First Meeting
Geneva, 10 – 14 November 2003

Meeting of Experts
Geneva, 18 – 29 August 2003
Items 5 and 6 of the agenda

AUSTRALIA’S EXPERIENCE IN EDUCATING INDUSTRY AND RESEARCH INSTITUTES ABOUT EXPORT OBLIGATIONS – A FRAMEWORK FOR THE BIOLOGICAL SECTOR

Prepared by Australia

Background

1. Australia considers that the proliferation of weapons of mass destruction (WMD) and means for delivering them presents, along with terrorism, the greatest security challenge currently facing the international community. Australia is committed to ensuring that Australian entities are not inadvertently or otherwise engaged in activities that may assist WMD programs, or that may contravene our international obligations as a signatory to arms control and non-proliferation arrangements.

2. As part of a review of implementation, recently the Department of Defence and the Australian Customs Service jointly undertook a survey of exports which included a random sample of stakeholders in other Government health and science agencies, professional associations, key laboratories and research institutes. The survey revealed valuable ways in which the export control regime in Australia could be strengthened, a key aspect of which was an extended outreach program to industry groups, research institutes and Government agencies.

3. This paper outlines Australia’s experience in developing and delivering that awareness raising program on export controls for biological materials. The primary intention of this program (referred to as “Outreach”) is to increase the levels of compliance with the export control system and to promote responsible exporting.

The Outreach Program – Framework for Development and Delivery

4. The following steps were taken to develop the program:

   4.1 Determining and prioritising entities for targeting. Such entities include laboratories, manufacturers, distributors and research institutes, as well as peak industry bodies and central coordinating agencies. Entities involved in the movement of these goods, such as freight forwarders, brokers and courier services were also identified. Web searches,
industry directories and liaison with peak industry bodies and Government facilitation agencies can assist in the development of such lists.

4.2 Means of delivery. Identification of information sources and media associated with the industry or sector for targeting, such as key newsletters, prominent magazines and journals, trade shows and conferences.

4.3 Outreach Methods and Products. Development of information packs and brochures for inclusion in mail-outs and to distribute at conferences and site visits.

4.4 Outreach Delivery Program. Development and delivery of the Outreach implementation schedule, including the visit program.

4.5 Post-Delivery Reporting. This consists of two components:
   i. establishment of a reporting system to communicate the outcomes of Outreach site visits to other interested agencies, in accordance with appropriate confidentiality provisions; and
   ii. development of a system to maintain interaction with entities that have been the recipients of Outreach.

4.6 Review and Refinement. A feedback phase to review and identify potential areas for improvement in the Outreach program, and more broadly, in the administration of export controls by the permit issuing agency.

Implementation- Australia’s Experience

5. The Australian Outreach program has been in formal operation since February 2003 and has made modest, but important achievements during this time. A range of entities have been visited for awareness raising, both in response to identified instances of non-compliance and as a proactive measure for potential exporters. Notable achievements in raising awareness of export controls for defence and dual-use goods include:

- Increased information exchange with other government agencies, particularly with the border enforcement authority.
- Creation of individual export classification codes for controlled goods in the Customs export system, which will not allow an exporter to proceed with the entry unless they are able to quote a valid export authorisation number. This has led to the identification of some entities found to be exporting controlled goods without the appropriate authorisation.
- Working with a commercial entity to streamline its business processes to more effectively accommodate the requirement for export authorisation. The company in question is an exporter of controlled goods and was experiencing delays in obtaining export authorisation, due to the sensitive nature of its exports. Company representatives stated that this was impacting upon their ability to compete efficiently in the global marketplace. A series of liaison activities with the company subsequently produced a mutually agreeable solution.
- Development of a comprehensive product containing information on both inbound and outbound controls. This product was developed jointly with other Government agencies.
- A review of the current permit process to make it more flexible for exporters, at the same time placing additional reporting requirements on them to maintain the integrity of the export control system.

6. To date, the Australian Outreach program has found activities that communicate the message on a larger-scale, such as the inclusion of articles in scientific or export-specific journals or by
presenting at industry sector conferences, is the most efficient method for raising awareness of controls.

**Finding the Balance**

7. Both a ‘proactive’ and a ‘reactive’ approach to the visit program has also been trialed. This consisted of targeting entities either, because they are currently or potentially exporters of controlled goods, or in response to non-compliance. Results thus far indicate that both approaches are effective in terms of raising awareness of the controls, but tend to be resource intensive. Despite the resource implications, however, both proactive and reactive Outreach should be retained wherever possible. In the case of proactive Outreach, visits can assist the export administrators to work together with the exporters to develop mutually beneficial solutions and achieve cooperative compliance with the controls. Reactive Outreach, on the other hand, remains important for intervening in specific cases of non-compliance or addressing difficulties in complying with the export control system.

8. The Australian experience in delivering a community awareness campaign has highlighted the important role of liaison between relevant Government agencies in developing and progressing the program. A number of such agencies may be influencing different aspects of an industry sector, such as controlling and monitoring the inbound movement of goods, border control and law enforcement, and industry regulators and facilitation agencies. These agencies may have well-established programs and links with industry and research bodies, and can provide valuable guidance to developing the program, sharing information on past and current efforts, and in conducting joint Outreach efforts in the future.