

Rules of Procedure of the Leibniz Commission for Research Ethics

Adopted by the Executive Board's 4-2018 meeting on 29 November 2018. Enacted by the Board of the Leibniz Association on 27 February 2019.

Preamble

The Leibniz Association is setting up a Leibniz Commission for Research Ethics based on the recommendations of the German Research Foundation (DFG) and the German National Academy of Sciences Leopoldina,¹ by means of a resolution adopted by the Executive Board. It lays down the following rules of procedure, which take into account the breadth of disciplines and organisational diversity of the Leibniz Association institutions.

§ 1 Duties and basic principles of the Leibniz Commission for Research Ethics

- 1) The task of the Leibniz Commission for Research Ethics is to advise on and assess research projects in terms of any significant security-relevant and ethical risks to human dignity, life, health, liberty, property, the environment or peaceful coexistence. In particular, security-relevant risks exist in research work that is likely to make use of, or result in, knowledge, products or technologies that could be misused directly by third parties. Irrespective of the advice provided by the Commission for Research Ethics, the researchers remain responsible for their own actions.
- 2) The Leibniz Commission for Research Ethics deals exclusively with requests relating to research and transfer projects, for which there is no other established review process (see Annex 1 of these Rules of Procedure). In addition, the requirement remains to provide efficient processes to clarify security-relevant and ethical issues at institution level, depending on the needs.
- 3) Another task of the Leibniz Commission for Research Ethics is to contribute to raising awareness of security-relevant and ethical aspects of research and knowledge transfer in the Leibniz Association and to initiate or recommend specialist training and further training.
- 4) The work of the Leibniz Commission for Research Ethics is based on applicable

¹ DFG/Leopoldina: Scientific Freedom and Scientific Responsibility. Recommendations for Handling Security-Relevant Research, 28 May 2014.

legislation, professional standards and the relevant rules of professional conduct. It takes account of national and international recommendations and takes the current status of research and technology as its basis.

§ 2 Composition and legal position

- 1) The Leibniz Commission for Research Ethics consists of one representative from each Section and from the Administrative Committee, plus the Secretary General of the Leibniz Association. The members should have experience of research or research management and be familiar with the process of assessing issues relating to research ethics.
- 2) The Section representatives and one deputy representative for each Section are proposed by the Sections. The representative of the Administrative Committee and one deputy representative are proposed by the Administrative Committee. All candidates are then appointed by the Executive Board of the Leibniz Association for a term of four years. Commission members may be reappointed.
- 3) If no representative has been appointed from a Section or from the Administrative Committee, the spokesperson of the Section/Administrative Committee and his/her deputy will take on these roles.
- 4) The Leibniz Commission for Research Ethics may call on other experts as non-voting members, including on a case-by-case basis.
- 5) Members may be recalled for cause by the Executive Board. The member in question must first be given a hearing.
- 6) The Leibniz Commission for Research Ethics appoints a Chairperson and Deputy Chairperson from its ranks.
- 7) The Leibniz Commission for Research Ethics and its members are independent and not bound by instructions in the exercise of their duties. They are to act to the best of their knowledge and belief. Members cannot be held personally liable for work they carry out within the Leibniz Commission for Research Ethics.

§ 3 Procedures and working methods

- 1) The Leibniz Commission for Research Ethics takes action when it receives an official, written request from one of the institutions of the Leibniz Association, provided the case does not fall under the responsibility of a commission at the member institution or, where relevant, at a collaborating university, or if no clear responsibility can be identified. In addition, in order for the Commission to deal with a case, the ethical or security-relevant issue in the research project must have a demonstrable relevance beyond the individual case in question for a key field of research of the Leibniz Association. The request should be sent via Leibniz Headquarters to the Chairperson of the Leibniz Commission for Research Ethics.
- 2) The official request must contain a generally comprehensible summary and an exact presentation of the security-relevant and ethical aspects of the project and, where relevant, the results of any assessments already conducted in this regard.
- 3) The Leibniz Commission for Research Ethics may also act on third-party tip-offs. Such evidence is to be treated in confidence. However, the Commission is not obliged to follow up anonymous tip-offs.
- 4) The Chairperson checks the formal and subject-matter competence and facts of incoming requests in consultation with the Secretary General. S/he is entitled to take direct decisions where requests concern clear, straightforward risks, and may call on expert opinions where appropriate. Where necessary, the Chairperson will call a meeting of the Leibniz Commission for Research Ethics, giving reasonable notice.
- 5) The Leibniz Commission for Research Ethics shall deal with requests within a reasonable timeframe and produce a final written statement that records its assessment of how legally and ethically justifiable it is to conduct the project in question, where relevant with modifications and restrictions, e.g. to minimise risks.
- 6) Further rules on the working methods of the Leibniz Commission for Research Ethics are based on the model statutes for ethics commissions for safety-relevant research produced by the German Research Foundation (DFG) and the German National Academy of Sciences Leopoldina, particularly sections 6 to 9. In addition, the general rules of procedure (Rahmengesäftsordnung) of the Leibniz Association apply.
- 7) The Leibniz Commission for Research Ethics reports regularly on its processing of requests to the Executive Board of the Leibniz Association and, where relevant, to the Joint Committee on the Handling Security-Relevant Research established by the German Research Foundation (DFG) and the German National Academy of Sciences Leopoldina.
- 8) The work of the Leibniz Commission for Research Ethics is supported by Leibniz Headquarters.

Annex 1

The Leibniz Commission for Research Ethics does not deal with requests relating to research and transfer projects for which other safety-relevant and ethical assessment and control procedures are already established. This applies in particular to projects covered by the following legislation:

- Animal Protection Act (Tierschutzgesetz, TierSchG)
- Medicinal Products Act (Arzneimittelgesetz, AMG)
- Medical Devices Act (Medizinproduktegesetz, MPG)
- Stem Cell Act (Stammzellgesetz, StZG)
- Protection Against Infection Act (Infektionsschutzgesetz, IfSG)
- Labour Protection Act (Arbeitsschutzgesetz, ArbSchG)
- Biological Agents Regulation (Biostoffverordnung, BioStoffV)