

Rules of Procedure of the Ethics Committee at the Faculty of Law of the University of Hamburg (EKRW)

(version dated 27 April 2023)

The German version is authoritative.

§1 Objective and task

(1) The Ethics Committee examines ethical aspects of planned research projects involving human subjects and issues an opinion if necessary. It acts in an advisory capacity on behalf of academics from the Faculty of Law.

(2) In particular, it shall be assessed whether all precautions are taken to minimise the risk to the persons involved, whether the information and consent of the persons or their legal representatives is sufficiently documented and whether data protection is taken into account.

(3) The opinions of the Ethics Committee may be forwarded by the applicants to third parties, such as journals or third-party funders.

(4) The Ethics Committee is committed to the "Mission Statement of Universität Hamburg".

§2 Application

(1) Scientists of the Faculty can submit applications to the Ethics Committee at any time; electronic form is possible. The current version of the guidelines for submitting applications be observed and the templates provided must be used. It must also be stated whether an application has already been submitted to another institution or faculty and how it was decided. For research projects by non-doctoral members of the faculty, a statement from the responsible university lecturer is required.

(2) Applications may be excluded from the assessment or referred to other bodies for formal reasons, in particular if the documents are incomplete, or if the body is not responsible.

(3) Short applications may be submitted for research projects that are categorised as ethically unobjectionable by the scientists carrying out the research.

§3 Assessment procedure

(1) The following criteria are generally important when assessing applications:

- a) Clear communication of the objective and those responsible for the study to participants,
- b) Informing the participants about the research project, in particular about potential risks and the possibility of cancellation without consequences,
- c) the nature and use of personal data, in particular anonymisation or pseudonymisation (with access to the real names explained), storage and access to the data,
- d) well-informed consent of the participants,
- e) In general, the principles of purpose limitation, data minimisation and the transparency requirement must be followed when collecting and storing data.

(2) The Ethics Committee shall decide in private. Written resolutions by circulation are permissible, provided no member of the committee objects. Positive votes shall be granted if a majority of the members of the Ethics Committee assess the application favourably and the other members do not express any significant ethical concerns. The decision of the Ethics Committee must be communicated to the applicant in writing (electronic communication is permitted). Rejections, conditions and recommendations for changes to the research project must be justified. The Ethics Committee generally decides within fourteen days.

(3) If there are significant concerns regarding an application, the applicant may be requested to submit a revised application. If an application is rejected on ethical grounds, the applicant may present counter-arguments and request a new opinion from the Commission that takes these into account.

(4) After consultation with the applicant, external experts may be consulted for advice. The external experts have no voting rights.

(5) Members of the Ethics Committee who are themselves significantly involved in applications (e.g. as co-authors or principal investigators) are excluded from the review process for these applications.

(6) The subject matter of the proceedings and the opinions of the Ethics Committee shall be treated confidentially by the members. The members of the committee are obliged to maintain confidentiality. The same applies to any experts consulted.

(7) The applicant shall inform the Ethics Committee of all ethically significant changes before or during the implementation of the research project, in particular of its cancellation or termination as well as of all events or conditions that could lead or have led to the endangerment of persons or restrictions of their personal rights. In this context, the Commission may withdraw a favourable review.

§4 Structure and composition of the Ethics Committee

(1) The Ethics Committee is made up of a total of five members from research groups at the University. It consists of four university lecturers and one representative of the academic staff, all of whom belong to the Faculty of Law.

(2) The members of the Ethics Committee are appointed by the Dean of the Faculty of Law for a period of two years. Deputies are elected from each member group (three professors and one for the mid-level faculty), who exercise the right to vote if they are unable to attend.

(3) The Ethics Committee elects a chairperson and a deputy chairperson from among its members. The chairperson shall come from the group of university lecturers; he/she shall lead the review procedure for applications to the Ethics Committee with voting rights and represent the Ethics Committee externally.

(4) The Ethics Committee may delegate administrative functions to a member of the administrative staff.

(5) The Ethics Committee shall formulate procedural guidelines and application forms for its work.

§5 Exclusion of liability

(1) The Ethics Committee provides assistance by advising and assessing ethical aspects and impact assessments of research projects. It accepts no liability whatsoever for any damage that may occur in connection with the implementation of the reviewed research projects.

(2) Positive votes by the Ethics Committee do not release the scientists from their own responsibility for the research project and its implementation.

§ 6 Entry into force

These Rules of Procedure shall enter into force upon their adoption by the Dean's Office of the Faculty of Law.

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