

REGULATIONS

on Compliance with the Principles of Research Ethics and Conflict of Interests Prevention during evaluation and competitive selection of projects funded by grant support of the National Research Foundation of Ukraine

The Regulations on Compliance with the Principles of Research Ethics and Conflict of Interests Prevention during evaluation and competitive selection of projects funded by grant support of the National Research Foundation of Ukraine (hereinafter – the Regulations) define the basic principles, moral and ethical rules that are to be followed by all participants in the competitive selection of projects during its conduct, including during preliminary consideration, carrying out scientific and scientific and technical reviewing, a ranking of projects and deciding on the selection of winners of competitive selection and financing of the projects submitted at the expense of grant support of the National Research Foundation of Ukraine (hereinafter – the Foundation).

GENERAL PROVISIONS

1. Purpose and Objectives

The purpose of the Regulations is to determine the basic moral and ethical principles and principles of work and behaviour of the members of the call commissions, experts during the evaluation and carrying out of scientific and scientific and technical expertise of the projects financed by the Foundation, as well as to determine the ethical and professional rules that the participants of the call are to follow during in the process of selection.

The objectives of the Regulations are:

- ensuring competitive, impartial and objective competitive selection of projects financed by the Foundation;
- creating transparent conditions for the activities of members of call commissions and experts during consideration and evaluation of the projects financed by the Foundation, with observance of general ethical principles and scientific approaches to evaluation of projects that are the object of the evaluation, as well as prevention of corruption;
- ensuring professional approach of members of call commissions and experts while fulfilling their duties, which presupposes observance of principles of legality and professional competence;
- defining ethical standards for internal and external communication;
- formation of a positive image of the scientist, enhancement of national and international authority of persons conducting the consideration and reviewing of the projects financed by the Foundation.

2. The Scope

The Regulations apply to all participants of competitive selection of projects financed by the Foundation's grant support, including:

- members of call commissions who carry out preliminary consideration of projects, form their rating;
- national and foreign experts involved in carrying out scientific and scientific and technical reviewing of projects submitted to calls announced by the Foundation.

Persons elected to call commissions or to be experts who will consider or conduct scientific and scientific and technical reviewing of projects (hereinafter – persons conducting competitive selection and reviewing of projects), agree to be bound by the principles and rules defined by these Regulations, and undertake to abide by them.

Persons elected to call commissions or to be experts agree to apply to themselves the requirements of these Regulations by completing the application of the established sample ([Annex 1](#)).

Members of the Scientific Boards of sections and members of the Scientific Council of the Foundation, as participants of the competitive selection procedure, undertake to adhere to the general principles and rules set out in these Regulations when selecting members of call commissions, considering the issues of determining winners of the call and deciding on approval of the results of the call.

3. Regulatory and Legal Regulation of Relations in the Field of Ethical Behaviour of Experts

The legal basis for regulating relations in the field of professional ethics and behaviour of persons conducting competitive selection and evaluation of projects is the Constitution of Ukraine, the laws of Ukraine “On Scientific and Scientific-Technical Activity”, “On Scientific and Scientific-Technical Reviewing”, “On Protection of Public Morality, ”On Corruption Prevention”, “On Copyright and Related Rights”, international agreements, including the Convention for Protection of Human Rights and Fundamental Freedoms, the Convention for Protection of Literary and Artistic Works, World Copyright Convention, UNESCO Recommendations on the Status of Research Fellows of 20 November 1974, other regulations, including the Procedure for competitive selection and financing by the National research foundation for research and development projects, and these Regulations.

PRINCIPLES OF RESEARCH ETHICS

4. Basic Principles of Professional and Research Ethics and Behavior of Persons Conducting Competitive Selection and Reviewing of Projects.

The persons selected for project selection and reviewing are obliged to carry out their activities in accordance with the following principles:

- the rule of law;
- respect for human rights and freedoms, non-discrimination;
- independence, self-sufficiency and ideological neutrality; objectivity and impartiality;
- competence and professionalism; integrity and ethical conduct;
- confidentiality;
- social responsibility.

The persons, conducting competitive selection and reviewing of projects, are under obligation not to take any action in the event of a potential or real conflict of interest. If there are reasonable doubts as

to the incompatibility of their actions or decisions approved by them with anti-corruption legislation and the principles of research ethics, these persons are obliged to refuse to make such decisions or take actions.

The persons conducting competitive selection and reviewing of projects are personally responsible for their decisions or actions.

5. Rule of Law and Legality

The persons conducting competitive selection and reviewing of projects are to comply with requirements of the legislation of Ukraine and requirements of these Regulations.

6. Respect for Human Rights and Freedoms, Non-Discrimination

The persons conducting competitive selection and reviewing of projects are to respect all participants of the call procedure and not to allow any discrimination based on race, political, religious and other beliefs, gender (gender equality provisions), ethnic and social origin, property status, place of residence, and language or other characteristics. In the performance of their duties, the persons conducting competitive selection and reviewing of projects are to refrain from making statements that may be considered discriminatory and raise doubts about their impartiality.

7. Requirements for Independence, Self-Sufficiency and Ideological Neutrality

When evaluating research and development projects, persons conducting competitive selection and reviewing of projects should be independent of any ideological, political, administrative, business, public or social pressure, and should not allow outside interference with their professional activities.

In order to respect the principle of independence in their professional activity, the persons conducting competitive selection and reviewing of projects must resist any encroachment on their independence, defend professional rights, be assured and principled in the performance of their professional duties.

Persons conducting competitive selection and reviewing of projects must be independent in formulating professionally reasoned judgments and decision-making, preventing any attempt to interfere with the project review or evaluation process.

In order to ensure compliance with the principle of independence, persons involved in competitive selection and evaluation are not allowed to enter into unforeseen procedures for competitive selection of contacts with persons who are directly or indirectly interested in results of the call. The conclusions or decisions made during competitive selection and reviewing of projects are formed in accordance with law, based on their own professional evaluations and beliefs.

8. Requirements for Competence and Professionalism

Persons conducting competitive selection and reviewing of projects must have deep and systematic knowledge in the relevant field of knowledge necessary for professional review and evaluation of projects, including being familiar with the latest developments in science and technology.

Professional competence of persons conducting competitive selection and reviewing of projects means that such persons have higher professional education, high qualification, specialized scientific knowledge and experience of scientific and technical activities, including expert activity.

Persons conducting competitive selection and reviewing of projects must objectively assess adequacy of their qualifications and practical experience, scientific knowledge, skills and relevant competencies, make informed decisions, and provide professional conclusions and assessment.

Persons conducting competitive selection and reviewing of projects are to refuse to consider or review projects that are not within their area of competence, or in case the knowledge they possess is not necessary or sufficient for considering or reviewing such projects.

In order to acquire new theoretical knowledge and professional skills, persons who are involved in competitive selection and reviewing of projects should be actively interested in participating in educational and scientific events, including scientific seminars, symposia and conferences, working groups, and keep up with changes in legislation or the scientific field and take other measures aimed at personal professional development.

9. Requirements for Integrity and Ethical Conduct

Persons conducting competitive selection and reviewing of projects are to adhere to general ethical principles of business communication. During communication they are to display kindness, a polite and tactful attitude to the interlocutor, respect opinions of others about the subject of the evaluation, even when they do not coincide with their own estimates.

Persons conducting competitive selection and reviewing of projects are to avoid conflict situations and prevent them from occurring. In the event of a conflict, they are to behave properly in accordance with law, taking into account the responsibility that they have in relation to the status of an expert or a member of the call commission.

Persons conducting the competitive selection and reviewing of projects must not participate in activities that may discredit them outside the call. They are to avoid committing actions that could raise doubt about their honesty and integrity.

Public comment or evaluation of work of other persons, involved in selection and reviewing of projects, is inadmissible.

10. Privacy Requirements

Persons conducting competitive selection and reviewing of projects are required to maintain confidentiality of information and not to disclose any information that they become aware of in the course of their duties, and to maintain confidentiality of previously reviewed projects and expertise, except cases which are defined by law.

Persons involved in competitive selection and reviewing of projects agree to apply to themselves the requirements of these Regulations by completing the Non-Disclosure Commitment of the established sample ([Annex 2](#)).

The requirements for maintaining confidentiality of information are also applied to the extent that it will not harm the process of objectivity of consideration and reviewing of projects and impartiality of the decision on selecting the winner(s) of the call.

Restrictions on the protection of confidentiality of information do not apply to cases where its disclosure is provided by the need to comply with the public interest and/or requirements of legislation.

The requirement of confidentiality of information extends not only to cases of its disclosure to third parties. The requirement of confidentiality presupposes that there is no possibility of forming an idea or a real impression that persons conducting the competitive selection and reviewing of projects can use or use the information obtained by them in the course of work for their own personal purposes or for the benefit of a third party.

11. Requirements for Social Responsibility

Persons conducting competitive selection and reviewing of projects must consider their social responsibility to the community. When considering and reviewing projects, they must take measures to prevent any threats that pose a potential risk to human health or life or the environment.

CONFLICT OF INTERESTS

12. Prevention of Conflict of Interests

Persons conducting competitive selection and reviewing of projects must act under conditions of absence of real or potential conflict of interest.

Persons conducting competitive selection and reviewing of projects, at the stage of acquaintance with the composition of the participants of the call, are to claim presence or absence of conflict of interests by making a statement of the established sample ([Annex 3](#)).

If there are actual or potential interpersonal conflicts, or conflicts of interests between different experts involved in the evaluation of the same project, the existence of these circumstances, if possible, is to be declared.

In the case of circumstances that indicate a conflict of interests and were not known at the initial stage of competitive selection, the persons involved in competitive selection and evaluation of projects are to inform the organizers of the call about the existence of such a conflict, and in the case of an expert – to withdraw from further reviewing of the project, and in the case of a member of the call commission – to refuse to vote on such a project until the Scientific Council of the Foundation section considers the method of resolution of the conflict of interests.

The grounds for refusal to involve an expert in reviewing of a project, for declaring an expert to recuse himself from reviewing, as well as for the removal or refusal of a member of the call commission to participate in voting are:

- existing relative and family contacts with the project team members;
- employment in the organization participating in the competitive selection (during the last three years before the day of announcement of the call);
- membership in supervisory or governing bodies of the organization participating in the competitive selection (during the last three years before the day of the call announcement);
- an expert or a member of the call commission performing the function of the scientific supervisor of at least one of the project team members, or at least one of the team members performing the function of the scientific supervisor of an expert or a member of the call commission (during the last three years before the day of announcement of the call);
- joint scientific publications with at least one of the project team members, or participation in joint scientific projects (during the last three years before the day of announcement of the call);
- other close scientific or commercial cooperation;
- other direct scientific or commercial competition.

Persons conducting competitive selection and reviewing of projects are to declare their resignation or to refuse to vote also in case they have a personal conflict with the persons participating in the call.

It is prohibited to involve in the process of competitive selection and reviewing of projects the persons who are Principal Investigators or project team members.

Issues regarding removal of persons conducting competitive selection and reviewing of projects, removal from voting, or the choice of another method of preventing a conflict of interests shall be considered by the Scientific Council of the Foundation section in the event that one of the grounds mentioned above is identified.

Persons conducting competitive selection and reviewing of projects must under no circumstances conceal personal and other factors that influence or may affect objectivity of the decisions regarding the winner(s) of the call and correctness of project reviewing.

Members of the Scientific Councils of the sections and members of the Scientific Council, as participants of the procedure of competitive selection, must declare existence of grounds indicating a possible conflict of interests. This information shall be taken into account by the Scientific Council when making decisions on approval of the call results to the extent and in such a way that ensure transparency, objectivity and impartiality of such decisions.

LIABILITY CONDITIONS

13. Responsibility for Validity, Completeness and Reliability of Conclusions and Decisions

Persons conducting competitive selection and reviewing of projects assume responsibility for validity, completeness and reliability of conclusions and decisions made by them, as well as for unlawful refusal to provide information and materials that may affect objectivity of the results of the call.

Experts' reports, decisions on projects rating and on selection of winners of the call must be reasonable, objective, based on a thorough and comprehensive study of the project.

Persons who do the reviewing are responsible for falsifying conclusions of the evaluation, and persons conducting evaluation and determining winners of the competitive selection – for falsification of decisions regarding winners of the call.

Any deliberate and unreasonable delay in the process of reviewing, consideration of a project, as well as other actions that impede proper organization and meeting the deadlines of competitive selection are inadmissible and entail liability provided for by law and these Regulations.

Deliberate coercing or creating for members of call commissions and experts circumstances that lead to unlawful or impartial conduct of consideration and reviewing of projects, or preparation of unreasonable or deliberately unreliable decisions and conclusions are inadmissible.

Any pressure, discredit or harassment of persons involved in the competitive selection and reviewing of projects for the decisions they have made and for conclusions they have drawn, shall be prohibited.

Persons conducting competitive selection and reviewing of projects are responsible for any violations that have occurred due to their fault, in particular as regards:

- illegal use of copyright and industrial property;
- breach of confidentiality of information obtained in connection with a project reviewing or evaluation.

Persons conducting competitive selection and reviewing of projects in respect of which cases of violation of the provisions of this Article have been established shall be warned of liability and excluded from consideration or evaluation of projects in case of their first commission. In the event of repeated violations, such persons shall not be allowed to participate in competitive selection as a member of the call commissions or experts for the next three years.