

Translation of the German-language press release issued by the Boehringer Ingelheim Foundation on 27 May 2016 regarding the Mainz administrative court's grounds for judgement with respect to the contractual arrangements between the University of Mainz and the Boehringer Ingelheim Foundation:

Boehringer Ingelheim Foundation welcomes clarifying court ruling

Mainz, 27 May 2016: On Tuesday, 24 May 2016, the administrative court of Mainz published its grounds for judgement concerning Prof. Dr. Thomas Leif versus the University of Mainz. Two weeks earlier, on 11 May 2016, the court had agreed with the position of the University and the Foundation, and denied a general right of access to contracts regarding third-party funding, under the former Landesinformationsfreiheitsgesetz (State Freedom of Information Act, in effect until 31 Dec 2015), as well as under the new Landestransparenzgesetz (State Transparency Act, in effect since 1 Jan 2016).

In its grounds for judgement, the court declared that, under the aforementioned acts, the claimant is not entitled to access to the contracts. In this particular case, however, such access must be granted to the claimant under the Landesmediengesetz (State Media Act), since the Foundation had voluntarily granted such access to other journalists on 2 July 2015. Journalists from media outlets Spiegel Online, Allgemeine Zeitung, and taz took up this offer. The claimant's employer, Südwestrundfunk (SWR), had also been invited, but did not take part.

"Our greatest asset as a foundation is the independence with which we conduct our work in promoting scientific excellence. In 2009, this led us to support the University of Mainz with a donation to found an institute for basic research. This decision was also inspired by the excellence initiative by the German federal government. The Boehringer Ingelheim Foundation welcomes the legal clarity and certainty that the court's ruling provides to scientific research and its funders," declared Dr Claudia Walther, managing director of the Boehringer Ingelheim Foundation.

"With its 100-million-euro donation, the Boehringer Ingelheim Foundation enabled the University of Mainz to establish an internationally top-notch institute for basic research in the life sciences. It is not, and has never been, our intention to interfere with the prerogatives of universities," continued Dr Walther. "Above all else, we want to ensure that the institute and the top researchers the university has, and will select in the future, enjoy the best possible conditions and the freedoms required for research excellence. This is the only way internationally renowned life-science researchers can be attracted to Mainz." The institute is well on its way to realizing this goal, which was confirmed in October 2015 by an international team of 13 scientists led by Professor Herbert Jäckle, director of the Max Planck Institute for Biophysical Chemistry in Göttingen, Germany, and former vice president of the Max Planck Society.

"The court's grounds for judgement also confirm that, within the context of such contracts between universities and private funders, the law only requires the disclosure of the name of the third-party funder, the amount given, and the duration of completed research projects funded by third parties. This information, as well as more in-depth information, had already been provided by the University of Mainz and the Foundation upon signing the contract," explained Dr. Walther. According

to the court's ruling, no obligation of further transparency exists in the case of third-party funding of scientific research.

Kontakt:

Dr Claudia Walther
Managing Director
Boehringer Ingelheim Foundation
Tel.: +49 (0) 6131 27508-12
Email: secretariat@bistiftung.de
www.boehringer-ingelheim-stiftung.de

Boehringer-Ingelheim-Stiftung

The Boehringer Ingelheim Foundation is an independent, non-profit organization committed to the promotion of the medical, biological, chemical, and pharmaceutical sciences. It was established in 1977 by Hubertus Liebrecht (1931–1991), a member of the shareholder family of the company Boehringer Ingelheim. With the Perspectives Programme “Plus 3” and the Exploration Grants, the foundation supports independent junior group leaders. It also endows the internationally renowned Heinrich Wieland Prize as well as awards for up-and-coming scientists. In addition, the foundation will donate a total of 154 million euros from 2009 to 2027 to the University of Mainz for the Institute of Molecular Biology (IMB). Since 2013, the foundation donates a further 50 million euros for the development of the life sciences at the University of Mainz. www.bistiftung.de