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## AUSTRALIA GROUP (AG)

**Established:** 1985

**Membership:** 41 Members — Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, European Union, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Republic of Korea, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and United States.

The Australia Group (AG) is an informal association that works on the basis of consensus. It aims to allow exporters or transshipment countries to minimize the risk of further proliferation of chemical and biological weapons (CBW). The Group meets annually to assess ways in which the national level export licensing measures of its 41 participants can collectively be rendered more effective to ensure that would-be proliferators are unable to obtain necessary inputs for CBW programs, which are banned under the provisions of the [Chemical Weapons Convention \(CWC\)](#).

All States participating in the AG are Parties to the CWC and the [Biological and Toxin Weapons Convention \(BTWC\)](#).

**Background:** In April 1984, following the findings of a special mission dispatched by the UN Secretary General to Iran to investigate the use of chemical weapons (CW) by Iraq in the Iran-Iraq War, a number of governments introduced licensing measures on the export of certain chemicals used in the manufacture of CW. They took this action in order to meet the political requirement for a response to Iraq's violation of the [1925 Geneva Protocol](#) through the use of chemical weapons against Iran in the Iran-Iraq War and the very clear evidence that Iraq had obtained much of the materials for its CW program from the international chemical industry.

These countries perceived an urgent need to address the problem posed by the spread of CW and to ensure that their industries were not, either purposely or inadvertently, assisting other States to acquire and use such weapons in violation of international law and norms. The measures imposed by these governments, however, lacked uniformity in scope or application. It also became apparent that attempts were being made to use this lack of uniformity to circumvent them. This led Australia to propose, in April 1985, that the

countries that had introduced licensing for exports might meet in order to try to harmonize the measures taken individually and to enhance cooperation among them on this issue. The first meeting of what subsequently became known as the Australia Group took place in Brussels in June 1985. All participating countries agreed there was benefit in continuing the process, and meetings of the AG are now held in Paris on an annual basis.

Likewise, the emergence of increasing evidence of diversion of dual-use materials to biological weapons (BW) programs led the countries concerned in 1990 to take steps to address the increasing problem of the spread of BW.

The number of countries participating in the AG has grown from the original 15 in 1985 to 41 at present. The AG meets once a year in Paris with Australia as a chair. (Until 1994, the AG averaged two meetings each year.) The 20<sup>th</sup> anniversary meeting in 2005 took place in Australia.

**Regime Goal:** The AG aims to limit the spread of CBW through the control of chemical precursors, CBW equipment, and BW agents and organisms. All participating countries have licensing measures covering over 60 CW precursors.

Participating countries also require licenses for the export of 1) dual-use chemical manufacturing facilities and equipment and related technology; 2) plant pathogens; 3) animal pathogens; 4) biological agents; and 5) dual-use biological equipment. These items form the basis for the Group's "Common Control Lists," which have been developed during AG consultations and are adjusted from time to time to ensure their continued effectiveness. The six Common Control Lists cover: 1) CW precursors; 2) dual-use chemical manufacturing facilities and equipment and related technology; 3) dual-use biological equipment; 4) biological agents; 5) plant pathogens; and 6) animal pathogens.

Measures agreed upon by meetings of the Group are applied on a national basis. Also all participants agree they will be more effective if similar measures are introduced by all potential exporters of relevant chemicals, biological agents, and equipment and by countries of possible transshipment. As to the nature of the export licensing measures taken by participating countries, important considerations are 1) the

measures should be effective in impeding the production of chemical and biological weapons; 2) they should be reasonably easy and economical to implement, and practical; and 3) they should not impede the normal trade of materials and equipment used for legitimate purposes. In practice, they constitute monitoring and licensing control arrangements for exports: an export is denied only if there is particular concern about potential diversion for CBW purposes.

**Regime Procedures:** The AG mechanisms include national control laws and procedures; Common Control Lists (precursors, equipment, agents, and organisms); guidelines for the industry to assist in identifying potential CW equipment transactions; and information-sharing among members when suspicious inquiries are received, cases are denied, or information suggests possible international procurement for untoward purposes.

In 1989, 50 dual-use chemicals appeared on the AG “warning list” with a suggestion that AG members place controls on them. In 1991, the AG agreed on additional control lists of equipment related to the manufacture of CW precursors; and biological organisms and equipment. AG members agreed to control all 50 (currently 63) precursor chemicals on a worldwide basis. The AG then considered imposing controls on BW-related dual-use equipment and microorganisms having BW applications. At the May 1991 meeting, Group members developed a dual-use CBW equipment list, which was adopted during the December 1991 meeting.

Since the conclusion of the CWC in 1992, meetings of the Group have focused closely on the interaction between Group controls and the nonproliferation and trade encouragement measures, which came into operation when the CWC entered into force.

**Verification and Compliance:** Participants in the AG do not undertake any legally binding obligations. The effectiveness of the cooperation between participants depends solely on their commitment to CBW nonproliferation goals and the effectiveness of the measures they each implement on a national basis. Key considerations governing these national measures by AG participants are that: 1) the measures should be effective in impeding the production of chemical and biological weapons; 2) they should be reasonably easy to implement, and should be practical; and 3) they should not impede the normal trade of materials and equipment used for legitimate purposes.

Compliance with this regime is reinforced by membership of all AG States to the Chemical Weapons

Convention (CWC) and the Biological and Toxin Weapons Convention (BTWC). The group has met privately since 1984 to exchange intelligence information and coordinate export controls for chemical and biological agents and related equipment to countries outside the group.

### Developments:

**2009:** From 20-25 September 2009, representatives of 40 countries and the European Commission participated in the 24<sup>th</sup> Annual Plenary in Paris, France. The meeting was co-hosted by Australia and France. During the meeting, multiple changes were proposed to the chemical and biological control lists. Particular focus was placed on the field of synthetic biology. The Group also agreed to prepare a new outreach publication to enhance cooperative measures dealing with intangible transfers of technology.

During the meeting, all Member States reaffirmed their commitment to stopping the proliferation of all forms of weapons of mass destruction and their means of delivery. Member States also committed to ensuring that nonproliferation export controls do not hinder legitimate trade and technical exchange in the chemical and biological sectors. No new members were admitted into the Group in 2009, though several countries expressed interest. The plenary approved further engagement with these countries.

**2008:** Representatives of 40 countries and the European Commission took part in the 23<sup>rd</sup> Annual Plenary held in Paris from 14 to 18 April, 2008. Members shared information on proliferation attempts by states of concern and non-state actors, and discussed detection of such attempts and counter-measures, including enhancement and coordination of licensing and customs controls.

No new members were added at the time. The Group continued to enhance cooperative measures to deal with Intangible Technology Transfers (ITT), an area of increasing priority in the defense against the proliferation of chemical and biological weapons capabilities. The AG’s control lists continue to be an international benchmark for best practice controls on chemical and biological agents and equipment, and are increasingly used as a guide for international action in this area, including in the support and application of relevant UN Security Council resolutions.

Members agreed to form a synthetic biology advisory body as a means of ensuring the Group is kept ab-

reast of, and can respond quickly and appropriately to, technological developments in this area. Several changes were proposed to the Group's chemical and biological control lists, and were adopted or referred for further consideration as appropriate.

The Australia Group plenary reviewed its outreach efforts and priorities, and agreed to continue an active outreach program in 2008-09. Informative and cooperative outreach to domestic industry and academic sectors was emphasized as a continuing priority for Australia Group members.

In April, the Australia Group released its Biological Equipment, Chemical Equipment and Animal Pathogens updates on their website. In May, the Australia group listed its membership application guidelines online.

**2007:** The 22<sup>nd</sup> Annual Plenary of the Australia Group took place in Paris June 4-7. The Australia Group welcomed Croatia as its newest member. Besides sharing information on proliferation attempts that had been detected during the past year, the participants considered the inclusion on the AG control lists of several new biological agents and chemicals. It agreed to amend its animal pathogens list to clarify the coverage of controls on *Mycoplasma mycoides* and to pay particular attention to synthetic biological agents with a view to formulating an appropriate response.

The AG furthermore agreed that participants should consider, where appropriate, the activities of brokers and intermediaries when determining whether an export license should be granted and adopted enhanced measures to deal with intangible technology transfers (ITT).

It agreed to continue its active outreach program to non-members and other international bodies in 2007-08 to further increase acceptance of its controls and practices.

The AG also decided to revamp its public [website](#) to make it more accessible and user-friendly, and adopted a new design for a promotional brochure ("[Australia Group Booklet](#)").

**2006:** The 21<sup>st</sup> annual plenary of the Australia Group was held in Paris from 12 – 15 June.

The participants shared information on the development and spread of new technologies posing proliferation threats. Niobium was identified as a possible

element in the development of chemical weapons and it was agreed to place controls on it. Thus, niobium and several other biological agents, which are capable of being used to produce biological weapons were added to the AG control lists. The importance of tighter controls of exports to distributors was emphasized as imperative to prevent proliferation especially by terrorists. The possibility of 'labeling' controlled equipment was brought up as a means to control trade in second-hand equipment.

The Group welcomed the availability of the [AG website](#) in the official UN languages and agreed to expand information on controlled items contained in order to increase its usefulness as a reference tool for enforcement officers. It was also agreed to further develop the Australia Group Information System to facilitate secure electronic information sharing. Furthermore, the challenge of controlling technical information relevant to the production of chemical and biological weapons without repressing legitimate scientific research was acknowledged by the members. The members reiterated their commitment to ensure that non-proliferation export controls did not hinder legitimate trade and technical cooperation in the chemical and biological sectors.

**2005:** The 20<sup>th</sup> annual plenary of the Australia Group took place 18-21 April, 2005, in Sydney, Australia. The meeting welcomed Ukraine as its 39<sup>th</sup> member.

Voicing concern on terrorists' interests in dispersal devices, participants agreed to add "the most threatening aerosol sprayers" to the control list for biological equipment. Members also agreed to review recommendations for the addition of 25 more substances to the control list of biological agents.

In the interest of increasing the effectiveness of communication and information dispersal within the group, the participants agreed on the creation of the Australia Group Information System, a secure electronic communication tool.

The Group also agreed to review countries' individual brokering controls with the aim of developing best practice guidelines. Tighter controls on brokering and other intermediary activities will help to prevent procurement activities.

Participants also voiced an interest in expanding their outreach activities with a "more practical focus." They discussed combating terrorism through more effective awareness campaigns and stricter controls on sources, control of brokering and other activities

by intermediary agents, and examination of emerging technologies that could present a future chemical or biological threat.

The group was pleased to note that Israel recently announced its intention to adhere to the group's guidelines. The Australia Group encourages broader adherence to its measures outside its membership and offers to assist countries to meet both their individual export safety goals and obligations to establish effective export controls as presented by UN Security Council Resolution 1540.

**2004:** The Australia Group's annual plenary meeting convened in Paris from 7-10 June with the goal of strengthening "participating countries' export control measures for preventing the production and spread of chemical and biological weapons." Among those participating were representatives of the organization's new member States: Estonia, Latvia, Lithuania, Malta and Slovenia. The participating States addressed the "growing acceptance" of Australia Group controls as "international benchmarks" for global standards regarding the export of chemical and biological weapons, particularly in light of recent revelations regarding the proliferation of weapons of mass destruction, such as Libya's recent decision to dismantle its chemical weapons program.

The Group decided to place five additional plant pathogens that could potentially be used for chemical or biological weapons programs on its list of common controls. These common controls include a variety of plant and animal pathogens and biological agents as well as chemical weapons precursors, dual-use biological equipment and dual-use chemical manufacturing facilities and equipment. They also agreed to expand medical exemptions for one controlled toxin. Among other additions to the list of controls that were considered, but that have not yet been agreed upon, were airborne spraying and fogging systems able to disperse biological agents in aerosol form. Group members also discussed the status of procurement activities, and agreed to take into consideration the issue of brokering controls, which they believe might prove essential "in curtailing the activities of intermediaries and front companies." In addition, they approved strategies for regional training and assistance to non-member supplier and transshipping States in improving their export controls. Other topics discussed included information sharing and possible procedures for better enforcement of export controls.

**2003:** The Australia Group held its plenary meeting from the 2-5 June in Paris, primarily focusing on adding the number of human pathogens to the Biological Control List in order to help both members and non-members decrease the danger of chemical and biological weapons. During the meeting the group added 14 human pathogens to the list including, two toxin-producing strains of bacteria, six bio-safety level (BSL)-4 viruses, and six BSL-3 viruses, all of which are considered to be "potentially lethal biological weapons." Several strains of "Hantavirus," which caused a 1993 outbreak in the Four Corners region (the borders of Utah, Colorado, Arizona, and New Mexico), killing more than half of the 48 people, along with "Escherichia coli" a strain, which caused a 1993 outbreak in a restaurant in western United States and in the United Kingdom. .

In addition to enlarging the Biological Control List, the group also agreed to increase transparency and information sharing and to approve a practical guide to help ensure compliance with the group's export controls. The text of this guide was circulated in advance of the plenary meeting, with an invitation for comments and contributions. A consolidated text was endorsed by the Member States, with the United Kingdom undertaking to produce it as a CD-ROM for distribution to enforcement officers in the future. The guide is intended for Australia Group officials use only and will be revised on an annual basis. The member states agreed to a cooperative program of action to engage countries in the Asia-Pacific region on chemical and biological weapons-related export control issues.

**2002:** At its annual meeting in Paris from 3-6 June, the AG agreed to adopt tougher export controls aimed at preventing the spread of CBW, including to terrorist groups. The 33 participating countries agreed to adopt formal guidelines governing the licensing of sensitive chemical and biological items; include a "catch-all" provision in the AG's guidelines; apply more rigorous controls to the export of fermenters, lowering the volume threshold from 100 liters to 20 liters; add eight new toxins to the Group's biological control list, raising to 19 the total number of controlled toxins; control technology associated with dual-use biological equipment that could be used to manufacture biological weapons; and control, for the first time, the intangible transfer of information and knowledge that could be used for CBW purposes.

The Group also agreed to additional measures to promote awareness of the threat of CBW proliferation through the publication of a booklet, "Fighting the spread of chemical and biological weapons:

Strengthening global security.” Members renewed their commitment to fair and transparent trade in chemical and biological materials for peaceful purposes. They agreed that the non-discriminatory application of national export licensing measures would allow lawful trade to expand without being restricted by the fear of proliferation.

**2001:** At its annual meeting in Paris from 1-4 October, the AG was joined by a new Member State, Bulgaria. Members re-affirmed their commitment to strengthening national efforts to prevent the spread of CBW.

Participants condemned the terrorist attacks in the United States on 11 September and expressed the resolve of their governments to prevent CBW proliferation by State or non-State actors. Recalling that terrorist groups have used or attempted to use chemical and biological agents, AG members agreed that the AG has an important role to play in reducing the threat of CBW terrorist attacks. Also, in light of technological developments since its last meeting, the Group updated the Common Control Lists. In addition, they welcomed the establishment of the AG website and agreed to continue promoting greater public awareness and understanding of the Group's activities in the lead-up to its next meeting in June 2002.

**2000:** During the 2-5 October meeting, the AG was joined by two new members, Cyprus and Turkey. The Group reiterated that effective export licensing at the national level was critical in achieving the elimination of CBW and ensuring peaceful uses of chemical and biological technology. It recognized that the technical environment for combating CBW had changed and introduced some adjustments to the common lists. Participants undertook to ensure that their respective national stances on transfers of chemical mixtures were brought into line with the recent decisions of the Organization for the Prohibition of Chemical Weapons (OPCW). The Group recognized the importance of transparency in its operations.

**1999:** At their 4-8 October meeting, AG members reaffirmed that their national chemical and biological export licensing measures were directed at CBW nonproliferation, and were designed not to hamper legitimate trade. They also endorsed individual members' actions in hosting regional seminars aimed at encouraging countries not participating in the Group to consider implementing similar measures to prevent CBW proliferation.

**1998:** The AG met from 9-15 October. The members reaffirmed the importance of the implementation of

national measures as a way to meet their obligations under the CWC and BTWC, and agreed to keep national legislation under review. They also emphasized the important role of seminars for countries not participating in the Group.

**1997:** The AG's 1997 meeting was held from 6-9 October. Participants continued to review national export licensing policies, reaffirmed their commitments to the CWC, and welcomed the progress of efforts to strengthen the BTWC in the negotiations taking place in the Ad Hoc Group of BTWC States Parties in Geneva. Participants also agreed to continue contacts with countries not participating, and in this context, endorsed the importance of regional seminars as valuable means of widening contacts with other countries. They welcomed the Asian regional seminar on export controls held in Tokyo in January 1997 and the regional CBW export control seminar for countries of Central and Eastern Europe and the Commonwealth of Independent States held in October 1996.

**1996:** The AG met from October 14-17 to discuss the continuing problem of CBW proliferation. The participants reiterated their strong belief that full adherence to the CWC and to the BTWC was the best way to eliminate these types of weapons. In this context, the maintenance of effective export controls will remain an essential practical means of fulfilling obligations under the CWC and the BTWC. South Korea took part for the first time in the AG consultations. Experts from participating countries discussed national export licensing systems aimed at preventing inadvertent assistance to the production of CBW. They agreed to continue working to focus these national measures efficiently and solely on preventing any contribution to CBW programs, and also agreed to continue a wide range of contacts as well as briefings for countries not participating in the Paris consultations of the AG. The statement noted that 24 of the 30 countries participating in the AG had already ratified the CWC, and reaffirmed participants' prior declarations of intent to become original parties.

**1995:** At the October 16-19 meeting the AG agreed to several amendments to the lists of biological weapons-relevant materials and equipment, taking into account developments that occurred since these lists were last reviewed, including revelations concerning the Iraqi BW program. The participants also exchanged views on their national approaches to ensure that all relevant regulations promoted the object and purpose of the CWC and to ensure they would be fully consistent with it upon its entry into force. They expressed the view that the lessons derived from

practical experience in export licensing would assist individual countries in their preparations for national implementation of their principle obligations under the CWC while ensuring that they would not restrict or impede trade and other exchanges not prohibited by the convention. Participants also considered how best to contribute to international dialogue on the need for and role of national measures focused on preventing assistance to CBW production in line with the international bans on these weapons. They agreed to continue with a wide range of contacts, including an active program of briefings for countries not participating in the talks, and to promote regional consultations to further awareness and understanding of national policies in this area. The meeting also discussed the terrorist use of CBW, noting that recent developments had heightened concerns about such risks.

**1994:** At the May meeting, the Group's discussions centered on their increased focus on activities in support of the entry into force of the CWC. A group of technical experts considered the interaction between the AG's list of chemicals, the export of which should be monitored, and the CWC chemical schedules. All AG members agreed to review their export licensing procedures to ensure consistency with the CWC. The AG finalized a common approach to licensing of chemical mixtures and agreed on the need for a more active dialogue with non-members on the role of export licensing measures in preventing the proliferation of chemical and biological weapons. At this session, the Czech Republic was admitted to the Group.

**1993:** The June 1993 meeting, held at the Australian Embassy in Paris, focused primarily on technical aspects of the AG's work, and considered how to make this work better known and understood among countries not participating in the Group. Consolidation of the Group's common export control lists was achieved as a result of three subsidiary experts' meetings, which covered BW issues, CW dual-use equipment, and CW precursor chemicals. The consolidation of the Group's export control lists resulted in agreement on a comprehensive range of key materials (54 chemicals, agents and toxins, dual-use equipment), which could be used in CBW programs.

At the 29 November to 1 December meeting of the Group in Paris, participating countries discussed national export licensing systems aimed at preventing any inadvertent assistance to the production of CBW. They agreed to continue working to focus national measures efficiently and exclusively on preventing association with CBW programs and agreed to con-

tinue with a wide range of contacts, including an active program of detailed bilateral briefings for non-participating countries.

**1992:** At the June AG meeting, the Group expanded precursor controls to 54, made a CBW-related BW list of human, plant, and animal pathogens to be placed under export control, and established a warning mechanism on microorganisms and toxins that could be used in a BW program.

Argentina and Hungary were invited to attend the 7-10 December meeting as new members. The AG released a press release on its activities, agreed on the continuing role of the AG in support of the CWC and BWC, and agreed on measures to control the export of biological agents and equipment that could be used in a BW program.

**1991:** During the AG meeting in May, members reached a consensus to control 50 CW precursors, developed a draft of the CW equipment list, adopted a press release, established technical working groups, and recommended Sweden for membership.

At the December meeting, Sweden and Finland attended as members. The AG established working groups on equipment, BW, customs/licensing, and precursors. Export controls were established for CBW-related equipment, microorganisms, toxins, and one item of BW-related equipment. A warning mechanism was placed on potential uses of various chemicals in CW programs and on microorganisms and toxins that could be used in a BW program.

**1990:** At the June meeting, the AG added #15 to the core list, increasing the list to 10 core chemicals. There was inter-sessional consideration of chemicals #11, 12, and 29. The Group also adopted BW guidelines, proposed a Soviet and Eastern European seminar, and heard a US proposal to share information on chemical license approvals.

At the December meeting, the AG added #11, 12, and 29 to the core list, increasing the total to 13 chemicals. The Soviet and Eastern European seminar was held after the AG meeting in London and customs enforcement exchanges began.

**1989:** At the May meeting, the AG adopted the US proposal for notifications of denials. In addition, six chemicals were added to the warning list, making it a list of 50 chemicals. Japan imposed controls on the 50 chemicals, and Austria requested membership.

During the July meeting, the AG documentation system was instituted and biannual meetings were proposed.

Austria attended the December meeting as a new member. The AG adopted a CW equipment warning List, heard a US proposal on harmonization with emerging suppliers, and put BW on the agenda for information and policy exchange.

**1988:** During the April meeting, the AG discussed the CW equipment warning list.

At the December meeting, thionylchloride was added to the core list, increasing the list to nine chemicals. Four chemicals were added to the warning list (for a total of 44 chemicals).

**1987:** At the September meeting, the AG increased the core list to a total of eight chemicals.

**1986.** In May the AG adopted the warning list of 35 chemicals.

**1985:** At the first AG meeting in June, the Group adopted a core list of five chemicals. During the September meeting, the AG developed a “warning list” of dual-use CW precursors and bulk chemicals.

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