

AUSTRALIAN AUTONOMOUS SANCTIONS – MACQUARIE UNIVERSITY HDR COMPLIANCE



MACQUARIE
University
SYDNEY · AUSTRALIA

ASSESSMENT FORM

THIS FORM MUST BE COMPLETED BY THE PRINCIPAL SUPERVISOR

This form must be completed for any HDR applicant with citizenship of a Sanctioned nation, prior to approval of admission. For the most up to date list of sanctioned countries please refer to the [DFAT website](#). The purpose of this is to undertake a risk assessment to ensure an application for admission and/or scholarship for a Higher Degree by Research (HDR) does not breach any of Australia's international sanctions. All proposed or nominated supervisors must be involved in the special assessment of applications from citizens of sanctioned countries that they wish to support for an offer of admission. Supervisors must also sign this assessment form and the form must be endorsed by the Head of Department/Department Director HDR and the Associate Dean of Higher Degree Research (ADHDR).

What are Autonomous Sanctions?

The Explanatory Memorandum to the *Autonomous Sanctions Bill 2010* provides that the aims of sanctions are: 'to limit the adverse consequences of the situation of international concern (for example, by denying access to military or paramilitary goods, or to goods, technologies or funding that are enabling the pursuit of programs of proliferation concern); to seek to influence those responsible for giving rise to the situation of international concern to modify their behaviour to remove the concern (by motivating them to adopt different policies); and to penalise those responsible (for example, by denying access to international travel or to the international financial system).'

Note – the purpose of the legislation is not to discriminate against people from those countries, rather the University needs to ensure that it does not supply sanctioned goods to those countries or for the benefit of them or provide a sanctioned service in relation to those countries, so the obvious starting point is to look at the country of origin of the person/entity with the relationship with the University

SECTION 1: To be completed for all citizens from sanctioned countries		
a) Name of Candidate:		MQ ID:
i) Citizenship of Candidate: <input type="checkbox"/> Iran <input type="checkbox"/> Syria <input type="checkbox"/> Russia/Ukraine/Crimea <input type="checkbox"/> North Korea <input type="checkbox"/> Libya <input type="checkbox"/> FFR Yugoslavia <input type="checkbox"/> Myanmar <input type="checkbox"/> Zimbabwe	ii) Contract arrangement involves (if relevant): <input type="checkbox"/> Iran <input type="checkbox"/> Syria <input type="checkbox"/> Russia/Ukraine/Crimea <input type="checkbox"/> North Korea <input type="checkbox"/> Libya <input type="checkbox"/> FFR Yugoslavia <input type="checkbox"/> Myanmar <input type="checkbox"/> Zimbabwe	iii) Candidate's previous qualifications: <input type="checkbox"/> Iran <input type="checkbox"/> Syria <input type="checkbox"/> Russia/Ukraine/Crimea <input type="checkbox"/> North Korea <input type="checkbox"/> Libya <input type="checkbox"/> FFR Yugoslavia <input type="checkbox"/> Myanmar <input type="checkbox"/> Zimbabwe
b) Does the candidate's name appear on the consolidated list ?		<input type="checkbox"/> YES <input type="checkbox"/> NO
c) Does the applicant hold a sponsorship OR receive financial support from an institution/government located in a sanctioned country?		<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES please give details:		
d) Proposed Research Topic: <i>Please enter a brief description of the project proposal including proposed methodology, expected outcomes and applications.</i>		
e) Classification of the Research : <input type="checkbox"/> Pure Basic <input type="checkbox"/> Strategic Basic <input type="checkbox"/> Applied Research <input type="checkbox"/> Experimental Development		

SECTION 2. Sanctioned Supply/Sanctioned Service – to be completed for all candidates

Please consider the [Defence and Strategic Goods List \(DSGL\)](#), and the information provided on the [Department of Defence Website](#). For Iranian candidates restrictions also apply to goods and technologies listed on the [Australian Group Common Controls List](#).

Examples of goods and technologies on the [Defence and Strategic Goods List](#):

- Military goods (those goods or technology that is designed or adapted for military purposes including parts and accessories thereof);
- Non-military lethal goods (equipment that is inherently lethal, incapacitating or destructive such as non-military firearms, non-military ammunition and commercial explosives and initiators);
- Dual-use goods (equipment and technologies developed to meet commercial needs but which may be used either as military components or for the development or production of military systems or weapons of mass destruction);
- Category 0 - Nuclear Materials;
- Category 1 - Materials, Chemicals, Microorganisms and Toxins;
- Category 2 - Materials Processing;
- Category 3 - Electronics;
- Category 4 - Computers;
- Category 5 - Telecommunications and Information Security;
- Category 6 - Sensors & Lasers;
- Category 7 - Navigation and Avionics;
- Category 8 - Marine;
- Category 9 - Aerospace and Propulsion

Goods and technologies on the [Australian Group Common Controls List](#) (restrictions apply for Iranian citizens):

- Chemical weapons precursors;
- Dual-use chemical manufacturing facilities and equipment and related technologies and software;
- Dual-use biological equipment and related technology and software;
- Biological agents;
- Plant pathogens; and
- Animal pathogens.

a) Will the Faculty/Department, as a result of or as part of the proposed research project, supply (or sell or transfer) military goods, non-military lethal goods, or dual-use goods to the candidate?

YES NO

If YES please give details:

b) will the candidate, through their role in the research project, have access to goods listed on the [DSGL](#)?

YES NO

If YES please give details:

If you answered NO to a) and b) then go to question d)

c) As a direct or indirect result of the Faculty/Department supplying, selling or transferring the goods to the candidate with they be transferred to, for use or benefit of the sanctioned country?

YES NO

If YES then this research project should not proceed until a permit is obtained.

d) Is the Faculty/Department providing a service (technical advice, assistance or training, financial assistance or another service) as a result of or as part of the proposed research project which will assist with or is provided in relation to a **military activity** in sanctioned Countries?¹

YES NO

e) Is the Faculty/Department providing a service as a result of or as part of the proposed research project which assists with or is provided in relation to an activity involving the supply, sale, transfer, manufacture, maintenance or use of goods for sanctioned Countries, which are “**arms or related material**” or otherwise listed on the [DSGL](#)?²

YES NO

If you answered YES to d) or e) then this research project should not proceed until a permit is obtained. If you answered NO to d) and e) then the University will not be in breach of the legislation by making a sanctioned service.

f) Is the Faculty/Department holding an asset (any intangible or tangible property the title of which is evidenced) that you are aware of which is owned or controlled by a “designated

YES NO

¹ Note - There is no definition of military activity in the legislation. A service would include the provision of educational services. DFAT has stated that the words “will assist with” are intentionally broad and that sanctioned services is intended to cover any conduct that assists with, or is provide in relation to an activity mentioned but that is not covered by the definition of “sanctioned supply”. See the DFAT public consultation paper on the [Autonomous Sanctions Regulations](#).

² Note - for Iran this also includes goods mentioned in the [Australia Group Common Controls List](#). For instance, higher degree research which provides access for students from those countries to goods listed on the DSGL would fall within this clause. Doctors visiting from those countries listed or where they have a relationship with those countries and who are studying at FMHS where they are exposed or have access to sensitive material might also fall within this category.

person or entity" listed on the DFAT website? <i>For example, loan of artworks, books from a person or entity on the designated list?</i>	
If YES, Is the Faculty/Department using that asset or allowing it to be used or facilitating the use of the asset or dealing with it?	<input type="checkbox"/> YES <input type="checkbox"/> NO
If you have answered YES to this question the University must obtain a permit.	
Does your Faculty/Department offer courses or are there collaboration agreements with overseas entities or persons which use goods or technology listed on the DSGL?	<input type="checkbox"/> YES <input type="checkbox"/> NO
If YES, please outline the measures in place to ensure the candidate is not exposed to the courses/collaboration agreements:	
SECTION 3. Strategy for ongoing compliance:	
a) Does the Faculty/Department have a system in place which will allow you to monitor and manage existing contracts/ student arrangements/higher degree research from those listed countries to ensure on going compliance? <i>NOTE: Iranian students holding Australian student visas (subclass 500) must not change course of study, or thesis or research topic, unless approval is given by the Department after it has obtained an assessment from the competent Australian authorities, in accordance with visa conditions 8203 and 8204.</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Please describe the details:	
SECTION 4: DECLARATIONS	
Supervisor Name:	
<input type="checkbox"/> I declare that the information provided in the this form is true and accurate to the best of my knowledge. I understand that I am responsible for monitoring the candidate's research project for compliance with Autonomous Sanctions legislation, and I recommend that this research project be approved to proceed.	
Signature:	Date:
Department Director HDR/HOD/MRes Advisor Name:	
<input type="checkbox"/> I recommend the project be permitted to proceed <input type="checkbox"/> I recommend the project be referred to the Office of General Counsel to seek a permit to conduct the project <input type="checkbox"/> I recommend the project not proceed	
Signature:	Date:
MRes Director/ADHDR Name:	
<input type="checkbox"/> I endorse the above recommendation <input type="checkbox"/> I do not endorse the above recommendation	
Signature:	Date:
PVC HDRTP/DVCR Name:	
<input type="checkbox"/> I approve the project be permitted to proceed <input type="checkbox"/> I recommend the project be referred to the Office of General Counsel to seek a permit to conduct the project <input type="checkbox"/> I do not approve the project to proceed	
Reason(s) for approval or non approval (if any):	
Signature:	Date:

APPENDIX 1: When assessing a candidate’s proposed research area for compliance with Australian Autonomous Sanctions laws, please refer to the country-specific information provided below.

<p>IRAN</p> <p>In accordance with the UNSC sanctions regime, Australian law prohibits the direct or indirect supply, sale or transfer to Iran of the following ‘export sanctioned goods’:</p> <ul style="list-style-type: none">• all goods set out in INFCIRC/254/Part 1;• all goods set out in INFCIRC/254/Part 2;• all goods set out in S/2015/546;• items that the Minister for Foreign Affairs has determined could, if supplied to Iran, contribute to reprocessing or enrichment-related or heavy water-related activities inconsistent with the JCPOA; or the development of nuclear weapon delivery systems – see Charter of the United Nations (Sanctions – Iran) (Export Sanctioned Goods) List Determination 2016;• battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms, or related matériel, including spare parts <p>without a sanctions permit.</p> <p>Australia’s autonomous sanctions law also prohibits the direct or indirect supply, sale or transfer to Iran, for use in Iran, or for the benefit of Iran, of the following ‘export sanctioned goods’ for Iran:</p> <ul style="list-style-type: none">• arms or related matériel;• graphite of a kind specified in the Autonomous Sanctions (Export and Import Sanctioned Goods – Iran) Amendment Specification 2016;• raw metals of a kind specified in the Autonomous Sanctions (Export and Import Sanctioned Goods – Iran) Amendment Specification 2016;• semi-finished metals of a kind specified in the Autonomous Sanctions (Export and Import Sanctioned Goods – Iran) Amendment Specification 2016;• software for integrating industrial processes of a kind specified in the Autonomous Sanctions (Export and Import Sanctioned Goods – Iran) Amendment Specification 2016 <p>without a sanctions permit.</p>
<p>SYRIA</p> <p>Australian law prohibits the direct or indirect supply, sale or transfer to Syria, for use in Syria, or for the benefit of Syria, of the following ‘export sanctioned goods’:</p> <ul style="list-style-type: none">• arms or related matériel;• equipment and technology for use in the construction or installation of new power plants for electricity, of a kind specified in the Autonomous Sanctions (Export Sanctioned Goods - Syria) Specification 2012;• equipment and technology for the oil and gas industry, or the petrochemical industry, of a kind specified in the Autonomous Sanctions (Export Sanctioned Goods - Syria) Specification 2012;• newly printed or unissued Syrian denominated bank notes or newly minted or unissued Syrian denominated coinage;• equipment, technology or software for the monitoring or interception of internet or telephone communications, of a kind specified in the Autonomous Sanctions (Export Sanctioned Goods - Syria) Specification 2012;• luxury goods, of a kind specified in the Autonomous Sanctions (Export Sanctioned Goods - Syria) Specification 2012; and• goods of particular concern if destined for end-users in Syria, including materials, chemicals, micro-organisms and toxins, of a kind designated in the Autonomous Sanctions (Export Sanctioned Goods – Syria) Designation 2012 <p>without a sanctions permit.</p> <p>Australian law also prohibits the supply, sale or transfer to:</p> <ul style="list-style-type: none">• the Government of Syria;• a public body, corporation or agency of the Government of Syria; or• a person, entity or body acting on behalf or at the direction of the Government of Syria, or a public body, corporation or agency of the Government of Syria• an entity or body owned or controlled by the Government of Syria, or a public body, corporation or agency of the Government of Syria of: gold, precious metals or diamonds <p>without a sanctions permit.</p>
<p>RUSSIA</p> <p>Australian law prohibits the direct or indirect supply, sale or transfer to Russia, for use in Russia, or for the benefit of Russia, of the following ‘export sanctioned goods’ for Russia:</p> <ul style="list-style-type: none">• arms or related matériel; and• items suited to any of the following categories of exploration and production projects in Russia, including its Exclusive Economic Zone and Continental Shelf: (i) oil exploration and production in waters deeper than 150 metres; (ii) oil exploration and production in the offshore area north of the Arctic Circle; (iii) projects that have the potential to produce oil from resources located in shale formations by way of hydraulic fracturing (other than exploration and production through shale formations to locate or extract oil from non-shale reservoirs), specified in the Autonomous Sanctions (Russia, Crimea and Sevastopol) Specification 2015. <p>without a sanctions permit.</p>
<p>UKRAINE</p> <p>Australian law prohibits:</p> <ul style="list-style-type: none">• the use of or dealing with an asset that is owned or controlled by a ‘designated person or entity’ for Ukraine; and• making an asset available directly or indirectly to, or for the benefit of, a ‘designated person or entity’ for Ukraine <p>without a sanctions permit.</p> <p>An ‘asset’ is defined broadly to include an asset or property of any kind, whether tangible or intangible, movable or immovable. The Consolidated List includes the names of all designated persons and entities.</p>

CRIMEA AND SEVASTOPOL

Australian law prohibits the direct or indirect supply, sale or transfer to Crimea or Sevastopol, for use in Crimea or Sevastopol, or for the benefit of Crimea or Sevastopol, of the following 'export sanctioned goods' for Crimea and Sevastopol:

- items, of a kind specified in the [Autonomous Sanctions \(Russia, Crimea and Sevastopol\) Specification 2015](#), relating to the creation, acquisition or development of infrastructure in one or more of the following sectors:
 - transport
 - telecommunications
 - energy
 - the exploitation of oil, gas and mineral reserves in Crimea or Sevastopol

without a sanctions permit.

Australian law prohibits the provision to any person of:

- technical advice, assistance or training; or
- financial assistance; or
- a financial service; or
- another service

if it assists with, or is provided in relation to, the direct or indirect supply, sale or transfer of an 'export sanctioned good' for Crimea or Sevastopol, to Crimea or Sevastopol, for use in Crimea or Sevastopol, or for the benefit of Crimea or Sevastopol without a sanctions permit.

DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (NORTH KOREA)

- [Restrictions on the export or supply of goods](#)
- [Restrictions on the export or provision of services](#)
- [Restrictions on the import or procurement of goods](#)
- [Restrictions on the import or procurement of services](#)

LIBYA

Australian law prohibits the direct or indirect supply, sale or transfer to Libya of the following 'export sanctioned goods':

- [arms or related matériel](#)

without a sanctions permit.

Australian law prohibits the provision of:

- technical, financial or other assistance, or training, related to
 - military activities;
 - the supply, sale, transfer, manufacture, maintenance or use of [arms or related matériel](#); or
 - the provision of armed mercenary personnel, whether or not originating in Australia;
- a financial transaction with respect to crude oil illicitly exported from Libya aboard a 'designated vessel' for Libya; and
- a bunkering service for a 'designated vessel' for Libya

without a sanctions permit. A 'designated vessel' is one that has been designated by the UNSC Libya Sanctions Committee. The Committee has not yet designated a vessel for these purposes.

Australian law prohibits:

- the use of or dealing with an asset that is owned or controlled by a 'designated person or entity' for Libya; and
- making an asset available directly or indirectly to, or for the benefit of, a 'designated person or entity' for Libya

without a sanctions permit.

An 'asset' is defined broadly to include an asset or property of any kind, whether tangible or intangible, movable or immovable.

The [Consolidated List](#) includes the names of all designated persons and entities.

FORMER FEDERAL REPUBLIC OF YUGOSLAVIA (FFRY)

MYANMAR

LIBYA

ZIMBABWE