



H-BRS Guidelines for the Cooperation with Partners in Difficult Contexts

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Background

In our activities, H-BRS operates on the foundation of the German Basic Law, the European Convention on Human Rights, the Charter of Fundamental Rights of the European Union and the United Nations declaration of human rights. As laid down in the Magna Charta Universitatum, freedom of research and teaching is an indispensable basic prerequisite for academic life and the successful operation of universities. It includes the principles of the pursuit of truth and basis in fact as well as the absence of ideological or religious influence or any form of influence on content by external stakeholders.

These principles are increasingly in challenge by a number of countries and governments, their institutions being qualified as "Partners in Difficult Contexts" by the German Academic Exchange Service (DAAD). Following its recommendations, we at H-BRS see those institutions in countries, which are rated in group "E" in the Academic Freedom Index (AFI), as "Partners in Difficult Contexts".

It cannot be a solution to categorically exclude the cooperation with such institutions and isolate complete scientific systems. We are aware of the conflicting forces at play in the national higher education and research systems and are able to differentiate between their various actors. Students and academics from all countries are part of the global scientific community. The exchange with them is enriching on an academic and intercultural level, and significant progress towards solving global challenges cannot be made without their contribution.

The intensification of dialogue and cooperation with international partners – on the basis of our own clear standpoint and set of values, as well as across the spectrum of disciplines – is essential. The aim cannot be to question academic cooperation in general. Instead, a differentiated view of the specific framework conditions, objectives and content of individual partnerships and projects is needed.

The guidelines presented here provide a framework to evaluate individual projects before this background and help to decide where cooperation is useful and in line with our values, and where it is not. They are based, among others, and partly verbatim, partly paraphrased, on studies and frameworks by H-BRS as well as a number of German and international institutions:

- Richtlinie der H-BRS zur Umsetzung des Kodex „Leitlinien guter Wissenschaftlicher Praxis der DFG vom August 2019“, published in 2021 by H-BRS



- *Empfehlungen zur Internationalisierung von Hochschulen*, published in 2018 by the Science Council (Wissenschaftsrat)¹
- KIWi KOMPASS Keine roten Linien - Wissenschaftskooperationen unter komplexen Rahmenbedingungen, published in December 2020 by DAAD²
- *Guidelines and Standards in International University Cooperation*, published in April 2020 by the German Rectors' Conference (HRK)³
- *Guiding Questions on University Cooperation with People's Republic of China*, published in September 2020 by the German Rectors' Conference (HRK)⁴
- *Resisting Chinese Government Efforts to Undermine Academic Freedom Abroad - A Code of Conduct for Colleges, Universities, and Academic Institutions Worldwide*, published in 2019 by Human Rights Watch⁵
- *Export Control and Academia Manual*, published in February 2019 by Federal Office Economic Affairs and Export Control (BAFA)⁶
- Sicherheitsüberprüfungsgesetz (SÜG) and the Staatenliste im Sinne von § 13 Absatz 1 Nummer 17 SÜG2 und § 32 SÜG, published in January 2020 by Federal Ministry of the Interior, Building and Community (BMI)⁷
- TaylorWessing: FuE Daten in China – Einfluss chinesischer Gesetze auf grenzüberschreitenden Datenverkehr, presentation of 22.04.2021
- Kinzelbach/Saliba/Spannagel/Quinn: Free Universities – Putting the Academic Freedom Index Into Action. Global Public Policy Institute 2021.
https://www.gppi.net/media/KinzelbachEtAl_2021_Free_Universities_AFI-2020.pdf

¹ <https://www.wissenschaftsrat.de/download/archiv/7118-18.html>

² <https://www.daad.de/de/infos-services-fuer-hochschulen/kompetenzzentrum/kooperationsmanagement/kiwi-kompass-keine-roten-linien/>

³ <https://www.hrk.de/resolutions-publications/resolutions/beschluss/detail/guidelines-and-standards-in-international-university-cooperation/>

⁴ <https://www.hrk.de/resolutions-publications/resolutions/beschluss/detail/guiding-questions-on-university-cooperation-with-the-peoples-republic-of-china/>

⁵ https://www.hrw.org/sites/default/files/supporting_resources/190321_china_academic_freedom_coc_0.pdf

⁶ https://www.bafa.de/EN/Foreign_Trade/Export_Control/Export_Control_and_Academia/export_control_academia_node.html

⁷ <https://www.bmi.bund.de/SharedDocs/downloads/DE/veroeffentlichungen/themen/sicherheit/staatenliste-anleitung-sicherheitserklaerung.html>



Principles

Academic freedom is the overarching philosophy of H-BRS. Our partnerships, and all academic exchange, are based on the freedom of research and teaching. There must not be any censorship of academic discourse. Debate is led solely by scientific arguments, and not by political orientation, ideology, religion, gender, or the like.

Guidelines and Standards

The structure of this chapter is based on the *Guidelines and Standards in International University Cooperation* by the German Rectors' Conference (HRK, published in April 2020)

Strategy and governance

Long-term commitment and equal partnership

In our cooperation with international partners, we adopt a partnership-based approach and aspire to stable partnerships with a long-term perspective. In our partnerships with international institutions, we define our goals and interests and pursue them within the framework of our principles and strategies.

Sound basis for cooperation and mutual respect

Sound knowledge of the international partner and its research milieu is central to the success of a partnership. Mutual acknowledgement of differing cultural paradigms and approaches is also essential. Mutual respect involves making differing views and convictions transparent and addressing potential frictions at an early stage. No individual person or institution are excluded on the basis of their background, political orientation, religion, gender or geographical location.

Stable governance and professional management

Transparent responsibilities and a clear allocation of tasks are essential to successful cooperation and enable the partners to bring their specific strengths to bear in the partnership. We define transparent decision-making structures which also include procedures that apply in the event of a disagreement, and clearly outlined exit strategies in the interests of risk management. Transparency must also govern the selection and admission of staff and students, as well as funding criteria and decisions.

For all cooperation projects, the commissioner for export control ("Exportkontrollbeauftragte/r") has to be involved in the reviewing procedures. In addition, independent experts will assist the assessment of planned projects. In the case of research projects, for example, this is the ethics commissioner ("Ethikbeauftragte/r") of the respective faculty. Using a catalogue of criteria, they examine the extent to which rights could be impaired in the respective cooperation project, rules of fairness could be disregarded and principles of liberty could be violated, and recommend steps to guarantee basic guidelines for international cooperation. Compliance with the national rules on export control (laws and regulations on foreign trade), European laws and, if applicable, US law and the confidentiality of security-related research must be assured.



Staff at H-BRS involved in projects with international partners engage in mutual exchange with each other, and with outside experts (e.g., from DAAD, HRK), to learn from best practices.

Transparent and balanced funding

Our cooperation projects with international partners are based on a funding model which guarantees a partnership on an equal footing, and in which long-term dependencies are avoided.

Transparent communication

In our internal communications we discuss and formulate fundamental principles and frameworks for our international activities and cooperations which provide guidance to our members. In the context of our external communications, we affirm our international commitment and the guidelines on which it is based.

In the case of China, a coordinator under the responsibility of the Vice President International Affairs and Diversity is responsible for the oversight on China-related projects. The coordinator is a contact person for university staff who intend to initiate partnerships with China, and contributes his/her specific knowledge when concerns arise.

Acknowledgement of basic institutional rules

Students and researchers from all over the world are part of the higher education community. They have the same rights, as well as the same duties, as all members of the university. The basic institutional rules that are compulsory for all in equal measure include the law applicable to the protection of intellectual property and the acknowledgement of both the university's constitution and Germany's constitution based on the principles of democracy and liberty.

International students and visiting academics are supported and assisted on our campus. Several contact points at H-BRS offer information, consultation, and support. They are able to receive and process complaints and maintain strict confidentiality (e.g., International Office, *Vertrauenspersonen* at the departments, study program coordinators).

Joint teaching, learning and research

Freedom of research and teaching

In our cooperation with international partners freedom of research and teaching must be guaranteed. Freedom of teaching includes the content and methodological design of lectures and seminars, the selection of topics and teaching material (including map material), the selection of assessment formats and the teaching context. Teaching staff and students have the right to express academic or creative opinions freely. Freedom of research includes the selection of questions and research subjects, the methodology and assessment of the research outcomes and their dissemination, for example by way of publication. Cooperation projects should install review and decision procedures for the handling of problematic incidents and define procedures that apply in the event of a disagreement.



Added value of joint teaching, learning and researching

Our cooperation projects provide added value for our university, its members, and society at large. In the case of China, for instance, the know-how transfer was historically mainly directed towards China, with Germany as the technologically more advanced nation. Meanwhile, China has become a technology leader in various fields. This allows the transfer of knowledge to become bi-directional, and offers numerous opportunities for our staff and students in our strive for excellence.

Jointly developed curricula and study programs represent an attractive opportunity to enable students at their home university to gain international and intercultural experience and to produce culturally sensitive and broadly educated citizens of the world.

Research is inherently international: it lives and evolves through local, national or global exchange and competition of hypotheses and academic knowledge and findings. Our cooperation in research with international partners always takes place in the sphere of tension between cooperation and competition.

Quality-assured cooperation in teaching and learning

In our engagement in joint teaching we ensure the quality of the study programs we offer within the framework of our institutional quality assurance processes. This includes a quality-assured selection of all participating students based on transparent and verifiable criteria, ongoing further development of the curricula and transparent and reliable examination processes. In using a range of modern teaching technologies, joint standards for access and use of digital teaching modules are formulated.

In relation to their academic qualifications, teaching staff involved in joint teaching meet the requirements of both H-BRS and the international partners. In order to sustain quality in a long-term relationship we strive to take joint responsibility for the continuing education of teaching staff and schedule time and capacity for further academic, linguistic and intercultural training of the responsible instructors.

Quality-assured cooperation in research and innovation

Our cooperation projects with international partners in the area of research and innovation are based on a governance model which guarantees that the project and the results generated in its course benefit both sides. This not only includes transparent rules in relation to the joint use of research infrastructure, but also observance of internationally accepted publication practice, for example with respect to authorship and quality assurance through review processes.

Observance of research, ethical and legal standards

Freedom of research and teaching goes hand in hand with a special responsibility on the part of individual researchers and of the university as a whole. In our cooperation projects, the partners ensure adherence to academic and ethical standards and observe the general principles of good research practice, as set out in our *Richtlinie der H-BRS zur Umsetzung des Kodex „Leitlinien guter Wissenschaftlicher Praxis der DFG vom August 2019“*. This especially includes compliance and enforcement of

- the export control regulations by the Federal Office Economic Affairs and Export Control (BAFA),
- Art. 44 ff. GDPR (Principles of data transfer to third countries),
- the laws and regulations for the protection of intellectual property,



- regulations on handling questions of security-related research.

Promoting the mobility of students, teaching staff and researchers

As globally minded institution, H-BRS has a keen interest in recruiting qualified students, doctoral candidates and academics worldwide, whether for a temporary stay or permanently. We provide information to international applicants about our study programs, access and admission rules and the costs involved, and offer academic orientation and social and cultural support at both the central and departmental level. By the same token, we promote the international mobility of our students, whether for a study program or a practical placement. Transparent rules in relation to the selection, progression and subsequent recognition of the stay abroad facilitate international mobility. Likewise, we strive to support our staff and students with offerings for academic and intercultural preparation and follow-up of their stay abroad.

Universities as transnational spaces

Intercultural dialogue and transnational campus

In the context of our international partnerships, H-BRS is an advocate for open dialogue. The fundamental prerequisites for this are fact-based discussion and tolerance towards different opinions, while also recognizing the regulations that apply to all university members in equal measure. Interaction and dialogue between all students and researchers create channels for open communication across cultural and language barriers, which stimulate thinking and change processes among all participants, enable people to learn from one another and promote cultural sensitivity and mutual understanding. A university with such a transnational orientation is enriching for all university members.

Living a culture of welcome

We offer international students and researchers orientation and support before they take up their studies or their research work, and during their studies or project. As part of planning a partnership, we take social support for international students, teaching staff and researchers into consideration from the outset. We welcome our international graduates as members of our alumni network.

Promotion of linguistic competence and multilingualism

We support international students and visiting academics in acquiring and improving their German and, if necessary, English language skills. Likewise, we support our domestic students, researchers and other university staff in acquiring and improving their foreign language skills. Alongside the proactive use of English as an academic lingua franca, we consciously advocate the promotion of the German and other languages and multilingualism, in recognition of the fact that linguistic competence is an important prerequisite for a successful stay in Germany or abroad. Further, language skills facilitate our graduates' integration into the respective foreign labour markets.

Concluding Remarks

Freedom of teaching and research is the non-negotiable fundamental principle that applies to our international activities and partnerships. These guidelines aim to proactively shape the collaboration and ensure benefits for both sides. We encourage



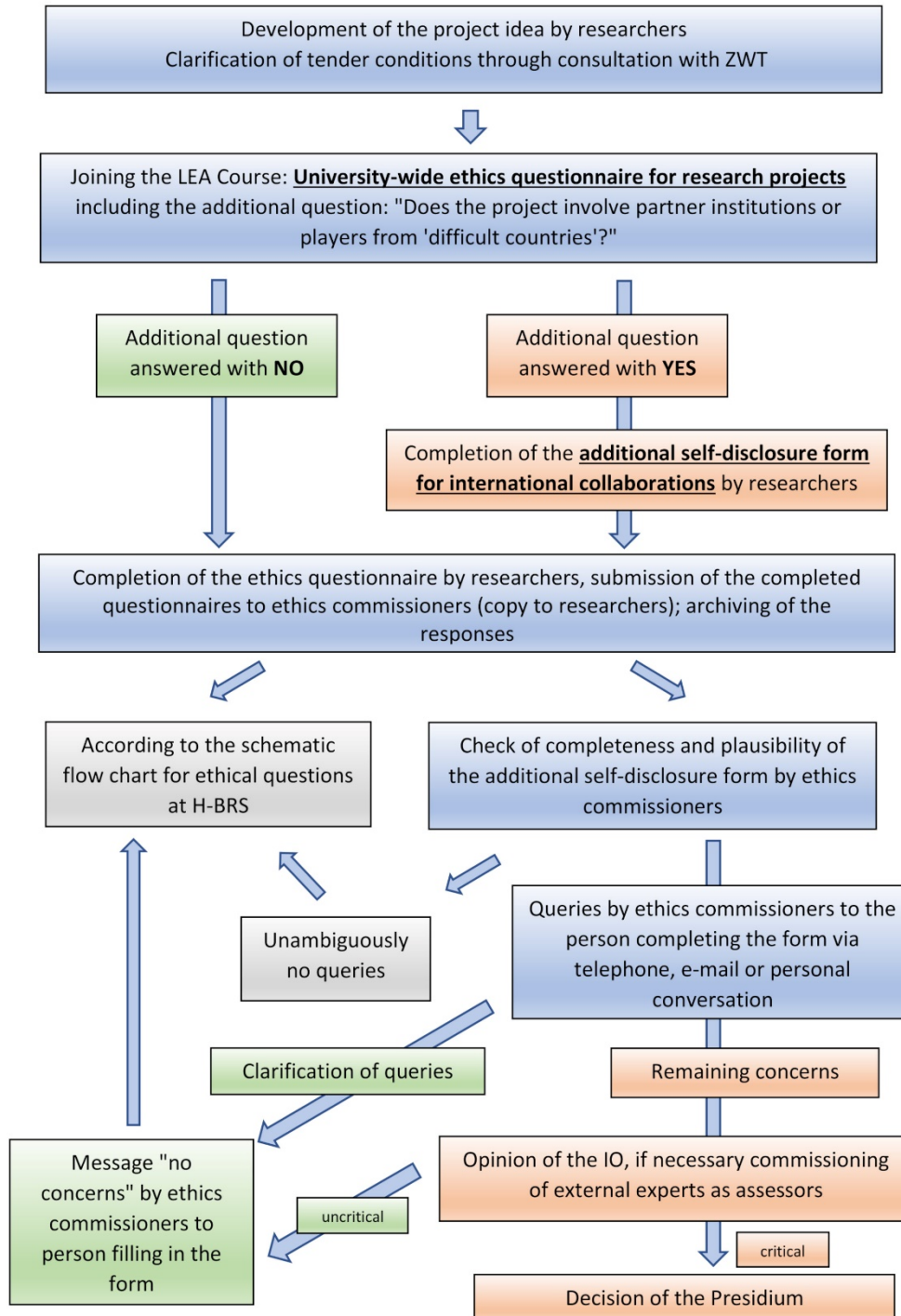
our university members to continue and intensify the rewarding academic engagement also with "difficult partners", and to establish and develop transnational academic cooperation. This is key to the prosperous development of the global community, even in complex contexts.

Appendix

- Schematic flowchart for cooperation with partners from difficult countries
- Self-disclosure for international cooperation projects/cooperation agreements with difficult countries
- List of countries according to Academic Freedom Index value for 2020 (Source: Kinzelbach/Saliba/Spannagel/Quinn: Free Universities – Putting the Academic Freedom Index Into Action. Global Public Policy Institute 2021. (https://www.gppi.net/media/KinzelbachEtAl_2021_Free_Universities_AFI-2020.pdf))

Schematic flow chart for ethical questions at H-BRS

including self-disclosure form Countries in a difficult context



* Difficult countries: Countries with an Academic Freedom Index status of "E" (0,0-0,2).



Self-disclosure for international cooperation projects/cooperation agreements with difficult countries

Hochschule Bonn-Rhein-Sieg University of Applied Sciences supports and applies the Guidelines and Standards in International Higher Education Cooperation issued by the HRK (<https://www.hrk.de/positionen/beschluss/detail/leitlinien-und-standards-in-der-internationalen-hochschulkooperation/>).

Name of the partner institution, location:

Name of the person responsible for the project at H-BRS, department:

Key figures:

1. Project designation

2. Responsible department/institute of H-BRS

3. Term [if applicable, terms of previous agreements]

4. Funding source, if available



5. Goals/contents of the cooperation

6. Further participants/contact persons including details of the department on the part of H-BRS

7. Participants/contact persons including details of the subject area on the part of the partner institution

Questions on cooperation:

1. What are the benefits for H-BRS and for the department?

2. What scientific or economic added value can be expected as a result of the teaching, research or transfer cooperation for the H-BRS stakeholders involved? What other added values, such as added educational value, are anticipated?



3. (a) Do you perceive a risk of restrictions on academic freedom, disregard for human rights, or political influence on the part of the partner institution? If so, which ones?

If the answer to (a) is yes: (b) what measures are planned to limit this risk?

4. Is there a risk that the partner institution will gain access to knowledge, processes or technologies that go beyond the agreed cooperation - both in terms of material transfer, professional information exchange and guest stays at H-BRS? If yes, what concept do you have to exclude or limit this risk?

5. Do you see a risk of scientific espionage? If yes, what measures are taken to limit the risk?



6. Do you see any threats to cyber security? If yes, what measures are being taken to limit these threats?

7. Have the "H-BRS Guidelines for the Cooperation with Partners in Difficult Contexts" been sent to the partner institutions?



List of countries according to the Academic Freedom Index value for 2020

● A Status (0.8-1.0)		AFi					
Albania	0.840	Panama	0.901	Namibia	0.696	Cambodia	0.381
Argentina	0.942	Papua New Guinea	0.872	Niger	0.732	Cameroon	0.317
Australia	0.853	Paraguay	0.810	Palestine (West Bank)	0.746	Djibouti	0.279
Austria	0.966	Peru	0.946	Philippines	0.728	Eswatini	0.363
Barbados	0.940	Poland	0.862	Sao Tome and Principe	0.725	Hong Kong	0.348
Belgium	0.970	Portugal	0.955	Serbia	0.726	Jordan	0.308
Benin	0.836	Romania	0.935	Somaliland	0.637	Oman	0.215
Botswana	0.881	Senegal	0.892	South Africa	0.771	Qatar	0.210
Bulgaria	0.856	Seychelles	0.838	Suriname	0.743	Russia	0.374
Burkina Faso	0.890	Sierra Leone	0.859	Tanzania	0.608	Uganda	0.348
Canada	0.906	Slovakia	0.966	Timor-Leste	0.772	Uzbekistan	0.208
Cape Verde	0.809	Slovenia	0.933	Togo	0.763	Venezuela	0.210
Chile	0.945	Solomon Islands	0.908			Vietnam	0.377
Costa Rica	0.935	South Korea	0.870	● C Status (0.4-0.6)	AFi	Zanzibar	0.332
Croatia	0.881	Spain	0.939	Afghanistan	0.560	Zimbabwe	0.221
Cyprus	0.955	Sweden	0.964	Angola	0.425		
Czech Republic	0.941	Switzerland	0.959	Bhutan	0.554	● E Status (0.0-0.2)	AFi
Denmark	0.909	Taiwan	0.874	Brazil	0.442	Azerbaijan	0.075
Dominican Republic	0.922	The Gambia	0.835	Chad	0.585	Bahrain	0.041
Ecuador	0.851	Trinidad and Tobago	0.831	Colombia	0.574	Belarus	0.072
Estonia	0.942	Tunisia	0.807	Democr. Rep. of the Congo	0.406	Burundi	0.161
Finland	0.947	United Kingdom	0.915	Ethiopia	0.479	China	0.082
France	0.881	United States of America	0.901	Fiji	0.435	Cuba	0.111
Gabon	0.832	Uruguay	0.972	Guinea	0.550	Egypt	0.080
Georgia	0.882			Hungary	0.437	Equatorial Guinea	0.078
Germany	0.966	● B Status (0.6-0.8)	AFi	India	0.459	Eritrea	0.027
Greece	0.871	Armenia	0.773	Kazakhstan	0.429	Iran	0.120
Honduras	0.927	Bolivia	0.699	Kuwait	0.516	Laos	0.066
Iceland	0.925	Bosnia and Herzegovina	0.686	Kyrgyzstan	0.552	Nicaragua	0.183
Ireland	0.940	Central African Republic	0.647	Libya	0.452	North Korea	0.011
Israel	0.936	Comoros	0.715	Malaysia	0.493	Rwanda	0.082
Italy	0.969	El Salvador	0.747	Maldives	0.578	Saudi Arabia	0.076
Jamaica	0.940	Ghana	0.793	Montenegro	0.508	South Sudan	0.084
Latvia	0.970	Guatemala	0.783	Morocco	0.478	Syria	0.054
Liberia	0.839	Guinea-Bissau	0.763	Myanmar (Burma)	0.486	Tajikistan	0.093
Lithuania	0.938	Guyana	0.791	Pakistan	0.563	Thailand	0.130
Luxembourg	0.946	Haiti	0.683	Palestine (Gaza)	0.440	Turkey	0.064
Malta	0.927	Indonesia	0.637	Republic of the Congo	0.495	Turkmenistan	0.026
Mexico	0.863	Ivory Coast	0.709	Singapore	0.466	United Arab Emirates	0.127
Moldova	0.865	Japan	0.711	Somalia	0.419	Yemen	0.139
Mongolia	0.880	Kenya	0.797	Sri Lanka	0.561		
Nepal	0.846	Kosovo	0.783	Sudan	0.401	Not Included in the 2020 Data*	
Netherlands	0.918	Lebanon	0.602	Ukraine	0.537	Iraq	
New Zealand	0.881	Lesotho	0.683	Zambia	0.538	Mali	
Nigeria	0.886	Madagascar	0.735			Mauritania	
North Macedonia	0.863	Malawi	0.776	● D Status (0.2-0.4)	AFi	Vanuatu	
Norway	0.934	Mauritius	0.728	Algeria	0.303		
		Mozambique	0.634	Bangladesh	0.263		

Source: Afi status group concept developed by the authors, based on V-Dem data (v11)

* due to insufficient coder numbers; other missing territories are not yet covered by V-Dem