

Regulations for the prevention of academic/financial misconducts in research activities

IGES Regulations No. 24

Established on 24 July 2011

[Purpose]

Article 1

For the purpose of enabling all those involved in research activities at the Institute for Global Environmental Strategies (IGES) to fulfill their responsibility towards society, and to ensure fairness in research activities that are necessary in the production of trustworthy research, these regulations stipulate the measures for preventing academic misconducts as well as misconducts in executing research funds, and necessary measures in response to misconducts.

[Definition]

Article 2

1. The “academic misconducts and misconducts in executing research funds (hereafter, “academic/financial misconducts”) in these regulations shall refer to committing or assisting in the following:
 - i. *Fabrication of data or research material*: the creation of data or material despite failure to conduct proper research or failure to collect meaningful results
 - ii. *Falsification of data or research material*: the unsubstantiated modification or alteration of data or material resulting from work carried out by the researcher in question
 - iii. *Breach of copyright*: failure to mention, or improper reference to, a source when citing or summarising data or material produced by others; plagiarising work published by others
 - iv. *Use of research material gained as a result of arbitrary methodology*: deliberate use of subjectively-chosen research methodology in order to secure a favourable result
 - v. *Wrongful acceptance of research funding*: receipt of research funds acquired by dishonest or inappropriate means through the competitive research funding system
 - vi. *Improper use of research funding; Improper accounting*: misuse of research funds gained through the competitive research funding system; spending of research funds received on the basis of a fraudulent funding request; other illegal use of research funds
 - vii. *Improper acquisition or use of research material*: possession or use of research material taken from its creator or legal owner by improper means; acquisition, publication, or transmission of research materials by improper means
2. The “all those involved in research activities” shall refer to Directors and Trustees, IGES employees, research collaborators (including IGES Fellows, Visiting Researchers, and full-time resident consultants) and interns.

[Standards of conduct]

Article 3

All those involved in research activities shall be fully aware of their social responsibility and recognise that academic/financial misconducts undermine the social credibility of the Institute. They shall pay special attention to the following matters.

- i. They can clearly explain the scientific basis of their research products.
- ii. When publicising the products, they should give thorough provision of the knowledge of their scientific rationality according to those concerned including the co-authors, fully recognising that they should be accountable for the scientific basis of the products.
- iii. Researchers in supervisory positions shall pay special attention to the following matters, maintaining sound research activities and a good research environment that are free from academic/financial misconducts.
 - a) Gather sufficient prior views from institutes or individuals directly involved or collaborating in the research, and ensure informed consent on the procedure and contents for research implementation.
 - b) Provide for adequate transparency in declaring sources of research funds.
 - c) Eliminate bias in research results attributable to pressures from donors.
 - d) Respect the knowledge, experience and associated rights of participants in the research process.
 - e) Strive for full disclosure, except in cases where there is potential for results that would negatively affect sustainable development.
 - f) Strive to ensure necessary research competence, in order to produce high quality research outcomes
- iv. Those who are involved in executing the research funds are to pay special attention to the following matters, in order to maintain an environment free from financial misconducts.
 - a) Not only the contribution from the government, subsidiaries and commissioned works, but also research funds provided to individual researchers such as Grant-in-Aid for Scientific Research (Kakenhi) should be properly executed, in strong recognition of the fact that the source of the fund coming from the public money.
 - b) Funding is executed based on the related laws and regulations.

[Consultation and reporting of misconducts]

Article 5

The Secretariat of the Personnel Committee (IGES Secretariat) handles consultation and information pertaining to academic/financial misconducts. Reporting of academic misconducts is to be submitted using the Reporting Form (Attachment 1), and in principle with the name disclosed; however, if a scientific rationale of the allegation and suspicion of misconducts is presented in the report, an anonymous report may be handled in the same manner as a report in which names are disclosed.

[Acceptance of report]

Article 6

In the event that a report is filed based on the above article, the Personnel Committee shall confirm the content of the report. When the scientific rationale of the allegation and suspicion of misconducts is presented in the report, the committee shall receive the report and inform the Accuser (the person who filed the report) of the acceptance/refusal of the report.

[Investigation by the Personnel Committee]

Article 7

1. The Personnel Committee, when it receives the report as stipulated in the previous article, will conduct an investigation to establish the fact of an academic/financial misconduct including contents of the alleged misconduct, persons who were involved in the allegation and whether the report was made with malicious intent.
2. The investigation shall be conducted with the support of the internal experts as needed. If necessary, an hearing shall take place to to give the Accuser and the Accused (the person against whom a report of an allegation of misconduct is filed) an opportunity to defend themselves.
3. The Personnel Committee, in conducting an investigation, can issue an order to those involved in the research activities in question to preserve the data/documents they own.
4. The Personnel Committee shall inform the Accused of the commencement of its investigation.
5. The Personnel Committee, when accepting a report, shall complete its investigation within 90 days of receiving the report, and inform the Accuser and the Accused of the result of the investigation.
6. In cases when the either Accused whose involvement in the misconduct is identified resulting from the investigation as stipulated in the previous Item 5. above, or the Accuser whose malicious intent is identified, is not satisfied with the results of the investigation carried out as stipulated in the previous item, then they can submit a Statement of Complaint (Attachment 3) to the Personnel Committee within 30 days from the start of the investigation as stipulated in the previous item.
7. On receiving a Statement of Complaint as stipulated in the previous Item 6. above, the Personnel Committee shall inform the Accuser and the Accused respectively of such an action, and shall decide whether to conduct an investigation by the Investigative Committee as set out in Article 8.
8. In the case that the Personnel Committee decides not to conduct an investigation by the Investigative Committee as stipulated in the previous item, then the Accuser and the Accused shall be informed of this decision.
9. In the case that a Statement of Complaint is not submitted as stipulated in Item 6. above, then the Personnel Committee shall promptly write up a report of the results of the investigation.

[Establishment of the Investigative Committee]

Article 8

1. When, in the consequence of its investigation stipulated under Item 5 of the previous article, a further investigation is deemed necessary, and when a decision has been made under Item 7 of the same article to

conduct such an investigation by an Investigative Committee, then the Personnel Committee shall establish the Investigative Committee.

2. The Investigative Committee shall be composed of advisory lawyers and external specialists without direct vested interests in the matter at hand; the Chair of the Investigative Committee and its members shall be appointed by the Chair of the Personnel Committee.
3. The Personnel Committee shall notify the Accuser and the Accused of the identities of the members of the Investigative Committee. Both the Accuser and the Accused shall have two weeks to register an objection regarding the suitability of a member of the Investigative Committee using the Statement of Objection (Attachment 2). The Personnel Committee shall assess the validity of all such objections registered, and, if the objection is deemed valid, shall replace the member in question. Having done so, the Personnel Committee shall inform the Accuser and the Accused of its decision.

[Investigation by the Investigative Committee]

Article 9

1. The Chair of the Investigative Committee, when the period stipulated under Item 3 of the previous article elapsed, shall convene a Committee meeting and commence the investigation without delay.
2. The Investigative Committee, upon commencement of its investigation, shall provide an opportunity for the Accused to defend himself/herself.
3. The Investigative Committee, before making a decision that the report was made with a malicious intent, shall provide an opportunity for the Accuser to defend himself/herself.
4. The Accused Persons whose involvement in the misconduct is identified or the Accuser whose malicious intent is identified in the investigation report sent to them in accordance with the stipulations in the Item 4 above, have the right to submit a complaint using the Statement of Complaint (Attachment 4) to the Chair of the Investigative Committee within 30 days after receiving the report if they disagree with the result of the investigation.
5. The Investigative Committee, upon receiving the objection stipulated in the Item 4 above, shall inform the Accuser and the Accused Persons of the registration of the objection, and at the same time the Committee shall decide whether it will conduct further investigation or not.
6. The Investigative Committee, when it decides that no further investigation be made, shall inform the Accuser and the Accused Persons of its decision.
7. The Investigative Committee, when it conducted a further investigation based on the stipulations in the above, shall inform the result of the Accuser and the Accused Persons.
8. The Investigative Committee shall compile a report of its investigation as soon as possible when they did not receive any objection stipulated under the Item 5 in the above, and in principle within 120 days of the commencement of the investigation if they conducted a further investigation based on the Item 6 above, and submit it to the Personnel Committee. When an objection was registered based on the Item 5 in the above, the Statement of Complaint concerned shall also be reported to the Personnel Committee.

[Reporting to the funding agency of competitive research funds]

Article 10

When the research activities in question are conducted on the governmental competitive research funds (the research funds where funding agencies extensively call for research proposals, select topics from scientific and technical viewpoints and based on the evaluation by multiple evaluators including experts, and distribute the funds to the selected proposals), the Personnel Committee shall inform or report the commencement of the Personnel Committee investigation stipulated in Item 1 of Article 7, the results of the Personnel Committee investigation stipulated in Item 5 of Article 7, the commencement of the Investigative Committee investigation stipulated in Item 1 of Article 9, the result of the Investigative Committee investigation in Item 4 of Article 9, the Statement of Complaint in Item 4 of Article 9, the decision of implementation of a further investigation in Item 5 of Article 9, the result of the further investigation in Item 7 of Article 9, and the report of the further investigation in Item 8 of Article 9, to the agencies that oversees the related competitive funds.

[Measures to be taken when the academic/financial misconducts are identified]

Article 11

The Personnel Committee, when it receives the report from the Investigative Committee based on Item 8 of Article 9 that there was an academic/financial misconduct, shall publicise, in principle, on the IGES website the outline of the investigation (including the names of those who were identified as having been involved in the misconduct). The Committee, at the same time, shall take necessary measures including disciplinary actions to those involved as well as a warning of the need to modify their research results.

[Measures to be taken when misconduct was not identified]

Article 12

1. The Personnel Committee, when it receives the report from the Investigative Committee based on Item 8 of Article 9 that it could not identify an academic/financial misconduct, shall inform all those related to the investigation of the result of the investigation. Following the investigation result that no academic/financial misconduct was identified, the Committee shall take measures that no unfair actions were taken against the Accused Persons.
2. The Personnel Committee, when it receives the report from the Investigative Committee based on Item 8 of Article 9 that the report was made with a malicious intent, shall publicise, in principle, the outline of the investigation (including the name of the Accuser) and take necessary measures including disciplinary actions to the Accuser if he/she is an employee of the Institute.

[Protection of the Accuser and the co-operators of the investigation]

Article 13

1. The Personnel Committee shall not take any unfair action against the Accuser or those who cooperate with the investigation simply because they registered a report or cooperated with the investigation based on this regulation.

2. The Personnel Committee shall take appropriate measures to avoid degrading the working environment of the Accuser or the co-operators of the investigation simply because they registered a report or cooperated with the investigation based on this regulation.

[Prohibition of the actions to penalise the Accused]

Article 14

All those involved in research activities, except for the measures taken based on Article 12, shall not take unfair actions against the Accused simply because that person was accused and reported.

[Co-operation with the investigation]

Article 15

All those involved in research activities shall cooperate with the investigation conducted based on this regulation.

[Confidentiality]

Article 16

1. All those involved in research activities shall not release information they accessed during the investigations and others conducted based on this regulation.
2. Those who are involved in the investigations of the academic/financial misconducts stipulated in this regulation shall pay attentions to avoid identifying the Accuser during the investigation. When making a notification in relation to the investigation, they shall pay special attention to the credibility, reputation and privacy of the Accused and the co-operators of the investigation.

[Prohibition of the registering a report for a wrongful purpose]

Article 17

All those involved in research activities shall not register a false report of misconduct, a report to abuse others or a report for wrongful purposes.

[Restrictions of the employees engaging in the clerical work related to the investigation]

Article 18

Those who engage in the clerical work regarding academic/financial misconducts shall not get themselves involved in the cases in which they are deemed to be involved.

Supplementary Provisions

These regulations shall take effect as of 1 August 2011.

Reporting Form

(Notes)

1. Reporting shall be made by email or postal mail.
2. Anonymous reporting is accepted only when a scientific rationale of the allegation and suspicion of misconducts is presented in the report.
3. For anonymous reporting, there will not be any notice issued regarding the acceptance/refusal of the report.

1. Date of Reporting: dd/mm/yy

2. Name of the Accuser

3. Affiliate Organisation of the Accuser

4. Contact options of the Accuser (multiple choice)

- Telephone: _____
- Email: _____
- Other measures _____

Points to be considered in contacting the Accuser

5. Academic/financial misconducts

- (1) Contents of the academic/financial misconduct (please be as specific as possible)
- (2) The person who conducted the academic/financial misconduct
- (3) Possible reason behind the academic/financial misconduct (please be as specific as possible)

—Only for clerical purposes—

Statement of Objection

To Chair of the Personnel Committee

Name: _____

Signature: _____

Organisation: _____

Contact: _____

Based on Item 3, Article 8 of the Regulations for the prevention of academic/financial misconducts in research activities of IGES, I would like to register an objection as follows regarding the appointment of the Chair of the Investigative Committee and its members notified as of dd/mm/yy.

1. Name(s) of the Chair of the Investigation Committee or its member(s) regarding the objection
2. Reason for the objection

Statement of Complaint

Chair of the Personnel Committee

Name: _____

Signature: _____

Organisation: _____

Contact: _____

Based on Item 6, Article 7 of the Regulations for the prevention of academic/financial misconducts in research activities of IGES, I would like to file a complaint as in the followings regarding the result of the investigation notified as of dd/mm/yy.

1. Specific points related to the complaint
2. Reason of the complaint

Statement of Complaint

Chair of the Investigative Committee

Name: _____

Signature: _____

Organisation: _____

Contact: _____

Based on Item 4, Article 9 of the Regulations for the prevention of academic/financial misconducts in research activities of IGES, I would like to file a complaint as in the followings regarding the result of the investigation notified as of dd/mm/yy.

3. Specific points related to the complaint
4. Reason of the complaint