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The Criminal Provisions of German and UK Export Control and Sanctions Law

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Please find below the abstract of “The Criminal Provisions of German and UK Export Control and Sanctions Law” by Malte Wilke & Hinrich Rüping, published in *Global Trade and Customs Journal*, Issue 1, Volume 14 (2019) edited by Jeff Snyder.

Germany and the UK have been among the strongest supporters of a liberal trade policy within the European Union for decades. At the same time, however, both states have advocated a more or less effective export control policy in the past decades, which usually included economic, humanitarian and security considerations. Notwithstanding the foregoing, this British–German alliance will end with Brexit. As a predictable result of this withdrawal of the UK from the EU, the UK will have to give itself a new export control and sanctions law.

This essay examines a sub-aspect of this area of law. The article focuses on the criminal provisions relating to the German and the UK export control and sanctions laws, since the competence for criminal law relating to foreign trade still lies with the EU Member States. However, the study outlines the similarities between the German and the UK criminal provisions, which are astonishing in view of their different legal traditions. From this it can be deduced that both national legislations are strongly influenced by European law. Moreover, this examination illustrates that this de facto harmonization of this area contributes to the security of all EU Member States. For this very reason it would be desirable if the UK would remain a member of the customs union.

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