

Academy of Medical Sciences response to Foreign Influence Registration Scheme consultation

The Academy of Medical Sciences welcomes the opportunity to feed into the sector consultation on operational aspects of the Foreign Influence Registration Scheme (FIRS). In drafting this response, we have considered our role as a biomedical and health research and innovation funder, as one of the four UK National Academies whose work is conducted internationally, and as a representative of the biomedical and health community.

Global science and a “Science Superpower”

First, it is critical to point out that research and innovation is a global enterprise, which relies on the exchange of people and ideas. This open approach to science drives innovation and discovery in a way which is vital to our ability to address global challenges. The UK Government has recognised this in a range of documents, including the Integrated Review of Security, Defence, Development and Foreign Policy, which outlines the UK’s desire to have:

“secured our status as a Science and Tech Superpower by 2030, by redoubling our commitment to research and development, bolstering our global network of innovation partnerships, and improving our national skills”¹

and through the R&D Roadmap, which stated:

“World-class research and dynamic innovation are part of an interconnected system; they depend on talented people and teams working in a supportive and diverse culture across multiple sectors, with access to the right funding, infrastructure, data and connections – locally, nationally, internationally – to do their best work.”²

The Academy has welcomed these ambitions and emphasises that to achieve them, the UK must remain an open and collaborative research partner. We also recognise that there are risks of improper foreign influence on research and scholarly activity, as well as industry, and note that recent guidance has been produced by Universities UK on the considerations and measures universities should take to guard against hostile interference and promote academic freedom.³

Foreign Influence Registration Scheme

The Academy acknowledges there is a need for proportionate national security measures around international research cooperation. However, there are certain aspects of FIRS which we are concerned about. Within the draft guidance provided, **there remains a lack of clarity on the actions and activities that will need to be registered, which would put both the Academy and researchers in a potentially precarious situation when it comes to international partnerships and cooperation.**

In previous correspondence to the UK Government, we urged that, based on the experience of other pieces of similar legislation in the USA and Australia, **any reporting and registration requirement must be proportionate, clear and practical with appropriate focus and/or exemptions from research activities.**

We also noted that **if the FIRS proposals were to introduce burdensome, duplicative, or ambiguous requirements they risk slowing the free exchange of information, disincentivising international collaboration and ultimately could make the UK a less attractive partner.** This would potentially have a negative effect on the UK's existing international collaboration in research and innovation. Moreover, it could undermine this Government's own ambitions to become a science superpower.

We feel that the 2023 draft guidance has not achieved this yet and there is room for uncertainty and ambiguity. In particular, under the wider Enhanced Tier, the guidance remains unclear and unbalanced on the broad areas of scope of FIRS. This risks creating confusion and creating unnecessary additional work across the sector, including adding significantly to research bureaucracy which the sector wants to try to minimise. For example, greater clarity is needed around registration for new activity post-FIRS launch.

This, **coupled with the penalties outlined in the guidance around non-compliance (five years imprisonment for Enhanced Tier or a fine), our view is that – as currently formulated – the scheme will have a chilling effect on international scientific collaboration with key partner countries.** In addition, we believe there would be a reluctance to work and partner with specific countries, at the detriment of scientific partnerships with those countries.

Potential registration scenarios

We have drafted two scenarios based on the types of activities that the Academy of Medical Sciences undertakes, and using the conditions set out in the latest guidance we have noted where the guidance remains unclear and where we would possibly need to register under FIRS.

Conditions for registration 1-4 are on [page 22 of the draft guidance on GOV.UK](#) with definitions on pages 22-24.

Scenario A: Joint global health policy workshop between the Academy of Medical Sciences and Chinese Academy of Sciences

The Academy of Medical Sciences (AMS) and the Chinese Academy of Sciences (CAS) agree to jointly hold a policy workshop in the UK or China on a mutually chosen global health topic. CAS is China's National Academy for sciences, directly under the supervision of the State Council. Although there is a Chinese Academy of Medical Sciences, this institution is a research institution and CAS would be a more natural partner for the AMS to do its policy work. As China's National Academy, CAS has many similar roles in China as the Academy of Medical Sciences does in the UK.

The topics for these policy workshops can include any biomedical and health research topic. Each workshop aims to bring together the evidence base around these areas of biomedical and health research, discuss, and suggest potential next steps for policy to address them.

The workshop preparation takes place in both China and the UK and the workshops themselves could be held in China or the UK, and on-line, with delegates participating from CAS and AMS alongside invited speakers from both countries.

Does the Academy of Medical Sciences have to register?

In addressing the conditions of registration we believe the following conditions⁴ may apply:

Condition 1: Under the current guidance, it would be unclear if CAS is specified on the entity list.

Condition 2: As the workshops will inform policy debates in both countries, based on evidence, we believe further guidance is needed to understand if this type of activity is considered to meet or not meet Condition 2.

Condition 3: We believe the current guidance is unclear as to whether the activities noted above are relevant for this condition. We would be discussing research findings and how they relate to policy, but it is unclear if this is relevant or not.

Condition 4: We believe this is not met as the AMS is an independent National Academy.

Does CAS have to register as an entity?

Condition 1: This will depend on whether or not it is exempt as a foreign power which includes "an agency or authority of a foreign government, or part of a foreign government". Many of our international partners are government funded and have different relationships with government. We believe that in this instance, CAS would need to register for this joint workshop, but further guidance is needed.

Scenario B: Joint AMS-National Natural Science Foundation of China (NSFC) partnership to support UK/China research activities

The AMS and NSFC jointly fund research activities between UK-based and China-based researchers. NSFC is the National Natural Science Foundation of China and is a major science funding agency in the country directly under the supervision of the State Council.

Research in scope of the AMS-NSFC partnership can be in any science or engineering discipline and in either basic or applied science. The research activities take place in both China and the UK and bilateral research visits are an essential part of this activity. UK researchers are employed at UK universities or not-for-profit independent research institutes. China researchers are employed at universities or institutes that can hold NSFC funding.

The AMS and NSFC have a multi-year memorandum of understanding to run joint competitive calls and make grants. Applications are assessed by the Academy (through the use of international peer review), and following subsequent discussion with the NSFC, a list of applications that should be supported is identified. The AMS funding is administered by the UK HEI, whilst the NSFC financials support is paid directly to the research institution in China.

The grant is given to specifically undertake the research project outlined in the individual application, and the Academy issues a formal letter of award in relation to its contribution. Both the UK and China applicants are required to formally consent to our Grant Conditions before any funds are released.

Approximately 10 jointly funded grants are awarded each year, and they are between two and three years initially in length. There are currently approximately 5 active AMS-NSFC grants undertaking research activity (i.e. which have an end date in the future).

Does the AMS need to register?

Condition 1: Referring to the guidance, we believe the NSFC would be considered an agency of a foreign government and would therefore be on the entity list. We would need to seek further clarification on this though.

Condition 2: Under our current understanding, we believe that condition 2 is met, but we would require further guidance to know if the scheme as a whole would meet Condition 2.

Condition 3: We do not think any projects we've funded through this partnership could be considered as having the potential to influence political activity.

Condition 4: This is not met as the AMS is an independent National Academy. While we have a grant funding agreement with a UK government department from which the funding derives, the agreement is broad and not explicitly and solely for these grants.

Do UK grant holders have to register?

Condition 1: We believe this will depend on whether NSFC or specific Chinese universities/research institutes are specified on the entity list.

Condition 2: Under the current guidance, we would need to seek further clarity on whether this is considered to meet or not meet Condition 2 as the guidance does not cover grants under the sponsorship definition.

Condition 3: We believe that this activity would meet the definition of "...but is not limited to...research activities..." because some activities will take place in the UK through visits.

Condition 4: We believe this is not met as UK universities and independent research institutes do not have an arrangement with a UK government department for the research funded by these grants.

Do China-based grant holders have to register?

Conditions 1, 2, 3: Same answer as above under 'Do UK grant holders have to register?'

Condition 4: We believe this is not met as Chinese universities and independent research institutes do not have an arrangement with a UK government department for the research funded by these grants.

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