

APPROVED
by Order No.
of DD MM 2021
of Commandant of the General Jonas
Žemaitis
Military Academy of Lithuania

ADOPTED
on DD MM 2021
by the academic community of
General Jonas Žemaitis
Military Academy of Lithuania
(Minutes No.
of DD MM 2021)

GENERAL JONAS ŽEMAITIS MILITARY ACADEMY OF LITHUANIA CODE OF ACADEMIC ETHICS

In order to ensure compliance of its studies, research and other academic activities with the international and national ethical standards and best practices, in accordance with the Constitution of the Republic of Lithuania, the Statute of the General Jonas Žemaitis Military Academy of Lithuania, approved on 10 August 1999 by resolution No. 896 of the Government of the Republic of Lithuania (hereinafter referred to as the “Statute”), the Law on Science and Studies of the Republic of Lithuania (hereinafter referred to as the “Law on Science and Studies of the Republic of Lithuania”), and other legal acts in force in the Republic of Lithuania, and taking into account the recommendations of the Ombudsperson of the Republic of Lithuania for Academic Ethics and Procedures, international experience in the regulation of academic ethics, implementation of the provisions of academic ethics, and the detection of cases of academic misconduct, the academic community of the General Jonas Žemaitis Military Academy of Lithuania (hereinafter referred to as the “MAL”), has adopted the following Code of Academic Ethics (hereinafter referred to as the “Code”).

CHAPTER I. GENERAL PROVISIONS

1. The purpose of the Code is to consolidate the principles of academic ethics and to form a uniform concept of academic ethics at MAL, to promote ethical conduct, to prevent and respond appropriately to cases of academic misconduct.
2. The academic community of the MAL consists of students, lecturers, researchers, other researchers, military instructors, emeritus professors and other staff members directly involved in research and/or study activities.
3. The Code applies to and must be followed by all members of the academic community of the MAL, as well as other persons involved in the academic activities of the MAL (editors of the MAL journals and members of the editorial boards, and other persons).
4. The terms used in the Code:

4.1. **Academic ethics** is understood as defined in the Law on Science and Studies of the Republic of Lithuania.

4.2. **Lecturers.** For the purposes of this Code, this term includes all MAL lecturers teaching in university study programmes, doctoral programmes and other courses and training organised by the MAL, as well as affiliated lecturers.

4.3. **Researchers, other researchers.** For the purposes of this Code, this term includes not only the MAL research staff and other researchers, but also affiliated researchers.

4.4. **Students.** For the purposes of this Code, this term includes not only persons studying at the MAL under study programmes or in doctoral studies, but also persons studying in other courses and training organised by the MAL.

4.5. **Direct participation in research and/or study activities (hereinafter referred to as “Academic Activities”)** mean all types of scientific research and experimental development (hereinafter referred to as “SR&ED”) activities, all types of contact and non-contact work with students/course participants, and studying/learning at all levels of university studies, in refresher courses, participation in other educational or teaching/learning activities, consultancy and expert activities, and the dissemination of these activities (publicity, popularisation, presentation of these activities to the general public, etc).

4.6. Other terms used in the Code shall be understood as they are defined in the Law on Science and Studies of the Republic of Lithuania¹, the Statute, the Glossary for Academic Integrity (Mykolas Romeris University, 2019)², the European Code of Conduct for Research Ethics (ALLEA)³, the Guidelines for Publication Ethics (Conference of Rectors of Lithuanian Universities, 2019)⁴, other laws of the Republic of Lithuania (Labour Code, Code of Administrative Offences, Equal Opportunities Law, Law on Equal Opportunities for Women and Men, Law on Copyright and Related Rights, Law on Prevention of Corruption etc.).

CHAPTER II. MAL PRINCIPLES OF ACADEMIC ETHICS

5. Key principles of academic ethics (non-hierarchical):

5.1. **Integrity.** Members of the academic community have a duty to carry out academic activities with honesty, transparency and to expect others to do so in the pursuit of truth, knowledge, science and equality.

5.2. **Fairness.** The members of the academic community must develop objective and uniform institutional requirements, practices and procedures, and ensure their proper implementation, in order to achieve equity and to build relationships among members of the academic community.

5.3. **Trust.** Members of the academic community, in the exercise of their rights and duties, must create and foster an environment in which ideas can be freely exchanged, enabling all to reach their potential, relying on each other’s integrity, fairness and honesty.

5.4. **Respect.** Members of the academic community must recognise and respect human rights, ideas, suggestions, valid criticism, copyright, etc., in order to foster respect for each other, for themselves and others, and for academic activities.

5.5. **Responsibilities.** Members of the academic community, while encouraging each other to be responsible for their actions, must not only observe the requirements of ethical conduct in research, study,

¹ Law on Science and Studies of the Republic of Lithuania

² Glossary for Academic Integrity

³ The European Code of Conduct for Research Integrity (revised edition)

⁴ Guidelines on Publication Ethics (Lithuanian University Rectors’ Conference, 2019)

teaching and other academic activities, but also hold other members of the academic community both personally and collectively accountable.

5.6. **Equality.** MAL does not tolerate and prohibits direct or indirect forms of discrimination, as defined in the Law on Equal Opportunities of the Republic of Lithuania, as well as the instruction to discriminate on the basis of a person's gender, sexual orientation, disability, age, race, ethnicity, nationality, religion, belief, language, origin, social status, convictions or opinions, citizenship, marital status, or the intention of having a child (children).

CHAPTER III. FORMS OF CONDUCT THAT VIOLATE THE PRINCIPLES OF ACADEMIC ETHICS

6. Forms of conduct that violate academic ethics (hereinafter referred to as "Academic Misconduct") are characterised by acts or attempted acts that cause/create an unfair and/or undeserved advantage and/or unreasonably (dis)advantageous circumstances or detriment to a member (including oneself) of the academic community or the public.

7. The most serious forms of academic misconduct are the following:

7.1. misappropriation of authorship (as it is understood under Article 191 of the Criminal Code of Republic of Lithuania);

7.2. fabrication means fabricating data, experiments, results or other relevant information and using, presenting or recording it as genuine;

7.3. falsification of the (real) existing means unjustified manipulation of data to create a misleading impression, falsification of teaching, scientific research or study content, images, data, equipment or processes by misrepresenting them;

7.4. plagiarism means using the work or ideas of others without proper acknowledgement of the original source, thereby infringing the rights of the original author(s) to the results of his or her intellectual activity. Examples of types of plagiarism are as follows:

7.4.1. redundant publication / self-plagiarism means a published work (or major sections of a published work) published more than once (in the same or other languages) without proper acknowledgement of the source of the other authors, of the authors' own previous related publications, or explanations, including, when the same (or substantially overlapping) data are presented in more than one scientific publication without adequate references to their previous related publications, explanations, especially when this is done in such a way that reviewers/readers do not realise that most or all of the results of the study have been previously published, except for monographs based on a dissertation;

7.4.2. patchwriting is a derivative written work composed of specified or unspecified passages from several different sources;

7.4.3. plagiarism of multimedia means the use of multimedia (e.g. sound recordings, photographs, videos, music and other media) without proper authorisation, or without acknowledging the source;

7.4.4. invalid source means a reference that has expired at the time of submission or a reference to a non-existent source;

7.4.5. citation amnesia is an unintentional omission (not citing) of works by other authors;

7.4.6. verbatim plagiarism: the verbatim presentation and/or publication of another author's work as your own; copying another author's work word for word without acknowledging the source on which it is based;

7.4.7. find-replace plagiarism means improper paraphrasing, where single words are replaced by synonyms;

7.4.8. plagiarism of a translation is the publication of a translation of a work published in another language without reference to that work.

7.5. other violations that constitute serious academic misconduct (causing substantial damage to the values protected by the Code or creating a real risk of such damage).

8. Other examples of academic misconduct include, but are not limited to:

8.1. unethical authorship: the inclusion of a person who did not contribute to the research as an author as a co-author; the exclusion of a person who contributed to the research as a co-author; the unjustified and inappropriate reversal of the order of authorship; the exclusion of persons who contributed to the research and/or the preparation of a manuscript from subsequent publications by taking advantage of the power of a person who was unduly co-authored in the publication; the inclusion of a person as a co-author without the person's agreement;

8.2. selective citation to highlight your findings or to please editors, reviewers or peers;

8.3. withholding findings that contradict the hypothesis and/or questions of a research and/or the conclusions of a research;

8.4. knowingly providing misleading information about the methodology and/or sources of funding for a research;

8.5. misappropriation or deliberate damage to research data, computer programs, samples of empirical material, manuscripts;

8.6. unnecessary expansion of the study's bibliography (manipulation of cited sources, etc.);

8.7. overestimating the importance and practical application of findings and otherwise misrepresenting scientific research achievements;

8.8. setting up or supporting and publishing in journals that undermine the quality control of research (predatory journals);

8.9. conducting or otherwise participating in scientific research or experiments, knowing or suspecting that such research or experiments cause or are likely to cause harm to man, nature, society or culture;

8.10. withholding the attribution of a research paper (relevant part thereof) to the MAL, when it was carried out in the course of work at the MAL or using the MAL resources;

8.11. unfounded accusations of misconduct or other irregularities by a member of the academic community;

8.12. restricting the right of members of the community to express and defend their views on issues addressed by the MAL;

8.13. limiting the right to reply to criticism or accusations;

8.14. discrimination, humiliation, degrading treatment of the abilities, views or personal qualities of other members of the academic community, committed in any form, and toleration of such conduct;

8.15. unfair competition (anti-competitive agreements, withholding material information, etc.)

8.16. unfair and unjust evaluation of research or study work, knowledge, skills, abilities and results, based on subjective rather than objective criteria (personal likes and dislikes, beliefs, etc.);

8.17. participation in the preparation, discussion or adoption of scientific or academic decisions where there are circumstances which may call into question the impartiality of the decision or an attempt to influence it (an interest in personal pecuniary or non-pecuniary gain, pressure, moral obligation or any other interest of a similar nature, whether by reason of a subordinate position, established relationships, pressure, information at their disposal, etc.);

8.18. the demand for remuneration of any kind, where such demand is linked to (non)decision-making, the assessment of knowledge or other results relevant to studies or research, and the giving and receiving of such remuneration;

8.19. the use of one's status or position (by virtue of subordination, relationships, established contacts, pressure, information at one's disposal, etc.) for the purpose of personal evaluation and/or other interests (to gain personal pecuniary or non-pecuniary advantage, to avoid embarrassment or loss, to conceal academic misconduct, or any other similar interest);

- 8.20. disclosing or discussing confidential information about members of the community with others, except as required by law;
- 8.21. acts that have the characteristics of harassment, intimidation or other negative impact on another member of the academic community (when carried out alone or in a group);
- 8.22. copying during an assignment from others or allowing someone else to copy from your work;
- 8.23. signalling answers to others, using crib sheets, electronic or virtual communication devices or other technologies, ignoring the instructions of the examiner or other unfair conduct during the assessment of study achievements;
- 8.24. multiple submissions of the same paper and other work which has already been assessed and scored;
- 8.25. where academic activities are completed by the student using another person instead of him/herself, or where academic activities are completed for another person;
- 8.26. failing to report or ignoring alleged academic misconduct by others, or ignoring or covering up inappropriate responses to misconduct or other violations by members of the community, or failing to defend or assist a person who has reported alleged academic misconduct by others;
- 8.27. avoidance of lectures, exercises, assignments, trainings, seminars and other compulsory activities, providing non-existent reasons (e.g. simulation of illness);
- 8.28. purchasing publications and/or other scientific works from third parties and submitting them as one's own and/or adding oneself to the list of co-authors without contributing to the authorship.

CHAPTER IV. MEASURES TO ENSURE COMPLIANCE WITH THE PRINCIPLES OF ACADEMIC ETHICS

9. Members of the academic community must be aware of the principles of academic ethics enshrined in this Code of Conduct and be guided by these principles in all relationships related to academic activities, both with other members of the academic community and with other persons with whom the academic activity is connected (e.g., commissioned research, commissioned training, internships, etc.). Where an academic community member's actions or conduct are not governed by the Code, laws and regulations, or where an academic community member is unsure of the ethical requirements, he/she is obliged to observe the principles of ethics and morality, including, where appropriate, discussing the matter with his/her immediate supervisor or the Code Compliance Officer.

10. Each member of the academic community is expected to instil conscious conduct based on ethical principles on the part of him/herself and other members of the community, to create a positive and supportive environment for academic activities, and to do his/her utmost to prevent academic misconduct:

10.1. to take action him/herself or to contact other members of the academic community and/or the administration of the MAL and/or the officers responsible for the compliance with the Code with regard to the adoption/application of measures necessary to ensure academic ethics, e.g., adoption or amendment of the necessary legal acts, training, provision of counselling, etc., and to make proposals thereon;

10.2. Respond to conduct by other members of the community that may or does violate the principles of academic ethics, e.g. by warning of potentially unethical conduct, explaining how it manifests itself and how to correct it, reporting allegedly unethical conduct to the responsible entities, etc.

11. The Academic Ethics Committee (hereinafter referred to as the "Committee"), established by the Senate of the MAL, is responsible for the promotion and supervision (monitoring, relevance, implementation, etc.) of compliance with the provisions of the Code.

12. The 9-member Committee shall be appointed by the Senate of the MAL.

13. Nominations for members of the Committee shall be submitted to the MAL Senate by:

13.1. The MAL Commandant shall submit 1 member of the MAL social partners' representative (for a 2-year term of office);

13.2. Vice-rector of the MAL shall submit 4 members delegated by members of the academic community of the departments under his/her authority (for a 4-year term of office);

13.3. MAL Commandant Deputy for Education shall submit 1 member nominated by members of the academic community of the departments under his/her authority (for a 3-year term of office);

13.4. Chief of the Military Studies Group of the MAL shall submit 1 member delegated by members of the academic community of the departments under his/her authority (for a 3-year term of office);

13.5. The MAL Cadet Council shall submit 2 members delegated by students (for a 2-year term of office).

14. The MAL Commandant, the Vice-Rector for Studies and Science, the Deputy Commandant for Education, the Chief of the Military Studies Group and the Chief of Staff, members of the Council and the Senate, persons who have resigned or been dismissed from the Committee as having violated academic ethics or committed any other violation of the law or of morality inconsistent with the duties of a member of the Committee, who, without justified reasons, failed to perform his/her duties as a member of the Committee, unless five years have passed since the date of the resignation / dismissal, shall not be eligible to be appointed as a Committee member.

15. Persons nominated for membership of the Committee need not necessarily be members of the relevant group referred to in 13.2-13.5 (e.g. students may nominate anyone other than a student as their representative), however, the person must be of good repute and must be competent to carry out the functions entrusted to the Committee. The written consent of the person to be nominated as a member of the Committee must be obtained.

16. A person may not be a member of the Committee for more than 2 consecutive terms.

17. The MAL Senate shall appoint a Chairperson and a Vice-Chairperson from among the members of the Committee. A member of the Committee (including the Chairperson and the Vice-Chairperson) shall take office on the day following the date of adoption of the resolution of the Senate appointing him/her to this position.

18. The rights and duties of the members of the Committee and the procedure for their work shall be governed by the Regulations approved by the MAL Senate.

19. The Committee's remit:

19.1. To initiate and/or consider proposals from members of the academic community and/or the Senate of the MAL and/or the administration of the MAL on the adoption/application of activities to prevent academic dishonesty and measures to strengthen academic ethics and prevent its violation (to encourage compliance with the Code, to discipline those who do not comply with the Code, and to remedy cases where the violation has not been confirmed), take decisions and prepare proposals on the proposed measures to be adopted/applied and, after coordination with the Senate, submit them to the MAL Commandant (e.g. adoption or amendment of the necessary legislation, training, consultation, etc.), and coordinates their implementation;

19.2. To assess the compliance of members of the academic community with the Code, initiate and/or discuss proposals for improvement of the Code by members of the academic community and/or the MAL Senate and/or the MAL administration, and initiate amendments to the Code;

19.3. To investigate, on the basis of a complaint, report, request or on its own initiative, alleged academic misconduct committed by members of the academic community, except for reports of such alleged violations, which are dealt with by other entities (e.g. violations of the Code of Conduct for Officers, corruption-related offences, administrative offences, violations of administrative and operational procedures, etc.); after investigating them, to draw conclusions and, where justified, within

the limits of its competence, impose corrective measures and/or penalties on the violator, or make proposals to the MAL Commandant for their application;

19.4. To publish a report on its activities at least once every academic year (compulsorily at the first meeting of the Senate).

20. The following principles must be applied when investigating possible violations and deciding on corrective/disciplinary measures:

20.1. the person conducting the investigation/drawing the conclusions or making the proposals/decision must recuse him/herself or be disqualified from conducting the investigation/drawing the conclusions or making the proposals/decision if there is, or is likely to be, a conflict of interests;

20.2. the investigation must be carried out in a consistent, transparent, objective and impartial manner, in accordance with the procedure laid down in the Committee's regulations and in fairness to all parties;

20.3. All relevant data must be collected and examined, fully and objectively investigated, evaluated, and the relevant circumstances identified;

20.4. conclusions, proposals or decisions must be reasoned and justified;

20.5. the procedures must be carried out confidentially, in order to protect the persons involved in the investigation and in compliance with the legal requirements for the protection of personal data;

20.6. measures must be taken to ensure that the rights and interests of whistleblowers/informants are safeguarded and that their careers are not jeopardised or they do not suffer other negative consequences;

20.7. a person suspected of unethical conduct shall be presumed not to have committed academic misconduct until proven otherwise; he/she must be given full information about the allegations and be given the opportunity to defend him/herself against them;

20.8. if the violation is not confirmed, appropriate remedial measures must be taken to ensure that the person suspected of engaging in the unethical conduct does not suffer adverse consequences as a result of the investigation (e.g. by informing the entire MAL community or targeted groups of the fact that the violation has not been confirmed);

20.9. If the violation has been confirmed, corrective measures and/or penalties shall be imposed on the person who committed the violation (hereinafter referred to as the "Violator"). They shall be imposed after taking into account the nature, frequency, intensity (degree), location, context, duration, consequences, circumstances of the violation or violations, the culpability of the person suspected of having acted unethically, the causal link between his/her act and the consequences, whether and how they can be remedied, the conduct of the person concerned (whether the person admits the violation, cooperates with the Committee, corrects the conduct, etc.), and academic performance prior to the violation or violations, the corrective measures and penalties imposed for academic misconduct, and other relevant circumstances. The measures/penalties applied must be proportionate to the violation or the totality thereof.

21. Corrective measures include the following:

21.1. an obligation for the Violator to remedy the academic misconduct;

21.2. an obligation for the Violator to receive training on academic ethics (depending on the violation and the availability of training, specific training may be specified);

21.3. the imposition of another corrective measure on the violator, taking into account the nature of the violation.

22. The following penalties may be imposed for academic misconduct:

22.1. for a minor violation which, taking into account the totality of the circumstances established, does not substantially undermine the values protected by the Code or does not create a real risk of such harm and which is acknowledged by the Violator – a verbal warning;

22.2. a written warning;

22.3. suspension/dismissal from the MAL (studies/courses/position) shall be imposed for a serious academic misconduct or a second academic misconduct committed by a member of the academic community in the last twelve months, for which a written warning has been given.

23. The imposition of a corrective measure may specify a period of time within which the Violator must comply with the obligation and inform the entity imposing the corrective measure accordingly. If the Violator fails to provide the entity imposing the corrective measure with the data supporting the fulfilment of the obligation within the specified period of time, the information relating to the violation shall be forwarded to the Committee (unless the data supporting the fulfilment of the obligation should have been forwarded directly to the Committee). The Committee may, after assessing the reasons for non-compliance, impose another corrective measure or penalty on the Violator or make proposals to the MAL Commandant for such a measure or penalty, within the limits of its competence.

24. The finding of an academic misconduct and the imposition of the penalties set out in paragraphs 22-23 of this Code shall not exempt a member of the academic community from disciplinary or other liability enshrined in other legal acts. Depending on the nature of the academic misconduct, a procedure may also be initiated for the revocation of the qualification, doctoral degree or teaching title and the diploma attesting to it, or for the revocation of the authorship of a scientific work (also applicable to former members of the academic community), for the modification of the result of the assessment of studies, and/or for other remedial actions to restore the situation existing before the misconduct.

CHAPTER V. FINAL PROVISIONS

25. The Code shall be amended on the initiative of the members of the academic community, the Committee, the Senate or the administration, as and when the need arises (in the event of a change in national legislation, international practice, or in any other case where it is necessary to supplement the Code with relevant provisions or to delete obsolete ones, or in the event of the discovery of loopholes, etc).

26. *An ad hoc* working group shall be set up by order of the MAL Commandant to amend the Code, which shall include representatives of all groups of the academic community (students, lecturers, researchers, military instructors and others) and social partners.

27. After drafting the Code (its amendment) (hereinafter referred to as the “Draft Code”), the Working Group shall contact the personnel administration unit of the MAL for the submission of lists of members of the academic community. On receipt of the lists, the Working Group shall:

27.1. Contact the Chairperson of the Cadet Council and the chiefs of the MAL units with members of the academic community, requesting to organise, within a specified time limit, the election of a person who will represent the relevant group of members of the academic community (students / members of the academic community of the MAL unit) in the discussion of the Draft Code with the Working Group and voting on it (hereinafter referred to as the “Voter”) (the meeting at which the Voter is elected shall be minuted, the Minutes being forwarded to the Working Group within three working days at the latest);

27.2. Send the Draft Code to all members of the academic community by email, setting a deadline of at least 10 working days (from the date of sending the Draft Code) for the submission of reasoned comments/suggestions.

28. Upon receipt of comments/suggestions, the Working Group shall revise the Draft Code, send it to all members of the academic community and to the Voters by email, setting a deadline of at least 7 working days for additional comments/suggestions, and organise a discussion with the Voters in no later than 3 working days. The Voters shall organise a discussion of the Draft Code with the members of the academic community they represent within 3 working days at the latest.

29. After receiving comments/suggestions, the Working Group shall revise the Draft Code and send it to all members of the academic community and to the Voters by email.

30. The Voter shall organise a vote on the adoption of the Code (its amendment) by the members of the academic community it represents (in person or by electronic communication or in writing) no later than 5 working following receipt of the revised Draft Code. The results of the vote shall be minuted (the Minutes shall indicate the total number of members of the relevant academic community group, the number of those who participated, voted in favour of the adoption of the Code, voted against the adoption of the Code, or abstained from voting). The Minutes shall be forwarded by the Voter to the Working Group within 3 working days at the latest.

31. On receipt of the Voters' Minutes, the Working Group shall by not later than 3 working days count the number of members of the academic community who, out of the total number of Voters, have taken part in the vote and have voted in favour of the adoption of the Code, voted against it, or abstained. The vote shall be deemed to have taken place if more than half of the total number of members of the academic community have taken part. The Code shall be deemed to have been adopted when more than half of the members of the academic community present at the vote have voted in favour of it. The results of the vote shall be minuted, which shall be forwarded to the MAL Commandant for approval together with the adopted Code.

32. The Code adopted by the academic community shall be approved by an order of the MAL Commandant and published on the MAL website. All existing and new members of the academic community shall be immediately made aware of the Code through internal communication channels.
