Summary
Statutes of the Humboldt-Universität zu Berlin

§1-8: Safeguarding good scientific practice
§9: Scientific misconduct
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§11: Ombudsperson and commission for scientific misconduct at HU Berlin

Pia Knoeferle, translation provided with the help of DeepL, this is not an exact translation but a summary with details omitted; enjoy at your own risk; please see https://www.hu-berlin.de/de/forschung/gute-wissenschaftliche-praxis for the original German document

§2 Guiding principles

- (1) All scientists are obliged to work *lege artis,* meaning they must
  - observe *s*trict honesty regarding their own contribution and those of others, and towards third-party funders
  - observe authorship of others and give due credit and indicate content taken from sources in full when citing the work of others
  - document all of the steps and results of an experiment or a study commensurate with the state of the art in the field; archive the research data or software adequately and securely (data protection)
  - critically question all of their results and their interpretation
  - observe ethical standards in collecting data and conducting experiments
  - to the extent legally possible and as early as possible, make accessible research results, data, software and publications

§2 Guiding principles

- (2) All scientists are responsible to enact the basic values and norms of scientific work in their conduct, and to vouch for them; this includes the adequate mentoring of early career researchers (ECRs) and career mentoring for scientific staff

- (3) Scientists at all career stages regularly update their knowledge concerning the standards of good scientific practice; the basics of good scientific practice are conveyed at the earliest possible point in time in academic teaching and research training

- (4) Scientists observe the rights and obligations coming from legal requirements and contracts with others; they should assess the potential consequences of applying the research results, in particular regarding peaceful co-existence of humans, preservation of life and environmental conditions, animal protection and sustainability. The assessment includes evaluating the respective ethical aspects.

§3 Mentoring early career researchers

- (1) training and advising early career researchers deserves special attention; the faculties and institutes in their domain of responsibility are responsible for the organisation of adequate mentoring of doctoral candidates and other early career scientists, commensurate with their respective career stage

  - Students are familiarised in teaching and practice with the requirements and conditions of good scientific practice in the respective field

- (2) Advising the doctoral candidates is the responsibility of the respective advisor; advising includes supporting the submission and marking of final theses in an appropriate time frame

  - An agreement of supervision should be set (‘Betreuungsvereinbarung’)

§4 Performance aspects and evaluation criteria

- Evaluating the research of scientists requires a multi-dimensional approach. Quality is the primary criterion for performance evaluation and takes priority over quantity in particular the context of
  - Academic performance for awarding academic degrees
  - Promotion, hiring, and professorial appointments
  - Awarding prizes
  - For hiring or promotion, the performance evaluation in the context of the performance principle (‘Leistungsprinzip’, Art 33 Abs. 2 GG) must refer to qualitative parameters and made transparent

§ 5 Quality assurance

- Scientists should
- (1) fully document data, organisms, materials and software (sources) to ensure replicability; describe (type of) data; fully document the research process
- (2) use methods to avoid (unintended) biases in interpreting findings (e.g., blinding) as much as possible
- (3) when making results public, the applied mechanisms for quality assurance should be made transparent
- (4) obtain permissions and ethics votes to the extent necessary
- (5) faculties install a committee for checking and verifying ethical tenability of research plans; the details of this process are regulated by the faculty; one joint committee is permissible

§ 6 Documentation and archiving

- (1) Scientists are securing research results made publicly available and the underlying key research data, materials, and as applicable, research software (source code). Source code is documented as much as possible for later use and such that it can be cited (inline with what is done in the relevant field and FAIR principles).
    - Such data are usually stored for 10 years (from the date of making the data publicly available) at the institution at which they were collected
        - A shorter archiving period / no archiving is possible depending on legal regulations and for important reasons on a case-by-case basis; the reasons must be documented in an understandable manner
- (2) Data characteristics that allow the identification of individuals must be stored separately; they must be deleted as soon as the research goals permit (§17 Abs. 2 Berliner Datenschutzgesetz - BlnDSG); further storage of these data is allowed for scientific self-verification for a duration of 10 years if handed over to a data trustee (‘Datentreuhänder’)

§ 6 Documentation and archiving

- (3) The faculties and other scientific-organizational units are responsible for communicating the regulations concerning the handling of research data, research materials, and research software to all scientific workers, and in particular to doctoral candidates, when starting their research (and later in regular intervals)

- (4) Authors take care that the publishers / organisations providing the necessary infrastructure identify their research contribution in a way such that it can be correctly cited by users

§7 Authorship and publication

- (1) Scientific publications should describe scientific results and how they were obtained in a complete and comprehensible manner. Own and external preliminary work must be fully and correctly documented (citations). Previously published results are to be repeated only in clearly marked form and to the extent necessary for understanding their connection

  - The research data, materials and information on which the results are based, the methods applied and the employed software are to be made available in accordance with the respective recognized standards of a field and work processes are to be presented in detail

§7 Authorship and publication

- (2) The statutes define ‘author’ as someone who made a genuine, traceable contribution to the content of a scientific text-, data-, or software publication, in line with what is standard in the respective field.
  - Required is at least a substantial contribution
    - to the conceptualisation
    - to the publication text,
    - to the preparation, collection, analysis, or interpretation of data, software, or sources
    - to the design of a model for the research endeavour, or

§7 Authorship and publication

- (2)
  - Required is at least a substantial contribution
    - in the form of experiment stimuli, including a substantial scientific contribution to the topic
    - Honorary authorship without such a contribution is not permitted
    - A leader or supervisor function as such does not constitute authorship
    - To the extent that a contribution is not sufficient to justify authorship, recognition of received support should be given otherwise (e.g., in a footnote, or the Acknowledgements)

§7 Authorship and publication

- (3) For joint publications, all authors should give consent to the final version of the joint, to-be-published work
  - They bear joint responsibility for the published work, unless explicitly stated otherwise
  - Withholding the above consent requires reasonable cause, in particular justified criticism of the data, method, or results
- (4) If inconsistencies or errors are detected in retrospect, they are corrected, and made explicit, or if necessary, the publication is retracted.
- (5) Authors consider the respective publication media and publication formats, and verify where and in which format to submit their contributions for publication

§8 Confidentiality in reviewing and advising

- Scientists who evaluate in particular
  - submitted manuscripts
  - research data or software
  - funding proposals or
  - the reputation of others in the context of their official function
- are bound by strict confidentiality.

§8 Confidentiality in reviewing and advising

- Sharing the contents with third parties or using them for one's own benefit is generally forbidden, unless explicit written consent has been given by the authors.

- The disclosure of documents within the scope of legal supervision or other official requirements remains unaffected.

- For the scientists as evaluators, the regulations for conflicts of interests in appointment processes (§6 of the current version of appointment and tenure-track statutes of the Humboldt-Universität zu Berlin) apply.

§9 Scientific misconduct

- Scientific misconduct occurs when, in a scientific context, false statements are made intentionally or through gross negligence, the intellectual property of others is infringed, or the research activities of third parties are impaired in some other way. In this sense, the following circumstances in particular constitute scientific misconduct:

- (a) misrepresentation - in particular
  - aa) the invention of data or research results
  - bb) the incongruent presentation of image and associated statement
  - cc) the falsification of data or software, including
    - the selection or rejection of undesirable results without disclosing this,
    - manipulation of a representation or illustration, or
  - dd) incorrect information in publication lists or a funding application, including misrepresentation of the publication organ or of publications in print.
  - ee) Removal of primary data, if this violates legal regulations or discipline-related recognized principles of scientific work. This also applies to the illegal non-disposal of data.

§9 Scientific misconduct

- (b) Infringement of intellectual property - in particular, infringement of a work created by another person or of essential scientific knowledge, hypotheses, doctrines or research approaches originating from another person.
    - the unauthorized adoption or other use of passages without adequate proof of authorship in accordance with the respective professional standards, in particular by naming the author and the correct designation and proof of the source (plagiarism),
    - the unauthorized use or exploitation of research approaches and ideas for own scientific purposes or their disclosure to third parties without permission, in particular from the knowledge thereof as a reviewer
    - the presumption or unfounded assumption of scientific authorship or co-authorship; this includes, in particular, denying co-authorship to a co-author,
    - falsification of the content, or
    - unauthorized publication and making available to third parties as long as the work, finding, hypothesis, teaching or research approach has not yet been published.

§9 Scientific misconduct

- (c) The use of the (co-)authorship of another person without his/her consent.
- (d) interfering with the research activities of others, such as
  - sabotage or falsification in connection with the research activities (including damaging, destroying, tampering with, or unauthorized disposal of experimental setups, equipment, documents and records, hardware, software, chemicals, or other items needed by another to conduct an experiment or study),
  - refusing to give the required consent to publication of results without reasonable cause.

§9 Scientific misconduct

- (2) Scientific misconduct also results - in the case of gross negligence or intentional action - from
  - co-authorship of publications containing falsification,
  - participation (in the sense of instigation or aiding and abetting) in the misconduct of others,
  - neglect of supervisory duties towards the subordinate in the research context, if another person has objectively fulfilled the elements of scientific misconduct and this would have been presumably prevented or made considerably more difficult by the necessary and reasonable supervision

§10: Protection of whistleblowers and persons affected by accusations, presumption of innocence

- (1) All persons involved in a procedure for the review of scientific misconduct, including an ombudsman procedure, shall be obliged to maintain confidentiality. The principle of presumption of innocence applies to the proceedings. The HU is committed to protecting whistleblowers and those affected by accusations within its legal sphere. This also applies to whistleblowers in the case of unproven scientific misconduct, provided that the whistleblowing was justified on the basis of concrete evidence.

- (2) The transmission of the name of the whistleblower by the commission or other examination commissions outside the administrative procedure is not permitted. This does not apply

  - if the whistleblower agrees to the transmission or

  - in cases where there is a legal obligation to disclose the identity of the whistleblower

§10: Protection of whistleblowers and persons affected by accusations, presumption of innocence

- (3) The communication of the names of the persons affected by allegations by the Commission (for scientific misconduct) or other audit commissions and the whistleblowers shall not be permitted outside the administrative procedure. This does not apply if
  - the persons affected by the allegations agree to the transmission or
  - in cases where there is a legal obligation to disclose the identity of the persons affected by the allegations.

§ 11: Ombudsperson and commission for scientific misconduct

- See here for further information at HU Berlin: https://gremien.hu-berlin.de/de/kommissionen/fehlverhalten

Vorwürfe wissenschaftlichen Fehlverhaltens

Auskunft zu den Leitlinien und Standards der guten wissenschaftlichen Praxis, nach denen Forschende an der Humboldt-Universität zu Berlin arbeiten, gibt die Seite **Gute wissenschaftliche Praxis (GWP)**.

Die **Ombudsperson** der Humboldt-Universität berät die Mitglieder der Humboldt-Universität als neutrale Ansprechperson in Fragen guter wissenschaftlicher Praxis und in Verdachtsfällen wissenschaftlichen Fehlverhaltens.

Ombudsperson

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Stellvertretende Ombudsperson

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Darüber hinaus besteht die Möglichkeit, sich bei Fragen und Konflikten im Bereich guter wissenschaftlicher Praxis bzw. wissenschaftlicher Integrität an das Ombudsgremium für wissenschaftliche Integrität in Deutschland bei der DFG zu wenden.

Kommission zur Überprüfung von Vorwürfen wissenschaftlichen Fehlverhaltens (KWF)

Die KWF prüft Vorwürfe wissenschaftlichen Fehlverhaltens gegenüber Mitgliedern und ehemaligen Mitgliedern der Humboldt-Universität, das während deren Tätigkeit dort aufgetreten sein soll. Sie prüft grundsätzlich keine Forschungsarbeiten, die im Rahmen der an der HU angebotenen Studiengänge (ausgenommen Promotionsstudiengänge) entstanden sind.

Mitglieder:

- Prof. Dr. Edda Klipp (Lebenswissenschaftliche Fakultät, Institut für Biologie)
- Prof. Dr. Axel Metzger (Juristische Fakultät)
- Prof. Dr. Claudia Stockinger (Sprach- und literaturwissenschaftliche Fakultät, Institut für deutsche Literatur)
- Prof. Dr. Matthias Weidlich (Mathematisch-Naturwissenschaftliche Fakultät, Institut für Informatik, Kommissionsvorsitz)
- Dr. Mike Ahrens (Mathematisch-Naturwissenschaftliche Fakultät, Institut für Chemie)
- Dr. Romy Jaster (Philosophische Fakultät, Institut für Philosophie)

Stellvertretende Mitglieder:

- Prof. Dr. Martin Heger (Juristische Fakultät)
- Prof. Dr. Henrik Simojoki (Theologische Fakultät)
- Prof. Dr. Philipp Staab (Kultur-, Sozial- und Bildungswissenschaftliche Fakultät, Institut für Sozialwissenschaften)
- Prof. Dr. Andrea Walther (Mathematisch-Naturwissenschaftliche Fakultät, Institut für Mathematik)
- Dr. Dominic Gröger (Mathematisch-Naturwissenschaftliche Fakultät, Institut für Chemie)
- Dr. Hannah Markus (Sprach- und literaturwissenschaftliche Fakultät, Institut für deutsche Literatur)

Geschäftsstelle KWF

Hinweise auf wissenschaftliches Fehlverhalten von Mitgliedern und ehemaligen Mitgliedern der Humboldt-Universität richten Sie bitte in schriftlicher Form an die Geschäftsstelle der Kommission.

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