Annex
13 April 2026

Rules of Procedure of the Committee for the Examination of Research Misconduct Cases

1. General Provisions

1.1. The Committee for the Examination of Research Misconduct Cases (hereinafter the Committee) is an independent body composed of experts from different fields and performs the following tasks:

1.1.1. assesses alleged breaches of research ethics, including the circumstances of a case and compliance with the principles of Good Research Practice and research ethics;

1.1.2. assesses the examination of an alleged breach of research ethics by a research and development institution, university, positively evaluated institution of professional higher education or higher education institution (hereinafter the institution);

1.1.3. where necessary, advises institutions on the examination of alleged breaches.

1.2. The Committee shall ensure that assessments are fair, impartial, independent and transparent. The Committee shall ensure that proceedings are thorough and timely.

1.3. In its work, the Committee shall be guided by section 27 of the Research and Development and Innovation Organisation Act (hereinafter the RDIOA), the Administrative Procedure Act, Regulation No. 45 of the Minister of Education and Research of 2 December 2025, "Procedure for the Formation of the Research Ethics Committee and the Committee for the Examination of Research Misconduct Cases and for Issuing Assessments" (hereinafter the Regulation), other legislation of Estonia and the European Union, generally accepted standards of research ethics, Good Research Practice and other relevant normative documents.

1.4. The Committee shall be supported by the Research Ethics Coordinator, a legal adviser working in the field of research ethics and the Head of Research Ethics at the Estonian Research Council (hereinafter ETAG). ETAG shall organise the administration related to the work of the Committee.

2. Chair and Vice-Chair of the Committee

2.1. The work of the Committee shall be led by the Chair, who shall be replaced by the Vice-Chair where necessary. The Chair and Vice-Chair shall be elected by the Committee from among its members at a plenary meeting.

2.2. The Chair shall coordinate the examination of reports of alleged breaches of research ethics, organise the work of the Committee, convene plenary meetings, resolve important organisational matters and represent the Committee.

2.3. The Chair shall be responsible for the proper and timely functioning of the Committee and shall inform ETAG of any problems in the work of the Committee.

2.4. If neither the Chair nor the Vice-Chair can participate in the work of the Committee for a valid reason, the Chair may authorise another member of the Committee to perform the duties of the Chair for a specified period. During that period, the substitute shall have all the rights and obligations of the Chair.

2.5. Before the expiry of their term of office, the Committee may recall the Chair or Vice-Chair if:

2.5.1. the Chair or Vice-Chair has submitted a resignation;

2.5.2. the Chair or Vice-Chair has repeatedly failed to perform their duties;

2.5.3. during their membership of the Committee, the Chair or Vice-Chair has seriously breached the principles of research ethics, including requirements concerning the avoidance of conflicts of interest and independence;

2.5.4. the Chair or Vice-Chair has otherwise lost the confidence of the Committee;

2.5.5. the Chair or Vice-Chair is unable to perform their duties.

3. Other Persons Involved in the Work of the Committee

3.1. ETAG shall support and coordinate the work of the Committee. For this purpose, the ETAG Coordinator, a legal adviser working in the field of research ethics and the Head of Research Ethics shall be regularly involved.

3.2. The ETAG Coordinator shall manage the procedural documents of the Committee, prepare and take minutes of meetings, prepare reports, communicate with the parties to proceedings and ensure day-to-day administration. The Coordinator shall participate in meetings of the Committee but shall not be a member of the Committee or participate in decision-making.

3.3. The legal adviser working in the field of research ethics shall advise members of the Committee and provide assessments on legal matters relating to proceedings, including procedural fairness and data protection. The legal adviser may participate in meetings of the Committee but shall not be a member of the Committee or participate in decision-making.

3.4. The Head of Research Ethics shall be responsible for the functioning of the Committee and shall provide members with the guidance and organisational support necessary for conducting proceedings. The Head of Research Ethics may participate in meetings but shall not be a member of the Committee or participate in decision-making.

3.5. Where necessary, ETAG shall engage external experts to discuss a case if additional specialist expertise not available among the standing members of the Committee is required to assess the alleged breach. An external expert shall be engaged on the proposal of the Chair.

3.6. An external expert shall provide a written or oral opinion on the matters assigned to them and may participate in a meeting but shall not participate in decision-making.

4. Independence and Conflicts of Interest

4.1. All persons participating in the work of the Committee shall maintain the confidentiality of reports, procedural documents and matters discussed at meetings of the Committee.

4.2. A member of the Committee and any other person involved shall assess whether a potential conflict of interest or other circumstance exists that may affect, or appear to affect, the impartiality of their assessment. In case of doubt, the member shall seek advice from the Chair. The purpose is to avoid both actual and perceived conflicts of interest.

4.3. A member of the Committee shall recuse themselves from proceedings and decision-making if circumstances exist that may affect their independence or impartiality or that constitute, or may give rise to, a conflict of interest.

4.4. A member of the Committee shall recuse themselves from cases concerning persons connected with them within the meaning of Directive No. 1.1-4/25/154 of the Management Board of ETAG,

"Guidelines for Preventing the Effects of Conflicts of Interest for Employees and Committee Members of the Estonian Research Council".

4.5. A member of the Committee or any other person involved shall not accept gifts or agree to benefits in connection with their activities if these may directly or indirectly affect the impartial performance of their duties.

4.6. If the Committee determines that failure to comply with the requirements of this Chapter had a decisive effect on a decision of the Committee, the Committee shall revoke the decision and inform the persons concerned and ETAG.

4.7. ETAG shall ensure, where possible, that members of the Committee are protected against undue external influence. ETAG shall respond to such situations and support the independence of the Committee.

5. Report of an Alleged Breach of Research Ethics

5.1. Any person may report a possible breach of research ethics to the Committee through the reporting channel or by other means. The Committee's reporting channel is the e-mail address teaduseetika@etag.ee.

5.2. ETAG and the Committee shall ensure the confidentiality of the reporter's identity. The identity of the reporter may be disclosed only with their written consent. If a report is submitted by a legal person, such as a funder or publisher, the name of the natural person who submitted the report shall be kept confidential unless written consent to disclose the name has been given. The confidentiality obligation shall not extend to the name of the legal person.

5.3. Access to the reporting channel shall be restricted to the Head of Research Ethics, the Coordinator and the Assistant of ETAG.

5.4. A report received through the reporting channel shall be registered. The reporter shall receive an acknowledgement of receipt and information on the subsequent procedural steps within three working days.

5.5. ETAG shall document the content of the report, the persons concerned and subsequent actions. The documented allegation shall be forwarded to the Chair, who shall decide whether to accept it for proceedings.

5.6. The Chair, involving the Committee where necessary, shall assess within ten working days whether the information contained in the report is sufficient and substantiated to initiate proceedings.

5.7. The Chair may request additional explanations or documents from the reporter where necessary to decide whether to initiate proceedings. In such a case, the Committee may extend the period prescribed for deciding whether to accept the report for proceedings and shall make the decision within ten working days after sufficient information has become available.

5.8. The Chair shall not initiate proceedings concerning a report of an alleged breach of research ethics if:

5.8.1. the information is insufficient or unsubstantiated and requesting additional explanations has not remedied the deficiency;

5.8.2. the report repeats an earlier report concerning the same matter;

5.8.3. the case concerns ongoing proceedings regarding an alleged breach of research ethics; or

5.8.4. the case is clearly unrelated to a breach of research ethics.

5.9. If the Chair decides that the report is sufficient and substantiated, ETAG shall, as a general rule, refer the examination of the alleged breach to the institution concerned. ETAG shall contact the person or unit responsible for breaches of research ethics at the institution and agree on the method for transferring the materials relating to the allegation.

5.10. The institution concerned shall inform the Committee of the outcome of its internal proceedings. The Committee may request information on the progress and outcome of the proceedings if the institution does not provide it.

5.11. The Committee shall itself assess the alleged breach of research ethics if:

5.11.1. there is no institution concerned;

5.11.2. the institution concerned does not initiate proceedings or has not informed the Committee within 30 days after the transfer of the materials that proceedings have been initiated;

5.11.3. there are reasonable grounds to believe that the institution cannot conduct the proceedings fairly, impartially or independently.

5.12. ETAG shall inform the reporter of the proceedings conducted by the institution concerned and their outcome.

5.13. The Committee shall close the proceedings concerning a report of an alleged breach of research ethics if the institution concerned has completed its proceedings and informed the Committee of the outcome, ETAG has informed the reporter of the outcome of the proceedings conducted by the institution, and no party to the alleged breach has requested a second assessment within 30 days, or if the Committee has itself assessed the alleged breach of research ethics.

6. Request for the Examination of an Alleged Breach of Research Ethics

6.1. The following may submit a request to the Committee for an assessment:

6.1.1. a research and development institution, university, positively evaluated institution of professional higher education or higher education institution, if internal proceedings cannot be conducted fairly, impartially or independently, including where several institutions are involved in the case;

6.1.2. a research and development institution, university, positively evaluated institution of professional higher education or higher education institution, if internal proceedings have been completed but the institution seeks a second assessment of the case;

6.1.3. a party to an alleged breach of research ethics, if proceedings have been completed at a research and development institution, university, positively evaluated institution of professional higher education or higher education institution and the party seeks a second assessment of the case;

6.1.4. the ministry responsible for research and development.

6.2. A request may not be submitted anonymously. However, the confidentiality of the participants in the case and of the information shall be ensured to the extent that the information has not previously become public in the course of proceedings conducted by the institution or otherwise.

6.3. The request shall be substantiated and shall explain, among other matters, whether a ground set out in section 6.1 exists, for example why, in the applicant's assessment, proceedings cannot be conducted at the institution or why the original assessment is insufficient. The applicant shall submit to the Committee the materials on which the request is based, such as the institution's decision and reasons, the report on the internal proceedings and relevant circumstances, to ensure that the

information required for the assessment is available. ETAG may request additional information from the applicant and the institution.

6.4. ETAG shall register the request and acknowledge its receipt to the applicant within three working days. ETAG shall document the content and reasons for the request, the persons concerned, the materials submitted and subsequent actions. ETAG shall forward the documented request to the Committee.

6.5. Within ten working days, the Chair or the Committee shall decide whether to accept the request for proceedings and initiate proceedings for assessing the alleged breach of research ethics. The Committee may refuse to accept the request for proceedings if:

6.5.1. there is no ground for submitting the request under section 6.1;

6.5.2. in the Committee's assessment, the request is not substantiated and requesting additional explanations has not remedied the deficiency;

6.5.3. the case is clearly unrelated to a breach of research ethics.

7. Investigation of an Alleged Breach of Research Ethics

7.1. The Committee shall investigate an alleged breach of research ethics and issue an assessment, as a general rule, in a smaller composition of at least five members, which shall make decisions on behalf of the full Committee.

7.2. If the Chair or the Committee decides to initiate proceedings concerning an alleged breach, the Chair, in cooperation with the members of the Committee, shall determine the composition of the Case Committee examining the allegation (hereinafter the Case Committee). For this purpose, the Chair shall appoint at least five members of the Committee to conduct the further proceedings. External experts may also be involved in the proceedings where necessary.

7.3. The members of the Case Committee shall elect a Rapporteur from among themselves. The Rapporteur shall lead the proceedings, organise the collection of evidence and convene meetings of the Case Committee.

7.4. The Case Committee shall establish all circumstances of material importance to the case under examination and, where necessary, collect evidence on its own initiative. Among other actions, the Case Committee may request written or oral explanations from the parties to the case, request documents concerning proceedings conducted by the institution, invite the parties to the case to a meeting of the Case Committee to give testimony and request assessments from external experts.

7.5. At the proposal and under the guidance of the Case Committee, the ETAG Coordinator shall prepare an investigation plan describing the measures for collecting evidence, communication with the participants in the case, the timetable of the proceedings, the materials required and the involvement of external experts. The Case Committee may supplement the plan during the investigation if new material information emerges.

7.6. ETAG shall support the Case Committee in collecting the evidence or information required to assess the case in accordance with the agreed plan. Information required for the proceedings shall be collected and stored in a manner that ensures its integrity and confidentiality.

7.7. The parties to the proceedings shall be provided with a written description of the allegation and given an opportunity to submit their position, evidence and explanations. The Case Committee shall set a period of ten working days for responding to the allegation. This period may be extended by ten working days for a valid reason.

7.8. A party to the proceedings may use a representative who may represent the party in all procedural acts that the law does not require the party to perform personally. A party may involve an adviser of their choice, such as a colleague or lawyer, provided that this does not prejudice the conduct or confidentiality of the proceedings.

7.9. The Case Committee shall seek to complete the proceedings within a reasonable time in accordance with the deadlines set out in the investigation plan. If the duration of the proceedings is significantly extended, the parties shall be informed and the extension shall be documented together with the reasons, while ensuring an appropriate balance between thoroughness and timeliness.

7.10. The Rapporteur shall decide to close the investigation of the case when the information collected is sufficient to issue an assessment of the alleged breach of research ethics or when the collection of information has been exhausted. The Rapporteur shall then convene a meeting of the Case Committee to discuss the circumstances of the case and issue an assessment.

7.11. Upon completion of the investigation, ETAG shall prepare a written report on the materials collected and the factual circumstances of the case. The report shall be sent to the parties to the case for review, and they shall be given ten working days to comment on or correct the factual circumstances. Comments received shall be taken into account when preparing the final report.

7.12. The final report shall be sent to the members of the Case Committee at least three working days before the meeting.

8. Issuing an Assessment of an Alleged Breach of Research Ethics

8.1. The Committee's assessment shall be based on the final investigation report and an analysis of the circumstances of the alleged breach and the applicable standards of research ethics and Good Research Practice. The Committee shall issue its assessments in writing and state the reasons. The final assessment, together with the report on the factual circumstances of the case, shall be communicated to the parties.

8.2. The assessment shall include the following information:

8.2.1. an overview of the circumstances of the alleged breach relevant to the assessment;

8.2.2. the applicable legislation, standards of research ethics and Good Research Practice;

8.2.3. the Committee's assessment of the breach of research ethics and the reasons for that assessment;

8.2.4. if a breach of research ethics has been established, its nature, such as fabrication, falsification or plagiarism, its seriousness and degree of severity, including whether it was intentional or negligent.

8.3. If the Committee issues a second assessment of the outcome of proceedings conducted by an institution, the assessment shall include the following information:

8.3.1. the course of the proceedings conducted by the institution and their compliance with best practice;

8.3.2. the appropriateness and justification of the assessment issued by the institution;

8.3.3. whether the Committee agrees with the institution's assessment or disagrees with it in whole or in part.

8.4. If the Committee disagrees with the assessment issued in the institution's proceedings, the Committee may itself issue a new assessment of the alleged breach of research ethics.

8.5. In its assessment, the Committee may make recommendations for resolving the case, including corrective and preventive measures for the institution. Where justified, the Committee may propose that funders or research journals be informed, for example regarding corrections or retractions. In its assessment, the Committee may draw attention to systemic problems, such as work organisation, supervision or training, and make proposals for addressing them.

8.6. If a breach of research ethics is established, the Committee may propose that the Ministry of Education and Research initiate supervisory proceedings.

9. Challenge Procedure

9.1. A party to a breach of research ethics who considers that their rights have been violated or their freedoms restricted by the Committee's assessment or in the course of the assessment proceedings may file a challenge within 30 days from the date on which they became, or should have become, aware of the violation.

9.2. The Committee shall review the challenge at a plenary meeting.

10. Meetings of the Committee

10.1. The working formats of the Committee shall be plenary meetings and meetings of the Case Committee. Meetings shall be held as necessary. The working languages of meetings shall be Estonian and English.

10.2. All members of the Committee shall participate in plenary meetings. The plenary meeting shall elect the Chair and Vice-Chair, discuss and decide matters concerning the work of the Committee as a whole and conduct challenge proceedings.

10.3. At a meeting of the Case Committee, an alleged breach of research ethics shall be investigated and assessed.

10.4. A plenary meeting shall be convened by the Chair and a meeting of the Case Committee by the Rapporteur. The person convening the meeting shall send the invitation and the materials concerning the matters to be discussed to the members at least three working days before the meeting.

10.5. If a member of the Committee cannot participate in a meeting for a valid reason, the member shall inform the Chair or the Rapporteur and the ETAG Research Ethics Coordinator. Where possible, the member shall submit their position on the matters under consideration in writing.

10.6. Meetings may be held in person, online or in a hybrid format combining the two. A member participating online shall ensure the confidentiality of the information discussed.

10.7. A meeting shall have a quorum if more than half of the members of the relevant composition of the Committee participate.

10.8. Decisions shall be adopted by consensus. If consensus cannot be reached, a decision shall be deemed adopted if at least half of the members participating in the meeting vote in favour. At their request, the positions of dissenting members shall be recorded in the minutes.

10.9. Voting shall be open.

10.10. The discussions and decisions of a meeting shall be recorded in the minutes. A meeting may be recorded for the purpose of preparing the minutes.

11. Electronic Voting

11.1. For deciding urgent matters that cannot be postponed, the Chair or the Rapporteur, as applicable, may submit a decision to electronic voting.

11.2. The voting period shall be determined by the Chair or the Rapporteur. The materials concerning the matter to be discussed shall be sent to the members by e-mail or through another agreed electronic communication channel at least two working days before the voting day.

11.3. Voting shall take place by e-mail or through an agreed electronic communication channel and shall be open.

11.4. A decision shall be deemed adopted if at least half of the members of the relevant composition of the Committee vote in favour by the specified deadline.

11.5. The voting process and result shall be documented.

12. Information Management, Publication and Statistics

12.1. ETAG shall document all procedural acts and inform the parties to the proceedings thereof, subject to restrictions arising from confidentiality requirements.

12.2. Information relating to the Committee's proceedings, including reports, correspondence, minutes, opinions of external experts and assessments, shall be stored securely at ETAG and shall be accessible only to authorised persons. The administration of the Committee shall comply with the information management procedure established by ETAG.

12.3. Assessments issued by the Committee and recommendations concerning corrective measures shall be published in anonymised form in a manner that protects the privacy and dignity of the persons involved in the case. No party may be directly identifiable from the information published in anonymised form.

12.4. Once a year, ETAG shall request research and development institutions, universities and positively evaluated institutions of professional higher education to provide a statistical overview of alleged breaches of research ethics examined at those institutions and the outcomes of the proceedings, and shall make the aggregated information publicly available.

12.5. Communication with the public shall be guided by the principle of transparency to the extent that this does not prejudice the integrity of the investigation, the rights of the parties or confidentiality requirements. As a general rule, cases under examination shall not be commented on publicly before a final assessment has been issued.

12.6. If a case examined by the Committee is of greater than usual public interest, for example because it has previously received extensive coverage, the Committee may publish a more detailed overview of the course of the case than usual, while ensuring the confidentiality of sensitive information and the protection of the privacy of third parties.

13. Rights of Persons Involved in a Case

13.1. The Committee shall be guided by the presumption of innocence. All persons concerned shall be treated as acting in good faith until the contrary has been established.

13.2. The Committee shall be guided by the principle of protection against retaliation. A reporter or a person who has submitted a request in good faith shall not suffer retaliation or other adverse treatment solely because they reported an allegation or submitted a request.

13.3. The parties to an alleged breach of research ethics shall have the right to fair, impartial and independent proceedings.

13.4. The parties shall be informed of the progress of the proceedings, the nature of the possible breach and the principal factual circumstances to the extent necessary for exercising their rights and provided that confidentiality is not prejudiced. The parties shall have the right to access materials collected during the investigation to the extent that this does not prejudice the confidentiality of other parties. The parties shall have the right to correct factual inaccuracies.

13.5. If a conflict of interest is suspected, a party shall have the right to draw attention to it and request the recusal or replacement of a member of the Committee. The request shall be documented. The Chair or the Rapporteur shall make the final decision on whether the request is justified.

13.6. The parties shall have the right to be heard and to submit their positions, evidence and explanations in writing or orally. Oral hearings shall be documented.

13.7. The parties shall have the right to reasonable time limits and, where justified, to request an extension.

13.8. The parties shall have the right to protection of their reputation and good name. In the event of unfounded allegations, the Committee shall take steps to restore the damaged reputation of the persons concerned.

13.9. The parties shall have the right to seek advice and receive assistance regarding the Committee's proceedings. ETAG shall inform the parties of their rights and options both before the proceedings begin and during the proceedings.