Where there is no lawyer: Meeting on fair research contracting

23-25 October 2012

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To reduce the burden of poverty related diseases (HIV/AIDS, malaria and tuberculosis) and generally improve the health of people living in developing countries by accelerating research and development of new or improved interventions against these diseases through the coordination of the European member state national programmes working in partnership with sub-Saharan Africa.
Strengthening of clinical trials capacity and the enabling environment
Research management support
  • Legal assistance
  • Budget preparation support
  • Contract negotiation support
Research management capacity analysis

- 73 grantees were contacted/24 responded
- 25% of them did not have a dedicated research management support office
- Those with research support office usually did not have a full establishment:
  - Grants management and reporting
  - Contract negotiation
  - Coordination of research activities
  - Grants application and tracking of funding opportunities
  - Budget planning and financial assistance
  - Research planning
  - Procurement
  - Intellectual Property Rights management
• 42% had no in-house institutional legal assistance of any sort including in contract negotiations

• In 8/14 legal assistance is outsourced when required
• 1/14 consults a colleague qualified in law
• 1/14 depends on collaborators from the North
### Support for budget preparation

<table>
<thead>
<tr>
<th>Support for budget preparation</th>
<th>%</th>
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<tbody>
<tr>
<td>Available in-house expertise (14/24)</td>
<td>59%</td>
</tr>
<tr>
<td>No support available (6/24)</td>
<td>25%</td>
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<tr>
<td>Assistance from colleagues (2/24)</td>
<td>8%</td>
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<tr>
<td>Through collaborators from North (2/24)</td>
<td>8%</td>
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### Contract/budget handling capacity

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<tr>
<th>Contract/budget handling capacity</th>
<th>%</th>
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<tbody>
<tr>
<td>Model contracts (18/24)</td>
<td>75%</td>
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<tr>
<td>Interactive web-based budgeting (13/24)</td>
<td>54%</td>
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Dedicated contract handling/negotiation support

- Contract negotiation support (11/24) 46%
- No dedicated support (13/24) 54%

No support (6/24) 25%
Institutional team work (4/24) 17%
Assistance from colleagues (3/24) 12%
Consequences of the lack of contract management capacity

- Delays in contract signing/starting of the projects
- Mistrust between grantees and funders
- Fallout among collaborators within consortia
- Inability to finish projects within the agreed budget and/or timelines
  - Delays
  - Under budgeting/over budgeting
  - Mismanagement
  - Not being in control
- Perpetuating the cycle of dependence on partners from the north
Thank you

http://www.edctp.org