

UNIGE Guidelines for Non-EU/US International Projects

Administrative and contractual/legal key points

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The Guidelines apply to all European and international projects other than EU and US (H2020, Horizon Europe, ERC, MSCA, NIH, etc.). For H2020/HE and US-NIH please refer to the specific guidelines.

These generic guidelines are not intended to be a legally binding document or regulation. They might not entirely apply to your specific project. In case of questions, please contact Research Services or DIFIN.

Please always refer to the official reference documents: Funding body's regulations; UNIGE directives and policies.

Please always refer to the latest version of the guidelines available on our website.

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1. Contract (Grant agreement or equivalent)

The PRINCIPAL INVESTIGATOR is responsible for ensuring that the project is fully compliant with UNIGE regulations and all conditions/policies set out by the funding body.

In principle, the contract (Grant agreement) should address the general terms and conditions governing the grant, the rights and obligations of the parties, and any specific provisions applying to the grant. The Grant agreement usually also incorporates several annexes, in particular a description of the work to be carried out (Description of project/action).

In addition to the scientific and technical aspects, all contractual and legal key issues mentioned below must be clearly described and if necessary justified in the proposal and, if the project is funded, in the contract (Grant agreement) or its annexes. They are assessed as part of the evaluation.

For contractual obligations and rules, please refer to the relevant directive:

- [UNIGE Directive 0283 - Conclusion des accords de collaboration en matière de recherche et des mandats de service](#)

2. Intellectual property, Confidentiality agreement, Consortium agreement

Intellectual property rights must be duly addressed in all research projects (refer to relevant UNIGE regulations).

It is strongly advised to thoroughly check all relevant IP-related issues before proposal submission, in particular when it comes to collaborative projects and individual projects/fellowships involving a partner organisation. In some cases, IP and confidentiality issues are addressed in a specific agreement among partners before the submission of the proposal.

At the stage of contract preparation/signature, IP issues are usually formalised in an additional agreement between the partners/institutions (« Consortium agreement », « Partnership agreement », etc.).

It is important that the PRINCIPAL INVESTIGATOR forwards all relevant documents (subsequent draft versions, coordinator's instructions/updates) to Research Services.

- ➔ [UNIGE Directive 0283 - Conclusion des accords de collaboration en matière de recherche et des mandats de service](#)

3. Third parties, Subcontracting

Under certain conditions specified by the funding body, PRINCIPAL INVESTIGATORS might be entitled to include additional partners carrying out specific tasks or providing specific resources to the project. Such "third parties" or "subcontractors" should be identified already in the proposal.

In some cases, specific entities with a capital or legal link to UNIGE may implement the tasks of hosting and training researchers involved in the project. The contribution of such entities must be described and justified in the proposal as well.

If subcontracting is accepted by the funding body (eligible cost), PRINCIPAL INVESTIGATORS should make sure that it complies with all applicable regulations of the funding body and of UNIGE. In particular, subcontracting might be subject to the Rectorate's Directive 0192 on the procurement of goods and services as well as to the Swiss law in this area, which are available in the UNIGE Memento.

- ➔ [Achat de biens et de services](#)

4. Ethics

The ethical issues are becoming increasingly important in the management of research projects in all scientific disciplines. Main ethical concerns include research involving human embryos/foetuses, humans, human cells/tissues, personal data, animals, third countries, environment and health/safety, trustworthy artificial intelligence, dual use, exclusive focus on civil applications, misuse etc. For personal data and privacy protection, please see dedicated section 7.

As a general rule, the PRINCIPAL INVESTIGATOR is expected to report any ethical issues concerning his/her research in the proposal (ethics self-assessment or equivalent) and provide all relevant documents to the funding body (when requested).

For UNIGE-specific information, please refer to our dedicated web page explaining which commission/authority to contact (CUREG and/or CCER or other) and which authorisation to get:

- ➔ [UNIGE ethics in research projects home page \(Research Services\)](#)
- ➔ [UNIGE's research ethics committee \(CUREG\) website](#)
- ➔ [Geneva cantonal \(CCER\) ethics committee website](#)

5. Access and benefit sharing (ABS)

At the EU level, the European Parliament and Council have implemented on 16 April 2014 the [Regulation \(EU\) No 511/2014](#) on compliance measures for users from the [Nagoya Protocol](#) on Access to Genetic Resources and Fair and Equitable Sharing of Benefits Arising from their Utilisation in the Union ('the EU ABS Regulation' or 'the Regulation'). The Swiss Federal Council passed the [Nagoya Ordinance](#) on the 11 December 2015 and it came into force on 1st February 2016.

The coordinator of a project has certain obligations **if genetic resources are used**. In particular, the coordinator must determine if the project falls within the scope of this regulation and, if yes, the coordinator must inform the funding body of the fact and ensure compliance with the regulation.

➔ [Access and benefit sharing \(Research Services\)](#)

6. Ethics guidelines for trustworthy Artificial Intelligence (AI)

Research activities involving AI should respect certain ethical principles. Some key points are summarized in our [infosheet "Principes éthiques pour la recherche sur l'IA"](#) (available in French). We encourage UNIGE researchers involved in research projects showing AI issues to refer to this infosheet for the ethical evaluation of their project.

Research projects including AI components should take into account the Ethics Guidelines for Trustworthy AI that provide an assessment list and guidance established by the [High-Level Expert Group on AI \(AI HLEG\)](#). The document puts forward a human-centric approach on AI and list 7 key requirements that AI systems should meet in order to be trustworthy. According to the Guidelines, trustworthy AI should be: (1) lawful - respecting all applicable laws and regulations; (2) ethical - respecting ethical principles and values; (3) robust - both from a technical perspective while taking its social environment into account.

➔ [Ethics Guidelines and Assessment List for Trustworthy AI](#)

➔ [Preliminary summary infosheet on ethics for research on AI \(Research Services\)](#)

7. Personal data and privacy protection

All research projects involving the collection and processing of personal data at/by UNIGE are subject to the Cantonal Data Protection Law (LIPAD).

For other EU projects (other than EU framework programmes, i.e. Horizon Europe): With the new EU data protection regulation (GDPR) and the ongoing revision of the national data protection law of Switzerland, the issue of collecting/processing personal data at/by UNIGE requires special attention. In case personal data is expected to be transferred from an EU Member State to Switzerland for processing, this should be considered as an intra-European transfer following the Adequacy Decision for Switzerland. In accordance with GDPR, art. 45, al.9. this decision remains in force. If GDPR exceptionally applies to your project, please refer to the EU guidelines on this matter before undertaking any data processing activities.

For projects funded by an international (not Swiss nor EU) funding agency, the PRINCIPAL INVESTIGATOR is in charge of checking with the agency if there is a possibility that the local data protection legislation would apply to data processing by Swiss researchers involved in the project (extraterritorial principle). If so, the PRINCIPAL INVESTIGATOR should check if the country in question has an adequate data protection legislation in light of the list of countries with an adequate data protection legislation provided by the Swiss authorities (link hereafter). If concluding **standard Data Transfer Agreements (DTA) is necessary, e.g. with an institution**

from a country without an adequate data protection legislation (see Rectorate's Directive 0069 below), the PRINCIPAL INVESTIGATOR signs the DTA (by using standard contractual clauses for the transfer of personal data to third countries) on his/her behalf and that of UNIGE, together with the authorised hierarchical supervisor (head of department, director of institute, dean, etc.) according to the faculty/institute's current practice.

For international projects, please also consider the funding body's own policies in terms of personal data protection.

- [Cantonal data protection Law](#)
- [Swiss authorities' list of countries with an adequate data protection legislation](#)
- [Transborder data flows - standard contractual clauses for the transfer of personal data to third countries](#)
- [UNIGE Data Protection Policy \(LIPAD\)](#)
- [EU Data Protection Regulation \(GDPR\)](#)
- [EU Data transfer outside EU information \(EC\)](#)
- [EU guidelines on data protection \(EC\)](#)
- [European Data Protection Board's Recommendations 01/2020 on measures that supplement transfer tools to ensure compliance with the EU level of protection of personal data](#)
- [UNIGE Directive 0069 - Signature d'une commande, d'un contrat ou d'un accord au nom de l'Université](#)

8. Open research data

Your project might be part of an open research data policy (check the funding body's policies in this respect). If opting-out is not an option, you will be requested to make the research data generated by your project accessible with as few restrictions as possible, while at the same time protecting sensitive data from inappropriate access. In addition, if the project is retained for funding, you will most probably have to prepare a Data Management Plan (DMP) and select a data repository.

The UNIGE's Library (DIS) offers Research Data Management personal training and support to help you with your DMP.

The services have been developed or improved as part of the Digital Infrastructures and Services for Research Programme (E-Research) at UNIGE. Among other services, the Research Data Repository of Geneva's Higher Education Institutions entitled YARETA has been launched and the institutional repository for all the University academic publications, Archive ouverte UNIGE, has been improved. The University of Geneva has adopted an Open Science Charter that marks the commitment of the university and the academic community to the sharing of scientific knowledge.

Further information is available by clicking on the following links:

- [UNIGE Research Data Management \(UNIGE library\)](#)
- [Politique institutionnelle sur la gestion des données de recherche](#)
- [Archive ouverte UNIGE](#)
- [Charte pour la science ouverte de l'Université de Genève](#)

9. Dual use or military applications

According to the UNIGE Charter of Ethics and Deontology, responsibility towards society is a consequence of the University's public mandate and academic freedom. Therefore, all researchers have a personal duty to take into account the possible consequences on society of their research, and to question potentially dangerous applications, throughout the full duration of the project.

Along this line, the PRINCIPAL INVESTIGATOR is required to review UNIGE ethics standards (see also point on “Ethics” above) including the following questions: 1) Is the military-industrial complex (including but not limited to government, armed forces and/or defence industry) involved in funding your research? 2) Do the results of your research have any confirmed or potential military applications or affect current standards in military ethics –e.g., global ban on weapons of mass destruction, issues of proportionality, discrimination of combatants and accountability in drone and autonomous robotics developments, incendiary or laser weapons? 3) Do any export control regulations apply to the results of your research?

If one of these questions is answered by YES/POSSIBLY, the PRINCIPAL INVESTIGATOR is required to notify Research Services in writing without delay for further advice. If a preliminary review does not confirm that UNIGE ethics standards are followed, the competent ethics body will conduct a full evaluation.

- [UNIGE Charter of Ethics and Deontology](#)
- [Export Controls and Sanctions \(SECO\)](#)
- [Ethics/Personal Data Protection - Dual-Use - Risk of Military applications/funding \(UNIGE\)](#)

10. Clinical trials

In principle, if clinical studies/trials/investigations/cohorts are included in the work plan of the project, essential information on clinical studies (annex, form, etc.) should be completed and submitted to the funding body (check their respective policy in this respect).

11. Financial conflict of interest

Pursuant to the UNIGE Financial Conflict of Interest Policy, all PRINCIPAL INVESTIGATORS employed by UNIGE are required to inform UNIGE of any financial interests that could give the impression of creating a financial conflict of interest.

A financial conflict of interest can be defined as the presence of monetary assets, income, or sponsored travel expenses which are allocated to Investigators, their spouses, and their dependent children, and which are related to the content, design, execution and publication of results of a project.

Financial interests that are created through a contractual relationship with UNIGE as well as any compensation for teaching duties and consulting services for public or non-profit organizations do not fall under the above definition.

Special attention has to be paid for situations where the PI holds share (or leads) UNIGE spin-offs which are beneficiaries in the project.

If the PRINCIPAL INVESTIGATOR identifies a financial conflict of interest that affects him/her and/or another UNIGE researcher working on the project, the PRINCIPAL INVESTIGATOR is required under the UNIGE Financial Conflict of Interest Policy to notify his/her hierarchical supervisor without delay. Such notification shall be made in writing with copy to Research Services (euresearch [at] unige.ch). For professors, the hierarchical supervisor is in principle the Dean. For Deans, the hierarchical supervisor is in principle the Rector. The hierarchical supervisor will determine the appropriate measures to be taken to protect the interests of the University.

- [UNIGE Financial Conflict of Interest Policy](#)

Further information, Contacts

[Research Services - Euresearch](#)