Research Ethics Guidelines[1]

1. INTRODUCTION

"The objective, of these research ethics guidelines, is to enhance the quality of academic research across Myanmar while providing valuable ethical guidelines that supports and encourages academic researchers, and the research society to become a more responsive community for society in the future"[2]

These guidelines will provide information on ethical considerations and issues related to research. The guidelines present a set of basic ethical norms, values and principles that researchers should strive to uphold in their work. Ethical issues are rarely black-and-white, and researchers will often have to weigh conflicting interests and considerations against one another. As such, the present guidelines should not be read, or used, as a manual to be followed strictly, but as guidance and advice.[3]

Individual researchers are responsible for adhering to ethical standards in their research and in their research relations, e.g. with colleagues, collaborators or participants in their research. The norms, values and principles that are outlined in the guidelines apply to all researchers, regardless of their rank, affiliation, discipline or the type of research they are engaged in. They concern all aspects of the researcher's work, including collection of data, analysis, and writing, but also teaching, research collaboration, dissemination, expert advice, participation in public debates and so on. All researchers should make sure to include ethical considerations in all aspects, and all phases, of their work.

Research institutions also have an important responsibility to ensure that the conditions are in place for researchers to live up to their ethical responsibilities. This includes universities, think tanks and any other institution engaged in research or research-related activities. The research institution should formulate and communicate guidelines on research ethics; provide research ethics training, guidance and support; and ensure space for reflection and discussion of ethical questions. The research institution should also put in place structures and procedures for ethics reviews of research projects, including the establishment of a research ethics committee, as well as for handling suspicions and accusations of serious breaches of research ethics.

The government has a responsibility to ensure appropriate legal and administrative frameworks to support researchers and research institutions in living up to their ethical standards and to protect their academic freedom. In contexts of war, conflict and instability, repression or authoritarianism, the government may not be able or willing to live up to these responsibilities, or it may even work actively against established ethical norms and standards. In such situations, individual researchers

[1] The contents of the guidelines draw in large parts on the Norwegian National Committee for Research Ethics in the Social Sciences and Humanities' (NESH) *Guidelines for Research Ethics in the Social Sciences, Humanities, Law and Theology* (2019). The European Commission's Horizon 2020 Programme's *Guidance on how to complete your ethics self-assessment* (2018) also presents useful information and guidance. George Ulrich's Research Ethics for Human Rights Researchers, in Baard A. Andreassen, Hans-Otto Sano and Siobhan McInerney-Lankford (eds.), *Research methods in Human Rights*, Edward Elgar (2017) has served as inspiration.

[2] As defined by independent academic researchers in Myanmar that took a leading role in the development of these research ethics guidelines.

[3] Researchers may be obliged to follow other ethics guidelines in certain contexts e.g., when working with researchers from universities which have their own guidelines. Donors and governments may also have specific requirements in this regard.

may have to adapt and adjust their approach to protect their own safety or that of others. Sometimes this can be done without compromising ethical standards; other times researchers may be forced or pressured to compromise these standards or even completely refrain from doing research. It is the responsibility of the research institution to do its utmost to protect researchers against such pressure, but even this is not always possible.

The guidelines cover research ethics in relation to four aspects:

- the individual researcher's scientific practices;
- people who take part in the research;
- the research community and relations among researchers; and finally
- other actors and broader society.

2. ETHICS IN RELATION TO SCIENTIFIC PRACTICES

All researchers have a responsibility to uphold ethical standards in their scientific practices. Key norms and standards in this regard are:

- Honesty and transparency
- Independence and academic freedom
- Impartiality
- Methodological stringency
- Good citation practices and no plagiarism

3.1 Honesty and transparency[4]

All researchers should strive to be honest, accountable and transparent about their work and the choices they make in all phases of the research process, including the formulation and design of the research project, collection and analysis of data, as well as reporting and publication. They must also provide full information about funding and use of financial resources. Do not plagiarise or otherwise misuse other people's work, falsify or fabricate data, distort or conceal findings, or otherwise be dishonest in your research practices. Research institutions should have structures and procedures in place for handling scientific misconduct and fraud.

3.2 Independence and academic freedom[5]

All researchers should strive to preserve their own independence and academic freedom, including to choose their own research topic and approaches, to communicate their research findings, and to teach their curriculum without undue interference. Research institutions should uphold all individual researchers' independence and academic freedom. This includes allowing, and encouraging, researchers to freely choose their research focus and to build on this expertise, with due attention to institutional responsibilities and interests. Research institutions should also do their best to safeguard individual researchers against external pressure, whether political, financial, social, cultural, religious or otherwise, that may threaten or constrain researchers' independence and academic freedom. Any attempt to dictate, restrict or obstruct research is illegitimate.

3.3 Impartiality

[4] NESH 2019:18, 5
[5] NESH 2019:6

All researchers should strive to be impartial and unbiased throughout the research process, including in the formulation of research questions; collection, interpretation and analysis of data; as well as presentation of findings and conclusions. Approach your research topic with openness and curiosity; set aside your prejudices and preconceptions; question your own assumptions, methods and findings consistently and rigorously; and refrain from withholding or selectively reporting results or conclusions.
Be open and honest about the obstacles and limitations you face in the research process.

3.4 Methodology stringency
Methodology is a researcher's recipe for developing good and trustworthy research. All researchers should strive towards methodological stringency in argumentation, documentation and conclusions, ensuring a logical, coherent research design; using relevant and reliable methods; collecting data in a systematic, unbiased manner; analysing data as accurately as possible; and presenting findings in a clear and precise manner. They should be transparent about their methodological choices and be able to provide solid justification of these. The research institution has a responsibility to provide methodological training and support for researchers at all levels, in particular for students and junior researchers.

3.5 Good citation practices[6]
Accurate and proper citation practices are essential. Use references, including when you quote, paraphrase, summarise, criticize or otherwise rely on other people's work. This not only gives due credit to other people's work; it also facilitates critical examination of your own work. All researchers have a responsibility to make themselves familiar with the rules of citation and apply these in their work. Supervisors and mentors are responsible for ensuring that their students understand and apply these rules. Research institutions should establish clear rules for good citation practices and communicate these rules to all academic staff and students.

Avoid plagiarism. Plagiarism is when you use something from other researchers without correctly citing the source. This entails word-by-word duplication, but also the use of other people's ideas, hypotheses, concepts, theories, interpretations, designs, results and so on. This is an unacceptable practice in any research community and a serious breach of research ethics. All research institutions should put in place procedures for internal plagiarism control of both academic staff and students' work, including plagiarism checker software, and offer staff training on how to handle plagiarism.

3. ETHICS IN RELATION TO PEOPLE WHO PARTICIPATE IN RESEARCH

Research, especially in social sciences, often involves human participants, whether in the form of surveys, interviews, observations, fieldwork or otherwise. In these kinds of research, it is particularly important that researchers are aware of, and uphold, ethical norms and standards throughout the research process. Prior to engaging in research involving human participants, researchers should consider the ethical implications of the research, ideally through submission of a research ethics application to be approved by a research ethics committee or other institutional procedures. Key principles and procedures to be considered are:

- Do no harm
- Respect
- Trust and sensitivity

[6] NESH 2019:17f

- Information and consent
- Confidentiality and anonymity
- Protection of data

4.1 Do no harm

Participants should be protected from physical or psychological harm. Even the most well-intended research project may entail a risk of harm to the people taking part in the project. When research includes data collection on experiences such as violence, maltreatment, or other forms of suffering, participation may lead to re-traumatisation and emotional distress. When research concerns issues that are politically, culturally, socially or religiously sensitive, there is a risk that participants in the research project will be associated with the research agenda and encounter negative reactions from their community or from authorities, e.g., in the form of stigmatisation, harassment, threats or even violence.

The principle of do no harm is particularly important in situations where research involves potentially vulnerable individuals and groups, including children and other people who are unable to give consent, patients, people who are incarcerated, immigrants, ethnic or religious minorities, people of dissenting opinion, and others who are subject to discrimination or marginalisation.[7]

In some contexts, the risk of harm concerns the researcher as much as, or even more than, participants. Especially in situations of conflict and repression, traveling to particular areas, or engaging with particular communities, may be dangerous for researchers, and they may face threats, harassment, intimidation or outright violence, whether by government, militant groups or local community actors.

Researchers have an obligation to do their best to anticipate, monitor and react to risks of harm, both concerning themselves, their participants and third parties who are not directly involved in the research. This should not only be done at the beginning of the research project, but throughout all phases of the project, including publication and dissemination of research findings. Inform participants of all potential risks. Do your best to minimise all potential risks, including for yourself. Make sure that your research methodologies do not result in discriminatory practices or unfair treatment. Offer support and follow-up for all participants.[8]

4.2 Respect[9]

Participants in research projects should always be treated with respect and dignity. We cannot view people as instruments to further our own research agendas, no matter how noble or good this research agenda may be. Consider participants in your research as your equals. Be friendly, respectful, and attentive when you talk to people. Do not be condescending or supercilious. Do your best to describe participants in a nuanced way. Avoid harmful stereotypes and oversimplified generalisations. Do not ascribe irrational or unworthy motives to participants without providing convincing documentation and justification. Acknowledge participants' contributions to your research and share the final results with them.

4.3 Trust and sensitivity[10]

[7] European Commission 2018:9
[8] See European Commission 2018:9
[9] NESH 2019:14f
[10] NESH 2019:13

When involving other people in our research, we have a responsibility to do so in a way that is sensitive to their life situation and context. This is particularly important when engaging with vulnerable or marginalised groups and communities. Familiarise yourself with the community you study, before you engage in interviews or fieldwork. Take time to build trust and relations with people. Do your best to understand their norms and practices. If you do not understand the language that is spoken in the community, use interpretation to avoid misunderstandings on both sides.

Being sensitive to the life situations and contexts of participants does not mean that we should refrain from researching or asking questions about issues that are considered politically, culturally, socially or religiously controversial in the community. It just means that we must find ways to talk about this in a sensitive, respectful way.

4.4 Information and consent[11]

All researchers are obliged to inform participants about the research and obtain their consent prior to participation. consent must be freely given, informed, and in an explicit form. Consent can be given in a written form, but in many cases, this is not possible, whether due to practical obstacles, participants' illiteracy, fear or unwillingness to be publicly associated with the research or otherwise.[12]

Information should include a brief description of the research project, including purpose, funding, and the intended use of the results; information about confidentiality, anonymity and protection of data; as well as information about the participant's right to withdraw. You should also inform people about the possible consequences of participation in the research project, including risks and discomfort. Be realistic about what you can do to help people and the impact of your research, in order to not create false expectations. Be sure that people understand the information you have given them. Communicate in a language that people understand. Use translation and interpretation if necessary. If you are collecting data from people with low literacy levels, make sure to verbally explain the consent form to them before they agree to participate.

4.5 Anonymity and confidentiality[13]

Participation in a research project can have serious consequences for participants, including consequences that are unforeseen by both researcher and participants themselves. Generally, participants should always be anonymised to protect them from such consequences. This means that participants should not be identifiable in research material that is publicly available, and any information that may disclose their identity should be altered or omitted in the research material. In situations where participants explicitly state that they do not want to be anonymous, researchers have an obligation to inform participants of the potential consequences of this.

The information that participants share with the researcher should be treated with confidentiality, out of respect for the participant's privacy, family life and reputation. However, the duty of confidentiality does not extend to information about illegal activities. Researchers have an obligation

[11] NESH 2019:8. See also European Commission 2018:8

[12] Consent can be given in a written form, but in many cases, this is not possible, whether due to practical obstacles, participants' illiteracy, fear or unwillingness to be publicly associated with the research or otherwise. There are situations in which consent is not required, e.g. when research involves public figures or observations in public. Some individuals have an impaired or absent capacity to consent, including e.g. children, adults who are mentally ill or have intellectual disabilities, or people who are intoxicated. Generally, research should only involve these groups if it can be justified that their participation is absolutely necessary, and that the research will be of benefit to these groups. See European Commission 2018:8f for more information on this.

[13] NESH 2019:10

to inform relevant authorities if there is a well-founded suspicion of participants engaging in e.g. terrorism, murder, rape, incest, or domestic violence. When informing participants about their participation in the research project, researchers should be sure to clearly explain these limits of confidentiality.

4.6 Data protection and storage
Personal data from participants can be highly sensitive and should always be securely protected and stored in all phases of the research project. This is particularly important in situations of conflict, repression and authoritarianism, where there is a high risk that data can be misused to harm participants, or the researcher her/himself.

Personal data should not be stored any longer than what is necessary to achieve the stated research objective. Personal data collected for a specific research project should generally not be used for other research projects without consent from participants. Other research data, including data that does not concern identifiable persons, should be saved and archived, so that the researcher her/himself, as well as other researchers, can re-visit, verify, re-use or otherwise build on this in new research projects. Research institutions should support researchers in this, ensuring procedures and tools to safeguard and safely store data, in order to protect researchers' work and facilitate future use of this.

4. ETHICS IN RELATION TO THE RESEARCH COMMUNITY

Researchers not only have responsibility to uphold ethical standards in relation to their own research practices, but also in their relations with other researchers in the research community, including colleagues, research partners, mentors, students, editors, publishers, and others. Key ethical norms and standards in the research community are

- Inclusion and mutual support
- Knowledge-sharing, dialogue and constructive criticism
- Equality and fairness in collaboration
- Declaration of conflicts of interest

5.1 Inclusion and mutual support
All researchers should contribute to creating a research environment which is inclusive and supportive. Support your colleagues and acknowledge their work. Be fair in sharing duties and benefits among researchers. Make sure that no-one is excluded from the colleagueship. Be particularly attentive to young scholars, female scholars, and others who may experience institutional obstacles, harassment, and exclusion.

5.2 Knowledge sharing, dialogue and constructive criticism[14]
Building knowledge is a collective effort. It is only by sharing and discussing our research with others that we can make scientific progress. All researchers have a responsibility to contribute to a research environment which encourages knowledge-sharing, constructive criticism and collegial discussions on theories, methods, approaches, and anything else related to research.

[14] NESH 2019:19f

Share your ideas, analyses, and findings with others.[15] Listen carefully to comments and suggestions from other researchers when they engage with your work. Be thorough, fair, and constructive when you engage with other people's work – also when they come from other research traditions or use other approaches than your own. Do not refrain from constructive criticism out of a sense of loyalty or obedience.

Members of editorial boards, research grant committees, PhD assessment committees, and others who are formally responsible for academic assessment of other people's work have a particular responsibility to be fair, open, and unbiased.

5.3 Equality and fairness in collaboration[16]

Research is often done in collaboration. All researchers have a responsibility to ensure that collaboration is fair and equal, and that participation is valued and credited according to actual contributions. This is particularly important with regard to publication. Authorship of publications should be limited to persons who have provided significant intellectual input to the research. Be fair in assigning first authorship. First author should not automatically be the most senior author, but the person who has contributed the most. Do not claim co-authorship of a publication if you have not contributed, and do not assign co-authorship to others if they have not contributed. Co-author trade-offs and honorary authorships are not acceptable practices.

Mentors, supervisors, and teachers have a particular ethical responsibility when engaging in research collaboration with their students. Collaboration should be based on mutual respect and recognition. Mentors, supervisors, and teachers should do their best to support and encourage students in pursuing their own research interests and offer thorough feedback and evaluation of their work. If students contribute to research – whether in the form of literature review, data collection, analysis or otherwise – this should be clearly acknowledged in the final publication as well as in other forms of dissemination of the research.

5.4 Declaration of conflicts of interest

Assessment of other people's research is an important part of many researchers' works. When engaging in formal research assessments, it is particularly important that researchers are impartial, fair and unbiased. To ensure this, researchers must be open about potential conflicts of interest. Avoid taking part in processes that involve approving, funding, judging or evaluating your own research or that of close friends, collaborators or family members. That includes peer review processes, job interviews, editorial decisions, grant application assessments, PhD assessments, and any other situation where you are expected to give a fair and impartial assessment of research. All research institutions have a responsibility to ensure systematic attention to potential conflicts of interest, and to mitigate the potential harm that such conflicts may create.

5. ETHICS IN RELATION TO SOCIETY

Researchers do not only engage in relations with colleagues or participants in their research but take part in broader society, whether as experts, advisors, opinion-makers or otherwise. Key ethical norms and standards related to researchers' participation in society include:

[15] However, data containing personal information should not be shared. See below on ethical norms and standards regarding protection of privacy and confidentiality

[16] NESH 2019:17

- Knowledge as a public good
- Dissemination and sharing of research
- Independence and transparency in funding

6.1 Knowledge as a public good[17]

Free and independent research is fundamental for any democratic society. Research contributes to raising awareness and understanding, building knowledge and expertise, and qualifying the democratic debate. Researchers and, especially, research institutions should do what they can to safeguard the role and place of research in society.

Government has a responsibility to protect academic freedom and independent research through legislation, policies, and practices, and by ensuring sufficient funding for research institutions. This also includes research that investigates, scrutinizes or criticises government actors, institutions, laws, policies or practices. Government should not obstruct such research but allow access to public administration and government bodies. Government should cultivate and support cooperation among research institutions, at national as well as international level.

6.2 Dissemination and sharing of research[18]

Researchers and research institutions have a responsibility to disseminate their work to a broader audience outside the research community, including through newspapers, social media, television, public seminars or otherwise. In doing so, researchers should express themselves in a clear and precise manner, making their work accessible and understandable to the public. Be honest and transparent and do not use your authority as an expert to mislead the public. Research Institutions should support researchers in their research dissemination, e.g., by providing training in communication, facilitating contacts to media or otherwise.

In contexts where academic freedom is under pressure, it may be difficult or impossible for researchers to publish and disseminate their work, especially if it concerns the governing bodies, policy and practice. Local journals, newspapers and other media may decline to publish the research out of fear of retaliation, or the researcher him or herself decides not to publish, whether as a precautionary measure or as a reaction to pressure and threats. In such situations, researchers may have to sidestep their duty to disseminate to protect their own safety or that of others.

6.3 Independence and transparency in funding[19]

Research is increasingly funded by external donors. In such cases, both researchers and research institutions must ensure that the funding and organisation of research is not in conflict with the norms of independent and impartial research. Those who commission the research can set the parameters for research assignments, but they cannot determine the choice of theories or methods, nor the results or conclusions reached. Commissioners cannot delimit the research subject with a view to producing particularly desirable results, and they cannot present results in an intentionally skewed or misleading manner, for instance, by leaving out certain parts that contradict their own agenda.[20]

[17] NESH 2019:14
[18] NESH 2019:23
[19] NESH 2019:20f
[20] Obviously, there are situations in which government agencies may have legitimate reasons for denying access, e.g., when it comes to issues related to national security.

7. BACKGROUND AND POSTSCRIPT

The Research Ethics Guidelines are a product of determined Myanmar scholars that since 2016 have engaged in initiatives to strengthen their knowledge and skills to undertake academic research, with the support of the HRER Programme, the Danish Institute for Human Rights, the Institute of Human Rights and Peace Studies, Mahidol University, and other international and Myanmar senior academic researchers.

The predecessor of the HRER Programme, which ran from 2017-2020, provided support to researchers from different legal departments across the country. The programme aimed to strengthen researchers' knowledge on socio-legal basic research methodologies and applied doctrinal legal research methodology, building their capacities to undertake independent research projects. During the research methodologies training and data collection, it became clear that many researchers, including professors, were less familiar with the concept of research ethics. This being a result of that in Myanmar, research ethics is primarily taught in the post graduate programmes of the medical schools, while faculties of law and social sciences rarely deal with this topic. The researchers participating in the programme expressed great interest in learning more about research ethics, emphasising the importance of this for the further development of academic research in Myanmar. They suggested to develop a set of research ethics guidelines that could be applied by legal and social science researchers in Myanmar. Furthermore, researchers also acknowledged the need for an institution or committee responsible for reviewing and monitoring implementation of the ethical guidelines.

Against this backdrop, the HRER Programme together with Yangon Cosmopolitan University hosted three online research ethic workshops with technical support provided by Dr Marie Juul Petersen, a senior researcher of the Danish Institute for Human Rights. Through these technical online workshops Myanmar scholars led on the development of the contents of the guidelines.

It is the aspiration and hope that these guidelines will be applied by all legal and social science researchers in Myanmar, and that academic institutions will provide the necessary support for their full achievement and realisation.