

# Export Controls in Universities

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# Background: Proliferation Concern

1. Continuing proliferation and circumventive activities by some concerned states
2. Sensitive technologies in universities and research institutes in Japan
  - Not studying military technologies does **NOT** mean not having technologies which can be used for military; dual use technologies
  - It is **NOT** rare that foreign universities or research institutes engage in developing military technologies
3. Internationalization
  - Foreign students are increasing in Japan
  - Joint researches with foreign institutes are increasing

# Internal Control Program

- Risks of which universities or research institutes should take care cannot be ignored
  - Even if not willful, they are ignorant
- Exporters including universities and research institutes must equip internal control program (ICP) since Foreign Trade Law (FTL) was amended in 2009
  - Universities and research institutes began to develop their ICP though it doesn't mean that they didn't need any export controls before the amendment of FTL
  - Amendment of FTL as a wake-up call for universities

# Challenges 1

- Universities and research institutes are developing their export controls through establishing ICPs
- Export? Control???
  - Universities and research institutes, especially researchers, don't think that they export something
    - They are actually “exporters”
    - Technology transfer
  - Culture in universities and research institutes is just opposite to “control”

# Some Cases

- Showing products of research in the conference abroad
  - Export of goods
- Exchanging technical data with foreign partners in joint studies
  - Technology transfer
- Educating foreign students in universities in Japan
  - Technology transfer

# Challenges 2

- Need to explain export controls in their term
  - Focus on technology transfer
  - Duty of care or due diligence of research like intellectual property or gene recombination
- Best practices are based on experiences in industries
  - They cannot be always applied to universities
  - Organizational structure is quite different
    - Researchers are more independent than workers in industries
- Awareness raising > Order
  - Many researchers are not interested in international affairs

# For Effective Export Controls

- Commitment
  - Leadership by the presidents and high ranking officials in the universities
    - ✓ Who is willing to implement export controls without their support?
- Roles and responsibilities
  - Researchers
  - Administrative officers in universities
  - Government
    - VISA control
    - scholarship