

**Security Trade Control Guidelines
for Academic Exchange Agreements
at Kyoto University**

Committee for Security Trade Control
December 28, 2012

Recent years have seen an increasing number of academic exchange agreements (including faculty- and university-level exchange agreements and student exchange agreements) as Japanese universities seek to strengthen alliances with their foreign counterparts in line with rapid globalization. Under the Foreign Exchange and Foreign Trade Act (FEFTA), which was put into effect in April 2010, it is now legally compulsory for Japanese universities to manage security trade control and comply with official regulations governing actual trade actions.

The legal requirements stipulate that it is necessary to obtain permission from the Ministry of Economy, Trade and Industry (METI) if any of the technologies or items regulated under Foreign Exchange Order and Export Trade Control Order (hereafter referred to as “Regulated Technologies or Items”) are transported abroad. METI has produced an End-User List (hereafter referred to as the “List”), which specifies those organizations (including private companies, universities, and other research institutions) which require careful treatment for the purpose of security trade control. The list also categorizes the four fields of nuclear science, biology, chemistry, and missile engineering as potentially dangerous (hereafter referred to as the “Potentially Dangerous Fields”). METI has not, however, produced specific regulations concerning academic exchange agreements, or set specific standards governing such agreements. It is necessary, therefore, for Japanese universities to exercise prudent judgment to ensure legal compliance and maintain international peace.

In accordance with these circumstances, all academic departments of Kyoto University should refer to the following guidelines when planning or concluding academic agreements with foreign organizations.

1. If the potential foreign partner organization is included in the List, or even if it is not included, but is known via other information sources to be related to any military organizations, all departments must follow the requirements written below and make a careful decision about concluding an agreement. If any of the requirements below cannot be fulfilled, the department must consult with the Committee on Security Trade

Control before any decision is made.

In planning or deciding to conclude such academic agreements, all departments of Kyoto University must guarantee that:

- (1) The academic exchange will not involve any of the Potentially Dangerous Fields associated with the organizations specified in the List.
- (2) All transactions in the academic exchange are continuously monitored and controlled to prevent any technology or items related to the designated Potentially Dangerous Fields from being transferred from Japan,
- (3) Regardless of the academic field of the exchange, all transactions must be systematically monitored to ensure that of none of the regulated technologies or items are involved in the exchange, and to prevent any unintended transference.
- (4) All international researchers and exchange students must submit a written pledge declaring that they will not utilize any technologies or items that they acquire at Kyoto University for military purposes in the future.
- (5) If the above requirements are fulfilled, those in charge of security trade control in each department must submit a written declaration to that effect to the Security Trade Control Supervisory Manager. The Committee on Security Trade Control will examine the declaration and approve or disapprove the conclusion of the agreement as appropriate.

2. In the following circumstances, the requirements above will also apply to agreements which have already been concluded:

- (1) The conditions of the agreement are changed or modified.
- (2) The agreement is extended or renewed beyond the end of its original term.
- (3) The term of the agreement is subject to automatic renewal, and the partner institution(s) were added to the List subsequent to the conclusion of the agreement.

3. In the case of special circumstances whereby the above requirements cannot be met, the person(s) in charge of security trade control in the relevant department can submit a written request for deliberation by the Committee on Security Trade Control.

4. These guidelines are effective from December 28, 2012.