JUSTUS-LIEBIG-UNIVERSITÄT GIESSEN

The President

# Announcements of the Justus Liebig University Giessen

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Research - ensuring good scientific practice

## Statutes of the Justus Liebig University Giessen for ensuring good scientific practice

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## Preamble

Probity on the part of scientists is a basic prerequisite for scientific work. Unlike error, dishonesty in scientific work contradicts the nature of science. In addition, probity in scientific work is the basis for the acceptance and reputation of science in a social context.

There is no substitute for the probity of scientists and academics. On the other hand, as in other areas of life, misconduct in scientific work cannot be prevented in principle by specifying framework conditions, but it can be limited.

For this reason, the Senate of Justus Liebig University adopted the following new version of the statutes on 21 December 2022 in accordance with Section 36 (1) sentence 2 HessHG, which also refers in particular to the code adopted by the German Research Foundation (DFG Code) and the corresponding guidelines and information issued by the DFG in September 2019.

# Section One: Ensuring good scientific practice

## § 1 General

(1) Justus Liebig University (JLU) understands that ensuring good academic practice is a multidimensional task, the realisation of which extends to various fields of activity. In particular, the aspects of equal opportunities, consideration of individual career paths and their appropriate support, the criteria of quality-controlled performance assessment and the promotion of young academics are reflected in the JLU,s differentiated concepts, such as the current university research strategy in the ‚Liebig Concept', the ‚JLU 2030' development plan, the ‚Gender Equality Concept' and the ‚Family-friendly University' audit. In this regard, it complies with the DFG Code of Conduct, provides information about it and reminds its members to comply with it.

(2) Following rules for good scientific practice should help to promote the quality of scientific work in research and teaching and thus prevent scientific misconduct. Scientists are responsible for realising the fundamental values and standards of scientific work in their actions and for standing up for them; thus they are subject to a professional ethic. Teaching the fundamentals of good scientific work begins in academic teaching and scientific training at the earliest possible stage. Scientists at all career levels regularly update their knowledge of the standards of good scientific practice and the state of research.

(3) Good scientific practice must fulfil the following requirements in particular:

1. Scientific investigations must be conducted lege artis, i.e. in accordance with the latest state of knowledge. This requires the comprehensive consideration and recognition of the current state of research and the appropriate methods validated to meet the requirements of the specialist field. When developing and applying new methods, validation must be carried out in accordance with the professional standards of the speciality. This requires thorough investigation into previously published research achievements and results. The origin of data, organisms, materials and software used in the research process is labelled and subsequent use is documented. Original sources are cited. All source code of publicly accessible software must be persistent, citable and documented.

2. The methods used and the findings must be documented and archived.

   a. Documentation must include all information relevant to the production of a research result in a way that is necessary and appropriate in the specialist area concerned in order to be able to review and evaluate the result; an essential component of quality assurance is to enable other scientists to replicate results or findings. This also includes individual results that do not support the research hypothesis; results must not be selected in this context. Documentation and research results must not be tampered; they must be protected against tampering as far as possible. As part of an ongoing research project, the authorised users also decide (in particular in accordance with data protection regulations) whether third parties should be given access to research data. To ensure traceability, connectivity of research and reusability, the research data and central materials on which the publication is based are made accessible in recognised archives and repositories in accordance with the FAIR principles (‚Findable, Accessible, Interoperable, Re-Usable'). Where documentation does not fulfil the aforementioned requirements, the restrictions and reasons for this are clearly explained. Documentation and research results must not be tampered. They must be protected against tampering as far as possible.

   b. Whenever scientific findings are made publicly available (including via channels other than publications), the quality assurance mechanisms applied are always explained. Any discrepancies or errors in such findings that are subsequently discovered or pointed out are corrected.

   c. Archiving involves securing publicly accessible research data or research results as well as the central materials on which they are based and, if applicable, the research software used, in an adequate manner measured against the standards of the subject area concerned, and storing them for an appropriate period of time, usually ten years, and in an appropriate institutional storage location to be ensured by the university. The retention period begins on the date on which public access is established. In the event that there are reasons for not retaining certain data or only retaining it for a shorter period, this must be explained and the reasons must be described in a comprehensible manner.

3. Scientific results should be questioned until they appear to be a plausible possibility.

4. In principle, scientists contribute all results to the scientific discourse in a complete and comprehensible manner; they decide on their own responsibility – taking into account the subject-specific standards of the discipline concerned – whether, how and where they make their results publicly accessible. This decision must not be influenced by third parties. Proof of own and third-party preliminary work must be provided in full and correctly, unless this can be omitted as an exception for specific disciplines in the case of own results that are already publicly accessible. At the same time, the repetition of the contents of own publications is limited to the extent necessary for understanding.

5. Researchers shall consider rights and obligations, in particular those arising from legal requirements and contracts with third parties, and obtain and submit authorisations and ethics opinions where necessary. With regard to research projects, a thorough assessment of the research consequences and the evaluation of the respective ethical aspects must be carried out for each individual project. This assessment of the consequences of research also relates to possible dual use problems of individual projects; in this context, undesirable consequences of research must be prevented or made more difficult. Furthermore, possible export control regulations with foreign or domestic relevance must be taken into account in the project context. Part of the legal framework of a research project also includes documented agreements to be concluded at the earliest possible stage on the rights of use of the research data and research results arising from it. In particular, those researchers who have collected the data are entitled to use the data and results. .
6. Principles of scientific work recognised by the discipline must be adhered to.
7. Scientists use methods to avoid (even unconscious) bias in the interpretation of findings, as far as this is possible and reasonable.
8. Scientists examine whether and to what extent gender and diversity can be significant for the research project.

## § 2 Responsibility of the university

(1) In fulfilling its responsibility to ensure the principles of good scientific practice, Justus Liebig University provides regular and sustained information about these principles.

(2) With reference to these statutes, Justus Liebig University also fulfils its responsibility for its graduates by teaching students the principles of academic work and good academic practice in the introductory courses of their undergraduate studies and by encouraging them to be honest and responsible in their academic work. This should also convey sensitivity with regard to the possibility of academic misconduct.

(3) With regard to its junior researchers and technical staff, Justus Liebig University fulfils its responsibility by regularly instructing and obliging this group of individuals at institute level about the principles of scientific work and good scientific practice – with reference to these statutes. The instruction must be recorded in writing and confirmed by signature.

(4) Habilitation candidates must submit a declaration as an admission requirement for the habilitation in which they undertake to comply with these statutes and the principles of good scientific practice. A corresponding admission requirement must be included in the applicable habilitation regulations. For doctoral candidates, sentence 1 applies analogously; the submission of this declaration is a prerequisite for acceptance or admission as a doctoral candidate. A corresponding acceptance or admission requirement must be included in the applicable doctoral degree regulations.

(5) Newly appointed professors and university lecturers at Justus Liebig University are obliged to comply with these statutes, as are the academics already working here.

(6) The Presidential Board of Justus Liebig University ensures through these statutes that clear rules for management, supervision, conflict resolution and quality assurance exist and are adhered to at Justus Liebig University. Based on these statutes, the dean,s offices of the departments are obliged to clearly assign the tasks of management, supervision and quality assurance through an appropriate organisation and to ensure that they are actually carried out.

## § 3 Organisation of working groups

(1) Working groups are usually made up of several people who are responsible for the research question, its processing, the interpretation of the results and the report to the scientific community.

(2) Regardless of the position and obligations of the individual members of a working group, the head of a scientific working unit is responsible for the entire unit and ensures compliance with these statutes. The cooperation in scientific work units is such that organisational measures prevent the abuse of power and the exploitation of

dependencies, that the group as a whole can fulfil its tasks, that the necessary cooperation and coordination take place and that all members are aware of their roles, rights and obligations and that changes are taken into account. Part of the management task is, in particular, to ensure the appropriate individual supervision of junior researchers – embedded in the overall concept of the respective institution – as well as the career advancement of academic and academic-related staff.

## § 4 Authorship of scientific publications

(1) Where several individuals are involved in a research project or in the writing of a scientific report, only those who have made a genuine and comprehensible contribution to the content of a scientific text, data or software publication may be named as authors. Determining whether a genuine and comprehensible contribution has been made depends on the subject-specific principles of scientific work and must be assessed on a case-by-case basis. All authors agree to the final version of the work to be published. Consent may not be withheld without sufficient reason and must be justified with verifiable criticism of data, methods or results. They are jointly responsible for the publication, unless explicitly stated otherwise. Authors shall ensure and, as far as possible, work towards ensuring that their research contributions are labelled by the publishers or infrastructure providers in such a way that they can be correctly cited by users.

(2) Where a contribution is not sufficient to establish authorship, the support can be appropriately recognised in footnotes, in the foreword or in acknowledgements. Honorary authorship where no sufficient contribution has been made is just as inadmissible as inferring authorship solely on the basis of a managerial or superior function.

(3) The release of a manuscript for publication must be confirmed by all co-authors by signature and the contribution of the individual person or working group must be documented. Authors choose the publication medium carefully, considering its quality and visibility in the respective field of discourse. Besides books and specialist journals, specialist repositories, data and software repositories as well as blogs are particularly suitable as publication instrumentsAcademics who take on the role of editor carefully check for which publication instruments they take on this task. The scientific quality of a contribution does not depend on the publication instrument in which it is made publicly accessible. If the manuscript quotes unpublished observations by other individuals or uses findings from other institutions, their written consent must be obtained – subject to other recognised scientific practice. If a co-author feels that he or she has been ignored, he or she can call the ombudsperson.

(4) Scientists agree in good time – usually at the latest when formulating the manuscript – who is to be the author of the research results. Such agreement must be based on comprehensible criteria and take into account the conventions of each specialist field.

(5) Each co-author assumes joint responsibility for ensuring that the co-authored publication meets scientific standards by agreeing to be named.

(6) If individual scientists are named as co-authors in a publication without consent and are unable to obtain subsequent authorisation, they are expected to expressly object to their inclusion in the group of authors, to the person primarily responsible, and/or to the relevant journal and to document this objection. Should they fail to distance themselves in this way, this shall be regarded as subsequent authorisation of their inclusion in the authors‘ circle with corresponding joint responsibility for the publication.

## § 5 Young scientists

(1) Young scientists are subject to the regulations of these statutes. They begin their academic work with their doctoral thesis and are entitled to regular academic supervision, counselling and support.

(2) Young scientists are obliged

1. to responsible work and collegiality,
2. to record and fully document and store their research results, as far as this corresponds to scientific standards,

3. to report regularly on the progress of their research work,
4. to participate in internal seminars and to a limited extent to participate in routine tasks within the working group.

### § 6 Confidentiality and neutrality in assessments and consultations

(1) Probity is the basis of the legitimacy of a judgement process.

(2) Scientific staff who assess manuscripts, applications for funding or the eligibility of individuals are obliged to maintain strict confidentiality in this regard. They must immediately disclose all facts that could give rise to concerns of bias or a conflict of interest to the responsible body.

(3) Confidentiality involves ensuring that content to which access is gained as part of the function may not be passed on to third parties and may not be used for personal purposes.

(4) Paragraphs 1 and 2 apply accordingly to members of scientific advisory and decision-making bodies.

## Section Two: Scientific misconduct

### § 7 Scientific misconduct by scientists

(1) Scientific misconduct occurs in particular when scientists in the field of science intentionally or through gross negligence make false statements or infringe the intellectual property of others or seriously impair their research activities. This also applies analogously to technical staff.

(2) Misconduct includes in particular

1. failure to obtain the required ethics votes or disregarding them.
2. Incorrect information, namely

a) the invention of data,

b) falsifying data (e.g. by selecting and not mentioning undesirable results without disclosing this; by manipulating a presentation or figure),

c) incorrect information in a letter of application or an application for funding (including incorrect information on the publication instrument and accepted or in print publications),

d) the destruction, alteration or tampering of raw data, unless this is permitted by law.

2. Infringement of intellectual property rights in relation to a copyrighted work (including drawings, pictorial representations and the like) created by someone else, or essential scientific knowledge, hypotheses, teachings or research approaches originating from others through:

a) the unauthorised use with presumption of authorship (plagiarism),

b) the use of research approaches and ideas of others without citing the source (theft of ideas),

c) the presumption or unfounded assumption of scientific authorship or co-authorship,

d) falsification of the content,

e) unauthorised publication and unauthorised making available to third parties while the work, finding, hypothesis, doctrine or research approach has not yet been published.

3. The utilisation of the (co-)authorship of another person without his or her consent.

4. Serious interference with research activities (including damaging, destroying or tampering with experimental set-ups, equipment, documents, hardware, software, chemicals or other items that another person needs to carry out scientific work).
5. Removal of data if this violates statutory regulations or Section 1 (2).

### § 8 Shared responsibility for misconduct

Shared responsibility for misconduct within the meaning of § 7 may arise, among other things, from

1. active participation in the misbehaviour of others,
2. complicity in falsification by others,
3. gross neglect of the duty of care and supervision,
4. co-authorship of a publication containing false information.

## Section Three: Ombudsperson and Standing Committee

### § 9 Ombudsperson

(1) The Justus Liebig University appoints an ombudsperson and at least one deputy ombudsperson as contact individuals for members, former members, former members of the university and external parties who wish to report allegations of academic misconduct. The ombudsperson performs their duties independently and free from instructions.

(2) Appointed as ombudspersons are scientists who are members or affiliates of Justus Liebig University, who have extensive experience in the field of science as well as national and international contacts and who, due to their position, are not themselves obliged to take relevant action.

(3) The President proposes suitable individuals to the Senate in accordance with para. 2. The Senate elects the ombudsperson and the deputy ombudspersons by a majority of its members in separate ballots for a term of office of generally three years.

(4) The President appoints the elected individuals as ombudspersons and obliges them to comply with these statutes.

(5) The ombudsperson is represented by a deputy ombudsperson in the event of bias or incapacity. The ombudsperson can be represented by a deputy ombudsperson due to greater proximity to the matter at hand.

(6) Names, addresses and office hours of the appointed ombudspersons must be adequately published.

(7) If an ombudsperson leaves prematurely, a re-election shall take place for the remainder of the term of office; paragraphs 2 to 4 shall apply accordingly.

### § 10 Tasks of the ombudsperson

(1) The ombudsperson has the following tasks:

1. as a person of trust, he/she advises members and affiliates of Justus Liebig University, as well as external parties who inform him/her of academic misconduct within the meaning of § 7.
2. he/she takes up relevant information on his/her own initiative, of which he/she becomes aware directly or indirectly via third parties, and attempts to clarify it. This does not apply to anonymous reports

3. he/she shall seek to clarify the facts of the case and examine whether the allegations are plausible in terms of their specificity and significance as well as possible motives and whether they can be refuted. (preliminary investigation pursuant to § 15 paragraph 3).
4. he/she shall apply to the Permanent Commission for a preliminary investigation in accordance with § 15 paragraph 4.
5. after the conclusion of a formal investigation procedure, he/she shall support the individuals involved and those providing information in accordance with § 20.
6. he/she is obliged to document his/her actions, taking into account the protection of the privacy of informants and affected individuals.

(2) Every current and former member as well as every current and former non-member staff of Justus Liebig University has the right to contact the ombudsperson and speak personally within a short period of time. This does not affect the right to appeal to the supra-regional committee ‚Omdudsman for Science' set up by the DFG.

(3) The ombudspersons receive the necessary substantive support and acceptance in the fulfilment of their tasks. Measures should be taken to relieve the ombudspersons in other ways to increase the functionality of the ombudsman system.

## § 11 Appointment of the Standing Committee

(1) The Justus Liebig University appoints a Standing Committee consisting of the following four members and four deputy members:

1. Three members and three deputy members from the group of professors.

Appointments may be made to full-time professors, emeritus professors or retired professors who have extensive experience in the academic field as well as national and international contacts. At least one member and one deputy member must be qualified to hold judicial office.

2. One member and one deputy member from the group of scientific staff.

Appointments can be made by scientific staff with a doctorate.

(2) The President shall propose suitable members, as defined in paragraph 1, to the Senate. The Senate elects the individual committee members and their deputy members by a majority of its members. § Section 9 paragraph 3 sentence 2 applies accordingly. Re-election is possible.

(3) The President appoints the elected individuals as members or deputy members of the Standing Committee and obliges them to comply with these statutes.

(4) The members of the Standing Committee are represented by the deputy committee members in the event that they are biassed or prevented from attending.

(5) Names, addresses and office hours of the appointed commission members and deputy commission members must be adequately published.

(6) If members or deputy members leave the Standing Committee, re-elections shall take place for the remainder of the term of office; paragraphs 2 to 4 shall apply accordingly.

(7) The ombudsperson and the deputy ombudspersons are members of the Standing Committee in an advisory capacity.

## § 12 Tasks of the Standing Committee

(1) The Standing Committee is responsible for investigating allegations of academic misconduct alongside the bodies of the departments. For this purpose, the Chair of the Standing Committee conducts the preliminary examination procedure (§ 17) and the Standing Committee itself conducts the formal investigation procedure (§ 18

f.). The Standing Committee may discontinue proceedings on suspicion of scientific misconduct or make proposals as to how the misconduct found should be sanctioned (§§ 21 ff.).

(2) The Standing Committee acts at the request of the ombudsperson.

(3) The procedure before the Standing Committee does not replace other legal or statutory procedures.

### § 13 Responsibility of the bodies of the departments

(1) Within the scope of their legal and statutory competences, the bodies of the departments are responsible for investigating and punishing academic misconduct, irrespective of the responsibilities under these statutes.

(2) The bodies of the departments should suspend their proceedings until a final decision has been made in accordance with these statutes. They must take note of decisions in accordance with these statutes and deal with them.

### § 14 Chairmanship and procedure of the Standing Committee

(1) The member of the Commission who is qualified to hold judicial office chairs the Standing Commission and is represented in this position by the deputy member who is qualified to hold judicial office. The chairperson – or, if he or she is unable to attend, the deputy chairperson – shall convene the meetings of the Standing Committee, chair them and implement their resolutions.

(2) The Standing Committee is quorate if at least two members or deputy members are present. The Standing Committee decides with a majority of two thirds of its members. In case of a tie, the chairperson has the decisive vote. Minutes shall be taken of its meetings, recording the main outcome of the meeting.

(3) The Standing Committee may include up to two further individuals who have special expertise in the field of the scientific issue to be assessed or who have experience in dealing with relevant procedures as members in an advisory capacity.

(4) Deadlines for opinions, hearings, negotiations and decisions shall be set by the Permanent Commission in such a way as to ensure an expeditious procedure.

## Section Four: Proceedings in cases of scientific misconduct

### § 15 Suspicion report

(1) If individual members, former members, current or former non-member staff of Justus Liebig University have a concrete suspicion of scientific misconduct, they must immediately inform the ombudsperson or a member of the Standing Committee; external parties can inform the ombudsperson or a member of the Standing Committee about scientific misconduct. Should a member of the Standing Committee or a departmental body be informed, they must in turn inform the ombudsperson immediately.

(2) The suspicion report should be made in writing, stating the incriminating facts and evidence; in the case of an oral report, a written note must be made of the suspicion and the facts and evidence on which it is based.

(3) The ombudsperson shall seek to clarify the facts of the case and examine whether the allegations are plausible in terms of their specificity, significance and possible motives and whether they can be refuted. Where necessary, he/she will inform the relevant departmental committees. He/she may ask the department concerned for assistance, e.g. by preparing an expert report. If he/she is able to refute the allegations in the course of the preliminary investigations to be carried out, he/she will inform the individuals concerned and the informants and discontinue the proceedings. If the informants do not agree with the ombudsperson,s decision in the preliminary investigation procedure, they can appeal to the Standing Committee.

(4) In the event that the ombudsperson is unable to refute the allegations, he or she shall forward the report or written note to the Chairperson of the Standing Committee and report on his or her efforts in the preliminary investigation procedure.

(5) The investigation of allegations of scientific misconduct shall be conducted expressly in compliance with confidentiality and the basic principle of the presumption of innocence in order to protect informants and affected individuals. The reporting of the informant must be made in good faith. Deliberately false or wilful allegations may themselves constitute scientific misconduct. Neither the informant nor the person affected by the allegations should suffer any disadvantages for their own scientific or professional advancement because of the report.

## § 16 Statement of the parties concerned

(1) The Standing Committee shall immediately give those affected by the suspicion of misconduct the opportunity to comment, stating the incriminating facts and evidence within a period of time to be specified.

The deadline for the statement is usually three weeks – six weeks during the lecture-free period.

(2) Without the express consent of the informants, their names may not be disclosed to the persons concerned in this phase of the proceedings.

## § 17 Preliminary examination by the Chairperson of the Standing Committee

(1) After receipt of the opinion of the individuals concerned or after the deadline set for them has expired, the chairperson of the Standing Committee shall decide on the matter within four weeks – within eight weeks during the lecture-free period,

1. whether the preliminary examination procedure is to be discontinued with notification of the reasons to the individuals concerned and the informants because the suspicion of scientific misconduct has not been sufficiently confirmed or an alleged scientific misconduct has been fully clarified, or
2. whether the preliminary examination procedure is to be transferred to the formal investigation procedure for further clarification and decision; the reasons for this are to be recorded in writing.

In the case of non-serious scientific misconduct, the chairperson may close the proceedings or transfer them to formal investigation proceedings.

(2) If informants do not agree with the initial suspension of the preliminary examination procedure, they may present their objections to the Standing Committee in writing or orally within four weeks – eight weeks during the lecture-free period. The chairperson of the Standing Committee shall discuss and decide on the objections in accordance with paragraph 1, if necessary in accordance with § 16 paragraph 1 after hearing the person concerned again. Both the individuals concerned and the informants shall be informed of the decision.

(3) The decision to close the preliminary examination procedure may be appealed to the Standing Committee.

## § 18 Formal investigation procedure

(1) The Chairperson of the Standing Committee shall initiate the formal investigation procedure by informing the individuals concerned of the outcome of the preliminary investigation. He or she shall inform the President of the initiation of the formal investigation procedure.

(2) The Standing Committee deliberates in closed oral proceedings.

It must determine not only the incriminating but also the exonerating circumstances.

It examines whether scientific misconduct has occurred in a free evaluation of evidence.

(3) The informants and the individuals affected by possible misconduct, the working group or the institute concerned must be given the opportunity to comment.

The individuals concerned must be heard orally at their request; they may be assisted by a person they trust.

This also applies to other individuals to be heard.

(4) Names of the informants shall be disclosed to the individuals concerned upon request if they are otherwise unable to mount an adequate defence or if the credibility and motives of the informants are of essential importance for clarifying the allegations. The informants must be notified of the disclosure.

### § 19 Decision in the formal investigation procedure

(1) Where the Standing Committee does not consider scientific misconduct to be proven, it shall close the proceedings. It may close the proceedings if it does not consider the scientific misconduct to be serious.

The President must be informed of the appointment.

(2) In the event that the Standing Committee believes that scientific misconduct has been proven, it shall report in writing to the President on the results of its investigations and propose how the proceedings should be continued – also with regard to safeguarding the rights of others (Sections 20 ff.).

(3) The main reasons for closing the proceedings or forwarding them to the President must be communicated in writing to the individuals concerned and the individuals providing the information.

(4) It is not possible to appeal against the decisions of the Standing Committee.

(5) The files of the formal investigation procedure are kept for 30 years.

### § 20 Support for affected and informing persons

(1) Once a formal investigation procedure has been completed, individuals who have been involved in scientific misconduct through no fault of their own must be protected in an appropriate manner against discrimination with regard to their personal dignity and scientific integrity.

The following can serve to protect the personal and scientific integrity of the individuals involved

1. counselling by the ombudsperson;
2. a written declaration by the Chairperson of the Standing Committee that the person concerned is not guilty of scientific misconduct (§ 7) or is not co-responsible for it (§ 8).

(2) Informants must be protected against discrimination in an appropriate manner throughout the proceedings if their allegations have not proven to be obviously unfounded and the allegations were not demonstrably made against their better judgement.

## Section Five: Possible decisions and penalties for scientific misconduct

### § 21 Decisions of the President

(1) In the event that the Standing Committee has identified scientific misconduct and reported on this in accordance with Section 19 (2), the President shall review the proposals of the Standing Committee and decide on further action in accordance with Sections 21 et seq. The criteria for this are compliance with scientific standards and the rights of all those directly and indirectly affected, the nature and severity of the scientific misconduct identified and the need to penalise it.

(2) Scientific misconduct cannot be judged according to fixed rules; its appropriate punishment depends on the circumstances of the individual case.

## § 22 Consequences under labour and employment law

(1) If the person concerned is employed by the university, the following consequences under labour law may be considered in the event of scientific misconduct:

1. warning,
2. extraordinary dismissal (including dismissal on suspicion),
3. ordinary termination,
4. cancellation of the contract.

(2) (2)If the person concerned is employed by the university as a civil servant, the following disciplinary or service law consequences may be considered in the event of scientific misconduct:

1. reprimand, fine, salary reduction,
2. removal from the service,
3. cancellation of the appointment.

## § 23 Consequences under civil law

The following consequences under civil law are particularly relevant in cases of scientific misconduct:

1. issuance of restriction from entering the premises,
2. claims for restitution against those affected (e.g. with regard to stolen material),
3. claims for removal and injunction under copyright law, personal rights, patent law and competition law,
4. claims for repayment (e.g. of scholarships, third-party funds),
5. claims for damages by Justus Liebig University or third parties in the event of personal injury, damage to property or suchlike.

## § 24 Academic consequences

(1) Academic consequences of scientific misconduct are to be initiated at different levels and with different objectives.

(2) Depending on the severity of the misconduct and within the framework of the legal requirements, the following may be considered at Justus Liebig University

- the reprimand of scientific misconduct by the President,
- the withdrawal of academic degrees (in particular diploma degrees, master,s degrees, bachelor,s or master,s degrees, doctoral degrees, Ph.D. degrees, habilitation degrees) or academic titles (private lecturer, associate professor) by the responsible committees and
- withdrawal of the authorisation to teach.

In the event that the scientific misconduct consists of gross neglect of the duty to supervise and oversee (§ 8 No. 3), the right to supervise scientific work may be withdrawn from the person concerned either temporarily or permanently. If serious scientific misconduct is identified, the President shall inform the relevant committees with a request for a review and decision.

(3) Non-university scientific institutions and associations must be informed of scientific misconduct by the President if the institutions and associations are directly affected or if the scientist concerned holds a leading position in the institution or association in question or is involved in decision-making bodies of funding organisations or suchlike.

(4) In the event that the scientific misconduct consists of false statements (Section 7 (2) No. 2) or an infringement of intellectual property (Section 7 (2) No. 3) or involvement in such misconduct (Section 8), the author concerned shall be obliged to revoke the work accordingly. If the works concerned are still unpublished, they must be withdrawn in good time; if they have already been published, they must be revoked – at least with regard to the parts

concerned. The author responsible for the falsified publication or the co-authors jointly responsible for the falsified publication must report to the Standing Committee within a period to be specified, particularly regarding the retraction of the publication concerned or the withdrawal of the work. Where necessary, the President shall, on the recommendation of the Standing Committee, take appropriate measures to revoke the publication in question or to withdraw the work. Publications that have been determined by the Standing Committee to contain forgeries must be deleted from the publication list of the author concerned or labelled accordingly. In certain cases, the author concerned may be obliged to republish the work in a corrected version that complies with scientific standards. This is particularly the case if the scientific misconduct is identifiable and can be easily corrected. The obligation to republish should be considered above all if the rights of other authors are affected by a retraction or withdrawal of the work. If the publication is a qualification publication within the meaning of para. 2, the obligation to republish can only be ordered in agreement with the responsible committee.

### § 25 Consequences under criminal law

(1) Consequences under criminal law for scientific misconduct may be considered if there is a suspicion that an offence under the German Criminal Code or other criminal provisions or administrative offences have also been committed.

(2) The President shall diligently examine whether and to what extent the University will press criminal charges in such a case.

### § 26 Information for vulnerable third parties and the public

Where it is considered necessary for the protection of third parties, to maintain confidence in scientific probity, to restore scientific reputation, to prevent consequential damage or otherwise in the general public interest, affected third parties, affected scientific organisations and the press shall be appropriately informed of the outcome of the formal investigation procedure and further measures.

## Section Six: Entry into force, transitional regulations

### § 27 Entry into force, transitional regulations

The statutes enter into force on the day after their publication in the University of Giessen,s bulletins. Simultaneously, the Statutes of Justus Liebig University Giessen for Ensuring Good Scientific Practice in the new version of 27 April 2016 shall cease to apply; procedures that have already begun shall be completed according to the regulations applicable until then.