



Fair Research Contracting

The growing volume of research in low- and middle-income countries (LMICs) is welcome, but brings with it a number of new challenges for research institutions and government departments dealing with research in those countries. The necessity for LMIC institutions to have access to the legal resources and capacities to negotiate fair partnerships with their funding partners has become more important than ever. With the often multi-centre and multinational nature of such research, key issues in the allocation of resources, capacity and post-study benefits arise. These include:

- **Data ownership** (including ownership of samples)
- **Intellectual property rights**
- **Post-study benefit sharing**
- **Capacity transfer and building**
- **F&A costs**
- **Relevant legislation governing contracts**
- **Institutional frameworks or policies**

Benefits of Fairer Research Contracts

All stakeholder groups will benefit from more equitable research contracts.

- **Institutions** will share a greater proportion of the benefits that result from their work, enabling them to build a more effective research base;
- **Southern institutions** have the potential to become the primary recipient in securing research grants. The issue is then how to empower and capacitate them as the main contractor to negotiate fair sub-contracts with their northern partners;
- **Countries** will benefit from research that strengthens rather than weakens national systems;
- **Research sponsors** will benefit from the stronger research capacity available in countries in which they operate; and
- **Society** in general will benefit from more rapid access to new evidence based services and interventions that have the potential to avert morbidity and mortality.

COHRED's fair research contracting project aims to identify best practices for the research contracting (negotiation) process. that would be useful in the following three scenarios, in situations i) where there is no lawyer, ii) where there may be lay personnel who could be trained, and iii) where there is a lawyer or legal expertise. As part of this project, we invite all interested parties to read our research contracting blog, get involved, share your experiences and send us feedback: marais@cohred.org.