

Version history

- 0.1 First draft, partially based on existing documents.
- 0.2 Second draft, including remarks made by several deans, members of ACSC, strategic dean of impact, IDEA, scholars from different faculties.
- 1.0 Version amended and accorded by the Executive Board of EUR, 11-06-2024.

Framework Advisory Committee Sensitive Collaborations Version 1.0

Introduction

As an impact-driven civic university, Erasmus University Rotterdam (EUR) habitually engages with societal partners and is a party to agreements and contracts, both nationally and internationally. In a substantial number of cases, these collaborations take place in a context of sensitive debates and conflicts or circumstances where human rights are under pressure. This raises a series of issues to consider.

- The fundamental attitude of the university is to welcome collaboration, even in complicated contexts, because of the value of academic freedom and soft diplomacy.
- Given the risks for national security, ongoing evaluation of knowledge security by universities is required explicitly by the Ministry of Education, Culture and Science has placed on the universities.
- In view of increasing awareness of the use by states and non-state actors of academic knowledge in ways that infringe upon fundamental human rights, there is a need for an ethical test of partnerships (e.g., ‘dual use’ assessment).
- Conversely, collaboration may take place in very complex circumstances, where the ethical and methodological conditions for responsible education and research may not be met, while at the same time the academic work may be of great importance for vulnerable groups in that context (e.g., applied and socially relevant research).
- Geopolitical tensions can lead to decisions and measures by countries and multilateral organizations (including full or partial sanctions) that also have consequences for the university (e.g., UN resolutions or ICJ rulings).
- Partly due to strongly polarizing and volatile public opinions, cooperation with partners on controversial themes and/or in sensitive contexts can also have important consequences for EUR's reputation (e.g., fossil fuel debates), which evokes critical reflection on the desirability of such cooperation.

In all this, the university and individual academics will need to assess these partnerships in a comprehensive manner, including at least issues of human rights, ethics, (knowledge) security, and reputation. This is not just a matter of risk management, but also of responsible science, “recognizing its benefits and possible harms” (Statute of the *International Science Council*). To facilitate this assessment, the Executive Board of EUR establishes the Advisory Committee Sensitive Collaborations (ACSC). The crucial question for this assessment is not whether (intended) partners fully share the values, principles and other elements of EUR policies and the assessment framework, but whether EUR scholars and the university as a whole can remain true to these values and policies when engaging in these partnerships. The issue at stake is whether the institutional values and integrity may be compromised through collaboration with partners.

The purpose of establishing this committee is to develop a policy and institutional mechanism for EUR through which these risks can be identified and responded to, across a range of EUR institutional activities, so that, in as much as is reasonably possible, EUR activities are undertaken in a way that protects and promotes human rights and university's Erasmian values. In accordance with the precautionary principle, the EUR community is expected to be aware of potential threats or risks to their collaborations and seek guidance and clarity before proceeding. For serious risks as stipulated in this framework, the committee will be tasked with providing that guidance.

Task

The task of the committee is to assess existing and intended collaborations with partners in sensitive contexts or on sensitive issues and to advise whether and under which conditions these collaborations can be started or continued, suspended or terminated, considering

- academic relevance
- risks and benefits for vulnerable populations and environments
- pertinent legal and human rights frameworks
- knowledge security (including dual use potential), and
- EUR's mission and identity as a responsible civic university including the Erasmian values

Demarcation of mandate

The committee will be called upon to assess collaboration with partners deemed sensitive because they

- engage countries subject to national or international restrictions, or
- are potentially linked to human rights violations, or
- concern controversial societal topics, or
- may jeopardize EUR core values.

In this procedure 'collaboration' is meant to include long term and one-off cooperations for the purposes of research, education, exchange activities, consultancy, or societal engagement with institutional or societal partners (including governments, business, and multi-partner consortia). The provision of goods and services can also be the object of advice. Under circumstances, it may also include research and engagement activities without external partners, or public positions taken by the university concerning topics relating to human rights, if the sensitivity of the context or topic by definition affects the relationship between EUR and its own societal relations. Depending on the scope of collaborations and other factors, the advice of the committee may concern one faculty or other unit within the university (including the EUR holding), or the entire university.

Unless otherwise stipulated in this document, the committee will operate independently and transparently. The committee is positioned as an advisory committee to the Executive Board and the College of Deans. It will report transparently to the EUR community.

Procedure

1. The committee offers advice on specific collaborations or on sensitive contexts and topics when requested by the Executive Board or a Faculty Dean.
2. The committee can offer unrequested advice on sensitive contexts and topics (possibly suggested by relevant entities ¹ or representatives of students and staff within the university) after consultation with the Executive Board. For this purpose, the committee actively monitors global developments.

When the committee starts an advice process, the following procedure will apply:

Phase 1

1. The requestor for the advice (or the committee itself in the case of unrequested advice) provides a document with terms of reference including
 - a. The partners in the (intended) collaboration,
 - b. The nature and history of the (intended) collaboration, its academic relevance, and (where relevant) the legal implications of changing existing collaboration.
 - c. The reasons to execute a comprehensive assessment, and
 - d. The elements to be included in the assessment, such as risks and benefits for vulnerable populations and environments, pertinent legal and human rights frameworks, knowledge security, and EUR's reputation as a responsible civic university.
2. The committee consults where appropriate with relevant entities within EUR, and – in case the request is made by a Dean – with the Executive Board.
3. The committee appoints up to two additional (ad hoc) members with relevant expertise on the context or topic that is not covered in the committee.
4. The committee amends the request when needed, based on a preliminary assessment, after consultation with the requestor.
5. Unless compelling reasons dictate otherwise, the committee publishes the request for advice and the composition of the committee on its webpage.

Phase 2

6. The committee collects relevant information and insights, which – dependent on the case – could be obtained from authoritative sources such as:
 - a. Knowledge Security and integrity platforms and partners (including the Ministry of Education, UNESCO, etc),
 - b. The ministry of Foreign Affairs or specific embassies,
 - c. National and international court rulings,
 - d. NGOs active in the specific context and on the specific topic,
 - e. Staff and students with backgrounds in the specific context or on the specific topic,
 - f. Academic publications and relevant reports, and
 - g. Media coverage.

¹ Relevant entities include for example the strategic advisor integral security, the program manager knowledge security, the committee of academic integrity (CWI), the department of marketing and communication, the chief diversity officer, the international office, the strategic dean for impact and engagement), policy advisors internationalization and research of the executive board, the chief information and security officer, the University or Faculty Councils.

7. The committee can
 - a. hear the academics involved in the request to understand their perspectives and avail of their insights,
 - b. engage in public or private conversations with staff and students who wish to share pertinent viewpoints with the committee,
 - c. consult other experts to gain additional insight,
 - d. consult relevant entities (see footnote 1) within EUR.
8. The committee assesses whether and under which conditions collaboration is possible, taking into account
 - a. the intended partner's track record of actions in the matter at hand and in respecting human rights more generally
 - b. the intended partner's formal and informal policies and viewpoints on the matter
 - c. the intended partner's interwovenness with or state of influence by contested state powers and other entities in such a way that collaboration with that partner becomes a proxy for collaboration with those state powers or entities
 - d. In case no external partner is specified, the committee will assess whether independent research, education or engagement is possible in the specific context, complying with the framework
9. The framework for the assessment will first consist of binding regulations and standing policies such as
 - a. applicable laws and governance frameworks, including
 - i. Principles, treaties, and laws regarding Human Rights and international (humanitarian) law
 - ii. the Dual Use regulation (EU 2021/821) and adjacent regulations
 - iii. GDPR / AVG
 - iv. legal frameworks, international restrictions, and court rulings, including the EU sanction list (<https://data.europa.eu/apps/eusanctionstracker/>)²
 - v. national guidelines for collaboration with high-risk countries
 - b. applicable rules and norms on academic activities, including
 - i. Formal provisions for cybersecurity and knowledge security
 - ii. The Code of Conduct for Research Integrity
 - iii. UNL documents and policies
 - c. relevant EUR institutional policies, including
 - i. EDI Policies
 - ii. Travel security policies
 - iii. The EUR Global Engagement Policy
 - iv. The principles for international exchange programs with universities by the International Office (Education & Student services)
 - v. The policy regarding international PhDs by Academic Affairs³
 - vi. The EUR policy and working method for Knowledge Security
 - vii. The EUR policy regarding Integrated Security, in particular the EUR policy framework for events with external speakers
10. The committee further assesses the ethical dimensions of the collaboration, taking into account

² See also lists for specific contexts, like Unitracker list for China: <https://unitracker.aspi.org.au/>

³ In specific cases this could include the EUR guidelines regarding dealing with the working methods of the Chinese Scholarship Council, in particular PhD students,

- a. The Erasmian values
 - b. UN's Global Compact
 - c. Risk factors regarding the academic independence and freedom of the researcher / lecturer
 - d. Risk factors regarding the use of research data, methodologies and technologies
 - e. Risks and benefits for vulnerable populations in the specific context
 - f. The positive and negative effects for academic colleagues in the specific context of terminating or not engaging in collaboration
 - g. The degree to which the collaboration can be justified before the academic forum and society at large.
11. Based on this assessment, the committee formulates its advice, differentiating between formal or legal limitations, advice and recommendations. The advice can be positive, negative, or conditional. The advice and recommendations can include a timeframe for implementation taking into account the impact on the organization and for follow-up evaluation of the collaboration.
 12. The motivation for the advice should be made explicit and can be different for separate parts of the collaboration, including
 - a. Protecting student and staff of the university itself and/or the partner organisation
 - b. Protecting third parties from adverse use of knowledge
 - c. Not compromising ethical values through collaboration
 - d. Putting pressure on the partner organization and / or the state involved
 13. The advice will be offered to the Executive Board and the College of Deans.
 14. The requestor (Executive Board or Dean) decides whether and under which conditions the collaboration can be initiated or continued.
 15. The committee can be consulted about possible follow-up actions.
 16. In case of new developments the committee can adjust its advice.

Phase 3

17. Unless decided otherwise by the Executive Board, a substantial summary of the advice will be made public within EUR, and – if the Board so decides – externally. Legal aspects of publication will be considered and made explicit.
18. Thorough documentation of the request, the process, and the advice will be archived.
19. Procedures and task description for the committee will be evaluated after one year. If the procedure needs to be amended, the committee can ask the Executive Board to do so at any time, given the pilot phase the committee is in.

Members

The committee consists of three standing members (including the chair) and up to two additional members.

The three standing members cover at least

- academic expertise in legal matters, research integrity, and ethics,
- experience working in sensitive contexts or on controversial topics, and
- political and societal sensitivity.

The chair of the committee is the Dean of one of the faculties or a full professor with a strong reputation in these issues. At least one other member of the committee is an academic from another faculty. The composition of the committee should reflect the diversity of the university.

If the request concerns collaborations where one of the members of the committee is involved, this member will refrain from participating in the substantial assessment but will remain active in the committee regarding procedural matters.

The committee will be complemented by a policy advisor who will collect the relevant information and support the procedures of the committee outlined in this document.