

## Regulations on Particularly Risky Research

**This English translation serves information purposes only. The original German version is the legally binding document.**

September 10, 2024

Based on § 11 of the University of Basel's Statutes of 3 May 2012, the President's Board issues the following regulations:

### *Art. 1 Purpose*

- <sup>1</sup> The purpose of these regulations is to control particularly risky research at the University of Basel.
- <sup>2</sup> The University of Basel defines *particularly risky research* as:
  - a) research with a military connection and/or with a potential military purpose;
  - b) Dual-Use Research of Concern (DURC), i.e., research for which it can be assumed, based on the current understanding, that it could generate knowledge, information, products, or technologies whose direct misuse would pose a threat with potential far-reaching consequences for public health and safety, crops and other plants, animals, the environment, materials, or national security;<sup>1</sup>
  - c) Gain-of-Function Research (GoF Research), i.e., biological research that, in addition to biosecurity and biosafety risks,<sup>2</sup> also involves risks of misuse. Biological experiments conducted with the intent to increase the transmissibility and virulence of pathogens are classified as particularly risky;
  - d) Potential Pandemic Pathogens (PPP Research), i.e., research involving dangerous pathogens that would very likely cause a pandemic if released.

### *Art. 2 Principle*

- <sup>1</sup> The University of Basel does not participate in projects that are:
  - a) connected to weapons (including nuclear, biological, chemical, or cyber weapons); and/or
  - b) subject to confidentiality requirements for national security reasons.

### *Art. 3 Research Projects and Collaborations Requiring Approval*

- <sup>1</sup> Research projects and collaborations require approval if:

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<sup>1</sup> See Oeschger Franziska and Jenal Ursula, [Misuse Potential and Biosecurity in Life Sciences Research](#), Swiss Academies Report 12, no. 3 (Swiss Academies of Arts and Sciences, 2017), p. 12.

<sup>2</sup> See Wissenschaftliche Dienste des Deutschen Bundestages, [Sachstand: Gain-of-Function—Forschung und Dual-Use Research of Concern](#), WD 8 - 3000 - 077/21 (2021), pp. 5–7.

- a) they are funded by programs or agencies with a military connection and/or involve research collaboration with institutions with military objectives (particularly in connection with the development of weapons and military equipment, with or without financial transfers);
- b) they are classified as Dual-Use Research of Concern (DURC);
- c) they are classified as Gain-of-Function Research (GoF Research);
- d) they involve Potential Pandemic Pathogens (PPP Research).

<sup>2</sup> The research projects and collaborations defined in Art. 3, para. 1, must be reviewed by the Committee for Research Ethics (KFE)<sup>3</sup> and approved by the President's Board upon the proposal of the Vice President's Office for Research.

#### *Art. 4 Basic Conditions for Project Approval*

<sup>1</sup> Approval of particularly risky research requires that:

- a) the results and intellectual property generated within the framework of research projects at the University of Basel are and remain, as a rule, owned by the University of Basel. Exceptions to this and further regulations regarding usage rights in research and service agreements with industrial and other collaboration partners are to be arranged on a case-by-case basis. such contract have to be checked by the University Technology Transfer Office Unitectra;
- b) awards, subawards, or cooperative agreements; procurement contracts that impose restrictions on publication or intellectual property and are subject to the US Federal Acquisition Regulation (FAR)<sup>4</sup> are not accepted;
- c) the contracts with funding agencies do not impose any restrictions with regard to publication rights on the University of Basel;
- d) the appropriate documentation is submitted for research projects and collaborations subject to export control or to sanctions or embargo legislation.<sup>5</sup>

#### *Art. 5 Application for Approval*

<sup>1</sup> All applications must be submitted in writing by the project managers to the relevant office in the Vice President's Office for Research before beginning work on the project and before entering into any agreements with third parties. Applications must include a complete project description, information on all the partner organizations, and an assessment of the potential risks.

<sup>2</sup> Project applications (including pre-proposals) that are to be funded by programs with a military connection must be submitted at least eight weeks before the submission deadline. In addition to the documents named in para. 1, it is necessary to submit all the information on the funding agency in the Grants Tool to receive approval.

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<sup>3</sup> See [Regulations](#) §3 Ziff. 2, amended June 6, 2025, into force since 1 October, 2025.

<sup>4</sup> See the [US Federal Acquisition Regulation \(FAR\)](#).

<sup>5</sup> See the [information on export controls and sanctions](#) provided by the federal State Secretariat for Economic Affairs (SECO).

- <sup>3</sup> The KFE issues guidelines with information on contact persons, templates, and instructions about the process.

*Art. 6 Review by the Research Ethics Committee (KFE)*

- <sup>1</sup> The KFE reviews applications from a research ethics perspective and may obtain external expertise if necessary.
- <sup>2</sup> The KFE issues a justified recommendation for approval or rejection of the application for the attention of the Vice President's Office for Research.

*Art. 7 Approval by the President's Board*

- <sup>1</sup> The President's Board decides on the approval of the application upon the proposal of the Vice President's Office for Research, taking into account the recommendation of the KFE.

*Art. 8 Principle of the Freedom of Information in the Administration (Öffentlichkeitsprinzip)*

- <sup>1</sup> The University of Basel is subject to the principle of the freedom of information in the administration. In accordance with the Information and Data Protection Act of the Canton of Basel-Stadt<sup>6</sup> and the Federal Act on Freedom of Information in the Administration,<sup>7</sup> information about research projects conducted at the University can be disclosed.

*Art. 9 Entry into Force*

- <sup>1</sup> These regulations enter into force on 1 January 2025 and replace the Regulations of the University of Basel on Participation in Proposals of the US Armed Forces or US Intelligence Agencies of 19.09.2017.

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<sup>6</sup> See the [Gesetz über die Information und den Datenschutz \(Informations- und Datenschutzgesetz, IDG\)](#) of the Canton of Basel-Stadt, SG 153.260 (2024).

<sup>7</sup> See the [Federal Act on Freedom of Information in the Administration \(Freedom of Information Act, FoIA\)](#), SR 152.3 (2004).