



Thailand Consortium on Trade Controls  
on Weapons of Mass Destruction related Items



Bangkok Thailand | 19<sup>th</sup> July 2017



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Trade Management of Dual-use Items:

TMD



Trade Control on Weapons of  
Mass Destruction related Items:

TCWMD



TMD



TCWMD

Department of Foreign Trade, Ministry of Commerce





# UNSCR 1540

UNSCR 1540 "Decides also that all states shall take and enforce effective measures to establish domestic controls to prevent the proliferation of

Nuclear weapons Chemical weapons Biological weapons

and their means of delivery, including by establishing appropriate controls over related materials..."

**Activities Concerned**

Export Re-export Transit

Transportation Brokerage Financing



## 1540 Factsheet

Related materials: materials, equipment and technology covered

By relevant multilateral treaties and arrangements, or included on national control lists



**THAI NATIONAL CONTROL LIST**

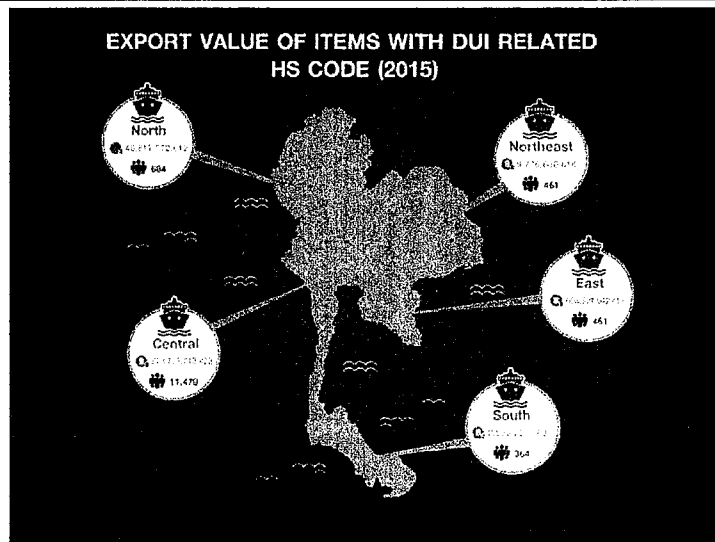
Order No. | Prohibited HS Code and/or

NO.	DUI Number	NO.	HS Code
1	4401	1	2401
2	4402	2	2402
3	4403	3	2403
4	4404	4	2404
5	4405	5	2405
6	4406	6	2406
7	4407	7	2407
8	4408	8	2408
9	4409	9	2409
10	4410	10	2410
11	4411	11	2411
12	4412	12	2412
13	4413	13	2413
14	4414	14	2414
15	4415	15	2415
16	4416	16	2416
17	4417	17	2417
18	4418	18	2418
19	4419	19	2419
20	4420	20	2420
21	4421	21	2421
22	4422	22	2422
23	4423	23	2423
24	4424	24	2424
25	4425	25	2425
26	4426	26	2426
27	4427	27	2427
28	4428	28	2428
29	4429	29	2429
30	4430	30	2430
31	4431	31	2431
32	4432	32	2432
33	4433	33	2433
34	4434	34	2434
35	4435	35	2435
36	4436	36	2436
37	4437	37	2437
38	4438	38	2438
39	4439	39	2439
40	4440	40	2440
41	4441	41	2441
42	4442	42	2442
43	4443	43	2443
44	4444	44	2444
45	4445	45	2445
46	4446	46	2446
47	4447	47	2447
48	4448	48	2448
49	4449	49	2449
50	4450	50	2450

Source: <http://www.un.org/en/sc/1540/>  
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## Export Value of Items with DUI Related HS Code (2015)



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## Related Agencies

### 1. Licensing Agencies



Defence Industrial  
Department



Department of Industrial  
Works



Department of Medical  
Sciences



Office of Atoms for  
Peace



**nab.**  
Office of the National  
Broadcasting and  
Telecommunications  
Commission



**DFT**  
Department of  
Foreign Trade



Customs Department

### 3. Other Related Agency



Anti-Money Laundering  
Office

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## Related Laws

Agencies	Laws	Controlled Items
Ministry of Defence (Defence Industrial Department)	• The Act Controlling the Exportation of Arms, Armament and War Implements, 1952	Arms and Armament, War Implements and Chemical Materials
Ministry of Industry (Department of Industrial Works)	• The Hazardous Substance Act, 1992	Toxic Chemicals and Chemical Precursors
Ministry of Public Health (Department of Medical Sciences)	• The Pathogen and Animal Toxin Act, 2015	Microorganism, Pathogen and Animal Toxin
Ministry of Science and Technology (Office of Atoms for Peace)	• Nuclear Energy for Peace Act 2016	Uranium, Thorium, Plutonium and other By-Products

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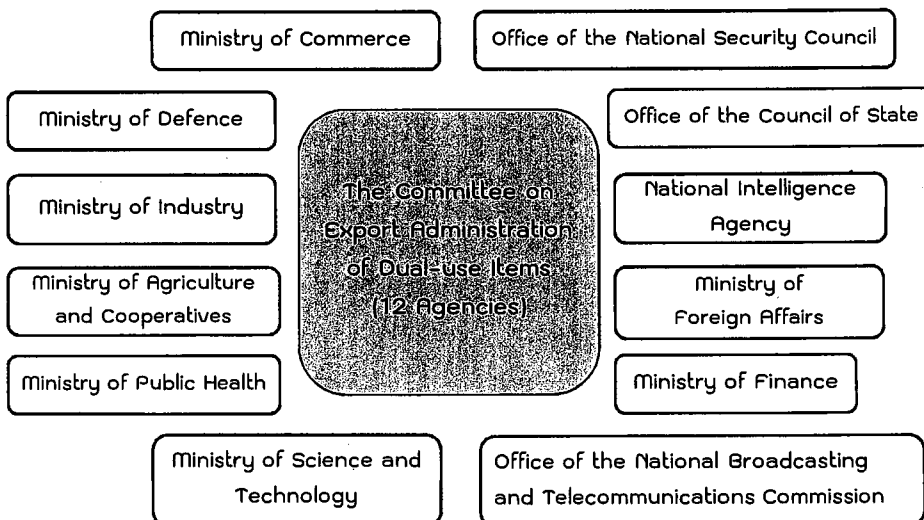
### Related Laws (Cont.)

Agencies	Laws	Controlled Items
Office of the National Broadcasting and Telecommunications Commission	• Radio Communication Act, 1992	Radio Communication Equipments
Ministry of Commerce (Department of Foreign Trade)	• The Export and Import of Goods Act, 1979 and 2015	Dual-use items which are not controlled by other agencies
Ministry of Finance (The Customs Department)	• The Customs Act, 1926 and 2014	Controls import, export, transit, transshipment and re-export of goods under the customs law and other laws from related government agencies
Anti-Money Laundering Office (AMLO) (Independent Governmental Agency)	• Counter-Terrorism Financing and Counter-Proliferation of Weapons of Mass Destruction Financing Act, 2016	Financing activity related to terrorism and the proliferation of WMD

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**TCWME 7**

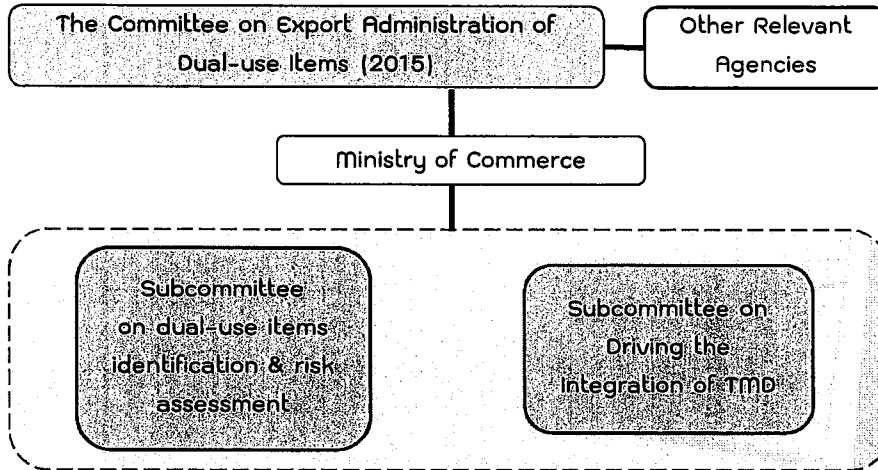
### The Committee on Export Administration of Dual-use Items



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**TCWME 8**

## The Current Development of Thai TCWMD System



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## Ministerial Notification

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### Ministerial Notification on Dual-use Items and Related Items Export Measures B.E. 2558 (2015)

EU LIST		THAI NATIONAL CONTROL LIST	
		DUI List (Part 1)	DUI related HS Code List (Part 2)
1	Nuclear Materials, Facilities and Equipment	01	44101
2	Special Materials and Related Equipment	02	1C111
3	Materials Processing	03	4A001
4	Electronics	04	3A001
5	Computers	05	3A002
6	Telecommunications and Information Security	06	5A002
7	Sensors and Lasers	07	3A226
8	Navigation and Avionics	08	6A003
9	Marine	09	3A226
10	Aerospace and Propulsion	10	1C003
		01	847170
		02	271019
		03	847330
		04	854229
		05	854231
		06	844291
		07	901390
		08	852589
		09	854232
		10	732690

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## Current Status and Future Plan

**1. Trade Controls on Weapons of Mass Destruction Act:  
TCWMD Act**  
(currently being revised and amended at the Office of the Council of State)

**2. Annex 1 (from EU List)  
DUI List from 2012 version  
to 2016 version**

**3. Annex 2 (HS Code)  
HS Code from 2012 version  
to 2017 version**

**4. Outreach law and  
e-TCWMD to stakeholders**

**5. e-TCWMD system for  
intangible classification system  
and ICP system**

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## Difference between Ministerial Notification and Act

Details	ministerial notification	Act
Name	Trade Control on Weapons of Mass Destruction Act	Trade Control on Weapons of Mass Destruction Act
Activities controlled	Export	Export, Re-export, Transit, Transshipment, Brokering
Power	Tangible items	Tangible and Intangible items
Status	Published in the Foreign Commerce Act of 1999	Under the Foreign Commerce Act of 1999
Implementation Date	1 January 2018	Will soon be implemented

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### Example of Annex 1 (e-Licensing)

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No.	General DUI No.- Specific DUI No.	DUI Number With Licensing Requirement
1	0A001 0A001.b. 0A001.c. 0A001.d. 0A001.e. 0A001.f. 0A001.g. 0A001.h. 0A001.i. 0A001.j.	0A001.b. 0A001.c. 0A001.d. 0A001.e. 0A001.f. 0A001.g. 0A001.h. 0A001.i. 0A001.j.
2	0B001 0B001.a.	0B001.a.1. 0B001.a.2. 0B001.a.3. 0B001.a.4. 0B001.a.5. 0B001.a.6. 0B001.a.7. 0B001.a.8. 0B001.a.9.

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TCWVE 13

### Example of List of Dual-use Items (Used in Reference with Annex 1)

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- 0A Systems, Equipment and Components
- 0A001 "Nuclear reactors" and specially designed or prepared equipment and components therefor, as follows:
- "Nuclear reactors";
  - Metal vessels, or major shop-fabricated parts therefor, including the reactor vessel head for a reactor pressure vessel, specially designed or prepared to contain the core of a "nuclear reactor";
  - Manipulative equipment specially designed or prepared for inserting or removing fuel in a "nuclear reactor";
  - Control rods specially designed or prepared for the control of the fission process in a "nuclear reactor", support or suspension structures therefor, rod drive mechanisms and rod guide tubes;
  - Pressure tubes specially designed or prepared to contain fuel elements and the primary coolant in a "nuclear reactor" at an operating pressure in excess of 5.0 MPa;
  - Zirconium metal and alloys in the form of tubes or assemblies of tubes in which the rate of

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TCWVE 14

Example of Annex 2 (e-Non-DUI Self Certification)

No.	Item Description	HS Code
1	Natural graphite	2504.10.00 2504.90.00
2	Uranium or thorium ores and concentrates	2612.10.00 2612.20.00
3	Ash and residues (other than from the manufacture of iron or steel), containing arsenic, metals or their compounds	2620.99.10 2620.99.90

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TCWMD 16



Trade Control on Weapons of Mass Destruction related Items Act (TCWMD Act)

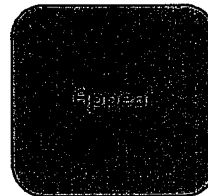
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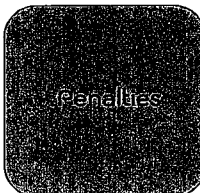
General Provisions



Control of WMD related Items



Authorized Officers



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TCWMD 16



## Thai DUI List

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**EU LIST**

**Thai List (1,692)**

Tangible Items	Intangible Items
1,461	231

Other Agencies  
231

Ministry of Commerce (1,461)

Tangible Items	Intangible Items
1,230	231

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**TOWE 17**

## Trade Information on Dual-use Related Items 2014 – 2016

Number of Transactions on  
DUI-related items

2014	2015	2016
69,149	71,632	73,583

Number of Originals/Items  
Related to EU

2014	2015	2016
73	78	81

Number of Related Exporters

2014	2015	2016
16,117	14,952	15,666

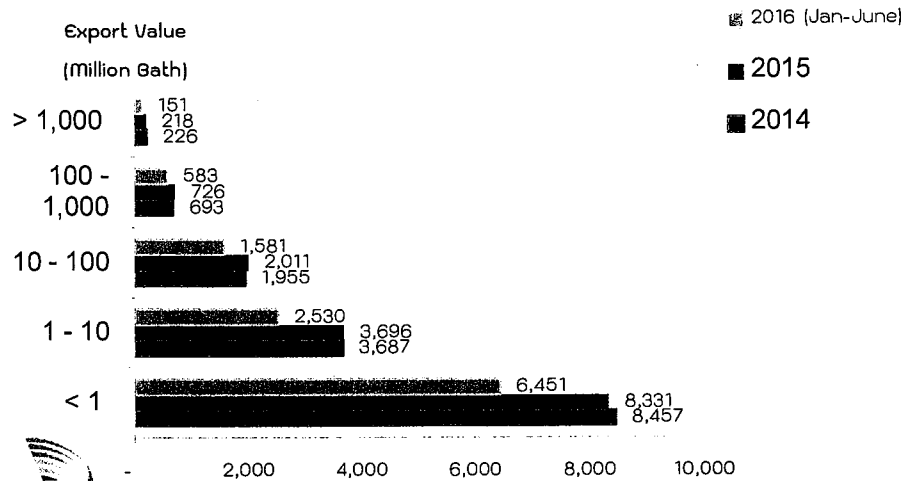
Export Value of DUI-related items  
(value: trillion baht)

2014	2015	2016
2.27	2.26	2.27

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**TOWE 17**

### Number of Dual-use Related Items Exporters 2014 - 2016 (Jan - June)



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**TCWME19**

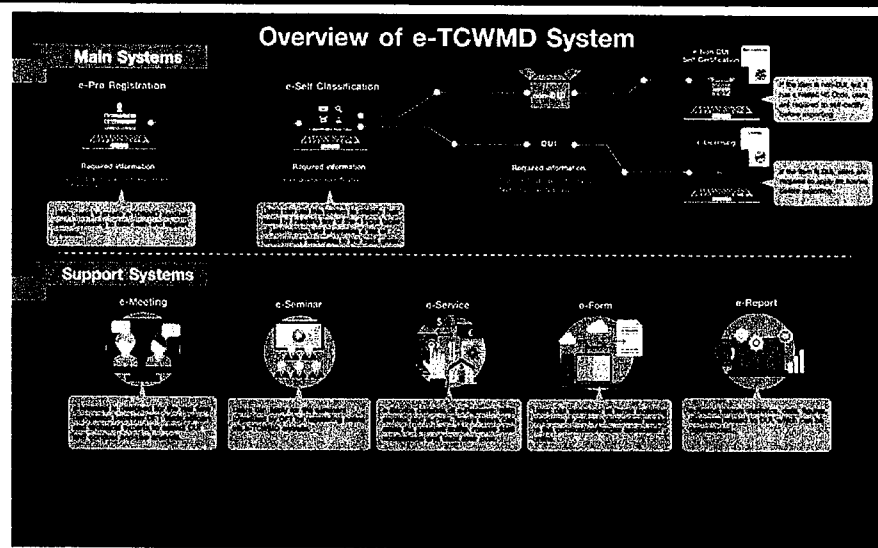
### Top 10 Dual-use Related HS Code with Highest Export Value in Year 2014 - 2016

2014			2015			2016		
No	HS Code	Value (Billion Bath)	No	HS Code	Value (Billion Bath)	No	HS Code	Value (Billion Bath)
1	847170	377.17	1	847170	375.03	1	847170	347.35
2	271019	232.95	2	271019	185.67	2	271019	126.53
3	847330	114.66	3	847330	111.52	3	847330	108.26
4	854239	74.85	4	854231	99.21	4	854239	107.43
5	271012	75.10	5	854239	82.39	5	854231	96.71
6	854231	72.04	6	852530	59.83	6	847331	58.90
7	854232	66.83	7	854232	58.34	7	901390	57.63
8	852530	59.29	8	901390	49.50	8	852530	50.98
9	732690	36.86	9	271012	47.48	9	854232	47.53
10	841490	35.75	10	844331	46.75	10	732690	43.01

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**TCWME20**

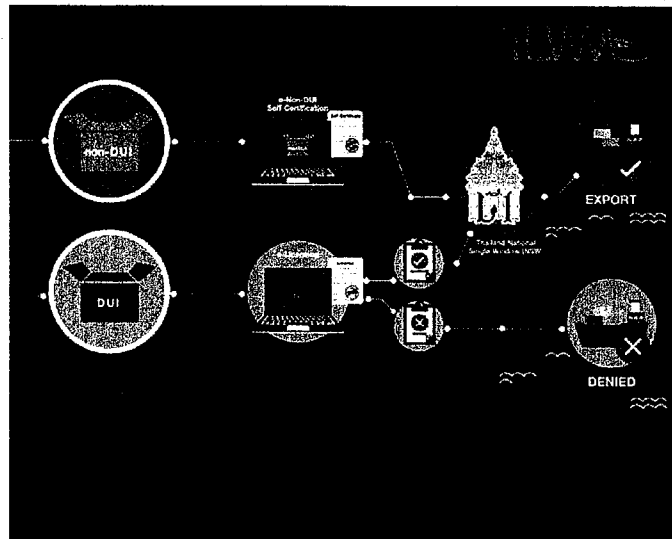
### Overview of e-TCWMD System



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### Overview of e-TMD / TCWMD System



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**Thailand Consortium on Trade Controls  
on Weapons of Mass Destruction related Items**



**Bangkok Thailand | 19<sup>th</sup> July 2017**



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