



HARVARD UNIVERSITY

Export Controls Guidance Statement: Online Education and Iran, Cuba, Sudan and Crimean Sanctions

In light of COVID-19 and the move to remote learning, we are re-circulating University guidance with respect to providing on-line courses to learners in sanctioned countries. As you may recall, Iran, Cuba, Sudan, the Crimea Region of the Ukraine and North Korea have been subject to comprehensive sanctions, which have placed restrictions on the provision of on-line education. Harvard has previously applied for specific licenses where necessary to allow for the provision of on-line courses to learners from Iran, Cuba, Sudan and the Crimea Region of the Ukraine. Currently, Harvard is also seeking authorization to cover all potential learners who, as a result of the pandemic and state and national restrictions on convenings, must now participate in formerly in-person courses remotely.

Iran:

Although the 2016 nuclear deal did not afford much sanctions relief, the U.S. government previously issued a general license that permits certain courses to be taught to learners in Iran or ordinarily resident in Iran. ***If your classes fall within the parameters of the general license, described below, you do not need special permission from the U.S. government to provide those classes.***

Pursuant to Iran's [General License G](#), Harvard faculty may:

- Permit learners in Iran or ordinarily resident in Iran to register for and participate in online courses (including Massive Open Online Courses, coursework not part of a degree-seeking program, and fee-based courses) that are **equivalent to undergraduate level** courses, including introductory-level science, technology, engineering, or math (STEM) courses.
- Provide not-for-profit educational services to such learners in the areas of combating illiteracy, increasing access to education, and assisting in educational reform projects in Iran.
- Receive payments **in cash** or from **non-Iranian banks** for authorized activities, including the provision of the course, and to issue certificates of completion.

Cuba:

Harvard previously applied for, and received, a specific license to provide online courses to learners in Cuba or ordinarily resident there. In 2016, before Harvard's specific license was set to expire, the U.S. government amended the general license for Cuba. ***If your classes fall***

within the parameters of the general license, described below, you do not need special permission from the U.S. government to provide those classes.

Pursuant to Cuba's General License, Harvard faculty may:

- Permit learners in Cuba or ordinarily resident in Cuba register for and participate in online courses **at the undergraduate level or below**.
- Receive payments for authorized activities, including the provision of the courses.

Sudan:

Harvard previously applied for, and received, a specific license to provide online courses to learners in Sudan or ordinarily resident there. In January of 2017, prior to the expiration of Harvard's specific license, the U.S. Government amended the Sudan Sanctions Regulations ("SSR") to issue a General License authorizing activities such as the provision of online educational services. Thus, Harvard faculty may now provide such courses to learners in Sudan or ordinarily resident in Sudan without securing special permission from the U.S. Government to do so.¹

Crimea Region of Ukraine:

Harvard applied for, and received, a specific license that would allow us to provide courses to learners in or ordinarily resident in the Crimea region of Ukraine. This license expired in 2018, but the University has a pending application to renew this authorization. ***If your classes fall within the parameters of the specific license, described below, you do not need special permission from the U.S. government to provide those classes.***

Specific License for Crimea Region of Ukraine (valid through September 30, 2018).

Harvard faculty may:

- Permit students in the Crimea Region of Ukraine or ordinarily resident there to register for and participate in online courses (including MOOCs) that are:
 - the equivalent of required courses for the completion of a humanities, social sciences, law, or business degree program, and/or **introductory level STEM-related science and math courses**², or

¹ This amendment does not authorize transactions that are prohibited under the Darfur Sanctions Regulations, 31 C.F.R. part 546, or the South Sudan Sanctions Regulations, 31 C.F.R. part 558.

² The provision of upper-level undergraduate and graduate math, science and engineering courses is not authorized by this license.

- the equivalent of required courses for the completion of a humanities, social sciences, law, or business degree program and are math-related accounting or economics classes at any undergraduate level.
- Receive payments for authorized activities, including the provision of the course, and to issue certificates of completion. (Any transfer of funds through the U.S. financial system should reference License No. UKRAINE-E013685-2015-320004-1 to avoid blocking or rejection of the transfer of funds.)

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General Recommendations:

In light of General License G and the general and specific licenses outlined above, we recommend the following for all online courses:

- Ensuring that there is an undergraduate-level course that is comparable to the online course you are offering.
- Monitoring payments carefully, to ensure they are not being processed through Iranian banks.
- Beware of Zoom bombers (uninvited and non-registered on-line course participants) and implement [Zoom security measures](#).
- Checking the names of learners against the list of Specially Designated Nationals, which is a lengthy list of individuals and entities designated by the government with whom we are not to have any dealings.
- Consulting with your [School's Export Control Officer](#) and/or OVPR when in doubt as to whether:
 - The subject-matter of an online course qualifies as a course that may be provided to the learners of countries outlined above (Keeping in mind that graduate-level science, math and engineering courses are not authorized by the specific or general licenses referenced above).
 - A learner in Sudan or ordinarily resident in Sudan is restricted pursuant to the Darfur or Sudan Sanctions Regulations, which remain in place.