

exporting Canadian products to Iran under the SEMA regulations says very little about whether they, nevertheless, represented an ongoing security concern. The company appears to have pursued legitimate business interests in the supply of medical equipment of all sorts. There would be no obvious reason for Canada to block those

transactions by listing the company or Mr. Fallah.'

This decision is important to persons from countries that are subject to Canada's economic sanctions and the economic sanctions of other countries.

It goes without saying that designated individuals most likely will

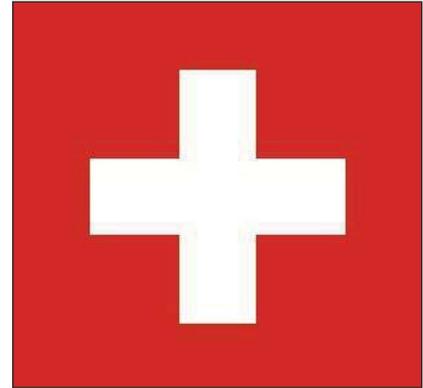
be considered to be inadmissible to Canada. However, Canada is also concerned about persons connected to designated entities. You had better be prepared to provide documents that would alleviate Canada's concerns if you wish to be granted a work permit to work in Canada. Also, Canada takes nuclear non-proliferation seriously.

**SWITZERLAND**

## SECO denies surveillance technology export to Turkey

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The Swiss media has recently reported that the State secretary of economic affairs ('SECO') has denied an export of surveillance technology to Turkey. According to official SECO statistics, the denied export contained surveillance equipment classified as 5A001.f2, described in the revised annex of the Goods Control Ordinance ('GCO') as:

'Category 5 - telecommunications and information security 5A1 systems, equipment and components -5A001 telecommunication systems, equipment, parts thereof and accessories --f) Equipment specially designed for the interception or interference of mobile communication and surveillance equipment as follows,

as well as specially designed parts thereof: ---2) surveillance equipment not covered by category 5A001f1, specially designed for extraction of terminal identifier (e.g. IMSI, TMSI, or IMEI), from signalling or other metadata transmitted over the air.'

This kind of technology, generally known as IMSI-Catcher, allows identification of mobile end-users within a specific area and mobile network cell.

The ordinance on export and placement of goods for internet and mobile communication surveillance defines a general licence requirement for the export of surveillance equipment, independently of the country of destination. The ordinance

does not only cover the export of goods but also the export of technology and brokering services. The SECO denied the export to Turkey based on Art.6 para 1(a) of the ordinance; this means the SECO assumed that it is very likely that the equipment would be misused by the end-user for the purpose of retaliation.

Companies that are active in the field of information technology and surveillance equipment should ensure that potential export licence requirements are identified as early as possible. A solid compliance programme could help to avoid unpleasant events at the day of export or even violations of the law with potentially significant fines.



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