

Recommended Actions on Cooperation with China at the University of Cologne



Content: **Mission Statement** **Action Framework** **Cooperation Partners** Fields of Cooperation Forms of Cooperation Risk Management

Mission Statement

Scientific cooperation with China enables the University of Cologne to work together with one of the most productive and innovative research environments of our time. In order to continue to guarantee this cooperation while providing a partnership that is sustainable, transparent and based on values, the University of Cologne has made these recommendations. Cooperating with China increasingly confronts us with challenges and difficulties, which are not least due to the different political systems, legal cultures and academic systems in Germany and China.

A differentiation of the various participants in the Chinese academic system that is sensitive to these framework conditions requires specific and individual assessments of a cooperation that is always result-oriented, free of any discrimination and at the same time risk-conscious. Problems and challenges should be identified at an early stage – if possible while still in the planning phase of a possible cooperation – in order to solve them head-on and to ensure compliance with scientific, ethical and legal standards. In cases of cooperation with China at the University of Cologne, there must also be ongoing risk management. This is to enable countermeasures being taken at short notice in the event of unforeseen developments and problems, and to prevent dependencies.

Action Framework

In the initial cooperation phase, the design of cooperation agreements and the practical implementation of cooperation projects, academic, ethical and legal standards must be continually checked to ascertain their compatibility. The opportunities and risks of a cooperation should be weighed up on the basis of the KIWi Compass 'No Red Lines'.¹ In addition to the German and European legal framework on export control², the US sanction mechanisms in particular must also be considered. For example, certain universities in China or their subdivisions currently cooperating with the University of Cologne are listed on the 'Entity List' of the US Department of Commerce, which prohibits the transfer of US technologies to these institutions. The following aspects of cooperation with China especially need to be examined in particular:

- knowledge system and freedom of knowledge in China;;
- ethical and legal risks for people, society and the environment;
- security-relevant dual use technologies;
- data protection and data security;
- individual or institutional sanctions and embargo measures.

Cooperation Partners

The free choice of cooperation partners is preserved as an element of freedom of science. Extensive knowledge about the cooperation partner, their integration into the Chinese science and research system, as well as on the significance of the joint research field for the Chinese party state are indispensable when choosing a cooperation partner. In order to counteract potential risks arising from proximity to or overlaps with security-relevant or political participants in China, the following aspects, among others, should be examined when choosing cooperation partners:

- institutional or personal connections of the specific cooperation partner to the Chinese military or Chinese security agencies;
- double function of the cooperation partner as a university or state research institution and as an agency of the Chinese Communist Party of China;
- financing of the cooperation partner or the respective cooperation project by security-related private companies or agencies of the Chinese Communist Party;
- the nature and content of past research projects of the Chinese cooperation partner.



1 https://static.daad.de/media/daad_de/pdfs_nicht_barrierefrei/infos-services-fuer-hochschulen/kompetenzzentrum/dokumente/daad_kiwi_kompass_keinerotenlinien_2020.pdf
<https://www.hrk.de/positionen/beschluss/detail/leitfragen-zur-hochschulkooperation-mit-der-volksrepublik-china/>

2 https://www.bafa.de/DE/Aussenwirtschaft/Ausfuhrkontrolle/Allgemeine_Einfuehrung/allgemeine_einfuehrung_node.html

Fields of Cooperation

The University of Cologne strives for broad research cooperation with China and continuously supports the development of new joint research endeavours with Chinese partners. Some research fields, however, are exposed to higher risks, so that particularly in the following areas, a comprehensive and substantial examination of opportunities and risks as well as intensive risk management is advisable:

- technology-related research, where there is a possibility of development of dual use technology;
- research involving human beings, if ethical and legal standards diverge in China and Germany;
- research that directly serves propaganda and regime-legitimizing purposes for the Chinese party-state;
- research that puts Chinese cooperation partners, Chinese study participants or researchers from the University of Cologne in China at risk because of the threat of persecution by Chinese security agencies.

Forms of Cooperation

The University of Cologne expressly supports the innovative design of cooperation processes with China, whereby principles of respectful equality, comprehensive transparency and good scientific practice must be underpinned with every cooperation. In order to ensure smooth cooperation and to avoid possible risks arising from the research design chosen or the cooperation structures agreed upon, the following criteria in particular must be examined:

- equality and mutual added value for all cooperation partners;
- avoidance of (financial) dependence on the Chinese partner;
- Transparency and verifiability of the research methods used, the research data used and the publication of the results obtained,
- (economic) exploitation of the research results in accordance with the shares to be agreed at the beginning of the cooperation,
- paid teaching or research services within a cooperation must directly serve the improvement of teaching and research.

Risk Management

Risk management begins with the first contact and continues as a dynamic process through all stages of cooperation. Teachers and researchers who are interested in or involved in cooperation with China should follow the following recommendations in particular:

- early advice from the University of Cologne's International Office;
- comprehensive transparency about the necessary risk management towards Chinese partners;
- active design of cooperation structures based on the recommendations outlined here;
- constant review of the cooperation processes for possible new risks or risks that were not foreseeable at the beginning of the cooperation;
- ongoing exchange among those cooperating with China about possible risks at the University of Cologne about possible risks and solutions to problems;
- development of concrete instructions for action and best practices for particularly high-risk research fields by the University of Cologne,
- regulations regarding 'red lines' and the termination of cooperation as a last resort.