

**MEETING OF THE STATES PARTIES TO
THE CONVENTION ON THE PROHIBITION
OF THE DEVELOPMENT, PRODUCTION
AND STOCKPILING OF
BACTERIOLOGICAL (BIOLOGICAL) AND
TOXIN WEAPONS AND ON THEIR
DESTRUCTION**

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**Consideration of the content, promulgation, and
adoption of codes of conduct for scientists**

**COMMON ELEMENTS OF CODES OF CONDUCT (III):
ACADEMIC CODES**

Prepared by Canada

Introduction

1. Codes of Conduct in Canada are meant to reflect the value of research to advance knowledge, while always protecting the best interests of the general public. Norms for ethics are developed and refined within a constantly evolving societal context. This includes the need to continually advance the frontiers of research and for researchers to continually engage in increasing their knowledge, while at the same time maintaining their moral imperatives, ethical principles, and the law. While these are the core principles that a given code of conduct should strive to address, it is nevertheless difficult to produce one code which will encompass all the various aspects that concern the different areas of biotechnology. To this end, rather than describing in detail the various codes of conduct in Canada, or trying to create a new all-purpose code of conduct, this paper, along with its two sister papers on governmental codes and professional codes, will examine some of the primary common elements from the various Canadian codes, as well as particularly innovative individual items, and put these forward as items that can be drawn upon to create a new, effective code(s) for the activities of academia. While the background papers already prepared by the Secretariat have provided an overall insight on the broad subject of codes, the following paper will provide more in-depth information and cite specific examples of various academic codes of conduct that are currently in effect in Canada.

Common Elements of the Academic Codes

2. Academic codes of conduct can play a pivotal role in shaping the attitudes of students and scientists and can help guide research in positive directions. At the same time, such a code has to be carefully structured so as not to inhibit the academic freedoms that are necessary for cutting edge research. This is well outlined in the Canadian government's TriCouncil Policy (discussed in more detail in Canada's working paper on governmental codes):

"To secure the maximum benefits from research, society needs to ensure that researchers have certain freedoms. It is for this reason that researchers and their academic institutions uphold the principles of academic freedom and the independence of the higher education research community. These freedoms include freedom of inquiry and the right to disseminate the results thereof, freedom to challenge conventional thought, freedom from institutional censorship, and the privilege of conducting research on human subjects with public monies, trust and support. However, researchers and institutions also recognize that with freedom comes responsibility, including the responsibility to ensure that research involving human subjects meets high scientific and ethical standards."

3. Educational Codes are structured to fit within the parameters of higher education, with individual codes being set by particular institutions or universities. Many of these institutions actually follow the TriCouncil Policy and then have additional codes of conduct that are geared specifically to their needs and research.

4. As each university differs in size and specializes in different scientific and social science subjects, the common elements amongst the universities therefore tends to be rather diverse. In order to simplify the process, for the purposes of this paper the universities themselves have been split into two different categories, Health Science Departments and Faculties of Medicine. It is worth noting that the University of Ottawa is the only university that provides separate codes of conduct for both the health sciences and for the faculty of medicine.

Health Science Departments

5. A number of universities have specific codes of conduct dealing with human research. These include: Dalhousie University, McMaster University, the University of British Columbia, the University of Calgary, the University of Ottawa, the University of Toronto, McGill University, the University of Manitoba, and the University of Saskatchewan. The following represents the broad common elements that have been extracted from these codes:

Reporting Misconduct in Research

6. This is a priority in any academic institution in order to maintain academic integrity. Misconduct, whether it occurs amongst the student population or faculty members, is an issue that is treated with the utmost seriousness. As a first step, the individual reporting the misconduct is generally advised to have an informal meeting with the university's Faculty Dean in order to verify the charge, eliminate frivolous accusations and assess next steps.

Respect for Privacy and Confidentiality

7. This includes respect for the privacy of both students and research subjects. For students, this involves such items as the privacy of grades or personal problems. For research subjects, their right to privacy, regarding personal information, begins the moment that they consent to participate in the research project.

Plagiarism

8. This is a serious academic offence, occurring when one uses pre-existing materials with the intention of passing it off as one's own original idea. In an educational setting this is unethical, and can be grounds for expulsion of a student or the dismissal of a faculty member.

Obtaining Informed Consent

9. Research subjects must be fully informed of the goals and risks of research project that wish to participate in before obtaining their consent. This idea is expressed in almost all codes of conduct dealing with human research subjects.

Creating an Environment that is Conducive to Learning and the Performance of Professional Academic Work

10. All Universities and departments therein must strive to create an environment where staff and students can find a proper balance between learning and the more formal academic research. This idea has also been addressed in the background papers prepared by the secretariat, as well as many of the Governmental and Industry Association codes discussed in the associated Canadian working papers.

Faculties of Medicine

11. Faculties of Medicine are unique and expensive departments to run, and have their own particular needs when it comes to codes of conduct. Universities in Canada that have a specialized faculty of medicine include: McMaster University, the University of Toronto, the University of Ottawa, Memorial University, the University of Alberta, and the University of Calgary.

12. The following represents the broad common elements that have been extracted from these codes designed for these specialized schools:

Work in Partnership with Colleagues and Other Members of the Health Care Community

13. This is an essential idea in terms of both outreach to the community as well as expanding the knowledge and capabilities of the institution and the students therein. This idea is also discussed in the second background paper written by the secretariat in the section dealing with the American Society for Biochemistry and Molecular Biology.

Avoid All Forms of Sexual Exploitation, Abuse, Harassment or Impropriety

14. Patients and research subjects must feel a certain level of trust with members of the medical community, be they students, doctors or researchers. Patients and research subjects are often vulnerable either emotionally or physically, and therefore must be treated with due care and respect at all times.

Avoid Discrimination

15. It is important that individuals in the medical profession not have any prejudices towards potential patients or research subjects, particular on the basis of age, ethnicity, gender, economic situation or sexual orientation. It would be unethical for any member of the medical community to turn down any potential patient for medical treatment on the bases of the reasons mentioned above. In the case of research subjects, if a project is designed such that it is examining only those individuals fitting a certain specific profile, then the above criteria do not apply. However, this has to explicitly stated in the project design and the call for participants

Uphold the Highest Standards of Ethical and Professional Behaviour

16. This is a basic tenant that almost all societies, organizations, and faculties have established within their codes of conduct in some form or another. In the case of a medical professional or a pharmacist, these individuals require professional designation. This designation can be revoked if the individual has engaged in unethical or unprofessional behaviour. This idea is also touched upon in the third background paper prepared by the secretariat, in the section dealing with the Pharmaceutical Society of Australia.

Avoid Potential Conflicts of Interest

17. There are a number of instances in an educational context where this occur. Examples include the abuse of power or position by a faculty member or senior researcher, or having an individual propose a research project which must be approved by a review board on which they are a serving member. In this case, the individual should reclude themselves while their project is under consideration.

Respect for Privacy and Confidentiality

18. As was the case above, this primarily pertains to patients and research subjects. The idea of doctor/patient confidentiality is a fundamental tenant of modern medicine and allows patients to speak openly and freely to their physician without fear that this information will be divulged to others in an inappropriate manner. If there is a requirement for the doctor to pass on information, the patient should be consulted and their permission obtained.

Further Points of Interest

19. Beyond the common elements discussed above in both the health sciences departments and the medical schools, there are a number of other items raised in the various academic codes

of conduct that represent useful ideas in various specific applications. A selection of these are as follows:

- i Student Ethics Committees: McMaster University has developed several student research ethics committees, specifically geared toward undergraduates. Not only does this provide an avenue for students to evaluate their peers, but it also gives them an opportunity to experience and better understand the overall processes of a review committee. All undergraduate students work under the leadership of a faculty member. However, having student led ethics committees also provides students with an interesting and practical option if they come across anything unethical.
- ii Ownership of Research: Memorial University, in its code, states “that Graduate students are expected to submit their applications as the principal investigator for their thesis research”. This is an important statement, that the other universities have not included in their codes, that instils an added sense of responsibility and ownership upon the graduate student. Graduate students are still supervised (for marking purposes) but their actual research is their own.
- iii Appropriate Supervision: The University of Manitoba stipulates that there must be faculty supervision for all research staff, especially those who have just started their training. Faculty members therefore become ultimately responsible for all the research that is being conducted under their supervision. In this case, the faculty will tend to be more stringent about enforcing guidelines and ensuring that all those that they are supervising are well aware of their ethical and practical responsibilities vis-à-vis their projects. While this tenant and the point immediately preceding are not from the same university, they are not incompatible. A student can own their research, but if the project goes completely awry, both the student and his faculty supervisor can be responsible. This will require clear and open communication and collaboration, which is a useful skill for all researchers to develop in any case.
- iv Fraud: Related to the idea of plagiarism discussed above, the idea of monitoring against fraud can include cheating, falsifying data and taking credit for another’s work (particularly in the case of faculty/student relationships). All the universities have some provision for this, the penalty for which could include revocation of licensing or teaching credentials or, in the case of students, expulsion.

Conclusion

20. Academic codes are structured for, and focused on, the student and the work that a student might take on. Unlike the professional and governmental codes, academic codes tend to be quite rigid. Given that most universities are largely independent and self contained, the codes are often quite diverse and have different interpretations. Nevertheless, there are certain common elements that codes can contain in order to provide a broad basis for common understanding and practice. This paper has highlighted these aspects, but some basic similarities can also be found with the elements elaborated in the papers on governmental and professional codes. The different codes in Canada have served researchers and students well in that they provide unique guidance while still retaining the broad elements that link them together and provide a connection to the

broader legislative framework in existence in Canada. While not exhaustive, it is hoped that this description of the common elements of the academic codes in Canada will provide some food for thought to those States Parties looking to develop similar documents. Codes are living documents, and thus function best when they are constantly being refreshed and updated with new ideas, interpretations and concepts. As such, Canada would welcome thoughts from States Parties regarding other elements or refinements that could be added to this study.
