"Ethics in research and international cooperation"

PREAMBLE

The document aims at providing research applicants with guidance when dealing with specific **ethical issues** that can arise when an FP funded research project involves research activities in **developing countries** or **countries with emerging economies**.

What is particular about developing and emerging economy- countries?

Developing and emerging economy-countries face a very wide, and constantly changing variety of situations. Many of the ethical issues that are specific to research projects carried out in these countries originate from the potential vulnerability of local people, such as:

- Potential 'vulnerability' of study participants that may affect their ability to give individual informed consent (i.e. right to deny their participation to a study without prejudice) because of their lack of access to healthcare services, the low level of education and the limited knowledge of their own legal rights, etc…
- Potential vulnerability of the local research team or of the local Ethics Review Committee, both of which may have difficulty challenging the study design or the proposed research methodologies from an ethical perspective especially if the proposed study would result in a financial investment that would improve the local research infrastructure.

Fundamental ethical considerations

Three overall considerations should apply to **all** research projects involving these countries. The proposed research must:

1. be responsive to the needs of the country where research is carried out (e.g. the study must be of added value for the health and welfare of the intended participants, their community, and/or their country).
2. be scientifically sound (although not within the scope of the ethical review),
3. abide by relevant EU/national legislation as well as by the relevant international guidelines.

Specific issues to address in the ethical review process

Applicable legislation

Sponsors and researchers **must** comply with the relevant EU legislation in addition to the legislation of the host and funding countries. They **should** also comply with internationally accepted guidance documents, such as the Declaration of Helsinki.

How does the research comply with the relevant **EU legislation**?	
How does the research comply with the relevant **national legislation**?	
Does the research comply with relevant internationally accepted guidance documents? **If no**, please explain why.	

Benefit sharing

International research projects must provide benefits to all stakeholders, with particular emphasis on benefits for research participants and their community, but also for local researchers. It should be assessed whether and how the research might impact on the local health system. As part of benefit sharing, post-study clinical or other research commitments must be addressed in the research proposal.

Will the research contribute to the development of **local expertise**?	
Does the research provide **benefits of participation** for the involved stakeholders (e.g. development of research infrastructure, distribution of results, publications, access to data, intellectual property, technology transfer).?	
May the research lead to the diversion of **local resources** in a way that could be detrimental to the local community (e.g. diversion of local human resources, equipments, etc.)? **If yes**, please justify steps taken to minimize impact.	
Do **post-study commitments** address the issue of access of the research participants, their communities and their country to research-proven interventions and research outcomes?	

Healthy volunteers

As healthy volunteers can represent a particularly vulnerable population in emerging economy- and developing countries, specific attention should be paid to ensure that they are able to provide genuine informed consent, and to ensure their safety.

Are the potential **risks and benefits** that relate to the proposed research adequately presented within the informed consent procedure?	
Are there any mechanisms in place, which can ensure that participants cannot be also enrolled in **several similar research projects** at the same time or within a short time period from the planned research?	

Standard of care

The revised Helsinki Declaration states that "the benefits, risks, burdens and effectiveness of a new intervention must be tested against those of the best current proven intervention." It is expected that within the framework of the Seventh Framework Programme (FP7), this recommendation is followed.

Does the standard of care provided to the research participants comply with the relevant international rules and recommendations? **If not**, please justify.	

Ethical review process

The relevant local independent Ethical Review Committee (ERC) from which an authorisation is planned to be requested) must be identified in the submitted documents. International guidelines require approval by two ERCs, one local (i.e. located in the country where the study is planned to be conducted) and one in the country where the sponsor is based.

Is the relevant **local independent relevant ERC** identified in the proposal?	
Will there be a **double ethics review** by the local ERC and the ERC of the sponsor's country. **If not**, please justify.	

Informed consent / assent

A special CORDIS document on informed consent specifies the requirements of the appropriate proper informed consent procedure [1] In emerging economy-and developing countries, because of particular cultural or environmental factors, a participant's informed consent/assent **may** involve other community figures and/or family members.

Independent of the cultural particularities that may require a slight modification of the standard procedures, the **principle of Informed Consent** — individual, comprehensible and fully documented — **is fundamental.** It must be adhered to in all circumstances without exposing the individual to discrimination or danger simply because the procedure does not fully comply with the local cultural settings. It is also important to ensure that the participants will not face any risk that relates to their refusal to participate in the planned study, and are offered actual alternative options.

Are **the principles of an individual informed consent / assent** well-documented (in writing) and followed ?	
Does the research involve **particularly vulnerable populations** (e.g. orphans, migrants, sex workers, etc.)? **If yes**, are adequate provisions in place to ensure adherence to the principles of an individual informed consent/assent?	
Are actual and potential **risks** clearly spelt out in the information documents and proposed verbal explanations if the local population has developed a non-written culture?	
Are the potential **benefits** presented in a balanced and objective way and in a locally accessible form?	
Do the inducement **rewards or participation-related compensation** provided for participating in the research, threatens or challenges the ability of research human subjects to provide genuine informed consent?	
Does the designed informed consent process appropriately explain the alternatives provided to the participants in case they do not wish to enrol in the research?	

[1] http://cordis.europa.eu/fp7/ethics_en.html

Data protection

Data protection and privacy must be ensured, in compliance with EU/national legislation. The research must describe in detail how, for how long and by whom study data will be handled, protected, stored. If cross-country transmission is anticipated, a formal legal agreement, such as a Material Transfer Agreement or a Memorandum of Understanding is recommended so as to safeguard the rights of developing countries, but also those of the stakeholders of the developed country.

Does the research involve the processing of **personal data?**	
Does the research involve the processing of **genetic information or sensitive personal data** (e.g. health, sexual lifestyle, ethnicity, political opinion, religious or philosophical conviction)?	
Is **Data Protection and Privacy** ensured, in compliance with the relevant EU and/or national legislation?	
Does the proposed research appropriately address **data** ownership, storage and access?	
Does the research appropriately address **biological samples** ownership, storage and access?	
If cross-country transfer of **biological samples** is considered, is a Material Transfer Agreement or a Memorandum of Understanding available? **If not**, justify.	

Animal welfare

Research projects must comply with the applicable EU/national legislation governing animal experimentation. The proposed research should also contribute to the building of capacity (e.g. in terms of training on animal experiments and/or facilities).

Does the research project comply with the **applicable EU/national legislation** governing animal experimentation?	
Will the research be evaluated by an appropriate ERC?	
Does the experiment involve **endangered animal species**?	
Does the research help in **building local capacity** for humane conduct of animal experimentation?	

SOME USEFUL REFERENCES

1. Directive 2001/20/EC of the European Parliament and of the Council of 4 April 2001 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the implementation of good clinical practice in the conduct of clinical trials on medicinal products for human use. OJ L 121, 1.5.2001.

2. Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data OJ 23 November 1995 No L. 281 pp. 0031-0050.

3. Directive 86/609/EC of the European Parliament and of the Council of 24 November 1986 on the protection of animals used for experimental and other scientific purposes. OJ L 358 , 18/12/1986 P. 0001 – 0028.

4. World Medical Association Declaration of Helsinki. Ethical Principles for Medical Research Involving Human Subjects. Available from: http://www.wma.net

5. Ethical aspects of Clinical Research in Developing Countries. Opinion of the European Group on Ethics in Science and New Technologies to the European Commission, 2003.

6. International Ethical Guidelines for Biomedical Research Involving Human Subjects. Council for International Organizations of Medical Sciences (CIOMS) ISBN 92 9036 075 5. Available from: http://www.cioms.ch/frame_guidelines_nov_2002.htm

7. Universal Declaration on Bioethics and Human Rights. Available from: http://portal.unesco.org/en/ev.php-URL_ID=31058&URL_DO=DO_TOPIC&URL_SECTION=201.html

8. International Convention on Biological Diversity. Available from: http://www.cbd.int/

9. JR Mc Millan, C. Conlon (2004). The ethics of research related to healthcare in developing countries. J Med Ethics. 30. 204-206.

10. Wendler D, Emanuel EJ, Lie RK (2004). The standard of care debate: can research in developing countries be both ethical and responsive to those countries' health needs. Am J Public Health. 94-6:923-928.