

Translation of the German-language joint declaration issued by the Boehringer Ingelheim Foundation and the University of Mainz on 16 September 2016 regarding their partnership:

A common goal: Best conditions for world-leading scientists and the freedom for excellent research

Mainz, 16 September 2016: The Boehringer Ingelheim Foundation is devoted to promoting excellence in basic research in the fields of medicine, biology, chemistry, and pharmacy, and in this endeavour puts special emphasis on nurturing junior scientists. Since its establishment in 1977, the Boehringer Ingelheim Foundation has concentrated a considerable portion of its funding in the Johannes Gutenberg University of Mainz, due to commitment to its home region.

Since 2009, for instance, the Foundation has committed a total of 100 million euros to the establishment of the Institute of Molecular Biology (IMB) and its scientific operation for a period of ten years. Since 2013, it has also funded a realignment of the Faculty of Biology by the University of Mainz. Altogether, the Foundation has donated 150 million euros to these two projects.

Lately, the contracts governing these donations have been under discussion concerning the fundamental question of whether contracts that universities enter into with third parties regarding research funding or collaborative partnerships should be publicly disclosed. Rulings by German courts in Cologne and Mainz have very clearly rejected such a disclosure requirement; however, the administrative court in Mainz has ruled that, in this particular case involving the Boehringer Ingelheim Foundation and the University of Mainz¹, a journalist must be shown the contracts in question². This has led to a wave of media coverage, with many reports insinuating that the University would allow infringements on academic freedom, such as the right to freely select its professors, and to publish scientific results. It has also been wrongly presumed in the press that the Foundation would act within this partnership in the commercial interests of the Boehringer Ingelheim company.

“Important, correct, and successful”

The University and the Foundation regret that their important, collaborative promotion of independent, curiosity-driven basic research has become the subject of a public debate that has led to uncertainties. They therefore emphasise that the agreements that they concluded are solely concerned with the non-profit funding of basic research in the life sciences at the University of Mainz and do not touch upon any translational research related to commercial interests. For instance, the IMB studies the basic processes of gene regulation, the human body’s DNA repair mechanisms, and the development process from egg to organism.

¹ The court based its ruling on the fact that the Foundation had already shown the contracts to journalists from three other media outlets (Allgemeine Zeitung (Mainz), taz, and Spiegel Online) in a bid to factualize the debate.

² There are two agreements governing the 100-million-euro donation, one from 2009 and one superseding it from 2012.

The University and the Foundation also emphasize that the concluded contracts in no way infringe upon the appointment rights of the University and that the Foundation has explicitly acknowledged the laws governing higher education and the civil service.

An important partnership

Both of the Foundation's major donations are purely philanthropic and are intended to establish Mainz as an internationally prominent centre for life excellence in the life sciences.

The excellent research conditions that have resulted from the partnership between the Boehringer Ingelheim Foundation and the University of Mainz have enabled prospects for cutting-edge research to be significantly improved. The University and the Foundation are thus fulfilling their societal obligation to continuously advance scientific and medical progress.

The day-to-day business of the partnership is correctly conducted.

All researchers funded by the Foundation undertake basic research without prejudice or direction. Their results are documented in their scientific publications, which are accessible through the pubmed public data bank (www.ncbi.nlm.nih.gov/pubmed) and the usual channels. They are also documented on the Institute's website (www.imb.de). The contracts solely specify the broad area of life sciences to be researched, not individual research topics.

At no time has the Foundation interfered with appointments of chairs. All appointments made under the partnership have complied with current legislation. The contracts specifically state that, in regard to appointments, all currently valid laws regulating higher education and civil service must be followed.

In accordance with these laws, prior to the actual appointments process of the IMB directors, the Foundation provided valuable assistance to the search committee in advertising the new prospects being established in Mainz and in persuading top-notch researchers to apply.

All researchers at the IMB enjoy absolute academic freedom and scientific independence. Only they decide upon their research topics and their scientific publications. The contracts also clearly specify that all results, as well as any eventual patents, are the property of researchers and institute. The Foundation does not infringe on the academic freedom or the rights of the University.

The daily practices of the partnership between the University and the Foundation over the last number of years have reflected the intention behind the contracts: to offer the best possible conditions and a maximum degree of academic freedom for excellent basic research within the existing legal framework. This is the basis to which the University and the Foundation are committed, both previously and in the future.

The information that the Foundation and the University have published regarding their partnership also fulfils all legal requirements regulating disclosure obligations concerning contracts between universities and third-party funders. This holds true both with respect to the former Landesinformationsfreiheitsgesetz (State Freedom of Information Act, in effect until 31 Dec 2015) and to the current Landestransparenzgesetz (State Transparency Act, in effect since 1 Jan 2016). In

fact, the Foundation and the University have from the start consistently provided much more information than required by law.

A successful partnership

Since the IMB's founding, three internationally outstanding researchers, two of whom came from abroad, have been successfully attracted to Mainz to serve as IMB directors. In the fall of 2015, a review team of 13 internationally renowned scientists attested that the IMB already conducts research at a very high level, and that it has markedly improved the international profile of Mainz as a centre for life science research.

IMB scientists publish outstandingly in international scientific journals, and the scientific education offered at the IMB has already attracted a great number of promising young scientists to Mainz from more than 20 countries. The Faculty of Biology at the University has also greatly benefitted from the IMB's existence and from the Foundation's second donation. This is demonstrated by its successful grant applications for third-party funding, as well as by the impressive list of scientists now applying for chairs at the University of Mainz.

It is our firm belief that the commitment exercised by the Johannes Gutenberg University of Mainz and the Boehringer Ingelheim Foundation has established an exemplary partnership in Mainz, which many others in Germany and abroad would gladly welcome for themselves.

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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