

**INTERNATIONAL RESEARCH AND SERVICE PROJECTS:  
RISK MANAGEMENT PROCEDURES\***

**ANNEX A**

**CRITERIA QUESTIONNAIRE**

1. Will the direct costs of the project exceed \$1 million per year and will at least 50% of such costs be expended outside the United States (either directly or through one or more subcontracts)?
2. Will the project involve ongoing University operations in a non-U.S. country, such as the establishment of an office, leasing of space or an on-the-ground presence for more than a minimal period?
3. Will the project be located in a country on the Treasury Department's Office of Foreign Assets Controls list of embargoed countries?
4. Will the project involve the use of high risk materials (e.g., radioactive materials or certain biologic pathogens)?

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**ANNEX B**

**INTERNATIONAL RESEARCH QUESTIONNAIRE**

1. Which non-U.S. countries do you expect to involve in your project?
2. How long is the proposed grant period?
3. What is the annual dollar amount of the grant and the source of funding? Are any “local” funds to be used in the conduct of the project?
4. What activities do you expect to be involved in?
5. Do you expect to have CU employees or students located in a non-U.S. country? If so, what will they be doing?
6. Will you have a local collaborator (either in the form of a local sponsor or subcontractee)?
7. Do you plan to (a) hire local employees in the project, (b) open local bank accounts or (c) enter into leases or other contracts for goods and services?
8. Will the project involve human subjects or recipients of services? If so, how will they be used or what services will be provided? Are there any vulnerable populations impacted?
9. Have you had any previous projects in the non-U.S. country in which your proposed project will be located? If so, what was the nature of the project and were there any problems that arose?
10. Are you aware of any other CU projects in the non-U.S. country in which your proposed project will be located? If so, please identify.
11. What are the principal risks relating to the project that should be addressed?

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**ANNEX C**

**QUESTIONS FOR THE IR COMMITTEE**

1. What local laws or customs should CU be concerned about?
2. What are the specific principal risks associated with the project?
3. What moral or ethical issues are involved in the conduct of the project?
4. Have the unique costs of the project been factored into the budget (e.g., costs of local regulatory compliance, special insurance needs, physical security costs, etc.)?
5. What oversight mechanisms should be in place? If the project has sub-recipients, what compliance and monitoring processes should be established? Who will bear the cost of monitoring and compliance, particularly in projects that have sub-recipients?
6. Has appropriate local approval been obtained to carry out the project?
7. What impact would termination of the project be likely to have on people or programs in the non-U.S. country?

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**ANNEX D**

**POST-AWARD REVIEW**

**A. Financial Risks**

1. Incurrence of unfunded obligations: are there any expected gaps in funding that will require future fundraising or CU contributions? What happens if Project is over budget? Moral obligation? Is there an anticipated need for an ongoing CU presence after the project is completed?
2. Tax liability to foreign jurisdiction: what revenues are subject to tax? Import duties? VAT taxes? Exemptions? Permanent establishment? Withholding?
3. Payments: escrows; cost reimbursements; invoicing; money transfers; payroll; withholding pending audit; carry forwards; bank accounts; currency.
4. Inappropriate uses / payees of funds.
5. Impact on federal or other domestic research funding.
6. Will there be any gaps in insurance coverage?
7. Inflation/currency exchange issues.

**B. Operational Risks**

1. Specific scope: What are CU responsibilities and success criteria?
2. Governance: does CU retain control? If not, how are minority rights protected?
3. How will the project be staffed and managed? What are the reporting lines? Who will have responsibility of the ongoing programmatic review?
4. Day to day operational issues: employees; banking arrangements; insurance; security.
5. Assets: ownership? Lease? Whose liability?
6. Termination rights. Does CU have the right to suspend the project or terminate early? What are the foreseeable risks to the local community and/or political ramifications of an early termination?
7. Changing conditions in the host country.

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8. Role of students.
9. If the project receives U.S. governmental funding, how will subrecipients and other local resources comply with applicable regulations? What training is needed?

**C. Legal Risks**

1. Applicability of non-U.S. laws. Who has reviewed project to assure local regulatory compliance? Who will be responsible for ongoing regulatory compliance?
2. Legal status in host country.
3. Liability exposure (e.g., for local injuries/torts, breach of local contract or local employee claims)? What is optimum operational structure in host country?
4. Government reporting obligations (both U.S. and non U.S.).
5. Export Controls / Trade Sanctions and other U.S. laws governing international research.
6. Intellectual Property rights: publication rights; allocation of benefits; commercialization; administration.
7. Breaches: remedies; dispute resolution; jurisdictional issues; governing law.
8. Use of CU name; control over publicity.
9. Human Subjects research: CU IRB approval; local IRB or equivalent approval; compensation; informed consent.
10. Issues relating to service recipients: nature of services (i.e., medical, social, psychological); physical risks to recipients; replacement providers.
11. Employment and personnel issues: CU and host country employees; what benefits will local staff receive? Who will have signing authority?
12. Hostile environment; student or employee arrest or kidnapping.