

RUSSIAN SANCTIONS - research collaborations and technology transfer

The European Union has imposed two rounds of sanctions on Russia since 31 July 2014.¹ This guidance summarises the scope of these sanctions and is aimed at Principal Investigators. It is for general guidance only and is not a substitute for specific advice.

Principal Investigators should consider this guidance whenever planning to undertake a research project that will involve the export of equipment, technical knowledge or expertise to Russia, particularly where this involves technology that may have military applications or applications in the oil or gas industry. Postgraduate teaching may also be affected (see below for details), as may funding from sanctioned Russian individuals or companies. This guidance should also be considered for ongoing activities, particularly those that have begun since 31 July 2014. In both cases, advice should also be sought from the Research Office and the relevant Head of Department should be informed.

In many cases, sanctions can be complied with by seeking a licence from the UK Export Control Organisation (ECO), but some activities are prohibited. Failure to observe sanctions is a criminal offence; as such the University will require any planned or ongoing activity subject to sanctions to obtain any necessary permissions from the ECO or, where necessary, to cease with immediate effect.

1. Strengthening of existing export controls

Existing “Export Controls” need to be observed, see the [Research Office website](#) for details.

Sanctions against Russia mean that a licence will not be granted² by the ECO for the export³ of:

- a) Items, software or technology⁴ listed on the UK Military List.⁵
- b) Items, software or technology listed on the EU Dual Use List that are intended for military end-use or for a military end-user in Russia.⁶

Licences for the export of items, software or technology listed on the Dual Use list that are intended for civil end-use and civil end-users must be applied for in the usual way.

¹ For specific guidance see the Notices to Exporters issued by the ECO (Notice [2014/22](#), Notice [2014/25](#)). The sanctions were amended on 4 December 2014 (Notice [2014/30](#)) to clarify aspects of the provisions.

² Licences may be granted where the transaction concerns the execution of an obligation arising from a contract or agreement concluded before 1 August 2014 or to ancillary contracts necessary for the execution of such contracts.

³ Export includes the sale, supply, transfer or other export of an item, software, or technical knowledge outside the UK.

⁴ ‘Technology’ means information necessary for the development, production or use of goods controlled by the regime. This information may take the form of blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, or manuals and instructions, either written or recorded on other media or devices such as disks, tapes or read-only memories. (See the definition in the Export Control Order 2008 Regulation 2). The EU Dual-Use Regulation (EC) No 428 2009 refers also to information such as skills, training, working knowledge or consulting services.)

⁵ <https://www.gov.uk/government/publications/the-uk-military-list-of-items-that-require-export-authorisation>

⁶ <https://www.gov.uk/controls-on-dual-use-goods>. From 12 September, this prohibition was extended to nine Russian companies. The named companies are listed on page 11 of the Department of Business, Innovation and Skills’ [Frequently Asked Questions](#).

The sanctions also prohibit the provision of technical assistance⁷, financing and financial assistance, and brokering services relating to the export of items covered by a) and b) above.

Postgraduate teaching involving unpublished information which would be required and necessary for the use, development or production of listed items would also be of concern.

A licence is also required for any item, software, technology or teaching which is not listed but where the Principal Investigator has been informed, is aware or has grounds to suspect it might be used for or to support WMD programs (chemical, biological or nuclear weapons or other nuclear explosive devices, or the development, production, maintenance or storage of missiles capable of delivery of such weapons). A Principle Investigator should have specific reasons to suspect; a mere theoretical possibility does not amount to suspicion and the fact that a student is Russian is not of itself grounds for suspicion.

As Russia is subject to an arms embargo, the Military End-Use controls for non-listed dual-use (civil) items also apply. If you are aware, or have been informed by the ECO, that the items are intended for a military end-use (for example the incorporation into military equipment or for the development, production or maintenance of such equipment, or for use in a plant for production of such equipment) in Russia then you must apply for a licence.

<https://www.gov.uk/military-end-use-control-guidance-notes>

Contact the Research Office and inform your Head of Department if you believe any planned or ongoing activities will be affected.

2. New controls

Contact the Research Office and inform your Head of Department if you believe any planned or ongoing projects involve:

Purchase, import or transport of military items from Russia: This is prohibited under the arms embargo.

Oil and Gas Activities in Russia: A licence must be sought from the ECO for the export of certain energy-related equipment to Russia (including its Exclusive Economic Zone and Continental Shelf) or to any other country if such equipment or technology is for use in Russia, regardless of intended use. A list of the affected equipment can be found in [Annex II of Council Regulation No 833/2014](#) (reproduced below).

A licence is also required for technical assistance⁸, financing and financial assistance, and brokering services related to the export of such technologies to Russia or for use in Russia (including its Exclusive Economic Zone and Continental Shelf).

A licence will not be granted⁹ if there are reasonable grounds to suspect that the export (or related assistance or services) relates to “Restricted Oil and Gas Activities”, these are:

- Oil exploration and production in waters deeper than 150 metres;
- Oil exploration and production in the offshore north of the Arctic Circle; or

⁷ Technical assistance is broadly defined: “any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services; including verbal forms of assistance”.

⁸ See footnote 7 for definition.

⁹ Licences may be granted where the transaction concerns the execution of an obligation arising from a contract or agreement concluded before 1 August 2014 or to ancillary contracts necessary for the execution of such contracts.

- Projects that have the potential to produce oil from resources located in shale formations by way of hydraulic fracturing.

A licence may be granted for the export of items (or related assistance or services) related to Restricted Oil and Gas Activities where this is necessary for the urgent prevention or mitigation of an event likely to have a serious and significant impact on human health and safety or the environment (a “duly justified case of emergency”). In such cases an activity may proceed without a licence subject to the exporter notifying the ECO within 5 working days of the activity giving full details and a justification as to why it was necessary to proceed without a licence.

Certain services (drilling, well testing, logging and completion services, and supply of specialised floating vehicles) necessary for Restricted Oil and Gas Activities (‘associated services’) cannot be provided (directly or indirectly) to projects in Russia.¹⁰ Again there is an exemption when associated services are necessary for the urgent prevention or mitigation of a “duly justified case of emergency”. The service provider must notify the ECO within five working days of any activity undertaken, providing full details and the relevant justification.

If you plan to provide, have already provided, or already have an agreement to provide, sanctioned services please contact the Research Office for advice. If you are providing associated services to a non-Russian entity, you should make sure (asking if necessary) that those services will not be provided to projects in Russia.

Russian funding: Funding cannot be taken from sanctioned individuals or companies.¹¹ Take advice if a project or a student is funded by a Russian defence or oil and gas company and the associated research is related to the items or services covered by sanctions.

Annex II of Council Regulation No 833/2014

CN code	Description
7304 11 00	Line pipe of a kind used for oil or gas pipelines, seamless, of stainless steel
7304 19 10	Line pipe of a kind used for oil or gas pipelines, seamless, of iron or steel, of an external diameter not exceeding 168,3 mm (excl. products of stainless steel or of cast iron)
7304 19 30	Line pipe of a kind used for oil or gas pipelines, seamless, of iron or steel, of an external diameter exceeding 168,3 mm but not exceeding 406,4 mm (excl. products of stainless steel or of cast iron)
7304 19 90	Line pipe of a kind used for oil or gas pipelines, seamless, of iron or steel, of an external diameter exceeding 406,4 mm (excl. products of stainless steel or of cast iron)
7304 22 00	Drill pipe, seamless, of stainless steel, of a kind used in drilling for oil or gas
7304 23 00	Drill pipe, seamless, of a kind used in drilling for oil or gas, of iron or steel (excl. products of stainless steel or of cast iron)
7304 29 10	Casing and tubing of a kind used for drilling for oil or gas, seamless, of iron or steel, of an external diameter not exceeding 168,3 mm (excl. products of cast iron)

¹⁰ If the service represents the execution of an obligation arising from a contract or framework agreement concluded before 12 September 2014, or an ancillary contract necessary for the execution of such a contract, it may be provided, but the provider needs to retain sufficient documentary evidence (such as a copy of a contract concluded before 12 September 2014) to demonstrate that they acted in compliance with sanctions).

¹¹ HM Treasury publish a complete list of those subject to financial sanctions, which is [available here](#).

7304 29 30	Casing and tubing of a kind used for drilling for oil or gas, seamless, of iron or steel, of an external diameter exceeding 168,3 mm, but not exceeding 406,4 mm (excl. products of cast iron)
7304 29 90	Casing and tubing of a kind used for drilling for oil or gas, seamless, of iron or steel, of an external diameter exceeding 406,4 mm (excl. products of cast iron)
7305 11 00	Line pipe of a kind used for oil or gas pipelines, having circular cross-sections and an external diameter of exceeding 406,4 mm, of iron or steel, longitudinally submerged arc welded
7305 12 00	Line pipe of a kind used for oil or gas pipelines, having circular cross-sections and an external diameter of exceeding 406,4 mm, of iron or steel, longitudinally arc welded (excl. products longitudinally submerged arc welded)
7305 19 00	Line pipe of a kind used for oil or gas pipelines, having circular cross-sections and an external diameter of exceeding 406,4 mm, of flat-rolled products of iron or steel (excl. products longitudinally arc welded)
7305 20 00	Casing of a kind used in drilling for oil or gas, having circular cross-sections and an external diameter of exceeding 406,4 mm, of flat-rolled products of iron or steel
7306 11	Line pipe of a kind used for oil or gas pipelines, welded, of flat-rolled products of stainless steel, of an external diameter of not exceeding 406,4 mm
7306 19	Line pipe of a kind used for oil or gas pipelines, welded, of flat-rolled products of iron or steel, of an external diameter of not exceeding 406,4 mm (excl. products of stainless steel or of cast iron)
7306 21 00	Casing and tubing of a kind used in drilling for oil or gas, welded, of flat-rolled products of stainless steel, of an external diameter of not exceeding 406,4 mm
7306 29 00	Casing and tubing of a kind used in drilling for oil or gas, welded, of flat-rolled products of iron or steel, of an external diameter of not exceeding 406,4 mm (excl. products of stainless steel or of cast iron)
8207 13 00	Rock-drilling or earth-boring tools, interchangeable, with working parts of sintered metal carbides or cermets
8207 19 10	Rock-drilling or earth-boring tools, interchangeable, with working parts of diamond or agglomerated diamond
8413 50	Reciprocating positive displacement pumps for liquids, power-driven (excl. those of subheading 8413 11 and 8413 19, fuel, lubricating or cooling medium pumps for internal combustion piston engine and concrete pumps)
8413 60	Rotary positive displacement pumps for liquids, power-driven (excl. those of subheading 8413 11 and 8413 19 and fuel, lubricating or cooling medium pumps for internal combustion piston engine)
8413 82 00	Liquid elevators (excl. pumps)
8413 92 00	Parts of liquid elevators, n.e.s.
8430 49 00	Boring or sinking machinery for boring earth or extracting minerals or ores, not self-propelled and not hydraulic (excl. tunnelling machinery and hand-operated tools)
ex 8431 39 00	Parts of machinery of heading 8428, n.e.s.
ex 8431 43 00	parts for boring or sinking machinery of subheading 8430 41 or 8430 49, n.e.s.
ex 8431 49	Parts of machinery of heading 8426, 8429 and 8430, n.e.s.
8705 20 00	Mobile drilling derricks
8905 20 00	Floating or submersible drilling or production platforms
8905 90 10	Sea-going light vessels, fire-floats, floating cranes and other vessels, the navigability of which is subsidiary to their main function (excl. dredgers, floating or submersible drilling or production platforms; fishing vessels and warships)