«Export– what…?»

Red flags and tips and tricks for international collaborations – Export controls at the University of Bern

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1. Export controls in a nutshell
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3. Tips and tricks
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1. Export controls in a nutshell

Three branches of export controls:

1. Exporting *specific* goods that can be used *for military/criminal purposes* (*terrorism, human rights violations, surveillance*)
   → general goods lists (especially dual-use goods or chemicals/biological agents)

2. Exporting *any* goods to embargo countries
   → country-specific goods lists

3. Providing access to university resources to sanctioned persons
   → collaboration practically impossible
1. Export controls in a nutshell II

«goods»: commodities, software, technology

- «commodities»: tangible items
- «technology»: data, knowledge, information, etc.
- «software»: installation/use requires specialised knowledge

«export»: delivery abroad / supply for the use abroad (!)
2. In practice: Red flags!

1. You want to supervise/recruit/collaborate with someone from an embargo country.

2. You deal with goods that could be used for military, nuclear or criminal purposes.

3. You either:
   – are an American citizen,
   – work under a US grant, or
   – work with US-goods

and you want to collaborate internationally.
2. Red flag 1: You want to supervise/recruit/collaborate with someone from an embargo country.

- Swiss embargo countries (relevant for university activities): Belarus, CAR, DRC, Haiti, Iran, Lebanon, Libya, North Corea, Russia, Somalia, Sudan, South Sudan, Syria, Ukraine (certain parts), Yemen, and Zimbabwe.

- Country-specific embargos

- **What to do?**
  - Check for sanctions.
  - Check whether the country-specific embargo covers what you want to do/research/teach.
  - If yes, apply for a licence (with the SECO).
2. Red flag 2: You deal with goods that could be used for military, nuclear or criminal purposes. I

- Goods listed on goods lists (dual-use goods list, chemicals, biological agents, etc.) or possible military, nuclear, criminal end use/end user
- International element:
  - International collaboration,
  - Travel abroad,
  - Sharing via email,
  - Presentation at an international conference,
  - Publication accessible from abroad,
  - Etc.
- What to do? Apply for a licence (with the SECO).
2. Red flag 2: You deal with goods that could be used for military, nuclear or criminal purposes.

Examples for listed goods:

- Certain medical products or active pharmaceutical ingredients;
- Chemical and biological agents, including but not limited to those mentioned on the lists of Chemical Weapons Convention and the Biological Weapons Convention;
- Materials such as metals, polymers, graphite, and many others;
- Micro organisms, such as viruses, bacteria, mycoplasma, rickettsiae, chlamydiae, fungus, etc., including human, animal or plant pathogens;
- Vaccines, immunotoxins, medical products, diagnostic and food testing kits;
- Genetic elements and genetically modified organisms;
- Certain items to conduct experiments, such as electronic devices for data collection or laboratory equipment such as fermenters, centrifugal separators, cryocoolers or spray-drying equipment, but also protective and containment equipment;
- Biomedical and chemical handling equipment such as storage tanks, reactors, pumps, valves, etc.
- Etc.
2. Red flag 3: You have a US-nexus and you want to collaborate internationally.

- Comply with US-:
  - Export control rules,
  - Embargos,
  - Sanctions.

- Careful with collaborations/recruitments with: China, North Korea, Iran, Syria, Venezuela, Cuba, Russia, Belarus

- What to do?
  - Check for sanctions.
  - Check whether the country-specific embargo covers what you plan to do/research/teach.
  - If yes, apply for a licence (with OFAC).
3. Tips and tricks

Generally, what to do?

- Look up more information: www.unibe.ch/exportcontrol
- Participate in a training course: trainings (next date: 17 July 2024, 12:00h).
- Analyse your research and teaching activities.
- Obtain advice: exportcontrol@unibe.ch.
- Continue what you were doing.
Contact

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Thanks for your attendance

Next Coffee Lectures, slides and screencasts:

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http://bib.unibe.ch/scimed
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Now there is time for...

Questions & Discussion

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