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English version only – Since the original advice includes many technical terms, the CSR would like to avoid miscommunications in future discussions.

Dear Executive Board, Dear Edith, Peter-Paul, and Jan,

On December 20th, the Central Student Council (thereby 'CSR') received your request for advice regarding the 'Assessment framework for external collaborations'. While recognizing efforts of the framework expanding its recognition of collaborating with countries in armed conflicts in comparison to the previous framework, the CSR urges reassessment of this framework before its implementation.

Introduction

First, the CSR would like to express disappointment about the limited student involvement in the direct crafting of the framework. This concern is particularly salient given that the framework's revision was concurrent with pro-Palestine demonstrations on campus last year, led by students dissatisfied with the University's ongoing collaborations with Israeli universities, complicit in the current war on Gaza. Evidently, students expressed their desire for involvement and engagement when it comes to who the UvA chooses to collaborate with. The student involvement that was included was, however, only through invite-only roundtable discussions at the faculty level and the DenkMee platform, and not in the direct writing of these guidelines.

Neither the CSR nor the Central Workers Council (COR) have been given a seat in the Advisory Committee on External Collaborations (ACEC). The two representative bodies hold positions only within the General Institutional Ethics Committee (AIEC), which was not involved in the revision process. Given that the ACEC has de facto become the primary body overseeing ethics at the University on the central level (although in the guidelines in the 3rd footnote, they claim they 'operate alongside', although the collaboration between ACEC and AIEC did not occur on said central level), this exclusion of medezeggenschap is highly concerning.

As a response to the Unsolicited Advice we sent previously on the ending of institutional collaboration with Israeli universities (2024cu0773), it was stated that our involvement through AIEC will be noted and regulated by the CvB. AIEC received a request for feedback



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regarding this framework as well, but at the time of writing did not discuss this at all. More recently, we communicated this problem with you during the OV on the 14th of January, and we hope for a quick solution.

Students have expressed their need for involvement on the matter of university collaborations time and time again, such as protests regarding collaborations with Shell in 2023¹ and now Israel in 2024². That's why we found it fitting to request in the last academic year to have a member be part of ACEC. This has not been approved, with the justification being that it is 'not appropriate' (2024cu0773). Therefore, there was no medezeggenschap involvement, nor student involvement, on a direct level to the drafting of this framework.

The student input for the framework therefore came from two sources: the DenkMee platform and roundtable discussions on faculty levels. The Faculty Student Council of Law (FSR FdR), among others, has raised issues with these roundtable discussions. A big issue was its invite-only basis, therefore limiting accessibility to students to provide input in a substantive manner. Furthermore, only 2 students were present at these discussions, both from the FdR FSR. Therefore, there was not adequate representation of those who protested in the first place, proportionally speaking at the very least. Other roundtables were organized in a similar fashion. The Faculty of Humanities had an open 'pre-dialogue', but their roundtable was invite-only as well. The Faculty of Social and Behavioral Sciences had more involvement of students, but was also invite-only. The Faculty of Economics and business also had one or two representatives. At the Faculty of Science, also one or two representatives were invited to the roundtable discussions, but there was also a citizen's assembly planned titled: "Cutting ties with Israel: Why and How", which did not happen. Therefore, the voices of students were not able to be fully taken into account within the roundtable discussions because of limited involvement. While DenkMee was an appropriate means to elaborate upon not having enough representation, the roundtables should've been organized with students in mind first. Gathering input from these discussions and the DenkMee platform came the list of 11 recommendation³ used for the crafting of this framework. We believe that the more direct involvement of students within the drafting of this framework would've preemptively solved the problems we will outline.

ACEC

The Advisory Committee on External Collaborations (ACEC) is an advisory committee of the University of Amsterdam, created to advise researchers, faculties, and the University in the establishment of a new research project or collaboration regarding possible ethical issues that might arise⁴.

However, the CSR notes a series of issues within ACEC. We hold that, given the importance of this framework, the role, composition, and functioning of the ACEC should be formally defined within the framework.

Transparency of ACEC's internal functioning and composition

The CSR is strongly concerned with a series of points regarding ACEC's transparency. We believe that ACEC, as an important body for the future of the University, should act in a clear

¹ <https://nltimes.nl/2023/01/16/climate-activists-occupy-university-amsterdam-building-ties-shell>

² <https://www.parool.nl/amsterdam/teruglezen-zo-verliepen-de-protesten-en-sit-ins-op-de-uva-en-andere-universiteiten~b86f603c>

³ <https://www.uva.nl/shared-content/uva/en/Current/2024/07/basis-for-developing-an-evaluation-framework-in-eleven-recommendations.html>

⁴ <https://www.uva.nl/en/research/research-environment/third-party-collaborations/advisory-committee-for-academics/advisory-committee-for-academics.html>

and transparent manner. This is fundamental for the committee to be considered trustworthy and reliable.

Firstly, the composition of ACEC should be publicly available. The CSR contends a formal statute regulating ACEC's composition to be necessary. Currently, it is only public to those employed at the University of Amsterdam. On the contrary, for example, the composition of independent assessment committee of the University of Tilburg is easily accessible to anybody inside and outside the institution⁵. The composition of ACEC should specify the number of student and staff representatives, the institutional bodies to which these members belong, and the procedures by which they are selected.

Secondly, there is no information available regarding the internal decision-making process of ACEC. For an organ to be functional and reliable, it is imperative that the mechanism through which a decision is reached be known. This includes details on how/which sources are consulted, voting/agreement procedures, and what actions the committee can advise on. In Tilburg's Human Rights Assessment Framework⁶, comparable to our assessment framework as it 'aims to prevent education and research from contributing to human rights violations [...]'⁷ possible decisions are clearly outlined in section 4 'The process of judgement by the committee' under the sections 'Phase two: The research' in regards to investigation into collaborations, and 'Phase three: The advisory opinion of the committee' where possible advices and actions are outlined.

Thirdly, there is no information on the internal procedures of ACEC. For example, it is not established how often the committee meets, how it works during the evaluation, and how priority is given to different collaboration evaluations. It is also unclear if and/or how ACEC can begin the evaluation of a collaboration by itself. Furthermore, transparency into the process of advice crafting by ACEC must be extended to more parties than just the researchers and respective Deans/Executive Board. At the least, it should be possible to access per request of any individual studying/working at UvA, if not published on the UvA website ideally. This would include, for example, minutes, advice and decisions taken. The CSR believes there are no reasons as to why such procedures should not be publicly available, as a committee that oversees ethics should inherently work transparently and according to ethical principles.

Furthermore, out of the 11 recommendations of the workgroup, one of them specifically addressed the selection of sources to evaluate collaborations. In the draft framework, however, it is stated that the listed sources are suggestions, and that other sources should be consulted as well. The CSR would like to highlight that by leaving the door open, the framework contradicts the recommendations of the ad-hoc workgroup. In addition, suggesting some sources without elaborating on how these were picked creates unclarity. The ad-hoc group recommended defining the criteria for trusted sources, which is not included in this framework. The CSR finds it particularly important for ACEC to transparently share the criteria according to which these sources were chosen, as well as how it will be ensured that, in case researchers look at alternative sources, those are 'trusted sources' as phrased in the recommendations, ones in line with reporting of real-life events that ACEC is trusting, especially in politically controversial settings. The CSR believes that without a common ground as to who to trust in terms of documenting challenging political climates and politics, this framework will cause more bureaucracy than assessment.

Finally, ACEC should have a definitive timeline to follow when processing requests for advice. To ensure that the committee does not keep researchers and faculties on hold indefinitely, we

⁵ <https://www.tilburguniversity.edu/about/organization/advisory-committee-collaborations>

⁶ <https://www.tilburguniversity.edu/about/organization/advisory-committee-collaborations/publication-human-rights-assessment-framework>

⁷ <https://www.uva.nl/en/research/research-environment/third-party-collaborations/conflict-zones-and-human-rights-violations/conflict-zones-and-human-rights-violations.html>

believe it necessary to include a timeframe within which the committee gives a formalized response. This should be accessible to any student or staff member via request or the UvA webpage. Again, ACEC should meet regularly to satisfy this requirement. However, it is important to account that during the initial period of assessment, ACEC might incur a great workload which could hinder its speed. A lack of response by ACEC should not mean a clearance for the collaboration to take place.

AIEC and Student Inclusion

We express our disappointment in the fact that neither the CSR nor the COR have been given a seat in the Advisory Committee on External Collaborations (ACEC). The two representative bodies hold positions only within the General Institutional Ethics Committee (AIEC), which was not involved in the revision process at any stage, only asked for input. In the recent OV (OV250114), the CvB expressed the opinion that AIEC, which has been inactive for years, could be soon dismantled. Thus, given that the ACEC has de facto become the primary body overseeing ethics at the University, this exclusion of medezeggenschap is highly concerning.

The CSR accepts the dismantling of AIEC in favour of ACEC, but only under the condition of student involvement within the ACEC. As outlined above, student involvement within the guidelines written was already limited and distanced, and the CSR sees its involvement as a partial, short-term solution to this problem. The CSR would propose 2 permanent members from the CSR that would be present at every meeting.

Furthermore, CSR recommends adding a formalized procedure of medezeggenschap and/or students being able to request advice/input from ACEC on cases. This would also improve student involvement when it comes to university collaborations.

Defining Collaborations

The CSR believes that the types of collaborations are not adequately explained within the framework as it currently stands. This was a recommendation of the ad-hoc workgroups: an 'explainer' outlining types of collaboration. While an explainer was provided for institutional collaborations, outlining all possible types of collaboration within UvA would further improve transparency to the student body.

Outcome and Information Request

All decisions on the (re)assessment of collaborations, as is written now in the framework, stay between ACEC, the academic and their educational leadership, with the possible extension to the deans or the executive board. Furthermore, ACEC is only an advisory, non-binding body.

In the same vein, the CSR advises UvA to publish all advice written by ACEC on the UvA website, improving transparency. Collaborations in academia are an opportunity between researchers to expand on the bank of knowledge, and therefore the justification as to why (or why not) a collaboration has come into place should not be confidential information.

Student-led initiatives should also be a part of the consideration when (re)assessing UvA collaborations. There are no considerations as to how students could submit requests for (re)assessing of collaborations at their faculties. This is something that should also be formalized within the framework.

In Tilburg's Human Rights Assessment Framework, the possibility of their ethics committee to send unsolicited advice in regard to current collaborations within the university is also a

possibility. The Central Student Council advises for the amendment of our framework to include this as well.

Effectiveness of ‘Assessment guidelines for external collaborations’

The CSR wishes to underline how the Framework is inherently flawed as the evaluation is self-assessed and even in the case of consultation with the ACEC, the committee’s opinion is non-binding advice.

Procedural Unclarities

The new framework states that reassessment should be conducted in case a set of criteria is met. In an OV (OV250114) it was clarified that the Dean would be the one responsible as to opening reassessment cases. Still, there is a lack of an accountability mechanism as to how the reassessments are to be done. A formalization of student-led initiatives to reopen cases of collaboration are a possible mechanism we advise to be added, but not the final solution: there needs to exist a systematic approach as to how re-assessment is to be done. Who will be following developments within partners, partner universities and geopolitical contexts? Who will ensure the one delegated with this task will keep timely account?

Within the framework, it states the re-assessment should be done by the researcher and/or their educational leadership. How will the university educate and support the researcher in this? Are they then in the power to stop the collaboration? Legally, such does not seem feasible, as an exit clause is not a mandatory aspect of creating collaboration agreements. Do they advise with ACEC in that case? What can be done? Major aspects remain unexplained within this procedure, meaning that researchers and/or their educational leadership are left with no standardized direction to follow. For a procedure of such ethical magnitude, these questions stay disturbingly ambiguous.

ACEC’s Advice Follow-Through

If a research project or a collaboration is reviewed negatively (i.e., ACEC reckons that such collaboration can be involved with human rights violations, armed conflicts, dual-use and military application; or have an impact on climate, environment, biodiversity, or cultural heritage), and the appropriate leadership objects to following the advice, a thorough explanation as to why such decision was made on the behalf of the leadership should be written and made publicly available. The CSR advocates for a mandatory response to ACEC advice in case of a lack of follow-through. It should be a top priority for a university to foster ethical collaborations, and their advice should therefore be fully considered and responded to in the case of rejection, with a possibility to be disputed by the members of the UvA community. As the Framework states in the introduction, the UvA “highly value[s] freedom and responsibility in science and education”. This noble stance is effective only if this framework can be applied thoroughly and effectively, therefore enacting ethics as a core principle of the university.

Exit Clause

In this framework, the addition of an exit clause is suggested. The CSR advises for exit clauses to become mandatory for the establishment of all institutional collaborations. This, of course, ought to be done with the appropriate legal personnel and in consideration of how exit clauses might impact the establishment of new collaborations. Nevertheless, it could be a standardized text which outlines the reason for immediate resolution of institutional collaboration. Those provisions would include the consideration for human rights, crimes against humanity et cetera.

Conflict of Interest

In its current form, the framework places significant responsibility on the Deans, the CvB, or individual academics to assess potential research partners, with no guarantee that they will consult trusted sources (which remain undefined within the framework, not following the recommendation from the ad-hoc working group) in making their judgments. This reliance on the submitters, who could have a vested interest in securing funding for their projects, raises concerns about potential biases and conflicts of interest.

Table 1. Actions to take based on identified risk level

The CSR advises for the 'Medium category' to require consultation with ACEC because of the risk involved. Furthermore, within the 'Risk Assessment Matrix', we think the category 'controversial partner in controversial geopolitical context' but 'uncontroversial' topic should be high risk, especially in regard to student exchanges to ensure safety for our students.

'Reputational consequences'

Furthermore, the CSR inquires what are the 'reputational consequences' that might be at play within termination or establishment collaboration mentioned within the framework on page 2. CSR would like to know what kind of reputational consequences are being referred to here and how they could impact the functioning of the Advisory Committee on External Collaborations, an ethical committee (as they are referred to in footnote 3 on page 1 in the same framework).

Questionnaires and Responsibilities

Ultimately, this framework places most of the accountability on researchers personally, with suggestions for contacting ACEC only in possibilities of controversial collaborations. This additional work for researchers needs to be adequately addressed: will there be training for researchers? Will it be a responsibility of ACEC to raise awareness among institutional collaborators like the ethics committee in Tilburg will? If yes, how will this be done?

ACEC is a body that advises in a reactionary way, and only if risk is deemed high enough. The risk assessment itself is completed through a survey which a researcher fills out themselves by researching their partner either through sources hyperlinked in the document (which are, as mentioned previously, chosen as 'trusted sources' with no explanation) or through doing their own research (within sources that are might not be defined as 'trusted' in the eyes of ACEC), with an inherent interest to pursue this collaboration. The proactiveness of ACEC is something the CSR encourages, as well as within aiding researchers when they are uncertain. Researchers should feel encouraged to seek help within ACEC in any case, not just high-risk ones.

Mitigating Risk of Assessments by Researchers

Another dimension within which ACEC can be more proactive and help researchers is by providing a list of controversial topics (beyond fossil fuel industry) and controversial collaborators (including states perpetrating apartheid, aggressors of war, states responsible for systematic violations of human rights and institutions functioning on occupied territories) would reduce some of the weight of the researcher that is making ethical calls to the specialized ethics body. Furthermore, this would mitigate some of the issues of looking at different sources which might or might not be 'trusted'. Most collaborations will not reach ACEC following the matrix, which makes bias in research even more palpable.

On passivity in relation to academic freedom

It is important to highlight the aspect of the terminology of human rights that doesn't align with contemporary discourse in relation to academic collaborations and academic passivity. Tilburg

University within their report 'Israel-Gaza: Collaboration with Academic Partners' considers the risk of indirect involvement in the human rights violations, thereby becoming a 'passive witness' thus implying moral responsibility of the university itself (page 20). Our current framework does not encapsulate ethical aspects such as passivity, nor is there clarity if ACEC takes these aspects into consideration. The other frame of reference in terms of university ethics is the UNL open letter⁸, where halting collaborations with a whole state (in this case Israel) is not considered a valid option because of 'academic ethos' (namely open and academic debate) and academic responsibility. In this case, there are two opposing concepts between Tilburg and Amsterdam: academic responsibility (which remains undefined within the UNL letter) and moral responsibility (elaborated within the Tilburg report).

An alternative lens to which we bring your attention to is the reversal of the position of academic boycotts by The American Association of University Professors⁹. Particularly, we would like to bring attention following segments:

In such contexts, academic boycotts are not in themselves violations of academic freedom; rather, they can be considered legitimate tactical responses to conditions that are fundamentally incompatible with the mission of higher education.

[...]

Committee A therefore holds that individual faculty members and students should be free to weigh, assess, and debate the specific circumstances giving rise to calls for systematic academic boycotts and to make their own choices regarding their participation in them. To do otherwise contravenes academic freedom. [...] Academic boycotts should target only institutions of higher education that themselves violate academic freedom or the fundamental rights upon which academic freedom depends¹⁰

This brings another issue with this framework to light: as it stands now, responsibility for collaborations is fragmented to particular levels of the institution. Thereby, this does not allow for assessment of institutional responsibility, therefore enabling specific collaborations within smaller units of an institution that could itself be unethical and argue that that particular institution is not involved. The term 'partner' remains vague, which results in these unclaritys.

In light of these considerations, the CSR strongly encourages the Assessment framework for external collaborations to be amended before its implementation.

On behalf of the Central Student Council 2024-2025,



Stefana Feciuc,

Chair



Dina Nikolić,

O&O Chair

⁸ <https://www.universiteitenvannederland.nl/en/current/news/letter-rectores-magnifici-in-trouw>

⁹ <https://www.aaup.org/report/statement-academic-boycotts>

¹⁰ Underlined by writer of this document.