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**UNIVERSITÄT  
BERN**

**Executive Board of the  
University of Bern**

## **Guidelines on providing information and expressing opinions**

Publishing the results of research is one of the most important tasks of academic activity. Researchers normally do this in academic journals and forums. The University performs a social task as well: it informs the general public in an appropriate manner.

University employees can and should appear in public in the context of their research activity. If they go beyond that to express opinions, implications may arise that affect the interests of the University itself. Certain overall parameters and issues therefore need to be observed when providing information and expressing opinions:

### **1. Keeping the public informed about the activities of the University**

The University of Bern is a public law entity of the Canton of Bern. It performs its tasks in the service of the community at large (Article 1(3) of the Act governing the University [UniG]). The University promotes public understanding of its academic objectives, specifically it provides regular information on the focuses and results of its activities (Article 8(1) UniG).

Under Article 58 of the University Ordinance, the faculties and their institutes and other organizational units must ensure that research results are made available to the public unless this conflicts with prevailing public or private interests. Article 18(3) of the Statute of the University of Bern (UniSt) stipulates that the faculties and other organizational units may inform members of the University and the general public about their research and teaching activities independently; where issues of significance for the University as a whole are concerned, they must do this in collaboration with the University Executive Board.

Academic freedom must be borne in mind in this context (Article 20 of the Federal Constitution and Article 21 of the Cantonal Constitution). This protects the free choice of the subject and method of academic research and publication of the corresponding results. In addition to publishing in the usual academic journals and forums, subject to the general parameters and the arrangements set out below, researchers may also inform the general public of the results of their research. However, contributions that are not directly related to own research are not covered by the freedom of science, but by the freedom of opinion.

It is important to draw a distinction between the University providing information and publishing academic work and University employees expressing their opinions on subjects outside their own area of research. The University Executive Board has issued mandatory rules on this (see section 2 below) and on using social media (see section 3 below).

## 2. Instructions from the University Executive Board on University employees making external public appearances and expressing opinions<sup>1</sup>

University employees are obliged to protect the interests of the University of Bern and carry out their duties to the population and their employer in a way that is lawful, conscientious, economic and innovative (Article 2 Instructions). This obligation flows from the duty of employee loyalty set down in Article 55 of the Personnel Act of the Canton of Bern.

The exercise of fundamental rights (specifically the right of freedom of opinion) when expressing opinions must consequently respect this duty of loyalty and, therefore, make allowance for the special public interest on which employment at the University is based.

The **Instructions** of the University Executive Board in this regard set down the following principles and requirements (see Article 3f Instructions):

- University employees must not compromise the performance of their functions or public trust in the University as a public law entity by their conduct when making external public appearances and expressing opinions.
- Personal and professional matters must be kept clearly separate when appearing in public.
- Personal opinions and content must be clearly stated to be such.
- Personal opinions and opinions relating to secondary employment may not be circulated in letters or emails bearing the University letterhead or similar.
- University home pages may only display personal content and links to private home pages if they relate to the function at the University; contributions on matters of (university) politics, for example, do not count as sufficiently related to the function at the University.

## 3. Using social media

In general, the following must be observed: if professors in particular express an opinion on social media (e.g. Twitter), they are generally seen as University employees. Due account should therefore also be taken of the interests of the University whenever engaging in such activity.

The University Executive Board has issued social media **guidelines**<sup>2</sup> that apply to all employees of the University of Bern (see section 2(1) Guidelines).

The following legal parameters must be observed (see section 3.2 Guidelines):

- The rights of third parties and the University of Bern must be protected.
- The general principles of the University must be observed. In particular, institution-damaging statements about the University or other activities that might have a negative impact, must be refrained from.

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<sup>1</sup> [https://www.unibe.ch/unibe/portal/content/e152701/e322683/e325053/e323223/ul\\_ws\\_auftritte\\_meinungsaesslerung\\_von\\_uni-angestellten\\_ger.pdf](https://www.unibe.ch/unibe/portal/content/e152701/e322683/e325053/e323223/ul_ws_auftritte_meinungsaesslerung_von_uni-angestellten_ger.pdf)

<sup>2</sup> [https://www.unibe.ch/e152701/e322683/e325053/e323213/ul\\_rl\\_social\\_media\\_ger.pdf](https://www.unibe.ch/e152701/e322683/e325053/e323213/ul_rl_social_media_ger.pdf)

It is also important to ensure that the tone used when communicating over social media should be appropriate and polite and that communication should stick to facts (see section 3.3(1) Guidelines). Personal opinions may be expressed, but with restraint, and must be identified as such (section 3.5 Guidelines).

Personal use of social media in the workplace is subject to the same rules as general use of the Internet for private purposes: in general, IT resources may only be used to perform University duties; University employees may only use IT resources for private purposes outside working hours (section 5 Guidelines).

One of the problems with social media is also that they do not always provide a suitable forum for expressing opinions on complex issues: tweets and similar contributions necessarily involve being brief – frequently not a suitable context for making scientific statements. Scientific contributions and discussions should therefore initially and in principle take place in academic journals and forums.

If academics wish to speak out in the media to the general public, they must observe the following rules:

- Facts must be kept separate from opinions and opinions must be stated to be such. It is also important to note that the general public is not necessarily always in a position to form a judgment on an academic debate.
- Academics in a particular area or institute should therefore first hold a debate amongst themselves and any subsequent external statements should at least be coordinated to some extent.
- When making public appearances, social media should at least not be the first choice. Where they are used to communicate, this must be done prudently and with great restraint: inappropriate abbreviations must be avoided.
- Communicating over social media is also very time-intensive. Every post or tweet can unleash a constructive debate or negative reactions. The person sending the message is responsible for following, managing and if necessary reporting this.

#### **4. Principles for communicating in public**

The following summarizes the points that are important and must be observed when the University and its employees communicate with the public:

- Researchers should initially and in principle publish the results of their research in academic journals and forums.
- The University informs the public about its activity; the University Executive Board, along with the faculties and organizational units, is responsible for general communication of focuses and output.
- Scientific debates and critical contributions should primarily take place in the relevant academic publication options and forums.
- If University employees express their opinion in public on issues outside their own research, the *Instructions from the University Executive Board on University employees making external public appearances and expressing opinions* apply. For statements on social media, the *Social media guidelines of the University Executive Board* are also relevant.
- Expressions of opinion, especially on sensitive subjects, should at least be coordinated to some extent within an organizational unit.
- The interests of the University take priority over the particular interests of employees.

- Social media are not readily a suitable forum for expressing opinions on academic issues. They must be used with great restraint. This is particularly the case when complex issues are involved and not your own research results.
- When opinions are expressed on social media, they should be based on facts, meet minimum scientific standards and not be presented in a way that is inappropriately brief. Personal profiling must be avoided.

## **5. The responsibility of the University**

- The University is a place where differing opinions and views are seen as enriching and a basis for new discoveries. It promotes an international view and requires tolerance of other opinions and approaches.
- In its information activities, the University strives for balance and the most effective possible dissemination of academic findings.
- As far as possible, the University protects and supports researchers and employees who are inappropriately challenged because of their public activities.
- The University promotes and requires mutual respect and provides low-threshold assistance to its employees.
- The University Executive Board is ultimately responsible for ensuring the University performs its task, achieves its objectives and protects the interests of the University as a whole.

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On behalf of the Executive Board of  
the University  
The Rector:  
Prof. Dr. Christian Leumann