

APPROVED

By Resolution No. XI-1583 of 15 September
2011 of the Seimas of the Republic of
Lithuania

STATUTES OF THE OFFICE OF THE OMBUDSPERSON FOR ACADEMIC ETHICS AND PROCEDURES OF THE REPUBLIC OF LITHUANIA

I. GENERAL PROVISIONS

1. Statutes (Statutes) of the Office of the Ombudsperson for Academic Ethics and Procedures of the Republic of Lithuania (Office of the Ombudsperson) establish the tasks, functions, rights, duties, structure and organisation of work of the Office of the Ombudsperson.
2. The Office of Ombudsperson is a state institution, which aims to ensure the functions of the Ombudsperson for Academic Ethics and Procedures of the Republic of Lithuania (Ombudsperson), including considering the complaints, initiating investigations for violation of academic ethics and procedures and supervising the compliance with academic ethics provisions and procedures.
3. In its activity, the Office of the Ombudsperson obeys the Constitution of the Republic of Lithuania, international treaties of the Republic of Lithuania, the Law on Higher Education and Research of the Republic of Lithuania (Law on Higher Education and Research), other legislation, the present Statutes and the work regulation.
4. The activity of the Office of the Ombudsperson is based on the principles of legitimacy, justice, impartiality, priority of rights and legal interests of the teachers and researchers of higher education institutions and research institutes as well as other members of the academic community, freedom of activity, independence, and publicity.
5. The Office of the Ombudsperson is a legal entity, which has a settlement account in a bank and a seal bearing the Coat of Arms of the Republic of Lithuania and the name “Office of the Ombudsperson for Academic Ethics and Procedures of the Republic of Lithuania”.
6. The seat of the Office of the Ombudsperson is in Vilnius. The premises for the Office of the Ombudsperson are provided by the Government of the Republic of Lithuania (the Government).
7. The owner of the Office of the Ombudsperson is the state. The institution establishing the Office of the Ombudsperson and exercising the rights and duties of the owner is the Seimas of the Republic of Lithuania (the Seimas).
8. Repealed as from 17 July 2014.
The amendment: No. XII-1086, 17/07/2014 became null and void from 22/07/2014, announced in the Register of Legal Acts on 21/07/2014, ID 2014-10406.
9. The Ombudsperson is appointed and dismissed under the procedure of Article 18 of the Law on Higher Education and Research.
10. The Ombudsperson is the head of the state institution Office of the Ombudsperson.
11. The amendment of the Statutes of the Office of the Ombudsperson is prepared by the Office of the Ombudsperson and approved by the Seimas.

II. TASKS AND FUNCTIONS OF THE OMBUDSPERSON

12. The field of activity of the Office of the Ombudsperson is to ensure the fulfilment of tasks assigned to the Ombudsperson. Tasks of the Ombudsperson:

1) Promoting the compliance of research and higher education institutions with academic ethics and procedures;

2) Monitoring and supervising the compliance of research and higher education institutions with the codes of academic ethics;

3) Cooperation with research and higher education institutions in solving the problems related to violations of academic ethics and procedures;

4) Ensuring effective and confidential investigation of violations of academic ethics and procedures;

5) Monitoring and supervising the fulfilment of the provisions of international treaties of the Republic of

Lithuania, legislation of the European Union, laws of the Republic of Lithuania and other legislation regulating academic ethics and procedures;

6) Contributing to the quality of higher education and research by nurturing the principles of academic responsibility and ethical research practices by applying the preventive measures against plagiarism, unauthorized copying and other unauthorised use of intellectual property results developed by other people as well as counterfeiting, fraud and manipulation of research data.

13. Types of activity of the Office of the Ombudsperson: to ensure the fulfilment of the Ombudsperson's activities specified herein. In fulfilling the assigned tasks, the Ombudsperson shall:

1) Consider the complaints of the applicants and at own initiative carry out the investigations of the actions of natural and legal entities (acts and omissions), which violate or are suspected to violate the academic ethics and procedures, first of all, the principles of academic integrity, academic freedom, impartiality in assessing research, equal rights to participate in competitions, and ethical relations as well as the complaints regarding the abuse of heads of research and higher education institutions and heads of administration of departments in the field of academic ethics and procedures;

2) Give recommendations to research and higher education institutions on the development, implementation and improvement of codes of academic ethics and other measures of academic ethics;

3) Make proposals to the Seimas, the Government and other competent institutions regarding the measures to ensure the compliance with academic ethics and procedures;

4) Collect, analyse and summarize the data on violations of academic ethics and procedures, violations of the Law on Higher Education and Research or statutes and codes of academic ethics of research and higher education institutions, applied cases of administrative liability as well as other information related to the compliance with academic ethics and procedures in Lithuania known to the Ombudsperson;

5) Cooperate with Lithuanian and foreign institutions, offices and organizations as well as international organizations and other natural and legal persons in analysing the cases of violation of academic ethics and procedures, use academic networks to exchange information on the violations of academic ethics, first of all, plagiarism and other violations of intellectual property

rights related to unauthorized use of research or art work as well as the cases of counterfeiting, fraud and manipulation of research data;

6) In the procedure set by the legislation, promote and support the initiatives of natural and legal persons and society, which help to implement the measures for promoting and ensuring the quality of higher education and research based on the principles of academic ethics;

7) Inform the society about the activity of the Ombudsperson, considered complaints or ongoing investigations as well as the decisions made by the Ombudsperson in the website of the Office of the Ombudsperson;

Amendment of subparagraph: No. XII-1086, 17/07/2014, announced in the Register of Legal Acts on 21/07/2014, ID 2014-10406.

8) Carry out other functions necessary for fulfilment of tasks of the Office of the Ombudsperson as well as the functions stipulated by other legislation.

III. RIGHTS AND OBLIGATIONS OF THE OMBUDSPERSON

14. In performing the assigned tasks and functions the Ombudsperson is entitled:

1) To receive all information necessary to perform the functions from institutions, companies, organizations and members of academic community free of charge;

2) To receive information, explanations, protocols, materials, data and other documents from natural and legal persons, under procedure set by the law, to get access to the documents comprising state, official or commercial secrets and the documents containing information on personal data protected by the law necessary to fulfil the tasks of the Ombudsperson stipulated in the Law on Higher Education and Research and other legislation;

3) To attend the meetings and sittings of the Seimas, the Government, councils of research and higher education institutions, senates and other management or self-government bodies as well as in the activity of commissions and work groups when discussing the issues related to the activity of the Office of the Ombudsperson or an investigation carried out by the Ombudsperson and to express an opinion;

4) When solving the problems related to academic ethics and procedures, to engage specialists of state or municipal institutions and offices, research and higher education institutions, representatives of nongovernmental organizations as well as other persons related to considered issues, implemented projects and initiatives;

5) When carrying out investigations of violation of academic ethics and procedures, to engage experts of text analysis, graphology, IT, law and other domains and to pay for their work under procedure set by the law;

6) To organize conferences, workshops and other events;

7) To publish information publications, to set up and administer a website, which would provide the information on the activity of the Office of the Ombudsperson, measures for ensuring academic ethics applied in Lithuania and identified violations of academic ethics and procedures.

15. The Office of the Ombudsperson is entitled to receive support under procedure set by the law.

16. The employees of the Office of the Ombudsperson must keep state, official and commercial secrets and personal data protected by law, which become known to them in carrying out their duties. When carrying out an investigation, the Office of the Ombudsperson must ensure the confidentiality of the information about the persons who have officially provided information

necessary for the investigation, requested to be secret experts or were wrongly accused of violations of academic ethics.

17. By 1 March each year the Ombudsperson must present an activity report of the Office of the Ombudsperson for the previous calendar year to the Seimas and publish it in the website of the Office of the Ombudsperson.

18. The Office of the Ombudsperson also has other rights and obligations stipulated by legislation.

IV. STRUCTURE OF THE OFFICE OF THE OMBUDSPERSON AND ORGANISATION OF WORK

19. The Office of the Ombudsperson is comprised of: the Ombudsperson, public officers and other employees of the Office of the Ombudsperson. The Board of the Seimas shall establish the maximum permitted number of positions of public officers and employees hired under employment contracts by the Office of the Ombudsperson.

20. The Ombudsperson shall:

- 1) Organise the work of the Office of the Ombudsperson;
- 2) Assume responsibility for use and storage of the seal of the Office of the Ombudsperson;
- 3) Ensure that the activity of the Office of the Ombudsperson complies with the requirements of law and other legislation;
- 4) Represent the Office of the Ombudsperson in foreign countries and international and regional organizations;
- 5) Approve the structure of the Office of the Ombudsperson, list of positions, work regulation of the Office of the Ombudsperson, which provides for the internal rules of procedure, list of positions of public officers in the Office of the Ombudsperson and their job descriptions, job descriptions of other employees, categorize the positions of public officers of the Office of the Ombudsperson, establish specific wage coefficients for employees hired under employment contracts;
- 6) Hire and dismiss public officers and other employees of the Office of the Ombudsperson under procedure set by law;
- 7) Grant leaves to public officers and other employees of the Office of the Ombudsperson and send them on missions;
- 8) Make decisions regarding improvement of qualification of public officers and other employees of the Office of the Ombudsperson;
- 9) Grant incentives and impose official (disciplinary) penalties to public officers and other employees of the Office of the Ombudsperson;
- 10) Issue orders and control their implementation within his/her competence;
- 11) Perform other functions stipulated by the laws and other legislation of the Republic of Lithuania.

21. Complaints shall be filed and considered and decisions regarding the filed complaints shall be made under procedure of the Law on Higher Education and Research. The Ombudsperson must reply to applicants in writing.

22. Promoting self-regulation of ethics of research and higher education institutions, the Ombudsperson may recommend the applicants apply to a commission for academic ethics or

another dispute resolution commission of the respective higher education institution or research institute, which supervises the compliance with academic ethics and procedures.

23. Decisions of the Ombudsperson may be appealed against in court under procedure set by the laws of the Republic of Lithuania.

V. FUNDING OF THE OFFICE OF THE OMBUDSPERSON

24. The Office of the Ombudsperson shall be funded from the state budget.

25. The Office of the Ombudsperson may have other legally acquired funds at its disposal.

26. The procedure and conditions of remuneration to public officers and employees hired under employment contracts by the Office of the Ombudsperson shall be stipulated by the Law on Public Service of the Republic of Lithuania, Labour Code of the Republic of Lithuania and other legislation.

27. The accounting of the Office of the Ombudsperson shall be kept, and the financial statements shall be drawn up under procedure of the laws and other legislation of the Republic of Lithuania.

VI. FINAL PROVISIONS

28. The Office of the Ombudsperson shall be reorganized or wound-up under procedure set by the laws of the Republic of Lithuania.

29. The Ombudsperson shall start performing their functions from their appointment under procedure set by the laws of the Republic of Lithuania.

30. The Office of the Ombudsperson shall start operating after starting the implementation of the decision of the Board of the Seimas on maximum permitted number of positions of public officers and employees hired under employment contracts by the Office of the Ombudsperson, but not later than on 1 January 2012.