Guideline of Indoc Research Europe gGmbH for Ensuring Good Scientific Practice and for Dealing with Suspected Cases of Scientific Misconduct

This document is a non-binding convenience translation. Only the German version of the document entitled "Richtlinie der Indoc Research Europe gGmbH zur Sicherung guter wissenschaftlicher Praxis und zum Umgang mit wissenschaftlichem Fehlverhalten ", dated 3 September 2025, has legal validity.

Preamble

Indoc Research Europe gGmbH (INDOC) is a recognized non-profit organization which, in its constitutive articles of association dated May 7, 2021, has defined the promotion of science and research as the purpose and object of the organization. This goal is more specifically realized through the development and provision of software and data management platforms for medical and academic research projects, always in close collaboration with researchers and research groups at various colleges, universities, and research institutions.

The sole shareholder of INDOC is Indoc Research, a non-profit organization in Toronto, Canada. The governing body of INDOC is the management, advised by the Indoc Europe Executive Committee. Due to its small staff size, INDOC maintains a flat hierarchical structure, with tasks being completed in changing, flexibly assembled project teams. All employees are hired under employment contracts and are therefore bound to comply with adopted guidelines.

This policy implements the "Guidelines for Ensuring Good Scientific Practice" of the German Research Foundation (DFG) in the version of August 2019. It is legally binding for all individuals employed by INDOC who conduct or support research.

Section I Principles of Good Scientific Practice

§ 1 Scope of this Guideline

(1) The principles of good scientific practice to be observed under this guideline will be communicated to INDOC staff on the INDOC website. All contractually employed collaborators or persons involved in research will be notified by email of the entry into force of this policy. The guideline will be published on INDOC's intranet and made available digitally to all employees. In a formal, documented process, employees confirm by email that they have read and understood the policy. Regular annual training sessions and presentations also ensure that employees are kept up to date and that new employees are trained.

(2) All persons involved in research at INDOC are obligated and responsible for adhering to the rules of good scientific practice in their conduct.

(3) This policy does not affect rights and obligations under labor and service law.

§ 2 Individual Principles of Good Scientific Practice

The principles of good scientific practice include, in particular,

1. working lege artis,
2. maintaining strict honesty regarding one's own contributions and those of others,
3. consistently challenging all results, and
4. allowing and promoting critical discourse within the scientific community.

§ 3 Professional Ethics of Scientific Professionals

(1) The teaching of the fundamentals of good scientific practice begins at the earliest possible stage in scientific training (including teaching) and careers.

(2) Employees involved in research are committed to the fundamental values of scientific work.

(3) Involving all career levels, employees conducting research undergo a continuous process of learning and education regarding good scientific practice. They exchange ideas and support one another.

§ 4 Organizational Responsibility

(1) INDOC Management is responsible for and assumes organizational responsibility for compliance with good scientific practice at INDOC.

(2) INDOC Management creates the framework for compliant scientific work by establishing an appropriate institutional organizational structure, taking the small number of employees into account. This way, INDOC Management creates the prerequisites that allow personnel conducting research to comply with legal and ethical standards.

(3) At INDOC, the procedures and principles for personnel selection and development comply with the Allgemeine Gleichbehandlungsgesetz (AGG, General Equal Treatment Act).

Personnel selection and development are based on the job-specific tasks and the associated requirements specified in the announcement of the position. This announcement is formulated in a target group-specific, gender-appropriate, and informatively engaging manner; discriminatory terms within the meaning of the AGG (e.g., regarding age) are not used. It also serves as a binding basis for recruitment agencies if they are commissioned to select qualified and specialized experts and managers.

The interview and selection process are based on the job-specific requirements and are designed to be as objective, fair, and transparent as possible for all applicants. When assessing suitability and qualifications (from a technical and general perspective), all applicants are treated equally, regardless of origin, position, religion, gender, or other forms of diversity. The decision of selection is based on the job-specific requirements, with particular emphasis on equal opportunities and diversity.

(4) The following support structures and concepts have been established to support researchers in their early career phases: The management ensures that researchers in their early career phases are supported through qualified mentoring and a level of guidance and responsibility appropriate to their level of experience. Plans include for example doctoral collaborations with universities as well as internships during their studies. In addition, involvement in national and international research networks enables early experience in collaborative research practices. INDOC offers research

software engineers a structured career path at the interface between research and industry. Participation in mentoring programs and ongoing training opportunities complement the individual support.

§ 5 Responsibility of the department heads and team leads

(1) The leader or head of a scientific or technical work unit, e.g., a project team, is responsible for the entire unit they manage.

(2) The responsibility of the head of a scientific or technical work unit includes the obligation to provide, in line INDOC's overall concept, individual support to young scientific and technical researchers as well as to promote the careers of scientific and scientific support staff and to impart the principles of scientific integrity.

(3) Collaboration within the scientific and technical work units is structured in such a way that the unit can fulfill its tasks, that the necessary cooperation and coordination take place, and that all members are aware of their roles, rights, and responsibilities.

(4) Abuse of power and the exploitation of dependency relationships are counteracted by appropriate organizational measures both at the level of individual work units and at the management level.

(5) Scientific and technical staff shall enjoy a balance of support and personal responsibility appropriate to their career level.

§ 6 Assessment of Scientific Performance

The assessment of the performance of scientific and technical professionals follows a multidimensional approach. A significant component of the assessment is scientific and technical performance, which must be evaluated primarily according to qualitative standards. Quantitative indicators may be incorporated into the overall assessment in a differentiated and considered manner. In addition to scientific and technical performance, other aspects may be considered.

§ 7 Phase-transcendent Quality Assurance

(1) Persons involved in research carry out each step of the research process *de lege artis*. Continuous and phase-transcendent quality assurance takes place.

(2) The origin of data, organisms, materials, and software used in the research process is identified by citing the original sources, and the applicable requirements for reuse are documented. If publicly available software is used, it must be documented persistently and citable, including the source code, as far as possible and reasonable.

(3) The following quality assurance principles apply to the development of research software:

1. Software development and standards: Development should follow best practice standards and define in advance all development steps (authorship, versioning, licensing, etc.).
2. Software quality: In addition to general software engineering standards, subject-specific quality criteria should be defined, based on FAIR principles for research software (FAIR4RS principles) and on established quality frameworks.

3. Accessibility and documentation: Source code, workflows, and functionality must be clearly documented and accessible to ensure verifiability and reproducibility.
4. Citability and reusability: The development of research software should enable reusability in other research projects. For new developments, attention should be paid to the greatest possible machine discoverability and open licensing.
5. Software sustainability: Sustainability should be ensured through planning for maintenance, servicing, and functional development, as well as using infrastructures and repositories, and the development of active communities.

Sensible quality assurance in research software development therefore generally includes software documentation, version management, persistent identifiers, metadata, a license, and other measures, depending on the type of research software.

(4) The nature and scope of research data generated during the research process are described.

(5) An essential component of quality assurance is enabling other researchers to replicate results or findings.

(6) When scientific findings are made publicly available (including through channels other than publications), the applied quality assurance mechanisms are always explained. If inconsistencies or errors in such findings are subsequently discovered or pointed out, they are corrected.

§ 8 Participating Stakeholders, Responsibilities, Roles

(1) The roles and responsibilities of the persons involved in a research project must be defined appropriately and should always be clear.

(2) Roles and responsibilities will be adjusted if necessary.

§ 9 Research Design

(1) When planning a project, persons involved in research shall comprehensively consider and acknowledge the current state of research. This generally requires careful research into research findings that are already publicly available. It is important that researchers examine whether and to what extent gender and diversity can be relevant to a research project.

(2) Management shall ensure the necessary framework for this research within the scope of its budgetary possibilities.

(3) Employees involved in research shall apply methods to avoid (including unconscious) bias in the interpretation of findings, as far as possible and reasonable.

§ 10 Legal and Ethical Framework for Research

(1) Persons involved in research shall exercise the constitutionally guaranteed freedom of research responsibly.

(2) Management shall ensure that the actions of INDOC members and affiliates comply with the rules and promote compliance through appropriate organizational structures. INDOC adheres to the Ethical Guidelines of the German Informatics Society.

(3) Persons involved in research shall observe their rights and obligations in their conduct, particularly those arising from legal requirements and contracts with third parties.

(4) Persons involved in research shall obtain permits and ethics approvals where necessary and submit them to the relevant authorities.

(5) Persons involved in research shall continuously be aware of the risk of misuse of research results, particularly in security-relevant research. Research consequences are thoroughly assessed, and the ethical implications of the research are evaluated.

§ 11 Rights of Use

(1) Persons involved in research shall enter into documented agreements regarding the rights of use of data and results arising from the research project as soon as possible.

(2) The use of data and results is granted to those persons involved in research who collected the data.

(3) The authorized users shall establish regulations regarding whether and how third parties may access the research data.

§ 12 Methods and Standards

(1) Research uses scientifically sound and traceable methods.

(2) When developing and applying new methods, researchers shall attach particular importance to quality assurance and establishment of standards.

§ 13 Documentation

(1) Persons involved in research shall document all information relevant to the creation of a research result in a manner that is as comprehensible as is necessary and appropriate in the relevant field to verify and evaluate the result and enable replication. If specific professional recommendations exist for verification and evaluation, persons involved in research shall document the results in accordance with the respective specifications. When developing research software, the source code shall be documented, as far as possible and reasonable.

(2) Individual results that do not support the own hypothesis shall also be documented. Selecting results is not permitted.

(3) If the documentation does not meet the requirements of subsections 1 and 2, the limitations and reasons for this shall be explained comprehensibly.

(4) Documentation and research results must not be manipulated. They must be protected against manipulation as good as possible.

§ 14 Providing Public Access to Research Results

(1) In principle, persons involved in research contribute all their results to the scientific discourse.

(2) In individual cases, there may be reasons not to make results publicly accessible. The decision to make results publicly accessible must not depend on third parties; rather, persons involved in research decide based on their own responsibility and in consideration of the practices of the respective field whether, how, and where to make their results publicly accessible. Exceptions are permissible where third-party rights are affected, patent applications are pending, the research is contract research, or security-relevant research is involved.

(3) If results are made publicly accessible, these shall be described in a complete and comprehensible manner. This includes making the research data, materials, and information underlying the results, as well as the methods applied and the software used, available, as far as feasible and reasonable. This is done according to the so-called FAIR principles: Findable, Accessible, Interoperable, Re-Usable. Exceptions are permissible in the context of patent applications.

4) Self-programmed software is made accessible, including its source code, where feasible and reasonable. Where appropriate, licensing will be arranged. Workflows are explained in detail.

(5) The author's own and third-party preparatory work must be documented completely and accurately, unless this can be waived in exceptional cases for discipline-specific reasons, such as when the author's own results are already publicly accessible. At the same time, repetition of the content of one's own publications is to be limited to the extent necessary for understanding.

(6) For research results that are made publicly accessible, the underlying research data (usually raw data) as well as the underlying core materials and, if applicable, the research software used will be adequately secured and retained for a reasonable period, usually 10 years. The retention period begins on the date public access is established. In justified cases, no retention may be required, or shortened retention periods may be appropriate; the corresponding reasons will be clearly described.

(7) INDOC shall ensure that the necessary infrastructure is in place to enable archiving internally or in cross-site repositories.

§ 15 Authorship

(1) An author is someone who has made a genuine, traceable contribution to the content of a scientific text, data, or software publication. Whether a genuine and traceable contribution has been made depends on the area-specific principles of the particular work and must be assessed on a case-by-case basis.

(2) Authors are particularly individuals who have contributed in a scientifically relevant way to (a) the development and conception of the research project, (b) the preparation, collection, acquisition, and provision of data, software, or sources, or (c) the analysis/evaluation or interpretation of data and sources and the conclusions drawn from them, or (d) the drafting of the manuscript.

(3) If a contribution is not sufficient to establish authorship, appropriate acknowledgement for the support may be given in footnotes, foreword, or acknowledgements. Honorary authorship where no sufficient contribution has been made is just as inadmissible as the derivation of authorship solely based on a managerial or supervisory function.

(4) All authors must approve the final version of the work to be published; they bear joint responsibility for its publication unless explicitly stated otherwise. Consent to publication may not be refused without adequate reason. Rather, refusal must be justified by verifiable critique of data, methods, or results.

(5) Persons involved in research shall agree in a timely manner – usually at the latest when drafting the manuscript – on who will be the author of the research results. This agreement must be based on plausible criteria and must consider the conventions of the relevant discipline.

§ 16 Publication Media

(1) The scientific quality of a contribution does not depend on the media outlet in which it is made publicly available. In addition to publications in books and specialist journals, data, and software repositories, as well as blogs, can also qualify.

(2) Authors carefully select the publication medium, considering quality and visibility in the respective discourse field. A new publication medium is reviewed for its credibility.

(3) Anyone accepting an editorship carefully evaluates the publication medium for which they are assuming this role.

§ 17 Confidentiality and Neutrality in Reviews and Consultations

(1) Upright conduct is the basis of the legitimacy of a decision-finding process.

(2) Persons involved in research who review manuscripts, funding applications, or the credentials of individuals are obliged to maintain strict confidentiality in this regard. They shall promptly disclose all facts that may give rise to concerns about bias to the appropriate body.

(3) Confidentiality includes the requirement that content accessed in the course of their duties may not be disclosed to third parties and may not be used for their own purposes.

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

Section II Ombudsman System

§ 18 Ombudspersons

(1) INDOC shall have an external ombudsperson who is not employed by INDOC and a deputy ombudsperson who may be employed by INDOC. A deputy ombudsperson shall be appointed if there is a concern of bias regarding the external ombudsperson, or if the external ombudsperson is prevented from performing their duties. The question of whether there is a concern of bias shall be determined according to the Administrative Procedures Act of the federal state of Rhineland-Palatinate (Verwaltungsverfahrensgesetz des Landes Rheinland-Pfalz – VwVfG). In cases of doubt, the ad hoc investigative committee shall decide in accordance with Section III.

(2) Academic scientists or individuals with a scientific background in their CV, with integrity and with managerial experience, may be appointed as ombudspersons or deputies. They do not have to be employed by INDOC. The ombudspersons and their deputies may not be members of any INDOC governing body during their term of office. The ombudsperson is an advisory but non-voting member of the investigative committee.

(3) The appointment is made by the management.

(4) The term of office of an ombudsperson or deputy ombudsperson is four years. Reappointment is permitted once.

(5) The ombudsperson and their deputy shall receive the necessary substantive support and acceptance from the management in the performance of their duties.

§ 19 Ombudsman's Activities

(1) The ombudsperson and their deputy shall perform their ombudsman's activities pursuant to § 18 independently, independent of instructions or informal, case-specific influence by the management. The ombudsman's activities shall be confidential, i.e., subject to secrecy.

(2) All members and affiliates of INDOC may contact the ombudspersons and their deputies regarding questions of good scientific practice, as well as suspected scientific misconduct. Alternatively, members and affiliates of INDOC may contact the supra-regional ombudsman's body, the "Ombudsman Committee for Scientific Integrity in Germany (Ombudsgremium für die wissenschaftliche Integrität in Deutschland - OWID)."

(3) Management ensures that the local ombudsperson and their deputy are known at INDOC. The identity and contact details of the respective incumbents will be communicated via the following channels: circulars via email; the INDOC intranet; and presentation of the ombudspersons at appropriate events and training sessions. The management shall report new and retired ombudspersons to the office of the "Ombudsman Committee for Scientific Integrity in Germany."

(4) Ombudspersons act as neutral and qualified contact persons to advise on issues of good scientific practice and in cases of suspected scientific misconduct. They contribute, as far as possible, to solution-oriented conflict mediation.

(5) Ombudspersons or their representatives shall receive inquiries confidentially and, if necessary, forward suspected cases of scientific misconduct to the responsible body at INDOC in accordance with Section III.

Section III Procedures for Dealing with Scientific Misconduct

§ 20 General Principles for Dealing with Suspected Cases of Scientific Misconduct

(1) All bodies at INDOC that investigate suspected cases of scientific misconduct within the scope of their responsibilities shall take appropriate steps to protect both the whistleblower and the person(s) affected by (accused of) the allegations. The responsible bodies are aware that the conduct of proceedings and the subsequent, possible imposition of sanctions may constitute significant interference with the legal interests of the accused.

(2) The investigation of allegations of scientific misconduct must at all times be conducted in accordance with the rule of law, fairly, and with the presumption of innocence. The investigation shall moreover be confidential. Investigations are conducted without regard to the status of the person, decisions are made without regard to the status of the person.

(3) The report by an informant must be made in good faith. Informants must have objective evidence that standards of good scientific practice may have been violated. If an informant cannot verify the facts underlying the suspicion, or if there are uncertainties regarding the interpretation of the guidelines for good scientific practice pursuant to Section I regarding an observed occurrence, the informant should contact the persons specified in § 19, subsections 1 and 2, for clarification of the suspicion.

(4) Neither the informant nor the accused/affected person should suffer any disadvantages in their own scientific or professional advancement because of the whistleblowing. This applies to the accused person until misconduct has been proven and established. For individuals in early career phases, the report should, if possible, not lead to delays in their qualifications. The preparation of theses and doctoral theses should not be disadvantaged. The same applies to working conditions and possible contract extensions.

(5) The informant must be protected even if misconduct is not proven in the proceedings. The exception to this applies only if the allegation was reported against better knowledge.

(6) All bodies involved in the procedure shall strive to conduct the entire procedure as promptly as possible. They shall take the necessary steps to complete each stage of the procedure within a reasonable period.

(7) A report of suspicious activity in which the informant does not disclose their identity (anonymous report) will be investigated if the informant provides credible and sufficiently specific facts that allow for a reasonable investigation.

(8) If the identity of the informant is known to the competent body, the body will treat the identity confidentially and, as a rule, will not disclose it to third parties without the consent of the informant. Consent should be given in writing. Disclosure may be made without consent if there is a corresponding legal obligation. Disclosure may also be made in exceptional cases if the accused person would otherwise be unable to adequately defend themselves because the identity of the informant is essential for this purpose. Before the identity of the informant is disclosed, they will be notified of the intended disclosure. They can then decide whether to withdraw the allegations. If they withdraw the allegations, disclosure will not occur unless there is a legal obligation to do so. The investigation may nevertheless continue if balancing of interests shows that this is required in the interest of scientific integrity in Germany or in the legitimate interest of INDOC.

(9) The confidentiality of the proceedings is restricted if the informant goes public with their suspicions. The body responsible for the investigation will decide on a case-by-case basis, at its own discretion, how to handle the breach of confidentiality by the informant.

§ 21 Offenses of Scientific Misconduct

The following list does not imply that no other offences are possible, nor does it imply that all offenses contained therein must be provided for. Not every violation of the rules of good scientific practice constitutes scientific misconduct.

(1) Scientific misconduct occurs when a person conducting scientific research at INDOC intentionally or with gross negligence makes false statements in a scientifically relevant context, unjustifiably appropriates the scientific work of others, or interferes with the research activities of others. The specific offenses pursuant to subsections 5 to 8 remain unaffected.

(2) False statements include:

a) the fabrication of scientifically relevant data or research results,

b) the falsification of scientifically relevant data or research results, in particular by suppressing or eliminating data or results obtained in the research process without disclosing this, or by falsifying a representation or illustration,

c) the incongruent presentation of an image and the associated statement,

d) incorrect scientifically relevant information in a funding application or in the context of reporting requirements,

e) the claiming of authorship or co-authorship of another person without their consent.

(3) Unlawful appropriation of another's scientific work occurs in the following cases:

a) Unmarked adoption of third-party content without the required citation ("plagiarism"),

b) Unauthorized use of research approaches, research results, and scientific ideas ("idea theft"),

c) Unauthorized disclosure of scientific data, theories, and findings to third parties,

d) Pretending or unfounded assumption of authorship or co-authorship of a scientific publication, particularly if no genuine, verifiable contribution to the scientific content of the publication has been made,

e) Falsification of the scientific content,

f) Unauthorized publication and unauthorized disclosure to third parties if the scientific work, finding, hypothesis, teaching, or research approach has not yet been published.

(4) Interference with the research activities of others occurs, in particular in the following cases:

a) Sabotage of research activities (including damaging, destroying, or tampering with experimental setups, equipment, documents, hardware, software, chemicals, or other items required by others for research purposes),

b) Falsification or unauthorized disposal of research data or research documents,

c) Falsification or unauthorized disposal of research data documentation.

(5) Scientific misconduct by INDOC researchers also arises – in cases of intent or gross negligence – from:

a) co-authorship of a publication containing false statements or improperly appropriated scientific work,

b) neglect of supervisory duties, if another person objectively met the criteria of scientific misconduct within the meaning of subsections 1 to 4 and this could have been prevented or significantly made more difficult by the required and appropriate supervision.

(6) Scientific misconduct also arises from the intentional participation (in the sense of incitement or aiding and abetting) in the intentional misconduct by others that constitutes an offence under this guideline.

(7) Scientific misconduct by reviewers or members of INDOC's committees occurs when they intentionally or with gross negligence:

a) unauthorizedly use scientific data, theories, or findings of which they have become aware during their activities as reviewers or committee members for their own scientific purposes;

b) unauthorizedly disclose data, theories, or findings to third parties during their activities as reviewers or committee members, thereby violating the confidentiality of the procedure;

c) during their activities as reviewers or committee members, fail to disclose facts or circumstances that may give rise to concerns about bias to the competent body.

(8) Scientific misconduct shall also occur if an expert or a member of an INDOC committee, during their activities, with the intention of gaining an advantage for themselves or another person, fails to disclose, against their better knowledge, facts which indicate scientific misconduct by the other person within the meaning of subsections 1 to 5.

§ 22 Initiation of an Investigation

(1) Informants should submit a report of suspicion to an ombudsperson or their representative in accordance with § 19. A report of suspicion should be made in writing. It may be made verbally; in this case, a written record must be prepared by the receiving body. If informants contact management directly with their report of suspicion, the management shall forward the report to the competent ombudsperson.

(2) In case of concerns about a bias of the ombudsperson in their role in the proceedings pursuant to Section III, § 18(1) of this Guideline applies.

(3) The responsible ombudsperson or their representative shall confidentially examine whether there are sufficiently specific indications that a person has committed an offense pursuant to § 21 in a prosecutable manner. The ombudsperson may conduct preliminary investigations in this context; § 23 (2) applies accordingly.

(4) If the Ombudsperson concludes that there are sufficiently specific grounds for suspicion in accordance with subsection 3, he or she shall initiate a preliminary investigation.

§ 23 Preliminary Examination

(1) During the preliminary examination, the ombudsperson shall promptly request in writing that the accused person submit a statement regarding the allegation. In doing so, they shall present the incriminating facts and evidence to the accused person. A deadline for submitting a statement shall be set; this shall generally be four weeks. This deadline may be extended. The statement shall be made in writing or in text form. Accused persons are not obligated to incriminate themselves.

(2) During the preliminary examination, the ombudsperson may conduct the investigations necessary to clarify the facts, insofar as these are permitted by higher-ranking law. For example, they may

request, obtain, and review documents, obtain and secure other evidence, obtain statements, or – where necessary – obtain external expert opinions. All persons involved shall be asked to treat the inquiry confidentially.

(3) The files should show what steps have been taken to clarify the facts.

(4) Following the completion of the relevant investigations and after evaluating all relevant evidence, including the statement of the accused person, the competent ombudsperson shall immediately decide on the further course of the proceedings. The decision shall be based on whether, based on the facts, a finding of scientific misconduct by the investigative committee appears more likely than discontinuation of the proceedings (sufficient suspicion). If there is no sufficient suspicion of prosecutable scientific misconduct, the ombudsperson shall discontinue the proceedings. If there is sufficient suspicion, the ombudsperson shall initiate a formal investigation, which shall be conducted by the ad hoc investigative commission.

(5) If the proceedings are discontinued, the decision will first be communicated in writing to the informant. The essential reasons for the decision must be stated. The person providing the information is granted the right to appeal the decision within two weeks. The appeal may only be based on new facts. Appeals may only be made to the ombudsman. If the appeal is made within the deadline, the decision will be reconsidered.

(6) If the appeal period has expired without result or if an appeal has not led to a different decision, the decision to discontinue the proceedings will be communicated to the accused person in writing, setting out the essential reasons for the decision.

(7) If the proceedings are transferred to a formal investigation, this decision will be communicated in writing to the informant and to the accused person. If the accused person has denied the allegation, a brief outline should be given as to why the allegation could not be refuted.

§ 24 Investigative Commission

(1) To conduct the formal investigation, an ad hoc commission shall be appointed by the management as needed. The management shall to this end compile a list of potential commission members. The investigation commission shall consist of three members plus the chairperson. Each member of the commission – except for the chairperson – shall also have a deputy. The voting members of the commission shall elect a chairperson and a deputy chairperson from among their ranks. The chairperson shall manage the business of the investigation commission and exercise house rules and control over the proceedings during meetings. The ombudsperson, and in their absence, the deputy ombudsperson, shall be a member of the commission in an advisory capacity. The ad hoc commission may also be convened to address the question of the ombudsperson's bias.

(2) In individual cases, the investigative commission may invite up to two non-voting experts from the field of the scientific matter under review to serve as additional members for consultation.

(3) In the event of a commission member being implicated in a conflict of interest or being unable to attend for more than a short period of time, their deputy shall assume the role. In case of concerns of bias, § 22 et seq. of the Code of Criminal Procedure shall apply mutatis mutandis. A challenge of conflict of interest may be raised by any voting commission member, by INDOC ombudspersons, or by accused persons. The commission shall decide without the person against whom the challenge of conflict is directed. Procedural actions that cannot be postponed may still be undertaken.

(4) All voting commission members have equal voting rights; the chairperson also has the right to vote. Decisions are passed by a simple majority; in the event of a tie, the chairperson shall have the deciding vote. The commission shall only constitute a quorum if at least four people are present and can cast valid votes.

(5) The members of the commission and their deputies shall perform their duties independently, without any instructions or informal, case-specific influence from INDOC management. Their work shall be conducted confidentially, i.e., in compliance with the principle of confidentiality.

(6) The investigative commission shall work and meet confidentially and in private.

(7) The current composition of the ad hoc investigative commission may be learned from the ombudsperson and the management.

§ 25 Course of the formal investigation

(1) The investigative commission shall schedule a meeting as soon as possible. The accused person shall be given the opportunity to comment on the allegation orally before the commission (hearing) or in writing in good time prior to the meeting. § 23, subsection 1, sentence 6 shall apply accordingly. The informant shall also be given another opportunity to comment. If the accused person declines to comment again, this alone may not be considered to their disadvantage. The decision shall then be made based on the available evidence.

(2) The commission may hear oral testimony from other persons whose statements it considers useful for the proceedings in its due discretion. Regarding possible rights to refuse to testify, the provisions of the Code of Criminal Procedure apply mutatis mutandis.

(3) Any person heard before the commission may invite a person of their choice to assist them. The commission must be informed in a timely manner.

(4) The investigative commission shall examine, in accordance with the traditional rules of free evaluation of evidence, whether in its opinion scientific misconduct has been proven. Scientific misconduct can only be determined if a majority decision has been reached within the commission. The deliberations are subject to confidentiality. This does not affect the commission's authority to discontinue the proceedings due to a lack of sufficient suspicion of a crime or, in the case of less serious misconduct, due to its insignificance. If the proceedings are discontinued, the informant shall not be entitled to a remonstration.

(5) Regarding disclosure of the identity of the informant § 20 subsections 8 and 9 shall apply mutatis mutandis.

(6) If there is suspicion of disciplinary or labor law violations, the proceedings will be suspended.

(7) The investigative commission will promptly submit a final investigation report to the Management, which will also include the commission's proposed sanctions. The essential basis of the commission's decision must be stated.

(8) The documents of the formal investigation will be retained at INDOC for 10 years.

§ 26 Conclusion of the Proceedings

(1) Management decides, at its own discretion, whether scientific misconduct is found against the accused person and whether and what sanctions and measures will be imposed. If the revocation of an academic degree is considered as a possible measure, the relevant authorities will be involved.

(2) If the accused person is a member of the management, the Indoc Research Europe Executive Committee shall decide, excluding the accused person, in accordance with § 26, subsection 1.

(3) The decision and its essential reasons shall be communicated in writing to the informant and the accused person after the meeting. The parties shall have only the legal remedies provided by law to appeal the decision.

(4) The decision shall also be communicated to affected scientific organizations and third parties with a legitimate interest in the decision. The management shall decide whether and in what manner this is the case, at its due discretion. It shall also decide whether and in what manner the public shall be informed. Notifications pursuant to this paragraph may include a statement of reasons.

(5) If the revocation of an academic degree is considered, the relevant authorities shall be involved.

§ 27 Possible Sanctions and Measures

(1) If management considers scientific misconduct to be proven, it may impose the following sanctions and/or take the following measures, alternatively or cumulatively, within the scope of proportionality:

a) Requesting the accused person to retract or correct incriminated publications or to refrain from publishing incriminated manuscripts;

b) Revocation of funding decisions or withdrawal from funding agreements, if the decision was made by INDOC or the contract was concluded by INDOC, including, if applicable, a demand for the return of funds;

c) Against INDOC employees: warnings under labor law, ordinary dismissal, termination of contract, extraordinary dismissal;

d) Filing a criminal complaint with the police or public prosecutor;

e) Reporting an administrative offence to the competent authority;

f) Asserting civil law claims – including by way of immediate legal action – in particular for damages, issuance or removal/injunction;

g) Asserting any public law claims; including by way of immediate legal action,

h) initiating proceedings for the withdrawal of an academic degree or recommending the initiation of such proceedings.

(2) Sanctions and measures other than those referred to in subsection 1 may only be imposed if they are proportionate to the legal interests and legitimate interests of the accused person.

(3) Measures pursuant to subsection 1 shall not be unlawful simply because they were not stated in the letter pursuant to § 26, subsection 3.

§ 28 Transitional Provisions / Application upon Leaving INDOC

(1) The provisions of § 21 of this guideline shall apply only to acts committed when this guideline was entered into force.

(2) The procedural provisions of this section apply only to information received after the entry into force of this guideline. Preliminary investigation, preliminary examination, and investigative proceedings already underway upon the entry into force of this guideline shall be concluded in accordance with the previously applicable procedural regulations.

(3) An offence may be prosecuted even if the accused person is no longer a researcher at INDOC, but was a researcher there at the time the offense was committed.

Section IV: Entry into Force of this Guideline; Promulgation

§ 29: Entry into Force

This guideline has been approved and adopted by the management after consultation in the Indoc Europe Executive Committee. It enters into force on October 1st, 2025.

Mainz, 3 September 2025

S. Pollentier
Managing Director