

# GUIDELINES FOR RESEARCH ETHICS IN THE SOCIAL SCIENCES, LAW AND THE HUMANITIES





# GUIDELINES FOR RESEARCH ETHICS IN THE SOCIAL SCIENCES, LAW AND THE HUMANITIES

ISBN: 82-7682-050-6

Print run: 500 – September 2006

Front cover photograph: Anthony Marsland/Getty Images

Design/layout: Sissel Sandve

Print: Zoom Grafisk AS

Copyright © De nasjonale forskningsetiske komiteer

Published electronically: <http://www.etikkom.no/English/NESH/guidelines>

# CONTENTS

<b><i>Preface</i></b>	<b>4</b>
<b><i>Introduction: objectives, research ethics and legislation.</i></b>	<b>5</b>
Research ethics	5
Guidelines for research ethics and the law	7
<b><i>A. Research ethics, freedom of research and society</i></b>	<b>8</b>
1. The value of research and research ethics	8
2. The social, cultural and linguistic roles of research	8
3. The importance of independent research	10
4. The communication and enforcement of research ethics standards	10
<b><i>B. Respect for individuals</i></b>	<b>11</b>
5. The obligation to respect human dignity	11
6. The obligation to respect integrity, freedom and participation	11
7. The obligation to avoid injury and severe burdens	12
8. The obligation to inform research subjects	12
9. The obligation to obtain free and informed consent	13
10. Research licences and the obligation to report	14
11. Regard for third parties	16
12. Children's right to protection	16
13. The obligation to respect individuals' privacy and close relationships	17
14. The obligation to respect confidentiality	18
15. The obligation to restrict re-use	18
16. The requirement regarding the storage of information that can identify individuals	19
17. Respect for posthumous reputations	20
18. Respect for the values and motives of others	20
19. Researchers' responsibility for defining roles clearly	20
<b><i>C. Regard for groups and institutions</i></b>	<b>21</b>
20. Regard for private interests	21
21. Regard for the public administration	21
22. Regard for disadvantaged groups	22
23. The requirement for independence	22
24. The preservation of cultural monuments	23
25. Research into other cultures and times	24
26. Limits to cultural recognition.	24

<b>D. The research community</b>	<b>25</b>
27. Scientific integrity	25
28. Plagiarism	25
29. Good reference practice	26
30. Verification and subsequent use of research material	26
31. Professional opinions	27
32. Obligations in respect of colleagues	27
33. The student-supervisor relationship	28
34. The responsibility of supervisors and project managers	28
<b>E. Contract research</b>	<b>29</b>
35. The balance between contract research and researcher-driven research	29
36. The management of contract research	29
37. Research institutions and the individual researcher	30
38. The independence of researchers and research institutions	30
39. Information about the funding of research	31
40. The use of research results	31
41. The right to publish	32
<b>F. Science communication</b>	<b>32</b>
42. Science communication as a specialised task	32
43. The obligations of individuals and institutions	33
44. Interdisciplinary discussion and a democratic public.	34
45. Participation in the social debate and responsibility for how research is interpreted	34
46. The communication of results and verifiability	35
47. The obligation to convey research results	35
<b>Appendix 1: Terms of reference</b>	<b>36</b>
<b>Appendix 2: List of former chairs and members of NESH</b>	<b>38</b>
<b>Appendix 3: List of acts of legislation and central institutions</b>	<b>39</b>

## **Preface**

The National Committee for Research Ethics in the Social Sciences and the Humanities (NESH) was appointed by the Ministry of Education, Research and Church Affairs, and has been in operation since 1990. The Committee's terms of reference include drawing up ethical Guidelines for research. The Committee's terms of reference are printed at the back of this booklet.

The first version of the Guidelines was adopted by NESH in 1993. In the light of two consultative hearings among involved institutions in 1997 and 1998, as well as the Committee's own proposed amendments, a revised version was adopted on 15 February 1999.

The Guidelines were subsequently revised again in 2004–2005. There were several reasons for this most recent revision. The work done by the Ministry of Education and Research on the topic of scientific dishonesty had generated new assignments for NESH in the field of dishonesty prevention. This resulted in new elements in Section D. During its past two terms (2000–2005), the Committee has devoted considerable attention to contract research and science communication, in addition to addressing issues related to research freedom. This has culminated in clarifications and rewriting in Sections A, E and F. The new Personal Data Act (2001), which superseded the Act relating to Personal Data Filing Systems, and the amendments to the Personal Data Regulations in 2005 made it natural to add a new section on research licences and the obligation to report in Section B. Generally speaking, references to legislation have been made more specific in this version of the Guidelines.

In spring 2005, the revised Guidelines were sent out to research communities for a national consultative hearing. Many of the suggestions received have been incorporated into the final version.

In the 15 years since NESH was founded, numerous individuals have participated directly in framing the Guidelines. Particular reference is made to former committee members, chairs and heads of the secretariat, who come from many different disciplines and institutions and represent extensive experience of and expertise on questions involving research ethics (see appendix 2). Research communities are encouraged to take advantage of this expertise when discussing problems and challenges related to research ethics.

*Oslo, December 2005*

Ragnvald Kalleberg

*Committee Chair*

Asta Balto, Alexander Cappelen, Anne-Hilde Nagel, Hanne Signe Nymoen, Helge Rønning, Jone Salomonsen, Per Schreiner, Anne Julie Semb, Ann Helene Skjelbred, Ole Petter Askheim, Bjarte Vandvik

Hilde W. Nagell

## ***Introduction: Objectives, research ethics and legislation***

The Guidelines for Research Ethics have been compiled to help researchers and the research community be cognisant of their ethical views and attitudes, raise their awareness of conflicting standards, promote good judgement and enhance their ability to make well-founded decisions in the face of conflicting considerations.

The Guidelines presented in this booklet cover what are often known as cultural and social studies, i.e. social sciences, the humanities, law and theology.

Like ethics in general, research ethics embraces both personal and institutional morality. Accordingly, the Guidelines contain standards that apply not only to individual researchers and research managers, but also to other bodies that exert influence on research and the consequences of research.

The obligation to respect research ethics is part of responsibility for research in general. Individual researchers, project managers, research institutions and the appropriating authorities all share this responsibility. NESH's role in following up of the Guidelines is to furnish advice and, upon request, to hand down opinions on questions of principle involving research ethics. The Committee has no judicial function in respect of accusations of breaches of the Guidelines for research ethics, nor does it have any authority to impose sanctions.

### **Research ethics**

As a concept, 'research ethics' refers to a complex set of values, standards and institutional schemes that help constitute and regulate scientific activity. Ultimately, research ethics is a codification of ethics of science in practice. In other words, it is based on general ethics of science, just as general ethics is based on commonsense morality.

Research is often intertwined with other specialist activities. Academic disciplines are clusters of activities, and it is useful to distinguish between five kinds. Like all other disciplines, cultural and social studies involve research, studies, science communication, specialist activities (e.g. consultancy, planning and therapy) and the management of institutions. In furtherance of this, scholars' professional activities lead to five kinds of results: scientific publications, graduates, contributions to the formation of public opinion, improvements for users and well-functioning institutions (e.g. universities, university colleges and research institutes). Although the Guidelines primarily focus on research, to some extent they also refer to activities in the interface between studies, communication, specialist activities and the management of institutions.

The combination of activities varies between disciplines and between institutions. At universities and university colleges, the interfaces between research, studies and communications activities are important. As a concept, 'research' also includes the work of students, e.g. theses at the masters and doctoral levels. In cultural and social studies, many research contributions also involve reporting results to broader audiences; this is common in the subject of history, for example. In typical professional disciplines such as psychology

and law, research and specialist activities are often very closely linked. At independent research institutes, problems can arise in respect of the interaction between research and consultancy services. Institutional ethics are important in all disciplines. Constant vigilance is required to secure funding, administration and regulation schemes that promote freedom of research, impartiality and verifiability.

It is often only possible to distinguish between various activities analytically. A book by an historian can, for example, be a scientific work, be read directly by an interested audience (science communication), be a textbook in a syllabus, and render a writer and a group visible (publicity as part of institutional management).

The ethical responsibilities inherent in research are partly associated with standards related to the research process, including relationships between researchers, and partly with respect for the individuals and institutions being studied, including responsibility for the use and dissemination of the research. These standards can broadly be divided into three main categories:

- Standards for freedom of research, good research practice associated with research's quest for truth and independence, and the relationship between researchers. The Guidelines deal with this topic in general in Section A and specifically in Sections D, E and F.
- Standards that regulate relationships to individuals and groups directly affected by the research (Sections B and C)
- Standards regarding social relevance and users' interests (Sections A and E), and regard for cultural reproduction and rationality in the public debate (Section F).

The Guidelines refer to different types of standards, ranging from absolute requirements to important considerations. For instance, the requirement that one should not view another person simply as a means, but always also as an end in itself, applies without exception in the field of research ethics. Many standards must be weighed against other considerations and modified in the light of them when making specific assessments in individual cases. There are often gradual transitions between standards. The Guidelines encompass requirements and considerations alike.

Research must be regulated by ethical standards and values, not least where there is disagreement about which ethical standards apply. Views about what is ethical are not entirely clear in some fields. Confusion and conflicts can arise, given that research brings new insights and possibilities on which we do not immediately have established opinions. In such cases, the research community bears a special responsibility for helping clarify ethical problems.<sup>1</sup>

The main points of the Guidelines are summarised in italics at the beginning of each section. The subsequent paragraphs amplify the general rules.

---

<sup>1</sup> For a comprehensive list of topics, approaches and references, see the Committees' website at [www.etikkom.no](http://www.etikkom.no).



## **The Guidelines for Research Ethics and the Law**

The Guidelines for Research Ethics do not serve the same function as laws. The Guidelines are a tool for researchers themselves. They identify relevant factors that researchers should or ought to take into account, but which must often be weighed against each other, as well as against other important considerations.

Some of the ethical standards embodied in the Guidelines can also be found in legislation, meaning legislation and research ethics overlap. For example, it may be illegal to subject research subjects to harm or suffering, at the same time as it is unethical (Section 7). Researchers who perform research that an administrative agency has supported, approved or provided confidential information for, are, pursuant to §13e of the Public Administration Act, bound by confidentiality if they gain any information about informants' private lives. To a great extent, this statutory requirement of confidentiality overlaps the requirement of confidentiality as articulated in Section 14 of these Guidelines. In many cases, there will also be a legal requirement for consent on the part of those who actively participate in a research project, and this is also an important ethical consideration (Section 9).

If researchers fail to observe the legal requirements, they can be subject to punishment and other sanctions. However, it is important to underline that the sanctions ensue because researchers violate acts of legislation, not because they act at variance with the principles enshrined in these Guidelines for Research Ethics. The Guidelines are not enforced by virtue of any formalised power. In a democratic state governed by law, researchers, like other members of society, are bound by the law. The most relevant acts of legislation of which researchers ought to be aware, are listed in the footnotes to these Guidelines. The rules that apply to researchers' access to confidential material and those that apply to the storage of research material containing personal data are of especially great importance in respect of research. The public administration collects and stores large volumes of material that are generally subject to statutory confidentiality, but the law allows a certain right to grant exemptions from this confidentiality to allow researchers access to material. The general rules can be found in §13 of the Public Administration Act (the administration's obligation of confidentiality) and §13d (information for use in research). Similar rules can also be found elsewhere in special legislation. As a general rule, exemptions are granted by the individual sectoral ministry, although the right to grant exemptions is often delegated to subordinate agencies. Pursuant to the Public Administration Act, in cases not regarded as routine and in all cases in which researchers are required to seek permission directly from those entitled to confidentiality, the ministry has to obtain a statement from the Council for Confidentiality and Research before granting an exemption. The bodies that administrate confidential material to which researchers seek access will be able to explain what researchers are entitled to examine and advise them on their right to apply for exemptions.

## **A. RESEARCH ETHICS, FREEDOM OF RESEARCH AND SOCIETY**

### **1. The value of research and research ethics**

*Researchers shall adhere to research ethics standards, for example, requirements regarding honesty, impartiality and willingness to accept their own fallibility.*

Research is a systematic, socially organised quest for new and better insight. Scientific knowledge is of value in and of itself. Many research results can also be useful for improving social conditions. The ultimate responsibility of research is to seek the truth. Accordingly, scientific integrity is a key aspect of research ethics.

Cultural and social studies deal with human choices, actions and relations, standards and institutions, beliefs and historical developments, works and traditions, language, thought and communication. Empathy and interpretation are prerequisites for the research process. This can open the door to different, yet reasonable interpretations of the same factors. However, the fallibility and inconclusiveness attached to research do not relieve researchers from the obligation to shun arbitrary views and to strive for coherence and clarity in their reasoning.

In many disciplines, there is disagreement over fundamental questions of scientific theory. However, honest documentation and consistent reasoning are absolute requirements, regardless of scholars' position with a view to theory. In the humanities and social sciences, research is distinguished by researchers' views on society and humanity, a factor that is usually enriching. However, this requires that researchers consider how their own attitudes can colour their choice of topics, data sources and the balance between possible interpretations.

At an overall level, all disciplines are subject to the same research ethics obligations, e.g. requirements for interesting and relevant research issues, verifiable documentation, impartial discussion of conflicting opinions, and insight into one's own fallibility. The requirements for professional independence and peer review are also universal. The basic research ethics standards are based on the general moral standards of society.

### **2. The social, cultural and linguistic roles of research**

*Research policy institutions ought to give priority to research efforts so that they, directly or indirectly, in the short or the long term, can benefit society and culture.*

Intentionally or not, research has an impact on society. Research can help provide information needed to make informed decisions in the public and private sectors. Research can uncover circumstances worthy of criticism, and can help clarify alternative choices

of action and their potential consequences. It can also provide correctives, for example, by shedding light on the situation of vulnerable groups.

Research into our own and other cultures can help us explore values and standards that characterise today's way of thinking, and can disclose underlying power structures. Research on cultural heritage can help substantiate, disprove and review values, standards and institutions that we trust and want to pass on to posterity.

Research policy bodies have an obligation to allocate resources based on the best interests of society. Those authorised to allocate research resources must be open to different research traditions, facilitating different approaches and clarifying their strengths and weaknesses.

It is often hard to agree on what is useful to society and of interest to study. The need for quality control must be combined with candour regarding objective disagreement about what constitutes important fields of research. The management of research topics must allow independent, innovative and critical research. (See also Sections 1 and 3.) Stringent requirements must be posed in respect of researchers' reasons for choosing hypotheses, methods and analytical perspectives to minimise the influence on research of preconceived notions and unwitting opinions. The methodological requirements posed by the research community in respect of reasoning and willingness to revise opinions in the light of well-founded criticism could serve as a model for how to deal with disagreement in other segments of society (see also Section F).

Cultural and social science researchers have access only to those investigated through communication, including interviews and document analyses. Thus to discuss and analyse those being investigated, cultural and social scientists must have access to respondents' language and traditions. A significant scholarly dividing line runs between these subject areas and the natural sciences, where researchers have no opportunity to communicate with the subjects of their investigations. Like researchers in other small language communities, Norwegian researchers must also publish in English, the lingua franca of our time. However, researchers in these subject areas ought also to publish, teach and report results in their own first language, thereby helping to maintain and develop their own language as a full value means of perpetuating a society. Science is a key institution in society's common cultural and scientific language, and the first language ought to be maintained and developed as an important element in society's cultural reproduction. Important institutions should pave the way for a culturally sustainable language strategy and avoid making compromises that can marginalise or eliminate the first language from specialist activities.

### **3. The importance of independent research**

*Research institutions and research policy bodies are to facilitate free and independent research. The institutions must ensure that research that complies with scholarly quality requirements is not suppressed because a topic is controversial.*

The intrinsic need of research for originality, transparency and the verification of prevalent opinions can come into conflict with some parties' desire to prevent topics from being explored. Research must be safeguarded against control from the inside or the outside that interferes with well-founded problems for discussion that are at loggerheads with particular financial, political, social, cultural or religious interests and traditions. Nor should any non-research constraints dictate the results to which research should lead. Research must be safeguarded so that its findings and conclusions are not withheld or selectively reported. The durability and relevance of arguments, rather than established interests and traditions, should guide knowledge production in research. This calls for schemes to ensure institutions' independence and researchers' independence within institutions. Accordingly, research requires the institutionally guaranteed freedom to seek, produce and communicate scholarly insights to a broader audience as well as to contribute to the instruction provided by the institution.

There are certain differences between basic research and contract research. Specific research results cannot be ordered in connection with contract research either. Generally speaking, research must be safeguarded against pressures that threaten the requirements for scientific verifiability, independence, methods and systematics.

In an open, democratic society, political decisions should be made and evaluated on an informed basis, including knowledge of feasible alternatives, probable ripple effects and uncertainty. Independent researchers should play an important role as suppliers of terms and conditions (see also Section F).

### **4. The communication and enforcement of research ethics standards**

*It is incumbent upon institutions and individual researchers to develop and maintain good research practice. Institutions are to have procedures to enforce breaches of research ethics standards.*

Research ethics pose requirements to individuals and institutions alike. The institutions should pave the way for the development and maintenance of good research practice. Institutions must convey the Guidelines for Research Ethics to their employees and students, and ensure training is provided on research ethics and the relevant acts of law that govern research. This will promote reflection on research ethics and encourage more explicit

discussions in basic research communities about dilemmas related to research ethics.

The institutions must take responsibility for following the Guidelines for Research Ethics. They must have specific procedures to handle suspicions and accusations related to breaches of the Guidelines, for example, by creating committees to deal with scientific dishonesty, under their own auspices or in collaboration with other research institutions (see also Section D).

## **B. RESPECT FOR INDIVIDUALS**

### ***5. The obligation to respect human dignity***

*Researchers shall work on the basis of basic respect for human dignity.*

While research can help promote the value of human life, it can also threaten it. Researchers must show respect for human dignity in their choice of topic, in relation to their research subjects, and in reporting research results. This implies that research processes must be held to certain standards:

- ensure freedom and self-determination (Sections 6, 8, 9, 12, 13, 14, 15 and 19);
- safeguard against harm and unreasonable suffering (Sections 7, 9, 11, 12, 13, 17 and 18);
- protect privacy and close relationships (Sections 14, 15 and 16).

### ***6. The obligation to respect integrity, freedom and right to participate***

*Researchers shall respect their subjects' integrity, freedom and right to participate.*

Individuals need to be able to influence what happens to them in important areas of their lives. Being subject to observation and interpretation by others can be experienced as degrading. Due caution is required, especially when:

- self-respect or other values of importance to the individual are at stake;
- the research subjects have little chance to avoid participating in the research process, e.g. when the research is being done as field work in an institution;
- an individual actively helps furnish information, e.g. by agreeing to be observed or interviewed;
- an individual is identifiable, e.g. when individuals and groups can be recognised in research reports;
- the individual has limited or no ability to look after his or her own needs and interests.

These points are discussed in more detail in Sections 6, 11, 12 and 19.

## **7. The obligation to prevent harm and suffering**

*Researchers have a responsibility to prevent research subjects from being submitted to harm or other suffering.*

The dangers for those being studied by cultural and social science research are less dramatic than in medical research since the risk of physical injury is minimal. By the same token, possible injuries are more difficult to define and measure, and it can be difficult to assess long-term effects, if any. Researchers bear a responsibility for ensuring that their research subjects are not exposed to suffering. However, the risk of causing minor suffering must be weighed against research's quest for the truth and its critical function. Informants should be given an opportunity to deal with any problems that might arise as a result of their participation in the project.

## **8. The obligation to inform research subjects**

*Research subjects are to be given all the information they require to gain a reasonable understanding of the field of research in question, of the consequences of participating in the research project, and of the purpose of the research. Subjects shall also be informed about who is funding the research.*

The information shall be provided in a neutral manner to avoid inappropriate pressure, and subjects shall be informed that participation is voluntary (see Section 9). The information should also be adapted to the recipient's ability to understand it. The kind of information required depends on the nature of the research: whether it involves field studies or experiments, is based on sensitive source material, material collected earlier or anonymised material.<sup>2</sup> Subjects should be given general information about the project such as its purpose, the methods to be used, and the practical and other consequences of participation.<sup>3</sup> Information about the project must be based on knowledge of the informants' cultural background. It is also important that the information be given in a language that is understood. In some research projects, it might be necessary to use an interpreter to provide the necessary information.

Observations conducted in public spaces, on streets and squares, can usually be carried out without informing those concerned. However, the registration of behaviour using technical equipment (camera, video, tape recorders, etc.) implies that the observation material will be stored, and thus possibly serve as the basis for a personal data register. For the purpose of such registration, people must generally be informed that recordings

---

<sup>2</sup> See the Guidelines for written information at <http://www.etikkom.no/REK/forskerportal/infoskriv>

<sup>3</sup> Otherwise, please see the Personal Data Act §§19, 20, 23 and 24.

are being made, how long the material will be stored and who will be using it.

Individuals in the public eye must expect the public aspects of their work to be the object of research. Regard for the self-determination and freedom of such people nevertheless entails that they should be informed about the purpose of the research when they participate as informants.

Due care must be exercised when information cannot be given before the research is initiated, for example, if the real purpose of an experiment cannot be disclosed. Such exemptions from the disclosure requirement must be justified by the value of the research and the lack of alternatives, and they must comply with the requirements articulated in Sections 5 to 9. It is often possible to give participants general information on the project in advance, and then detailed information afterwards, both about the project and about why they were not fully informed beforehand.

### **9. The obligation to obtain free and informed consent**

*As a general rule, research projects that include individuals can be initiated only after securing participants' free and informed consent.<sup>4</sup> The informants have the right to withdraw from participation at any time, without this entailing any negative consequences for them.*

Free consent means that the consent has been obtained without outside pressure or constraints on individual freedom of action. Being informed means that the informant is given information about his or her participation in the research project. The information must be given in a form that can be understood by the informant (see also Section 8). The need for information that can be understood by the participants is particularly great when the research entails a risk of suffering. Participants must be given genuine opportunities to reserve themselves from participating in the research without encountering inappropriate pressure or disadvantages. The project owner shall also ensure that the information is actually understood by those being studied.

The consent requirement is intended to prevent invasions of personal integrity. Free and informed consent makes it possible to perform research that entails a certain risk of suffering.

#### **Insufficient or diminished competence to grant consent**

For some types of research, free and informed consent is difficult to obtain. Such research can raise ethical questions if the need for protection against harm, or the need for freedom, self-determination and privacy are jeopardised to any significant extent. In such case, research

---

<sup>4</sup> Otherwise, please see §§8, 9 and 11 of the Personal Data Act.

chers bear a special responsibility for protecting participants' integrity. This may apply, for example, to research involving individuals that either have diminished capacity or lack the ability or possibility to grant free and informed consent. The question of diminished or a lack of competence to grant consent is usually raised in connection with research involving children, the mentally ill, the mentally handicapped, people suffering from dementia and intoxicated individuals. Individuals unable to grant informed consent shall generally only be included in research that a) cannot be performed on individuals who are able to grant consent, and b) can show it to be probable that the research in question is of direct or substantial benefit to the individual or group being studied. As regards research leading to knowledge that can benefit the group in question, but where any direct benefit to the individual is lacking, uncertain or in the far distant future, including individuals who cannot give informed consent of their own volition requires that any risk and suffering entailed by the study are negligible for those included.<sup>5</sup>

### **Research without consent**

In certain cases, participants' freedom and self-determination can be respected even though consent has not been obtained beforehand. Although informed consent is the general rule also in projects in which the participants do not participate actively, exceptions from the requirement regarding informed consent can be made in certain cases in situations in which the research does not imply physical contact with the research subjects, where the data being processed is not particularly sensitive, and where the utility value of the research clearly exceeds any disadvantages that might be inflicted on the subjects.

## **10. Research licences and the obligation to report**

*All research and student projects that involve the processing of personal data must be reported.*

The term 'personal data' refers to information that can be traced to an individual, directly or indirectly. A person will be directly identifiable by name, personal identification number, or other unique personal characteristics. Information registered under a reference number and that refers to a separate list of names or personal identification numbers, for example, is (indirect) personal data regardless of who keeps the list of names, or where or how it is stored. People will be indirectly identifiable if it is possible to identify them through

---

<sup>5</sup> See the Guidelines for including adults with insufficient or diminished competence to grant consent in health research, drawn up by the National Research Ethics Committee for Medicine (NEM) 2005, specifically points 2 to 4, at <http://www.etikkom.no/retningslinjer>



background information such as, for instance, municipality of residence or institutional affiliation, combined with data on age, sex, profession, diagnosis, etc.

Research projects that require the processing of personal data are covered by the Personal Data Act.<sup>6</sup> As a general rule, personal data will entail an obligation to report if its management is approved by the privacy ombudsman for research or a Regional Medical Research Ethics Committee (REK), in the case of health-related projects.<sup>7</sup> Health research is also considered in the light of the Personal Health Data Filing System Act.

The Norwegian Social Science Data Service (NSD) is the privacy ombudsman for research and student projects being conducted at all the universities, the state university colleges, the scientific and private university colleges, a number of health enterprises and other research institutions. NSD's main responsibilities are to evaluate research and student projects relative to the provisions in the Personal Data Act and Personal Health Data Filing System Act with appurtenant regulations, to provide information and guidance to the institutions and the individual researcher and student on research and the protection of privacy, to help respondents protect their rights and to keep a systematic, public list of all treatments. If a project is in the province of the privacy ombudsman, the ombudsman will determine whether the project is subject to the obligation to obtain a licence or to report. Scientists that have a privacy ombudsman should always report their projects to the ombudsman.

A project is to be reported 30 days at the latest prior to the commencement of data collection or time the sample will be contacted. For projects requiring notification, the administrative procedure is completed when the privacy ombudsman and project manager receive written notice that the project can be initiated.

For projects deemed to require a licence, the privacy ombudsman will submit an application to the Norwegian Data Inspectorate on behalf of the researcher or student (with a copy to the project manager). The project cannot be initiated before a licence is granted (approved in advance) by the Norwegian Data Inspectorate.

When deciding whether to grant a licence, the Norwegian Data Inspectorate will attach importance to the processing of personal data that could disadvantage individuals.<sup>8</sup> The Norwegian Data Inspectorate may issue a licence on the condition that particular conditions are fulfilled. Such conditions will be legally binding on researchers.

Scientists affiliated with institutions without ombudsman schemes shall report their projects directly to the Norwegian Data Inspectorate.

---

<sup>6</sup> The Personal Data Act superseded the earlier Data Protection Act on 1 January 2001.

<sup>7</sup> The Personal Data Regulations were amended on 1 July 2005, entailing that an exceptional number of research projects were subsequently subject to an obligation to report rather than an obligation to obtain a licence, and were thereby not checked in advance by the Norwegian Data Inspectorate, see § 7-27 of the regulations.

<sup>8</sup> See §34 of the Personal Data Act.

## **11. Regard for third parties**

*Researchers should consider and anticipate effects on third parties that are not directly included in the research.*

Interviews, archival studies and observations often result in the scientist gaining access to information about far more individuals than those who are the focus of the study in question, or that the research may have an impact on the privacy and close relationships of individuals not included in the research, but who are drawn in as parties closely related to the informants.

Qualitative investigations often take place in small, transparent communities. The protection of third parties is especially important in such studies. Special consideration should be given to potential negative consequences when children are indirectly involved in the research (see also Section 12).

In a society in which research results are used to assess and adjust decisions, it can be very hard to avoid research having negative consequences on groups and institutions. Scientists should be aware of potential unintended consequences of the research, e.g. that other members of a group feel unreasonably exposed. Consideration for the suffering of third parties should be weighed against consideration for research's critical function and quest for the truth (see also Section 7).

## **12. Children's right to protection**

*When children and young people participate in research, they are entitled to special protection that should be commensurate with their age and needs.*

Research on children and their lives and living standards is valuable and important. Children and young people are key contributors to this research. Their needs and interests can be protected in ways different from those in connection with research on adult participants. Children are individuals under development, and they have different needs and abilities in various phases. Scientists must know enough about children to be able to adapt their methods and the substance of their research to the age of the participants.

Parental consent is usually required when children under the age of 15 will be taking part in research.<sup>9</sup> When there is a question about including a child in research, it is nonetheless

---

<sup>9</sup> The Norwegian Data Inspectorate practises this general rule for consent for collecting personal data, see the Norwegian Data Inspectorate 2004: Guidelines for the collection and use of personal data on children and young people. One exception is the collection of sensitive personal data. The 15-year age limit is also used in the Children Act, see, for example, §32, which establishes that children can choose their education and organisational affiliation from age 15.

important to see the child as an individual subject.<sup>10</sup> In addition to parental consent, children's own consent is required from the time they are old enough to express an opinion.

Accordingly, age-specific information shall be provided about the project and its consequences, and they must be informed that participation is voluntary and that they can withdraw from the study at any time. Using informed voluntary consent is more difficult for research on children than research on adult participants. Children are more often willing to obey authority than adults are, and they often feel that they cannot protest. Nor are they always able to see the consequences of giving researchers information. The requirement regarding confidentiality also applies when children are informants for research purposes. By the same token, situations can arise in which researchers are either legally or ethically required to provide information to and possibly have contact with the child's parents, adult helpers or child welfare services. This applies, for example, in the event a researcher finds out that a child is being exposed to mistreatment or abuse. There can also be conflicts of interest between children and their parents or guardians. In the event, it is important to clarify the child's opportunity for taking an independent decision about participating in research.

### ***13. The obligation to respect individuals' privacy and close relationships***

*Researchers shall show due respect for an individual's privacy. Informants are entitled to be able to check whether confidential information about them is accessible to others.*

Respect for privacy aims at protecting individuals against unwanted interference and exposure. This applies not only to emotional issues, but also to questions that involve sickness and health, political and religious opinions, and sexual orientation.

Researchers should be especially compassionate when they ask questions that involve intimate issues and they should avoid placing informants under pressure. What is perceived as sensitive information can vary from one individual or group to the next.

Distinguishing between the private and public spheres can sometimes be difficult when it comes to information about behaviour that is communicated and stored on the Internet.<sup>11</sup> When using material from such interactions, researchers must pay sufficient attention to the fact that people's understanding of what is private and what is public in such media can vary.

---

<sup>10</sup> According to an amendment made in the Children Act in 2004, children down to 7 years of age shall be allowed to state an opinion in cases related directly to them, cf. §31.

<sup>11</sup> See the Guidelines for research on the Internet compiled by NESH (2003), <http://www.etikkom.no/retningslinjer>

#### **14. The obligation to respect confidentiality**

*Research subjects are entitled to a guarantee that all information they provide about their private lives will be treated confidentially. Researchers must prevent the use and dissemination of information that could harm individual research subjects. Research material must usually be anonymised, and strict requirements must apply for how lists of names or other information that would make it possible to identify individuals are stored and destroyed.*

The requirement is based on the need for freedom combined with the protection of privacy. Existing legislation governs the use of certain types of information, and sets limits in respect of what kind of confidentiality a researcher can promise informants. Informants are to be informed if others can access the material. Individuals in the public eye may find their freedom jeopardised by the increased media attention devoted to them. However, insofar as they have voluntarily sought public attention, or have accepted positions that entail publicity, their freedom cannot be said to be threatened to the same extent as that of other people. Beyond this, consideration for privacy and for other involved parties, e.g. people's families, requires that the obligation of confidentiality must apply.

The methodological requirements for verifiability mean that confidentiality cannot always be ensured in historical studies or studies of individuals. Where consent has not been obtained, researchers must exercise special care. In many cases, passive participation in research through studies of existing registers will represent a negligible threat to the freedom and privacy of individuals. However, such re-use of personal data usually requires consent if the study of registers is to be supplemented by information obtained through active contact with the informants, or if the research generates sensitive new information on uniquely identifiable individuals.

#### **15. The obligation to restrict re-use**

*Identifiable personal data collected for one particular research purpose cannot automatically be used for other research. Such data must not be used for commercial or administrative purposes.*

This requirement is based on respect for individuals' freedom and privacy. Re-use of personally identifiable data usually requires the consent of the research subjects. This does not apply to data that have been anonymised. Anonymised data implies that names, personal identification numbers and other uniquely identifiable characteristics are removed so that the data can no longer be traced to an individual.<sup>12</sup>

The protection of privacy involves not only the protection of the individual citizen against abuse, but also of the citizenry as a group in respect of the State. Research policy

bodies must exercise caution when it comes to encouraging the compilation of extensive registers containing personally identifiable data. This practice must be weighed against the potential benefits of using register-based information.<sup>13</sup> It is important to preserve material for future generations, but the rules governing storage in archives must be observed. It is vital to establish and observe prudent routines for ensuring the quality of data registers and for any deletion of lists of names, background material or other data through which unique individuals may be identified. Linking data registers and personally identifiable data often creates new types of information about those individuals, and may therefore require renewed consent. Where data is to be linked with data collected on a voluntary basis, individual consent is also required for the link to be made. This obligation to obtain consent does not, however, apply to links between anonymised registers.

**16. Requirements for the storage of information that can identify individuals**  
*Data related to identifiable individuals shall be stored responsibly.<sup>14</sup> Such data shall not be stored any longer than what is needed to attain the objective for which it was processed.<sup>15</sup>*

The storage of information about identifiable individuals usually requires that information be provided to and consent obtained from those concerned. Researchers shall consider the need for storing data that allows the identification of individuals. Where it is necessary to store such data, personally identifiable information should be stored separately and not electronically. The other electronically stored research material can contain a reference number to associate it with the data stored manually. Personally identifiable information (e.g. lists of names, field notes, interview material) shall be stored responsibly for a limited period of time, and then be deleted once it has served its original purpose.

---

<sup>12</sup> See §2 of the Personal Health Data Filing System. Anonymous data must not be confused with de-identified data. De-identified data is data from which names, personal identification numbers and other identifiable characteristics have been removed, so the data can no longer be traced to an individual, and from which identity can only be traced back by combining it with the same data as was previously removed.

<sup>13</sup> See also §§13-13f of the Public Administration Act, §§13, 19, and 28 of the Personal Data Act, and §2-11 of the Personal Data Regulations.

<sup>14</sup> See also §§11e, 27 and 28 of the Personal Data Act and Chapter 2 of the Personal Data Regulations.

<sup>15</sup> See also §28 of the Personal Data Act.

### **17. Respect for posthumous reputations**

*Caution shall be exercised when deceased people are the subject of research.*

The fact that the deceased can no longer raise objections does not reduce the requirement for meticulous documentation. Out of respect for the deceased and their surviving relatives, researchers must choose their words with care. Graves and human remains must be treated with the utmost respect where research is concerned.

### **18. Respect for the values and motives of others**

*Researchers must show respect for the values and views of research subjects, even if they differ from those generally accepted by society at large. Researchers should not ascribe irrational or unworthy motives to anyone without providing convincing arguments for doing so.*

Research is often concerned with the behaviour and values of minorities, e.g. religious groups, ethnic minorities, youth groups or political subcultures. Researchers are under an obligation to take subjects' self-image seriously, and to avoid descriptions that diminish their legitimate rights (see also Sections 6, 7, 8, 9 and 19).

Players' motives play a key role in cultural and social science. The exploration of motives is frequently encumbered by uncertainty, not least when it comes to research on other cultures or historical eras than our own. The clearest possible distinction should be drawn between the description and documentation of actual courses of events, and interpretations and explanations of those events.

The better part of the players' motives are directly associated with their social roles. For example, researchers often assume that politicians seek influence, that business executives seek profit, or that there are conflicts between generations. However, documentation and evidence are required if one is to attribute particular motives to research subjects. The documentation and arguments must be exhaustive if players are ascribed motives other than those they themselves cite.

### **19. Researchers' responsibility for clear role definition**

*Researchers are responsible for explaining to their research subjects the limitations, expectations and requirements that pertain to their roles as researchers.*

In situations in which a researcher relates to informants in a variety of capacities, he or she is responsible for making them aware when the researcher role applies. The roles of researcher and therapist may for instance be combined when evaluating possible courses of treatment (see the introduction about the combination of different kinds of professio-

nal activities). Participative observation in field work can also lead researchers to become friendly and establish close relationships with (some) informants. Parallel roles may serve valuable purposes in research, but the use of information obtained by virtue of such roles for research purposes may require consent.

Where relevant, researchers are required to make it clear that participation in the research does not affect entitlement to ordinary public services.

## **C. REGARD FOR GROUPS AND INSTITUTIONS**

### ***20. Regard for private interests***

*Researchers shall respect the legitimate reasons that private businesses, special interest organisations, etc. may have for not wanting information about themselves, their members or their plans to be published.*

It can be of great public interest to obtain information about how private enterprises and special interest organisations function in society.

Individuals and organisations are under no legal obligation to provide information except where specific statutory provisions apply to special types of information. If they refuse access, their wishes are to be respected. Notwithstanding, organisations should make their archives available for research.

Those who choose to undertake research on organisations that are basically opposed to the research must exercise the utmost care in their documentation and methods. Situations can arise in which researchers have reason to suspect abuse in connection with an activity. All things considered, it can be ethically responsible to continue the research process if the abuse cannot be exposed or documented by other means. A researcher is under the same obligation as any other citizen to prevent serious infractions of the law.

### ***21. Regard for the public administration***

*Public agencies should make themselves available for research into their activities.*

The general public's legitimate interest in the functioning of social institutions is one reason for giving researchers the greatest possible insight into public administration and government agencies.

Public archives should be made available for research. Access can be restricted for reasons of personal protection, over-riding national interests or national security. Classified material should be declassified as soon as it is safe to do so.<sup>16</sup>

---

<sup>16</sup> See also §13.2 of the Public Administration Act about trade secrets and §139 of the Penal Code.

## **22. Respect for vulnerable groups**

*Researchers bear a special responsibility for protecting the interests of vulnerable groups throughout the research process.*

Vulnerable and disadvantaged individuals and groups will not always be equipped to defend their own interests in respect of researchers. Accordingly, researchers cannot take it for granted that ordinary procedures for eliciting information and consent will ensure individuals' self-determination or protect them from unreasonable suffering.

Furthermore, vulnerable groups may not want to be subject to research for fear of being viewed by the general public in an unfavourable light. In such cases, the requirements concerning information and consent are particularly important. On the other hand, society has a legitimate interest in surveying living conditions, for instance, to gauge the effectiveness of social welfare schemes, and to learn more about the ways in and out of destructive and anti-social behaviour. Protecting a vulnerable group can sometimes be counter-productive. In reality, such efforts may serve to protect society at large from gaining insight into processes that lead to discrimination and rejection.

Researchers who collect information about the characteristics and behaviour of individuals and groups should avoid using classifications or designations that give rise to unreasonable generalisation, resulting in practice in the stigmatisation of particular social groups.

## **23. The requirement for independence**

*Researchers must not allow themselves to become dependent on informants.*

Research into social problems can reveal criticisable or illegal situations, e.g. plans to commit violent acts or failure to care for children, exposing researchers to conflicting loyalties, particularly with a view to the obligation of confidentiality. Researchers must avoid complicity in unlawful behaviour, even if it were to benefit their research. Like everyone else and regardless of the obligation of confidentiality, researchers are legally bound to prevent serious future infractions of the law, for example, by reporting them to the police. Research on criminal communities can engender conflict between promises of confidentiality made to informants and the obligation to report ongoing or planned serious criminal acts. Such conflicts can be prevented by explaining the limits on the promise of confidentiality to the informants.<sup>17</sup>

---

<sup>17</sup> See also the NESH report (1998): «Professional secrecy and the protection of sources for researchers».



Over and above what ensues from this legal obligation, in certain cases, it might be advisable for a researcher to allow the protection of individuals, e.g. children, to weigh more heavily than the obligation of confidentiality in respect of informants. However, this obligation requires that any scientific reporting on circumstances worthy of criticism should take place in general form, without reference to individuals.

#### **24. The preservation of cultural monuments**

*Researchers shall show due regard for preservation needs associated with all types of cultural monuments.*

The preservation of sites, monuments, artefacts, texts, archives, remains and information about times past is based on the interests of present and future generations in learning about their own history and culture. In dealing with human remains from archaeological excavations, researchers should be especially aware of ethical problems associated with research on this type of material. Human remains from pre-Reformation times are automatically protected under the Cultural Heritage Act, while more recent remains do not enjoy the same protection. All remains should, however, be covered by the same protection since they constitute important source material for future generations.<sup>18</sup>

Since the approaches and interests of research vary from one generation to the next, the needs of future generations imply not only that information about our own times will be preserved and thereby be available for research, but also that we conduct our research in a way that allows future generations of researchers to learn what they consider to be important.

Research that destroys source material raises special ethical questions. The information value of the research objects must be weighed against the degree of damage or deformation they suffer.

Researchers and research institutions should show due diligence and not acquire cultural monuments that have unclear or disputed origins and provenances.<sup>19</sup>

---

<sup>18</sup> See also §1 of the Archives Act.

<sup>19</sup> See the statement issued by NESH in 2005 about research on material of unknown or uncertain origin at <http://www.etikkom.no/HvaGjorVi/Uttalelser/NESH/300605>

## **25. Research on other cultures and times**

*Research on cultures other than the researcher's own pose special requirements for dialogue with representatives and members of the culture under investigation.*

The requirement regarding the consent of individuals that live in the society being studied must be combined with knowledge about and respect for local traditions and the powers that be. Insofar as possible, researchers should cooperate with the local inhabitants, members of the culture in question, and their representatives and local authorities. Wishes for local participation or control can engender conflicts relative to the research's requirement for quality and independence. This places stringent demands on the planning and implementation of projects.

When performing research on vulnerable cultures, e.g. minority cultures, researchers must be particularly careful about operating with classifications or designations that give grounds for unreasonable generalisation and that can in actual practice lead to the stigmatisation of certain social groups.

Similar consideration also applies when there is a lapse in time. Researchers should avoid contributing to the degradation of people from earlier historic eras and thus counteract tendencies towards contemporary provincialism. Here, as under other circumstances, cultural and social scientists must make a clear distinction between documentation and evaluation.

## **26. Limits on cultural recognition.**

*Researchers must weigh consideration for the recognition of cultural differences against consideration for other fundamental values and human rights.*

Naturally, respect for and loyalty to the cultures in which the research is being conducted do not mean that one must accept conditions such as discrimination or culturally motivated abuse. When undertaking a normative analysis of such conditions, a distinction must be made between a description of norms and practices in the culture being studied and researchers' normative discussions of these conditions in the light of defined value standards.

Researchers must exercise due caution and consider how it would be advisable to act when encountering phenomena such as culturally motivated assaults on life and health or infringements of other human rights (see also Section 25).

## **D. THE RESEARCH COMMUNITY**

### **27. Scientific integrity**

*Researchers and research institutions shall comply with and promote standards for scientific integrity.*

Dishonesty involves contravention of the quest for truth in the name of science. Distinctions can be made between more or less severe breaches, from negligence and sordidness to academic misconduct. Examples of severe, intentional or grossly negligent breaches of standards include the fabrication and falsification of data and plagiarism. The requirement regarding scientific integrity applies in full to all types of research. Institutions are required to have routines that prevent dishonesty and promote honesty. Institutions shall also have procedures for handling suspicions and accusations of scientific dishonesty (see also Section 4).

Universities and colleges bear a special responsibility for ensuring that students and others receive instruction on integrity standards. This implies e.g. that standards for good reference practice should be included in teaching and supervision throughout students' academic careers, and that established researchers should serve as good role models for teaching and research practice. Since teaching is research-based in this context, basic research ethics standards should be communicated to students continuously.

### **28. Plagiarism**

*Plagiarism of others' text, material, ideas and research results is unacceptable and constitutes a serious breach of ethical standards.*

In terms of research ethics, plagiarism involves stealing content from the works of other writers and researchers and publishing it as one's own. Researchers who use others' ideas or quotations from publications or research material, shall cite their sources. The grossest type of plagiarism is pure duplication. Plagiarism can nonetheless take other, more refined shapes, and apply to limited findings, ideas, hypotheses, concepts, theories, interpretations, designs, etc. Referring to another work early in one's own text and then subsequently making extensive use of it without further reference is also plagiarism.

Research is largely built on others' material, data, and research results. Following some simple basic rules can help avert plagiarism. It is important to distinguish between direct quotations from others' texts and paraphrasing in foot- and endnotes as well as in the text. Paraphrasing must not be so close to the original text that it is in reality like a quotation. Where several paraphrased sections are linked together, there can be a danger

that the entire argumentation belongs to someone else. A plagiarist undermines not only his or her own reputation as a researcher, but also the credibility of the research.

### **29. Good reference practice**

*All writers and researchers, regardless of whether they are amateur or professional, students or established researchers, shall strive to exercise good reference practice.*

The standards for citing quotations and referring to sources and literature differ from one subject to the next. Everyone is obligated to give the most accurate references possible to the literature they use. References should usually be to particular pages, paragraphs and chapters. This simplifies the verification of statements and arguments, including the use of sources. The subject areas and units that perform research are responsible for establishing and communicating rules for good reference practice, as well as for facilitating understanding of such standards, ensuring compliance and reacting to infringements. Individual writers and researchers must practise their craft with intellectual integrity and deal with primary and secondary sources with honesty.

Supervisors bear a special responsibility for following up students' knowledge of and attitudes towards research ethics. Graduates should have developed sufficient professional self-criticism to ensure good reference practice in their future work.

### **30. Verification and subsequent use of research material**

*Research material should be made available to other researchers for verification and subsequent use.*

To discuss the 'shelf life' of researchers' analyses, other researchers must gain insight into the data and other relevant material, providing this does not involve an invasion of privacy or a breach of confidentiality (see also Sections 10 and 14).

Those responsible for collecting material generally have first claim on its use (see also Section 33). Data collected on the basis of public funding shall be made available to the public after a brief period of time.

### **31. Professional assessments**

*Professional assessments should reflect impartiality, objectivity and transparency.*

All disciplines are characterised by competing schools of thought, and possibly even by disagreement on fundamental questions of scientific theory. Those responsible for the assessment of others' work must therefore be willing to seriously consider arguments and ways of thinking that are asserted by approaches other than their own.

Researchers frequently participate in evaluations for academic posts. They consider master's theses, doctoral theses, project applications, articles in journals and the like. In such contexts, the judge must assess his or her own legal competence and work professionally and objectively.

### **32. Obligations in respect of colleagues**

*Researchers shall comply with research ethics standards, e.g. as regards transparency, impartiality and the willingness to be (self-)critical, and thereby to help promote good research.*

Research institutions shall strive to establish an atmosphere that is conducive to good research. Efforts should be made to maintain a culture based on constructive discourse and the productive management of professional disagreements. The well-balanced recruitment of researchers should be encouraged. Criticism must not be silenced as a result of obligations of loyalty or obedience. Objectivity standards should be maintained, such as, for example, the requirement to avoid tendentious renderings of the work of researchers whose opinions differ from one's own. Through mutual exchanges of information and constructive criticism, researchers must ensure that their group's research is the best possible. Research communities must sustain high methodological standards and encourage objective debate on the applications for and limitations of various methods and analytical techniques.

Only those who have actually contributed to the documentation, analysis and writing of a scientific work shall be credited as co-authors or acknowledged for their contributions (see also Section 37). Pursuant to the Vancouver Convention (uniform requirements for manuscripts submitted to biomedical journals), it may sometimes be feasible to distinguish between authors and other contributors (e.g. other lab members).

Good research groups are characterised by researchers who actually read each other, providing positive and negative criticism. It is a breach of research ethics standards if researchers keep significant criticism of existing research to themselves, and fail to test it on relevant groups to ensure the problems are illuminated from all sides. This is in line with a scientific standard for organised, systematic scepticism. Relevant groups may comprise broader audiences outside the specialist environment (see also Section 44).

### **33. The student-supervisor relationship**

*Supervisors are required to act in students' best interest, and not to take advantage of their dependence. This applies to professional findings as well as private lives.*

Supervisors must be cognisant of the asymmetry that exists in a supervisory situation. Supervisors' authority must not be turned to their own advantage or used to offend students. Supervisors must not take advantage of students' dependence.

In the event a supervisor would like to use material from a student's as yet incomplete work in his or her own research, the two must sign an agreement to that end. If the student has collected the material personally, it should only be used after the student is finished with the material, normally after taking the examination. The institution ought to draw up a standard contract for this. A supervisor must follow good reference practice in using the student's material and work. Supervisors should be careful how students' work is used by others before it is completed, and how the supervisor's participation is acknowledged. Correspondingly, students ought to follow good reference practice when dealing with their supervisors.

In a supervisory situation, double relationships can arise, leading to impartiality problems for judging a candidate's work. Not only must the candidate's integrity be protected, but also the supervisor's. No one should be able to raise any doubts about where the line goes between private and professional, nor about supervisors' impartiality and propriety. If the relationship between supervisor and candidate is overly close, the general rule is that the supervisor should withdraw.

### **34. The responsibility of supervisors and project managers**

*Supervisors and project managers must take responsibility for the research ethics problems their students or project members encounter.*

The responsibility of supervisors and project managers applies relative to participants that are affected by the project, e.g. research subjects. They must also take responsibility for problems that can arise for the person or persons who carry out the project, if the research can be considered a special strain on them. Supervisors and project managers also share responsibility for reporting the results of the projects. This responsibility also includes the clarification of challenges related to research ethics. (See also E and F.)

## **E. CONTRACT RESEARCH**

### ***35. The balance between contract research and researcher-driven research***

*This involves a general research policy responsibility to maintain a balance between different types research, such as between different subject areas or between basic and applied research. Research institutions and individual researchers share responsibility for maintaining that balance as well as for informing and criticising, if so required, the players best suited for influencing the allocation of resources.*

Research communities interact with the rest of society. Society funds research because it expects something in return. Political authorities give research institutions like universities and university colleges a high degree of autonomy to ensure that they can carry out free and independent research. Knowledge is a collective benefit. Were research to become overly privatised, society as a whole would suffer. By the same token, contract research, where external principals determine the subject, are an important part of society's aggregate knowledge development. For that reason, there must be a balance between contract research and researcher-driven research (see also Section A).

### ***36. The management of contract research***

*Public and private employers (principals) have a legitimate right to stipulate the parameters for contract research, as long as those parameters are not at variance with the other requirements that apply to the research. However, that does not excuse researchers and research institutions from their share of the responsibility for the agreements they sign with principals.*

Research institutions or researchers do not merely communicate their results, they also uphold the entire research community's credibility as a source of impartial knowledge. For a principal, legitimisation based on research can be at least as important as the limited insight gained through a particular project. Principals are entitled to influence topics and issues, but not methods or results. Research institutions and individual researchers have the right and obligation to point out any problems with the results, e.g. relative to planned political decisions.

### **37. Research institutions and the individual researcher**

*Researchers who are part of larger research projects share joint responsibility for those projects. Individual researchers' contributions to research projects should be stated clearly.*

When research, and not merely contract research, is organised into large hierarchical projects, the relationship between individual researchers and project management is analogous to the relationship between the researcher/research institution and the principal. Where individual researchers at institutions and major projects experience a conflict between loyalty to their institution and ethically responsible methods, the point of departure must be that individuals share responsibility for what they are part of (see also Section 32). Copyright and the right to publish must be regulated by unambiguous agreements.

§3 of the Copyright Act governs rightsholders' moral rights, which are inalienable. According to this section, the rightsholder (the researcher) shall have his or her name stated «in the manner of proper usage», and the work cannot be altered in a manner or in a context prejudicial to the author's literary, scientific or artistic reputation or to his individuality, or prejudicial to the reputation or individuality of the work itself. This also applies to the relationship between the principal, research institution and researcher in connection with contract research and reports.

### **38. The independence of researchers and research institutions**

*Researchers and research institutions should maintain independence relative to their principal(s).*

Research institutions or researchers must avoid dependence on a principal that could undermine their impartiality. One inescapable source of dependence occurs when a principal funds research. This is especially true if an individual principal accounts for a significant share of the aggregate income of an institution or individual researcher. Accordingly, it is important to avoid a degree of congruence between self-interests and the principal's interests that is large enough to threaten one's ability to behave impartially (threat of self-interest). The sale of advisory or consultancy services to players that also have an interest in the outcome of the research is another factor that can escalate the threat of self-interest.

Non-financial relations can also constitute a threat against the independence of research. Personal ties, either through familial ties or long-lasting relations between the research institution/researcher and research subjects, can lead to dependence in several ways. To some extent, such ties can lead to the research being used to advocate for certain parties (representative party threat), or it can lead to there not being sufficient distance between the research and research subject (threat to confidentiality), or perhaps even to



independence being threatened because the research subject is in a position to influence the researcher (threat of pressure).

The role of independent researcher, e.g. at a university or university college, can in certain situations conflict with other roles researchers may have, e.g. the role of adviser or consultant (see the introduction about disciplines as clusters of activities). To the extent a researcher accepts an assignment that can undermine an institution's credibility, at the very least it is necessary to report the situation. In some situations, the conflict between roles will be so strong that the roles should not be combined.

### **39. Information about the funding of research**

*It is incumbent upon principals and researchers alike to inform the public about who is funding the research.*

It should be clear who is funding the research. Transparency in respect of funding could make it easier for researchers to safeguard themselves from unfair pressure from the funding party and thus ensure the researchers' freedom and impartiality. Moreover, it is reasonable for principals to feel entitled to see that research they have funded is published.

In connection with the publication and use of results, researchers bear an independent responsibility for being clear and open about all ties (principals and funding, etc.) that might have a bearing on the credibility of the research/report. If the results are used in a selective or tendentious manner, it is incumbent upon researchers to point this out.

### **40. The use of research results**

*Principals and researchers have a responsibility for preventing research results from being presented in a misleading manner. It is unethical to place limits on research to elicit particularly desirable results, or to produce research results in an intentionally skewed manner.*

The principal must not be allowed to withhold research results so that the findings that are publicised give a distorted picture of one or more factors. Researchers must be able to protect themselves against unfair pressure from the principal to draw particular conclusions, and should under certain circumstances take advantage of their right to withdraw from assignments.

Principals must accept that researchers have the right to discuss their terms of reference as part of research reporting, for example, to point out that obvious professional or, in practice, relevant perspectives, interpretations and considerations have been omitted from the terms of reference. The requirements for source material and valid reasoning are

especially important when research can have consequences on the reputation or integrity of individuals or groups, or when it can affect political decisions. In such cases, it is especially important that researchers discuss alternative interpretations of their findings or point out scientific uncertainty. (See also Sections 1, 2, 3 and 45.)

#### **41. The right to publish**

*Knowledge is a collective benefit. Accordingly, as a rule, all research results should be published. It is also important that results can be verified. Publication is important for researchers' merit lists.*

If the principal would like to use research results to reach a broader audience, researchers can publish complete descriptions and results of the research project. This can be important both for preventing research results from being presented selectively or in a skewed manner, and for giving others an opportunity to verify the results.

Enterprises and government agencies may have a legitimate desire to protect themselves and their interests. Likewise, reasons of national security or negotiating strategies may require that publicity be deferred, and in certain cases that the results not be made public, or that publication be postponed for a certain time. With the exception of such situations, as well as for the protection of privacy, principals and researchers should strive to ensure that the public gets access to results. Any limitations on the right to publish shall be stipulated by contract upon commencement of the project. (See also Sections 20, 21 and 45.)

## **F. SCIENCE COMMUNICATION**

#### **42. Science communication as a specialised task.**

*Specialised research groups shall ensure that scientific knowledge is communicated to a broader audience outside the research community.*

Science communication involves communicating insights, ways of working and attitudes (the ethos of science) from specialised fields of research to individuals outside the field ('popularisation'), including contributions to social debates based on scientific reasoning. This can refer to the communication of established insights into a subject along with results from recent research. Science communication is aimed at outsiders, whether they be specialists in other subject areas or individuals with no scientific background. The connections between research and reporting are especially close in the cultural and social

sciences, where it is not unusual for a scholarly contribution to also be a contribution to communication. Publicity activities are part of the institutional management of research (see the Introduction) and thus differ from science communication. Reporting is rooted in traditions that originated in the Age of Enlightenment.

Many people would like to know what researchers have discovered. One of the main reasons for science communication is to satisfy such intellectual curiosity. Communication is also an expression of one of the requirements for democracy: Communication shall contribute to the maintenance and development of cultural traditions, to the informed formation of public opinion and to the dissemination of socially relevant knowledge. The community has made formidable investments in research and should benefit from the results (see also Section 2).

### ***43. Requirements incumbent upon individuals and institutions***

*It is incumbent upon research institutions to pave the way for multi-faceted, comprehensive science communication, characterised by high quality and relevance.*

Science communication poses ethical requirements on individuals and institutions alike. Science communication can be promoted through general initiatives such as requirements for hiring and training, and incentives related to the allocation of resources. Universities and colleges bear a special responsibility for ensuring that students develop skills and attitudes that make them good communicators. Science communication should also be stimulated by using and further developing arenas for training and debate, e.g. feature articles, lecture series, lay conferences and hearings.

§100 of the Constitution states: «It is incumbent upon the State authorities to promote an open and enlightened public debate».<sup>20</sup> The sciences shall also contribute to such public dialogue. Constitutional democracies with smoothly-functioning public administrations and market economies are contingent on zones in the civil society that are not primarily characterised by principles of profitability and management logic, but by the fact that there are arguments that should count.

Good science communication calls for interaction and cooperation between research institutions and other institutions such as the mass media, schools, art institutions, groups with different philosophies of life and volunteer organisations. Science communication can take place with the varying participation of researchers and others (such as journalists or teachers), and be written, verbal or based on other approaches (such as exhibitions and electronic media). All who take part in such reporting are subject to research ethics standards. Research institutions ought to help ensure that the means of reporting, the choice of topic and the actual impact are identified and assessed.

---

<sup>20</sup> For an explanation, see Norwegian Public Report (NOU) 1999:27: «There shall be freedom of the speech.».

#### **44. Interdisciplinary discussion and a democratic public.**

*One important aspect of science communication in modern society should consist of reciprocal popularisation (translation) between specialists from different fields of research.*

Many of the major challenges facing society related, for example, to ecology, globalisation or human rights, call for the integration of different types of scientific knowledge. Although the public's level of education is continuously on the rise, that does not diminish the need for science communication. The 'commoners' of the past no longer exist. All of us, including researchers, are members of a democratic public with a perpetual need for such translations. The development of multi-disciplinary fora at research institutions offers a good platform for communication between specialists from different disciplines and for communication with a broader audience outside the institutions.

Interdisciplinary discussions can clarify basic requirements for a culture of scientific discourse. Researchers must express themselves clearly enough so that colleagues from other fields and other participants in debates can take well-grounded positions on the assertions at hand. As in in-house scientific discussions, reiterations of the contributions of others must not be tendentious and opponents must not be branded as stooges for holding unreasonable opinions.

In the light of the great complexity of reality, i.e. the limitations and scientific uncertainty related to individual disciplines, the standard for scientific humility should be at the core of science communication. Limitations in the perspective of one's own discipline and competency relative to the discipline in question should be clarified, since that can make it easier for readers to determine whether alternative professional perspectives could lead to other conclusions. Such interdisciplinary and inter-institutional discussions can serve as a sort of extended peer review.

#### **45. Participation in social debate and responsibility for how research is interpreted**

*Researchers ought to contribute to the public debate based on sound scientific reasoning.*

Such participation means that researchers use their scientific competency as grounds for contributions to the formation of public opinion. This can refer to information in an area that is up for debate, that one takes a well-grounded position on controversial topics, or that one tries to put new topics on the public agenda.

Researchers do not usually have control over how the results of their research are used by others, but they do bear shared responsibility for how the results are interpreted, and thus how they can be applied in political, cultural, social and economic contexts. Accor-

dingly, researchers should get involved in discussions about reasonable interpretations and the responsible use of research results. Other groups are also responsible for reasonable and responsible behaviour in this context, e.g. information departments, the mass media, parties, special interest organisations, enterprises and administrative agencies.

Participation in social debate calls for high standards for impartiality, justification and clarity. There can be fuzzy transitions between participating in social debate as an expert and as an ordinary member of society. When professionals participate as ordinary members of society, they should not use their titles or refer to specific scientific expertise.

#### **46. The communication of results and verifiability**

*The requirement regarding verifiability applies equally to science communication and scientific publishing.*

Audiences for popular scientific presentations usually have neither the time nor the expertise to verify assertions made by research experts. This corroborates that the verifiability requirement must be just as important here as for scientific publications.

Foot/endnotes and literature indexes can weigh heavily on a text, but they can also help the interested reader to navigate through a large body of literature. It is also important to remember that specialists in other disciplines are part of the relevant audience, and that a large percentage of the general public has education beyond high school level.

Cultural and social scientists can share hypotheses, theories and preliminary findings with the general public while their projects are in progress, but they must be careful not to present preliminary results that have not been adequately discussed by relevant research groups (peer reviews) as final.

#### **47. The obligation to convey research results**

*Researchers bear a special obligation to convey research results to the participants in a comprehensible and responsible manner.*

Informants give something of themselves to researchers and are entitled to get something back. Informants should have an opportunity to correct any misunderstandings if possible.

In certain cases, it is not automatically possible to convey the results in a form that is comprehensible for everyone, for example, if the results contain a lot of advanced statistics. In such case, researchers should adapt the results so that key findings and insights are conveyed in a manner can be understood by the recipients.

## **Appendix 1: Charter**

### **Background**

The Charter for NESH was first laid down by the Royal Ministry of Education, Research and Church Affairs on May 16, 1990. The department appointed members for the third term in January 1997, to serve until December 31, 1999. The committee is funded by the Research Council of Norway, and the secretariat for NESH is subsumed under the Research Council administration. The secretariat for NESH is located at the Oslo Research Park together with the National Committees for Research Ethics in Medicine (NEM), and in Science and Technology (NENT).

### **I. Introduction**

Recognizing that research and development within the normative sciences do not happen in isolation, but in interplay with existing norms and values in our society, a National Committee for Research Ethics in the Social Sciences and the Humanities (NESH) is established.

The National Committee for Research Ethics in the Social Sciences and the Humanities is an independent body which shall observe, inform and counsel on issues of research ethics within these subjects at the national level, based on the formation of norms and tradition in our society.

### **II. Area of Responsibility**

The area of responsibility for the National Committee for Research Ethics in the Social Sciences and the Humanities is research ethics within the social sciences and the humanities, including law and theology.

### **III. Responsibilities**

1. The Committee shall keep itself continually informed concerning actual and potential questions of research ethics within its area of responsibility.
2. The Committee shall coordinate and provide counsel regarding research ethics for the various committees within its area of responsibility.
3. The Committee shall inform researchers, the Administration, and the public about actual and potential questions of research ethics within its area of responsibility.
4. The Committee shall submit recommendations and reports, and develop draft guidelines for research ethics within its area of responsibility. The Committee shall also make recommendations concerning cases which are presented to it.

5. The Committee shall report about its activity at least once a year at an open meeting, and foster informed public debate about questions of research ethics within its area of responsibility in whatever ways it seems suitable.
6. The Committee shall keep other national and international committees on research ethics informed about its activities, and shall seek to cooperate with such committees in order to develop grounds for principles of research ethics which are independent of boundaries between the subjects.

#### **IV. Appointment and Composition**

The Committee shall have at least 9 members.

In addition to members with competence in relevant fields of research, the Committee shall have members with professional competence in ethics and law. The following fields should be represented in the Committee: history, government, sociology, psychology, ethnology.

The committee shall have two lay representatives.

The Royal Ministry of Education, Research and Church Affairs appoints members upon recommendation from the Research Council of Norway, to serve for three years with the possibility of reappointment.

#### **V. Reporting and Accessibility**

The Committee provides an annual report about its activity to the Research Council of Norway and to the Ministry of Education, Research and Church Affairs.

The public shall have access to the activity and proceedings of the Committee.

## **Appendix 2: Previous members of NESH**

### **01.01.00 – 31.12.02**

Ragnvald Kalleberg (Chair)  
Elisabeth Backe-Hansen  
Hanne Inger Bjurstrøm  
Ida Blom  
Aksel Hatland  
Trond Herland  
Heidi von Weltzien Høivik  
Paul Leer-Salvesen  
Raino Malnes  
Audhild Schanche  
Ann Helene B. Skjelbred  
Jan Tøssebro

Finn Mølmen / Hilde W. Nagell /  
Micheline Egge Grung (Directors)

### **01.01.97 – 31.12.99**

Fredrik Engelstad (Chair)  
Bente Gullveig Alver  
Ida Blom  
Elisabeth Backe-Hansen  
Hanne Inger Bjurstrøm  
Aksel Hatland  
Trond Herland  
Heidi von Weltzien Høivik  
Wenche Håland  
Paul Leer-Salvesen  
Raino Malnes

Dag Elgesem (Director)

### **01.01.94 – 31.12.96**

Fredrik Engelstad (Chair)  
Bente Gullveig Alver  
Elisabeth Backe-Hansen  
Aksel Hatland  
Kari Helliesen  
Trond Herland  
Heidi von Weltzien Høivik  
Wenche Håland  
Yngvar Løken  
Halvor Moxnes  
Pål Repstad  
Sølvi Sogner

Andreas Føllesdal / Dag Elgesem  
(Directors)

### **1991 – 31.12.93**

Fredrik Engelstad (Chair)  
Bente Gullveig Alver  
Ivar Asheim  
Kirsti Coward  
Victor Hellern  
Kari Helliesen  
Wenche Håland  
Tore Lindholm  
Yngvar Løken  
Halvor Moxnes  
Pål Repstad  
Sølvi Sogner

Andreas Føllesdal (Director)



### **Appendix 3: Relevant legislation, guidelines, reports and institutions**

Personal Data Act LOV-2000-04-14-31

The Personal Data Regulations FOR-2000-12-15-1265

Public Administration Act LOV-1967-02-10

Personal Health Data Filing System Act LOV-2001-05-18-24

Children Act LOV-1981-04-08-7, last modified LOV-2005-06-17-63

The penal code LOV-1902-05-22-10

Archives Act LOV-1992-12-04-126, last modified LOV-2001-05-18-24

The copyright act LOV-1961-05-12-2, last modified LOV-2005-06-17-97

Guidelines for written information, REK

<http://www.etikkom.no/REK/forskerportal/infoskriv>

Guidelines for including adults with insufficient or diminished competence to grant consent in health research, NEM 2005

<http://www.etikkom.no/retningslinjer>.

Guidelines for research on the Internet, NESH 2003

<http://www.etikkom.no/retningslinjer/internett>

Vancouver Convention

<http://www.etikkom.no/retningslinjer/vancouverkonvensjonen>

Declaration of Helsinki

<http://www.etikkom.no/retningslinjer/helsinkideklarasjonen>

NESH report 1998: «Taushetsplikt og kildevern for forskere.»

NESH statement 2005: «Forskning på materiale med ukjent eller usikkert opphav»

The Norwegian Data Inspectorate, <http://www.datatilsynet.no/>

The Norwegian Social Science Data Service, <http://www.nsd.uib.no/personvern/index.cfm>

National Ethics Network, <http://www.etikk.no/>

REK (National Research Ethics Committees for Medicine), <http://www.etikkom.no/REK>

The Council for Confidentiality and Research

**CONTACT INFORMATION:**

National Committees for  
Research Ethics in Norway  
Prinsensgt. 18  
P.O Box 522 Sentrum  
0105 Oslo  
Norway

Phone: +47 23318300

Fax: +47 23318301

[post@etikkom.no](mailto:post@etikkom.no)

[www.etikkom.no](http://www.etikkom.no)



# FORSKNINGSETISKE KOMITEER

National Committees for Research Ethics in Norway

THE NATIONAL COMMITTEES FOR RESEARCH ETHICS was appointed by the Royal Ministry of Education, Research and Church Affairs on May 16, 1990. Its terms of reference include drawing up guidelines for research ethics in the social sciences, law, theology and the humanities. The first version of these guidelines was adopted by NESH in 1993.

## NESH

*The National Committee for Research Ethics  
in the Social Sciences and the Humanities*

Prinsensgt.18  
P.O Box 522 Sentrum  
0105 Oslo  
Norway

Phone: +47 23 31 83 00  
Fax: +47 23 31 83 01

post@etikkom.no  
www.etikkom.no

