is the length of the customer relationship?
      2. If there have been no previous exports
         1. Please describe how the trade relationship with the end-user/consignee came about.
         2. Was it by direct contact or through an agent?
         3. Have you met with the end-user/consignee, visited their offices, or the like?
         4. What is the reason for the new business relationship?
11. Does the end-user/consignee go by any other names? Has the name of the end-user/consignee been correctly provided (NB. transliteration from Russian, Chinese or Arabic, for example)? Please provide the original name in a format that can be copied on a computer.
12. Does the end-user/consignee have a physical place of business and is this place of business located at the address provided? Provide the address also in the local language. Please note that the address of the end-user shall be the place where the items are used or installed. Please provide a map link to allow verification of the address. If the address cannot be located in the mapping services, provide information to allow verification of the indicated party at the indicated address. Please indicate if your sales representative has visited the site, for example.
13. Does the end-user/consignee have a public website? Please provide the URL and make sure that the website can be accessed.
14. Other comments on the end-user/consignee

**II.**  **EXPORTED ITEM AND END-USE**

1. Please describe in more detail the project and end-use for which your item is intended.
2. Is the end-use notified by the end-user plausible with regard to the item? How plausible is the end-use of the goods or technologies exported, taking into account the company’s business profile and undertakings? Can the company provide adequate documentation to verify the end-use?
3. Is there a risk of the items ending up elsewhere in the purchasing country or being re-exported on undesirable terms?
4. In addition to civilian use, can your item also be used as defence materiel (for example joined with another defence material item, used in military-sector R&D, etc.)?
5. Subsequent to the export, are you in a position to ensure that the exported item remains in the use indicated in the end-user certificate (for example updates, maintenance calls, access to technical data on the use or movements of the item, etc.)? How or by what means could you reduce the risk of your item ending up in military use instead of the civilian sector?
6. Other comments on the item and end-use

**III.**  **HUMAN RIGHTS ASSESSMENT**

1. Does your company engage in human rights due diligence? If yes, how have you identified and managed human rights issues (in respect of all parties to the transaction, including the consignee, end-user and buyer)?
2. Is it possible that the exported product or service will be used for the purpose of human rights violations or that the product or service will have adverse human rights impacts, taking into account the end-user and end-use, the nature of the product or service, and the country of destination? Please note that taking into account their nature, many dual-use items subject to export control will have human rights impacts. Please describe the findings of your assessment.
3. Have you reviewed the internal security and human rights situations of the country of destination? If yes, please describe the findings of your assessment.
4. In your opinion, is there any risk that the consignee/end-user will use the item for an end-use other than the one notified?
5. Other comments on the human rights assessment

**IV. SANCTIONS AND SANCTION CIRCUMVENTION**

1. Have you reviewed the document *Detecting and Preventing Sanctions Evasion and Circumvention in Trade – Practical Guidance for Economic Operators* available on the Ministry for Foreign Affairs website? Link:<https://valtioneuvosto.fi/-/ohjeita-yrityksille-pakotteiden-kiertamisen-tunnistamiseksi-ja-ehkaisemiseksi?languageId=en_US>
2. Have you ensured that the end-user/consignee is not subject to sanctions? Is your business partner on the sanctions list, or owned or controlled by a sanctioned party?
3. Is there a risk of sanction circumvention associated with the export?
4. Other comments on sanctions and sanction circumvention

**V. OTHER COMMENTS**

**VI. RECOMMENDATION OF THE EXPORT CONTROL UNIT TO EXPORTERS**

The Export Control Unit recommends review of the Commission Recommendation (EU) 2019/1318 on internal compliance programmes for dual-use trade controls and in particular the ‘red flags’ relating to suspicious enquiries mentioned in its Annex 2. The Recommendation states, “Being vigilant for signs of suspicious enquiries or orders is vital for countering the risks of the proliferation of Weapons of Mass Destruction, their means of delivery, and the destabilising accumulations of conventional weapons. Sharing such information with your competent authority is highly recommended and in some cases may be mandatory under EU and national laws and regulations. In case of doubt, consult with the competent authority.”