

# Guidelines for export control of dual-use items

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NOTE: This is a translation of the Swedish version (*Riktlinjer för exportkontroll av produkter med dubbla användningsområden*). In the event of any discrepancy between the versions, the Swedish version constitutes the official decision and the Swedish wording will prevail.



**Karolinska  
Institutet**



## **Guidelines for export control of dual-use items**

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## 1 Introduction

Dual-use items, including software and technology, are subject to regulatory restrictions that Karolinska Institutet (KI) must comply with and pay special attention to in international research projects. Dual-use items refers to items, including software and technology, which can be used for both civil and military purposes. The goods and technologies classified as dual-use items are listed and described in Annex I of the EU Council Regulation No 428/2009 (EU Dual-use Regulation)<sup>1</sup>. Examples of regulated items are certain chemicals, nuclear materials, drugs, microorganisms and technologies for the development, production or use of such goods. In Sweden, the regulation is supplemented by a national act (*Lagen (2000:1064) om kontroll av produkter med dubbla användningsområden och av tekniskt bistånd*) and a national ordinance (*Förordningen (2000:1217) om kontroll av produkter med dubbla användningsområden och av tekniskt bistånd*). The legal framework covers both physical transfer and electronic transmission of the regulated items. The regulatory restrictions of these items are part of the work to prevent the spread of weapons of mass destruction.

As KI, in line with Strategy 2030, will strive to strengthen its international profile and become a strong collaborating university, it is important to ensure that all KI's activities comply with current regulations on export control. There are listed dual-use items in use within KI's operations and if such goods (or such technology) are exported, transferred, mediated or transited, the required permits and information must be in place.

KI must annually submit a fee declaration for PDAs and also declare in accordance with the United Nations Convention on the Prohibition of the Development, Production, Possession and Use of Chemical Weapons (Chemical Weapons Convention) to the Swedish authority The Inspectorate of Strategic Products (ISP).

## 2 Purpose and scope

The purpose of these guidelines is to ensure compliance with export control rules and to describe the responsibility for different export control issues within KI. They also describe the internal support available to promote compliance. The guidelines are part of KI's internal export control program and contain a description of its export control organisation.

## 3 Responsibility for compliance

Head of Department is responsible for the compliance with export control rules at the department.

The Head of Security is responsible to survey the development of export control rules, for coordination and for follow-up in the area.

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<sup>1</sup> Regulation (EU) 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.

The Head of Security shall appoint a coordinator trained in export control at the Safety and Security Unit within the Central Administration (Export control Coordinator).

## **4 Export**

The Export control Coordinator must be informed before any export or other transfer that requires an export permit takes place from KI. Furthermore, the Export control Coordinator assists the departments with guidance when applying for export permits from the ISP and the Swedish Radiation Safety Authority, respectively, in the latter case in consultation with KI radiation protection expert.

All exports that require an export permit, including exports that are covered by EU general export permits, must be documented and registered by the Export control Coordinator.

## **5 Local instructions**

Within each department, the Head of Department is responsible for compliance with the legal framework. All Heads of Department must ensure and assess whether some activity at the department is covered by the export control rules. The assessment must be documented and registered in accordance with instructions from the Safety and Security Unit.

Heads of Departments, where some activity is covered by the export control rules, must decide on written instructions for export control and handling of dual-use items at the department. Furthermore, the Head of Department shall appoint an export control representative who will be the contact person for KI's central Export control Coordinator and provide local support regarding export control issues. The instructions must be well known to all employees concerned, they must be updated when required and reviewed at least once a year. If the instructions are updated, a copy must be sent to the Export control Coordinator.

## **6 Specialist and support function**

The Safety and Security Unit provides information and advice regarding the content and design of the departments export control instructions. The unit also provides support to Heads of Departments and researchers in their export control assessments.

## **7 Declarations**

The Safety and Security Unit submits an annual fee declaration to the ISP in accordance with the act SFS 2000:1064 (Lagen om kontroll av produkter med dubbla användningsområden och av tekniskt bistånd) and also the ordinance 2008:889 (Förordningen om finansiering av verksamheten vid Inspektionen för strategiska produkter). Furthermore, KI needs to declare import and export as well as possession of certain chemicals that are covered by declaration requirements according to the Chemical weapons convention. The Safety and Security Unit also handles these declarations to the ISP.

Head of Department, export control and chemical representatives assists the Safety and Security Unit with the documentation needed for the declarations.

## 8 Internal training and information

The Safety and Security Unit surveys developments in the area and provides information and training materials within export control. Information on export control must be included in relevant internal training offered by the Central Administration.

## 9 Follow-up and update

The Safety and Security Unit surveys updates of export control rules and other developments in the area, moreover, proposes updates of the guidelines to the KI president when required.

## 10 Violation of export control rules

The regulations for export control are legally binding with civil and criminal penalties for violations.

## Export control organisation at KI

### President

- Decides on central guidelines.
- Commitment on compliance.

### Head of Department

- Responsible for local instructions and for compliance at the department.
- Asks for advice from Export control Coordinator if needed.

### Export control representative at department

- Support the Head of Department and researchers at the department in export control compliance.
- Asks for advice from Export control Coordinator, if needed.

### Senior Researcher

- Responsible for following the export control rules regarding own research and for following the department's instructions.
- Asks for advice from export control representative or coordinator, if needed.

## Support within the Central Administration

### Export control Coordinator (Safety and Security Unit)

- Provides advice to the KI president on guidelines.
- Provides advice to Heads of Departments during implementation.
- Provides training and information.
- Assists Senior Researchers with classification and permit application.
- Contact person for national authorities (ISP).
- Represents KI in the Association of Swedish Higher Education Institutions (SUHF) working group for export control.

### Legal Office

- Provides advice on export control rules in contracts and research agreements.

**Research Support Office**

- Refers researchers to guidelines and support functions when issues of export control arise in contact with researchers during the application process.

**Coordinators (radiation safety/biosafety/chemical safety)**

- Integrates export control in information and education within their area of expertise.
- Supports Export control Coordinator at classification.