

Dealing with Risks in International Research Cooperation

Recommendations from the Deutsche Forschungsgemeinschaft

September 2023



1. Introduction

International scientific cooperation is a key principle of research. Political developments in various countries, however, force us to consider not only the value of international research cooperation, but also the risks associated with it. Research findings, but also data, contacts, experience and skills generated in the research process can be abused for purposes that are in conflict with constitutionally protected core values. Particular thought must be given to cooperation with researchers in countries where misuse of scientific results is a realistic possibility¹. Here, the risk of abuse must be taken seriously and carefully weighed against the benefits of cooperation, so that informed trade-off decisions can be made.

With the following recommendations, the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) aspires to exemplify a research culture that is capable of reacting flexibly to geopolitical challenges. The DFG encourages researchers and institutions to take a considered approach to the risks involved in research (particularly with respect to recruiting personnel and selecting cooperation partners from abroad). Researchers' and institutions' due diligence must extend beyond legally binding foreign trade regulations and aim to provide clarity and safety for all persons and institutions involved in international research collaboration.

¹ Indications of the possibility of such misuse in these countries can for instance be derived from information issued by the Federal Foreign Office or reports released by the German domestic intelligence services, from national and international regulations and agreements, and from detailed guidelines relating to export restrictions.

With regard to challenges in the context of security-relevant research (dual-use), a joint scientific commission appointed by the DFG and Leopoldina has previously published recommendations² that also address the international dimension of research. In line with the DFG “Guidelines for Safeguarding Good Research Practice”³, the recommendations particularly emphasise the ethical responsibility of individual researchers who can and must use their knowledge and experience to make personal decisions about justifiable courses of conduct, and their limits.

These recommendations, which are supported by the science community, are taken as a starting point and extended with DFG’s international funding activities in mind. The extended guidelines aim to cover additional risks and enable researchers to take meaningful steps towards a responsible and comprehensive assessment of risks and benefits.

The recommendations are primarily intended to assist applicants and research institutes. But they can also be drawn on in the review and decision-making process. In the latter context, the aim is to assess the plausibility of the applicant’s risk-assessment and proposed measures in dealing with identified risks as laid down in the proposal. While cooperative ventures should generally be pursued if the risks identified are handled responsibly, it may be appropriate in individual cases to refrain from cooperating with certain individuals or institutions, from implementing certain projects, or from funding them. In general, the responsibility to shape the framework conditions of research lies with the higher education institutions and non-university research institutes. In addition to assistance with legal compliance, for instance regarding regulations on technology and knowledge export (for example in the context of the Foreign Trade and Payments Act, the Foreign Trade and Payments Ordinance, the EU Dual-Use Regulation)⁴, this also includes ongoing support via the Committees for Ethics in Security-Relevant Research (Kommissionen für Ethik sicherheitsrelevanter Forschung, KEF).

² The German National Academy of Sciences Leopoldina and the Deutsche Forschungsgemeinschaft (2022): *Wissenschaftsfreiheit und Wissenschaftsverantwortung – Empfehlungen zum Umgang mit sicherheitsrelevanter Forschung (Scientific Freedom and Scientific Responsibility - Recommendations for Handling Security-Relevant Research)*, Second updated edition, Halle (Saale); www.dfg.de/foerderung/grundlagen_rahmenbedingungen/sicherheitsrelevante_forschung.

³ Deutsche Forschungsgemeinschaft (2019): *Guidelines for Safeguarding Good Research Practice. DFG Code*, Bonn; www.dfg.de/download/pdf/foerderung/rechtliche_rahmenbedingungen/gute_wissenschaftliche_praxis/kodex_gwp.pdf.

⁴ See also: Federal Office for Economic Affairs and Export Control (Bundesamt für Wirtschaft und Ausfuhrkontrolle – BAFA, 2022): *Export Control and Academia Manual*, Eschborn; www.bafa.de/SharedDocs/Downloads/DE/Aussenwirtschaft/afk_aca_broschuere_handbuch.html?nn=1466914.

The DFG view is that informed case-by-case assessment is essential due to the complexity of science and its interactions with other sectors of society. While refraining from drawing general “red lines” with regard to specific countries, partner institutions or research topics, the following recommendations are intended to provide assistance in this regard.

2. Assessment of risks and benefits

Individual and institutional applicants have a particular responsibility when it comes to dealing with risks in projects involving international cooperation. They should therefore not focus exclusively on the adherence to legal regulations. Rather, the expectation is to form a comprehensive view of the potential risks inherent in the project, including with respect to international partners, and to balance these against the anticipated benefits of the planned research cooperation.

At the core of the latter is the expected knowledge to be gained from the project. Here, the question should be addressed whether there are alternative ways to achieve the anticipated knowledge gain. In some cases, the only way to access certain required types of expertise, data or technologies is by means of a specific international collaboration. This could, on reflection of all relevant factors, constitute a compelling reason for implementing a cooperation project despite the risks that have been identified. Conversely, the risk assessment may prompt significant adjustments to the project, for instance a change of cooperation partners. Ultimately, it could even call for abandoning the project.

The assessment should also consider any positive side effects of the international research collaboration. This may include bilateral exchange among individuals, maintaining cooperative relationships to address global challenges or creating pathways through which democratic and liberal discourses can be strengthened and individuals supported even in difficult political contexts. The assessment can also consider risks that arise when important research is *not* undertaken.

Applicants are requested to present this risk assessment in their funding proposals to the DFG as part of the accompanying information under the heading “Explanations regarding any possible safety-related aspects”. The aim is to demonstrate the project’s tenability in the face of even the mere semblance of a risk. The more serious a project’s risks, the more important it is for the proposal to address them in a comprehensive way. Conversely, if it is evident that there are no discernible risks of the kind outlined here, a brief explanation in the proposal is sufficient.

The matter also concerns reviewers, review boards and decision-making bodies. Within the scope of their expertise, reviewers contribute to an independent examination and plausibility check of the applicant's risk-assessment. After assessment of the matter by the DFG review boards, the final decision is reached by the DFG Joint Committee, or by the respective grant committee appointed by it. The decision-making body must be convinced of the project's justifiability prior to a funding decision. Its final decision must also take into account the constitutionally protected principle of academic freedom, which in addition to the free choice of research subject also safeguards the free choice of cooperation partner.

The DFG Head Office is available to provide information and answer questions from applicants, reviewers, and committee members.

It is also important from an overall perspective that reflection on the risks associated with international cooperation does not end once the proposal is submitted, but remains a continuous task in the management of research projects – not least because the underlying political conditions in partner countries can change over time, requiring a reassessment.

3. Recommended aspects for assessment and reflection

Recognised risks do not automatically mean that a project should not be implemented or funded. Rather, the intended outcome of the recommended assessment and reflection steps is an overview of the risks. Conclusions about the justifiability of implementing or funding a project can only be drawn having such an overview.

The DFG is aware that in certain cases, some of the questions listed here cannot be answered, or can only be answered with considerable effort, sometimes due to secrecy policies or lack of transparency. The DFG therefore considers it particularly important to give careful thought to the questions and be transparent about uncertainties and limits of the possibilities of gathering relevant information.

Taking the matter of dual-use research as its starting point, the following – not exhaustive – list suggests specific aspects for assessment and reflection. The collection of these considerations is not static, but should be continually evolving.

Research subject

- ▶ Are there dependencies on the partner country in the field of research in question, and if so, what are they? Are there any alternative cooperation partners?
- ▶ Is it possible for the results obtained or the knowledge generated to be misused by third parties?
- ▶ Are there objectives beyond the project that the partner or partners will pursue? For what purposes could the results potentially be used?

Research conditions

- ▶ Does the partner institution conduct research for military or comparable purposes?
- ▶ Given the political constitution of the cooperation country, is it conceivable or probable that there is systematic interception of research data or experience?
- ▶ Are there circumstances preventing the conclusion of a written agreement regarding the rights and obligations of the project participants and implementation of the joint project?
- ▶ Are there reasons to assume that a written agreement would have no legal effect?
- ▶ Is it possible that there are restrictions relating to freedom of research, for example with regard to the publication of project results?

4. Concluding remarks

The assessment and reflection approach recommended in this statement represents a necessary, but in some cases also considerable demand on researchers – regardless of whether they are involved in the DFG context as applicants, reviewers or committee members. The scientific communities should, for this reason, engage in steady dialogue about risks and benefits, and also seek the cooperation of relevant committees and commissioners which are already established at many research institutions. The latter have experience with the ethical and legal assessment of security-relevant research and can advise researchers as necessary.

Dealing with risks responsibly involves recognition of the complexity of the world of research, as well as the world beyond research.

Managing the risks of international research cooperation in a transparent and responsible manner provides a long-term basis for continued trust in science in the spheres of politics and society. For this reason, it also contributes to securing the continued freedom of research in Germany.