

EUI Policy on Risk Missions

A. Introduction

The pursuit of excellence in academic research requires freedom of enquiry, gathering of empirical evidence, and innovative use of a range of methodologies. In order to facilitate excellent research by its professors, academic staff, and postgraduate and postdoctoral researchers, the EUI supports the inclusion of research missions in research undertakings at all levels. The EUI is committed to the safety and security of its employees and researchers when they are on mission, as well as to the principle of causing no harm to third parties, such as research subjects who will be observed or interviewed.

This policy document, prepared by the EUI Ethics Committee and approved by the Academic Council on 17 May 2017, consolidates the Institute's policy toward its academic staff and researchers who plan to undertake research missions that may entail a risk for the individual concerned. It is accompanied by a risk assessment form and it includes a section that outlines the procedure for potential risk missions, to be applied whenever a proposed mission entails either severe risks, or a significant degree of other risk.

This policy document will be reviewed in the year 2020 in light of the experience obtained.

B. The EUI Policy on Risk Missions

The duty of care and the civil liability of the EUI

The Institute has a duty of care in relation to its employees and researchers. This duty entails that employees are not sent on mission, or permissions are not granted for missions by researchers who are not employees, when there is a risk to the life, health or personal security of the person. As part of its duty of care, the Institute has procedures in place that seek to ensure that a potentially risky mission is either not undertaken or that adequate measures are taken to eliminate or contain any risks, so that a potentially risky mission becomes acceptable.

As a corollary to its primary duty of care, the Institute is also subject to civil liability in case foreseeable risks were ignored or measures of risk elimination or containment were not undertaken. Such civil liability may result, for instance, from the death, disappearance or taking as hostage of a person on mission. While careful assessment of insurance coverage issues may help in mitigating the financial consequences of a risk that materializes, taking out insurance does not eliminate the actual risk and does not exclude the Institute's civil liability if a risk materializes.

While the status of a person on mission (employee or not) and the immunities of the Institute as an international organization in respect of the national courts of its Member States may affect some legal considerations related to the civil liability of the Institute, they do not affect the Institute's duty of care or the main principle of its civil liability. Consequently, it is the Institute's policy to treat equally employed and other persons whose potential mission is identified as entailing risk, and also equally irrespective of their nationality. A person's experience and expertise in conducting research missions and assessing their risks is however a relevant factor in the contextual assessment of whether a proposed mission entails risks.

Risks to third persons

When EUI academic staff or researchers are on mission, they must not cause risk or harm to other persons, such as interview or observation subjects, informants or local collaborators (such as translators or drivers). These types of harms or risks are to be addressed at the design phase of a research undertaking, as a part of its ethics review. Therefore, there is usually no need to revisit these issues at the phase of authorising a research mission. Nonetheless, the person authorising the mission may legitimately ask the person seeking the mission to show that a research ethics assessment was conducted.

The role of EUI Contracting States

The nationality of a staff member or researcher is relevant in relation to so-called diplomatic protection afforded by a state towards its own nationals. Diplomatic protection entails far-reaching obligations and privileges that for instance in situations of hostage-taking may include high-level representations and negotiations, engagement with third states and at multilateral fora, the payment (or non-payment) of ransom, or demanding logistical arrangements. Such situations may also affect diplomatic relations between states.

It follows from these considerations that the Institute has duties also in relation to its contracting states or other states, nationals of which are sent or authorized by the Institute to undertake a mission. Also, any travel advice issued by a person's own country of nationality needs to be consulted when assessing whether a proposed mission is risky. This does not mean that a person's nationality would be the only factor affecting whether there are risks, and of what degree of severity. Also the topic of the research to be undertaken or the persons to be interviewed or otherwise contacted in the course of the mission may affect the existence, nature and level of risk. Hence, the requirement to consult the travel advisory issued by the person's country of nationality does not replace the obligation to conduct a comprehensive risk assessment.

Training

Training and preparation for fieldwork and missions will be provided by the Departments, other academic units and by Academic Service. Academic Service will maintain a repository of training materials and other resources (such as online courses), available to researchers, staff and supervisors.

No unauthorized missions

It would be incompatible with the duty of care of the Institute to condone a practice of unauthorized de facto missions that would circumvent this policy document and the procedure designed pursuant to it. Researchers or members of the academic staff who might be tempted to undertake a risky research trip 'at their own risk' need to be reminded that such conduct could result in disciplinary or other proceedings, depending on the exact status of the persons concerned. Supervisors or Heads of Department who were aware of a plan to undertake an unauthorized mission may equally face consequences under the existing framework of applicable rules and regulations, based on the person not triggering the risk mission procedure, independent of the Institute's possible liability.

C. Procedure

The procedure applicable in the consideration of potentially risky missions is based on the responsibility of the PhD supervisor (or analogously situated superior) and the Head of Department (or Director of Centre or Service) to assess any risks associated with a proposed mission, as well as the proposals made in order to eliminate or contain the risk. In case of a *severe risk* or a *considerable probability* of another kind of risk, or if the supervisor and Head of Department disagree, or if policy considerations need to be taken into account, the Head of Department will submit the [mission request](#) and its [risk assessment](#) to the President for final decision. The various steps in the procedure are as follows:

1. Please complete the research mission risk assessment form reproduced in the Annex below. Be as specific as possible about the risks and how you plan to contain them. Give the completed form to your supervisor for assessment and endorsement, before sending it to the Head of Department for approval. The Head of Department should receive the completed document at least one month before making any travel arrangements, such as flight bookings.

2. Your supervisor and Head of Department may ask you for additional information if they consider this necessary. If your supervisor and Head of Department disagree whether to authorize the mission or if policy considerations need to be taken into account, then your request will be submitted to the President for decision.

3. The decisions that may be adopted as a result of this procedure will be: positive; positive with conditions; or negative.

- 3.1. A positive decision means that your request to go on the mission is approved, as proposed by yourself, including in respect of your own plan to contain any risks. You will have a duty to seek new authorization should your plans or the risks change.

- 3.2. A positive with conditions decision means that your request to go on the mission is approved, however your Head of Department, your supervisor, or the President may impose additional conditions on your research mission as deemed appropriate. These may include: changes to your travel plan; increasing the frequency of contact with your supervisor; or approval of the mission contingent upon your acquiring specific training before departing as deemed necessary; seeking advice from some additional entity or person with experience on the ground, etc.

- 3.3. A negative decision means that your request is denied. The reasons for refusal will be communicated to you. You will then be in a position to submit a new mission request, informed by the feedback you received.

Annex: Risk assessment form

1. Fill the following form:
[Standard mission authorisation forms](#)
2. If there are any particular risks related to the mission, then fill in the following form
[Risk assessment form](#)

Please consult beforehand the Travel Advice published by the Consular protection for European Union citizens abroad on the following link:

https://ec.europa.eu/consularprotection/traveladvice_en

<p>7. Risk analysis</p> <p>Make a brief risk analysis and answer the following.</p> <ul style="list-style-type: none"> - What are the risks for you? - Is it possible that you will put others at risk? - What measures have you taken to reduce risks? In respect of <ul style="list-style-type: none"> a) Crime: b) Sensitive borders: c) Health precautions: d) A general threat of terrorism: e) Being targeted as a spy/other suspicious person: - What is your evacuation plan? 	<p>Identified risks and precautions I am taking:</p>
<p>8. Local network and contacts</p>	
<p>9. Embassies / Consulates</p> <ul style="list-style-type: none"> - Have you reported your visit to the embassy of your country or nationality? (in case there is none, the country that represents your own one) 	
<p>10. How will you protect and back up your research data?</p>	
<p>11. What are the measures in case of unforeseen financial problems or needs?</p>	

<p>12. What is the health advice according to www.who.int?</p>	
<p>13. Do you have the recommended vaccinations and are they still valid at the envisaged time of the mission? How have you prepared yourself with regard to other health issues (malaria, other)?</p>	
<p>14. Have you enquired your health insurance as to whether your trip is (still) covered?</p>	
<p>15. Who will you call in case of an emergency?</p>	
<p>16. Who will you call outside office hours?</p>	
<p>17. How often will you contact your supervisor and in what way? Agree upon frequent updates.</p> <p>What do you do in case you cannot reach your supervisor or your supervisor cannot reach you?</p>	
<p>18. What background do you have in the local language/language of your interlocutors? How can you tell that your language skills would suffice for you to communicate with local authorities or to detect impending risks to you?</p>	
<p>19. If applicable: do you know enough of the local culture/culture of your interlocutors, and (if relevant) of the causes of local social, political or religious unrest to know how you should behave to remain safe?</p>	

<p>20. Is the nature or purpose of your research project likely to cause tension with any persons whom you will encounter in the course of the research mission?</p> <p>Is it possible to find publicly accessible information (e.g. online) about your previous research or about yourself which could place you or your interlocutors in dangerous situations?</p>	
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**Completed truthfully by the
Researcher/Fellow/Staff**

**Decision of the supervisor:
Yes / No / Conditional
(as specified in the annex)**

Name, signature and date

Name, signature and date

Decision of the Head Of Unit:

Yes / No / Conditional

Name, signature and date

In case of a severe risk or a considerable probability of another kind of risk, or if the supervisor and Head of Department disagree, or if policy considerations need to be taken into account, the Head of Department will submit the mission request and its risk assessment to the President for final decision

Decision by the President:

Yes / No/ Conditional

Name, signature and date

Find the DETAILED TRAVEL ADVICE AND SOURCES on the next page.

APPENDIX

Travel advice
DETAILED sources, safety messages and precautions

Travel advice by <Your country of nationality> Usually Ministry for Foreign Affairs	
Belgium (when relevant for insurance coverage)	
US Travel advice Travel warnings and alerts: https://travel.state.gov/content/passports/en/alertswarnings.html General travel advice by country: https://travel.state.gov/content/passports/en/country.html	
Center for Disease Control (CDC) travel advice: http://wwwnc.cdc.gov/travel/	
EU Diplomatic Representations at destination https://ec.europa.eu/consularprotection/traveladvice_en	
Other Embassies give similar advice:	