# **EDITH COWAN UNIVERSITY**

# INTERNATIONAL COMPLIANCE REVIEW - FOREIGN ENGAGEMENT (ICR-FE)



MUST be completed for all agreements with foreign nationals/entities and overseas based individuals/entities.

### **CONTEXT**

### **SANCTIONS**

Sanctions APPLY to agreements with persons and entities from sanctioned countries and to agreements with Designated individuals or entities. Sanctions information is available from the Department of Foreign Affairs and Trade (DFAT) at <a href="http://dfat.gov.au/international-relations/security/sanctions/Pages/about-sanctions.aspx">http://dfat.gov.au/international-relations/security/sanctions/Pages/about-sanctions.aspx</a>.

### FOREIGN INFLUENCE TRANSPARENCY SCHEME (FITS)

The FITS Act 2018 requires of a person to register a registrable activity where that activity is undertaken on behalf of a foreign principal. A foreign principal means any of:

- A foreign government or political organisation.
- A foreign government related entity which is an entity which is related to a foreign principal that is a foreign government or a foreign political organisation.
- A foreign government related individual is an individual that is <u>not</u> an Australian citizen or an Australian permanent resident, and a foreign government, foreign government-related entity or foreign political organisation is able to exercise total or substantial control over the individual.

### **DEFENCE TRADE CONTROLS**

The *Defence Trade Controls Act 2012* (DTC Act) controls the intangible supply of Defence and Strategic Goods List (DSGL) technologies. The DTC Act regulates three main activities:

- The intangible supply (transmission by non-physical means) of controlled technology from a person in Australia to a person outside Australia;
- Publishing controlled military technology; and
- Brokering controlled military goods and technology.

### **FOREIGN INTERFERENCE**

Occurs when activities are carried out by, or on behalf of a foreign actor, which are coercive, covert, deceptive or corrupting and are contrary to Australia's and or ECU's sovereignty, values and interests.

Examples include: efforts to alter or direct the research agenda; economic/financial pressure; solicitation and recruitment of post-doctoral researchers and academic staff; and cyber intrusions.

### **AUSTRALIA'S FOREIGN RELATIONS ARRANGEMENTS**

Australia's Foreign Relations (State and Territory Arrangements) Act 2020 creates a scheme that requires of universities to notify the Minister for Foreign Affairs if they propose to enter, or enter, a foreign arrangement with a foreign government, or a foreign university that does not have institutional autonomy.

### **INDONESIA FOREIGN RESEARCH PERMITS**

Indonesian law requires of all ECU researchers doing research activities in Indonesia to obtain an official permit from the Indonesian authority prior to engaging in the research. Further information is available from: <a href="https://frp.ristekdikti.go.id/">https://frp.ristekdikti.go.id/</a>

# A1: Person or Entity (please complete the relevant sections) Full Name of Individual or Entity Address Passport/ID/Business/Registration number For an Individual Collaborator provide details of the country(ies) of Citizenship 1. 2.

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For an Entity Collaborator country(ies) where the entity		1.	2.					
SECTION B: DETAILS OF ACTIVITY (To be completed by ECU Staff representing ECU in the activity)								
B1: School or Centre								
B2: Name of ECU staff member(s) involved in the collaboration and their roles								
Name 1:		Name 2:						
Role:		Role:						
B3: Name/Title of agreement/project								
B4: Details of the agreement/project – please attach another sheet if necessary and include any other relevant documentation								
SECTION C: COMPLIANCE	E REVIEW (To be completed	by ECU Staff representing ECU in th	e activity)					
C1: Is the foreign individual/entity from a sanctioned country?								
https://dfat.gov.au/internatio	nal-relations/security/sand	ctions/sanctions-regimes/Page	es/sanctions-regimes.aspx					
Yes	No							
C2: Is the foreign individual/entity listed on the DFAT Consolidated List?								
		LRF) and attach to this form b	efore submitting.					
Yes	No	Unsure						
C3: Is the foreign individual/entity linked to a foreign government, foreign government-related entity or foreign political organisation in any way?								
https://www.ag.gov.au/Integ	rity/foreign-influence-trans	sparency-scheme/Documents	/fact-sheets/foreign-principals.pdf					
Yes	No	Unsure						

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C4: Is the foreign individual/entity a foreign government, a foreign political organisation or a foreign government related entity including a department, agency or other public authority of that government? (including foreign tertiary education institutions, such as government military academies).										
https://www.ag.gov.au/Integrity/foreign-influence-transparency-scheme/Documents/fact-sheets/foreign-principals.pdf										
	Yes	No		Unsure						
C5: Is a foreign university a party to the arrangement?										
	Yes No									
If Yes, please indicate whether the university is situated in one or more of the following countries:										
P	Azerbaijan	Bahrain	Bangladesh	China	Cuba					
Е	gypt	Equatorial Guinea	Eritrea	Iran	Iraq					
L	aos	North Korea	Russia	Syria	Thailand					
1	urkey	Turkmenistan	Vietnam	Yemen	Zimbabwe					
١	None of the above									
C6: D	oes the agreement	/project/arrangement i	nvolve the supply.	publishing or br	okering of DSGL technology?					
	_	u/ExportControls/DSGL			onering or Doog recommendary.					
	Yes	No		Unsure						
C7: Are you aware of any attempts that have been made to influence or interfere with the proposed activity that may be considered to be an attempt to alter the activity in a way that is contrary to Australia's and or ECU's sovereignty, values and interests (Foreign Interference)?										
	Yes	No		Unsure						
iF "Ye	s" please provide de	etails:								
C8: Does any ECU staff member that is engaged in this activity have a personal interest in the collaborator or any other aspect of the activity?										
	Yes	No		Unsure						
iF "Ye	iF "Yes" please attach a Conflict of Interest Disclosure form.									
C9: Does the agreement/project/arrangement involve research in Indonesia?										
	Yes	No		Unsure						
SECTION D: SIGNATURES (ECU STAFF PRIMARILY INVOLVED IN THE COLLABORATION)										
Name	1:		Name 2:							
Signat			Signature 2:							
Signal	uie i.		Signature 2.							
<b>D</b>			Det							
Date:			Date:							
Send completed Form to Legal and Integrity at integrity@ecu.edu.au										

INTERNATIONAL COMPLIANCE REVIEW – FOREIGN ENGAGEMENTS (ICR-FE) FORM V8-2021

This document is subject to change, latest versions of the document will be available on the <u>Strategic and Governance Services Centre – International Compliance Review</u> page.

# EDITH COWAN UNIVERSITY INTERNATIONAL COMPLIANCE REVIEW – FOREIGN ENGAGEMENT (ICR-FE)

SECTION E: LEGAL AND INTEGRITY REVIEW								
Based	on the inf	ormation provided here	in it is concluded that:			Approval Authority		
		The arrangement is with an individual or entity from a sanctioned country or with a designated individual or entity.				SDVC		
	The arra	he arrangement is with a Foreign Principal but is not a Re			Registrable Activity. School/Cen			
	The arra	angement is with a Fore	ign Principal and <u>is</u> a Re	egistrable Activity	•	SDVC		
	Arrange	ment involves the supp	SDVC					
	Foreign	interference is suspect		SDVC				
	deemed	Foreign Relations – arrangement is with a foreign government and or a foreign university deemed to not have institutional autonomy. (Arrangement must be reported to the Minister for Foreign Affairs through the "Foreign Arrangements Scheme Online Portal).				School/Centre head		
	The arrangement is not captured by the relevant compliance obligations (Sanctions, FITS, DTC, Foreign Interference, Foreign Relations or Indonesian Research Permits).					School/Centre head		
	Arrange required	ement involves research in Indonesia - Indonesian Foreign Research Permit ed.				School/Centre head		
<ul> <li>Sanctions – The individual/entity is / is not situated in a sanctioned individuals/entities were / were not identified.</li> <li>DTC – The proposed activities do / do not appear to relate to the supply, por DSGL technology.</li> <li>Foreign Interference (FI) – FI is / is not suspected. Conflicts of interest declared.</li> <li>FITS – The entity appears to be / not be a foreign principal         <ul> <li>The activities relating to the proposed arrangement do / do not registrable activity.</li> </ul> </li> <li>Foreign Relations – the arrangement is / is not with a foreign government foreign university that has been deemed to not have institutional autonomy</li> </ul>				ublishing or brokering have/have not been appear to relate to a and is / is not with a				
Name:				Signature:				
SECTI	ON F: AP	PROVAL - SENIOR DE	EPUTY VICE-CHANCEL	LOR, EXECUTIV	/E DEAN OR DI	RECTOR (OR NOMINEE)		
Application: Approved		Approved	Not Approved					
Comm	ents:							
Name:								
Positio	n:							
Signati	ure:			Date:				
Record	d Keeping		SUB/	To be ke	pt by the School	/Centre on HPRM file		