

# **Guidelines of the ETH Board on the handling of reports of illegal and unethical conduct made by members of the ETH Domain**

**of 4 July 2006**

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*The Board of the Swiss Federal Institutes of Technology (ETH Board),  
on the basis of Article 25 (1) (f) of the Swiss Federal Law on the Swiss Federal  
Institutes of Technology of 4 October 1991<sup>1</sup> and Article 37 (3) of the Law on Fed-  
eral Personnel of 24 March 2000<sup>2</sup> in relation to Art. 2 (1) of the ordinance of the  
Law on Federal Personnel of 20 December 2000<sup>3</sup>*

*issues the following guidelines:*

## *Art. 1 Scope of application*

The guidelines apply to the ETH Domain.

## *Art. 2 Object*

The guidelines outline the procedures for reporting illegal or unethical conduct (hereinafter referred to as “reports”) observed by members of the ETH Domain in the course of ETH Domain-related activity.

## *Art. 3 Basic principles*

<sup>1</sup> The ETH and the Research Institutes encourage and cultivate an atmosphere in which members can express their own views freely.

<sup>2</sup> Members should be able to report suspected illegal and unethical conduct observed in the course of their activity in the ETH Domain without fear of intimidation, reprisal or discrimination.

<sup>3</sup> Reports should be as factual and precise as possible; they may not constitute an abuse of rights.

<sup>4</sup> As a general rule, reports shall be non-anonymous. In exceptional cases an anonymous report may be made. The reporting individual will be advised that anonymity may in some circumstances limit possible investigative action.

<sup>1</sup> SR 414.110; ETH-Law

<sup>2</sup> SR 172.220.1; BPG

<sup>3</sup> SR 172.220.11; Ordinance BPG

*Art. 4 Reports inside the ETH and the Research Institutes*

<sup>1</sup>Whenever possible, incidents should be reported inside the ETH and the Research Institutes, initially to senior bodies or, if this is deemed unreasonable, to the bodies responsible for handling such reports in the institution concerned.

<sup>2</sup>The ETH and the Research Institutes shall issue guidelines on the handling of reports in their institutions and designate an independent reporting body.

<sup>3</sup>Following receipt of reports, they shall take the necessary investigative action and measures.

*Art. 5 Reporting body of the ETH Board*

<sup>1</sup>In the event reports made inside the ETH or Research Institutes are not dealt with, they may be referred to the independent reporting body set up by the Chairman of the ETH Board (Reporting Body of the ETH Board).

<sup>2</sup>Reports to the Reporting Body of the ETH Board should relate particularly to serious incidents. These include instances of any kind of punishable conduct, scientific fraud, undisclosed interests, non-compliance with laws or supervisory regulations, unauthorized use of funds, non-compliance with or circumvention of internal regulations and control mechanisms.

<sup>3</sup>Reports to the Reporting Body of the ETH Board shall be treated as confidentially as is possible and necessary, without prejudice to statutory disclosure obligations or overriding interests of the relevant ETH or Research Institutes or imperative reasons of overriding public interest.

<sup>4</sup>The Reporting Body of the ETH Board makes an initial assessment of the seriousness, plausibility and scope of the report as well as possible complications and hands it over to the ETH Board in its capacity as supervisory body of the ETH Domain.

<sup>5</sup>The Reporting Body of the ETH Board presents regular reports on its activities and statistics to the ETH Board.

Art. 6 Disclosure of addresses of reporting bodies

The ETH and Research Institutes shall ensure that the addresses of their reporting bodies and the Reporting Body of the ETH Board are made available to their members.

*Art. 7 Entry into force*

These guidelines enter into force on 1 January 2007.

4. July 2006

On behalf of the ETH Board  
Chairman: Zehnder