**Approved**
**General Director of INCD ECOIND,**
**Dr. Chem. Luoana Florentina PASCU**

# INCD ECOIND CODE OF ETHICAL
# AND
# INTEGRITY CONDUCT
# Edition 9 /2025

## CHAPTER I. GENERAL PROVISIONS

**Art. 1**. The Code of Ethical Conduct and Integrity of INCD ECOIND, hereinafter referred to as the Code of Ethics, is developed in accordance with:

- Government Ordinance No. 57 of August 16, 2002 on scientific research and technological development, approved by Law No. 324 of July 8, 2003, with subsequent amendments and supplements;
- Law No. 183 of June 10, 2024 on the status of research, development and innovation personnel;
- Law No. 43/2014 on the protection of animals used for scientific purposes, as subsequently amended and supplemented, which transposes the provisions of Council Directive 63/2010/EU on the protection of animals used for scientific purposes.
- Law No. 149 of 24 July 2019 amending Law No. 43/2014 on the protection of animals used for scientific purposes.
- Order No. 32 of February 15, 2021 approving the Methodological Norms on the minimum requirements for education and professional training and the requirements for obtaining, maintaining and demonstrating the necessary competence to carry out the activity in the field of breeding, supply and use of animals for scientific purposes;
- Law No. 7/2004 on the code of conduct for civil servants, supplemented and amended by Law No. 50 of 2007;
- Law No. 361/2022 on the protection of whistleblowers in the public interest;
- Law no. 67/2023 amending art. 6 para. (2) of Law no. 361/2022 on the protection of whistleblowers in the public interest;
- Law No. 544/2001, updated on free access to information of public interest;
- Law No. 52/2003, republished and updated on decision-making transparency;
- Law No. 78/2000 on the prevention, detection and sanctioning of corruption acts, as subsequently amended and supplemented;
- Law no. 176/2010 updated, regarding integrity in the exercise of public functions and dignities, for the amendment and completion of Law no. 144/2007 regarding the establishment, organization and operation of the National Integrity Agency;
- Law No. 184/2016 on the establishment of a mechanism to prevent conflict of interest in the procedure for awarding public procurement contracts;
- Law No. 251/2004 on certain measures relating to goods received free of charge on the occasion of protocol actions in the exercise of the mandate or function;
- Law No. 53/2003 on the Labor Code, republished, with subsequent amendments and supplements;
- Law no. 153/2021 on the approval of Government Emergency Ordinance no. 63/2019 for supplementing art. 61 para. (2) of Government Emergency Ordinance no. 57/2019 on the Administrative Code;
- Government Decision No. 599/2018 for the approval of the standard methodology for assessing corruption risks within central public authorities and institutions, together with the indicators for estimating the impact in the event of corruption risks materializing and the format of the corruption risk register, as well as for the approval of the methodology

for assessing integrity incidents within central public authorities and institutions, together with the format of the annual integrity incident assessment report;
- Emergency Ordinance No. 57/2019 on the Administrative Code;
- Order of the General Secretariat of the Government No. 600/2018 for the approval of the Internal Management Control of public entities;
- Order of the President of the National Agency of Civil Servants No. 1442/2018 for the approval of the procedure regarding the respect of the norms of conduct by civil servants and the implementation of disciplinary procedures within public authorities and institutions;
- Romanian Government Ordinance, no. 137/2000, republished, on the prevention and sanctioning of all forms of discrimination, amended and supplemented by GEO 45/2020;
- Law no. 202/2002, republished, on equal opportunities and treatment between women and men;
- Law no. 167/2020 amending and supplementing Government Ordinance no. 137/2000 on the prevention and sanctioning of all forms of discrimination, as well as supplementing art. 6 of Law no. 202/2002 on equal opportunities and treatment between women and men;
- Government Decision No. 261/1999 on the establishment of the National Institute for Research and Development for Industrial Ecology – ECOIND;
- Government Decision No. 961/2005 on the approval of the Regulation on the organization and functioning of INCD ECOIND (ROF);
- Guide for recognizing plagiarism in scientific papers published by CNECSDTI.
- Integrity Guide in Scientific Research – Ministry of Education and Research, National Council of Ethics for Scientific Research, Technological Development and Innovation, Bucharest, November 12, 2020.
- Practical guide on ethics in scientific research, Project co-financed by the EUSF, 2007-2013.

  Good Practice Guide for Implementing Standard 1 – Ethics and Integrity.

**Art. 2.** The Code of Ethics aims to define the ethical framework so that all INCD ECOIND staff can fulfill their duties with professionalism, objectivity, honesty and loyalty and at the same time respect and apply the regulations regarding ethics, integrity, avoiding conflicts of interest, preventing and reporting fraud, acts of corruption and reporting irregularities.

**Art. 3.** Good conduct is based on a set of norms of good conduct and procedures designed to comply with them:
a) Compliance with the law;
b) Guaranteeing freedom in science, in scientific research;
c) Compliance with the principles of good scientific practice;
d) Assumption of responsibilities.

**Art. 4.** Specific definitions of the research and development system:

a) **a) Disciplinary misconduct** – is an act related to work and which consists of an action or inaction committed with guilt by the employee, through which he violated the legal norms, internal regulations, orders and provisions of hierarchical leaders;

b) **b) Allegation –** invoking a theory, an opinion, a document to argue the notification of a violation;
c) **c) Warning in the public interest –** notification made in good faith regarding any act that involves a violation of the law, professional ethics or the principles of good administration, efficiency, effectiveness, economy and transparency;
d) **d) Whistleblower –** a person who is employed by a public institution and who makes a warning in the public interest;
e) **e) Self-plagiarism**
   (1) It represents the presentation in a written work or an oral communication, including in electronic format, of texts, expressions, demonstrations, data, hypotheses, theories, results or scientific methods, extracted from written works, including in electronic format, of the same author(s), without mentioning this and without referring to the original sources..
   (2) Updating and republishing scientific works does not constitute self-plagiarism.
   (3) Self-plagiarism represents a deviation from the rules of ethics, to the extent that this method falsifies the results of research activity for the purpose of multiple scoring of the same work.
f) **Good practice –** compliance with all normative acts that regulate good conduct;
g) **Fundamental research** – activity carried out mainly to acquire new knowledge about phenomena and processes, as well as to formulate and verify hypotheses, conceptual models and theories.
h) **Applied research** – activity intended mainly for the use of scientific knowledge for the improvement or creation of new technologies, services;
i) **Co-author of a publication** – any person named in the list of authors of a scientific publication;
j) **Production of results or data –** reporting fictitious results or data that are not the actual result of a research and development activity;
k) **Conflict of interest -** that situation or circumstance in which the employee's personal interest, direct or indirect, conflicts with the public interest, so that it affects or could affect his independence and impartiality in decision-making or the timely and objective performance of his duties in the exercise of his position;
l) **Corruption -** in a broad sense, it represents the abusive use of entrusted power, in order to satisfy personal or group interests; any act of an institution or authority that has as a consequence the causing of damage to the public interest, in order to promote a personal or group interest/profit, can be qualified as "corrupt"; this broad definition of corruption is reflected in Romanian legislation by defining corruption crimes, such as: taking and giving bribes, trafficking and buying influence, abuse of office, etc.
m) **Technological development –** systems engineering activities through which the application and transfer of research results to economic agents, as well as in social terms, are achieved, aiming at the introduction and materialization of new technologies, systems and services as well as the improvement of existing ones; this type of research includes pre-competitive research and competitive research;

n) **Dissemination –** the transmission of information, experience and good practices, as well as cooperation for promotion; dissemination does not include the publication of scientific articles which is part of fundamental and applied research activities;

o) **Right to quote**

(1) Quotation is the use of short quotations from a work for the purpose of analysis, commentary or criticism, or by way of example, to the extent that their use justifies the length of the quotation.

(2) Quotation also represents a recognition of the right of priority of the quoted author, as well as a recognition of his value, and for the quoted author it also represents the criterion for evaluating his scientific activity.

(3) Quotation is licit to the extent that the reproduction is made from works previously brought to the public's attention, legally, by whose author, under the condition of identical reproduction of the quoted passage and of not changing its meaning, of reduced size reproduction from the quoted work and under the condition of not prejudicing the quoted author.

(4) Quotation is permitted for the purpose of analysis, commentary, criticism or example and must only constitute an accessory in the new work.

(5) Quotation is permissible only if the passage reproduced from a previous work is appropriately indicated between quotation marks, possibly with a different text format than the rest of the work and with the indication in a footnote of the author, the work with the full title, the page where the quotation is found, the publishing house in which the work was published, the title of the magazine, the website where the work is published, the date of publication and, where applicable, the date the website was accessed.

p) **Ethics –** a set of rules, principles, and ways of thinking that attempt to guide the activity of a particular group;

q) **Falsification of results or data –** selective reporting or rejection of data or unwanted results; manipulation of representations or illustrations; alteration of experimental or numerical apparatus to obtain desired data without reporting the alterations made;

r) **Job description –** document that defines the place and contribution of the position in achieving individual and organizational objectives, characteristic of both the individual and the entity, and that specifies the tasks and responsibilities of the holder of a position;

s) **Fraud –** the deliberate action of fabrication, falsification, plagiarism, illicit alienation of results or other procedures that deviate from accepted practices and which aim to obtain prestige, funding, leadership;

t) **Function –** all positions that have similar characteristics in terms of tasks, objectives, skills, responsibilities and procedures;

u) **Integrity incident –** one of the following events regarding the situation of an employee of an authority, public institution or a structure within them: disciplinary termination of employment or service relationships, as a result of committing a deviation from the rules of ethics or other similar provisions intended to protect the integrity of the public office, including those established by secondary and tertiary legislation, for which this sanction is provided; being prosecuted or convicted for committing a corruption offense or a legal act of non-compliance with the regime of prohibitions, incompatibilities,

conflict of interest or declaration of assets; the finality of a finding issued by the National Integrity Agency, regarding the violation of legal obligations regarding unjustified assets, conflict of interest or the regime of incompatibilities;

v) **Integrity –** integrity, sense of dignity, justice and conscientiousness, which serves as a clause in human conduct, honesty, integrity, probity;

w) **Personal interest -** any material or other advantage, pursued or obtained, directly or indirectly, for themselves or for others, by public officials and contractual personnel through the use of reputation, influence, facilities, relationships, information to which they have access, as a result of exercising their function;

x) **Plagiarism**

**(1)** represents the act of the person who appropriates, without right, in whole or in part, the work of another author and presents it as his own intellectual creation.

**(2)** It is also considered plagiarism to present in a written work or oral communication, including in electronic format, texts, expressions, ideas, demonstrations, data, hypotheses, theories, results, or scientific methods extracted from written works, including in electronic format, of other authors, without mentioning this and without making references to the original sources.

**(3)** The existence of plagiarism is not conditioned by the author's knowledge of the previous work, which may also be published under a pseudonym or anonymously, nor by the fact that the work is within or outside the term of protection determined according to the law, or by the possible abandonment of the work by the author, by the fact that the work has not been published, the obligation to fully and appropriately indicate the source also existing in these situations;

**y) Protection of ideas in scientific works**

(1) Ideas are the roots of any intellectual creation, but they are not appropriable and are not protected by intellectual property rights. Ideas are characterized by being simple, existing in and of themselves, having an eternal, universal and unchanging existence. In common language, an idea designates a general notion, a universal principle, a guiding principle in life or for the scientific world, a conviction, a hypothesis, an assumption, a clear opinion, an orientation, an opinion, a value judgment, an algorithm, an intention, a plan, a project, a theme or a subject of an intellectual creation. Ideas are general and abstract spiritual representations in consciousness about objects, phenomena, relationships between people or relationships of people with the surrounding world. They exist and remain stable, permanent, independent of us, independent of their knowledge or ignorance and of the mind in which they eventually take shape.

(2) Ideas themselves are excluded from protection because they are and must remain a territory of no one and everyone at the same time, but also because recognizing a private right over ideas would block creative activity in general, and scientific research in particular. In principle, a private right over an idea cannot be recognized because the idea itself does not change reality, but also because according to a principle of law, tangible assets are appropriable in the absence of an express prohibition of the law, and intangible assets, the area in which ideas also lie, are appropriable only with the express authorization of the law.

(3) No legal provision allows the appropriation of ideas. However, it is justified and equitable to recognize a right of priority over ideas in favor of those who first stated an idea, and this can only be done by correctly indicating the author of the idea, according to the rules applicable to the right of quotation.

**z) Protection of expression and content**

(1) The form of expression and the content of the work are protected by copyright. Reproduction of previous works is permitted only with the author's authorization or with the correct use of the right of quotation, as regulated by copyright law.

(2) Plagiarism and self-plagiarism, as well as the incorrect and/or abusive use of the right to quote, constitute violations of the rights of authors of pre-existing works.

(3) Other violations within the meaning of the law on good conduct in research activity include fabrication and falsification of results or data.

**ii) Responsibility –** the obligation to fulfill the assigned task, the failure to fulfill which entails the sanction corresponding to the type of liability;

**iii) Sanction –** means of coercion provided by law, aimed at defending disciplinary order, developing a spirit of responsibility for the conscientious performance of work duties and compliance with the rules of conduct, as well as preventing acts of indiscipline;

**iv) Technological transfer –** the introduction or acquisition into the economic circuit of specific technologies and machinery, equipment and installations resulting from research, in order to obtain new or improved processes, products and services, required by the market or through which innovative behavior is adopted, including the activity of disseminating information, explaining, transferring knowledge, providing consultancy and communicating with persons who are not experts in the issue about the results of fundamental, applied and pre-competitive research in such a way as to increase the chance of applying such results, provided that there is an owner of the results.

**v) Ethical values –** values that are part of the culture of the public entity and constitute an unwritten code, based on which behaviors are evaluated;

**vi) Valorization –** the process by which the results of competitive research are used, according to the requirements of industrial or commercial activity, in social, economic or cultural life.

**Art. 5.** (1) The Code of Ethics has the role of specifying the principles, norms, responsibilities and standards, so that the activities within INCD ECOIND are carried out in accordance with the applicable legislation, norms and regulations and with the requirements of the European Research Area and with the ethical principles accepted by the international scientific community.

(2) The Code of Ethics aims to ensure the regulation of the norms of professional conduct necessary to achieve social and professional relationships appropriate to the creation and maintenance of a high level of prestige for the institute and its employees, informing the public about the professional conduct that it is entitled to expect from employees and creating a climate of trust and mutual respect both in the entity's internal relations and in its relations with the external world.

**Art. 6. (1)** The code of ethics aims to respect the institute's mission by instilling in its employees the values and principles that guide it.

**(2)** The Code of Ethics imposes general guidelines regarding the conduct of the institute's specific activities, in line with the highest ethical standards provided for this purpose.

**Art. 7.** The code of ethics regulates the norms of good conduct in activity for all employees of the institute.

**Art. 8.** The activity of research and development personnel is of national interest and includes:

a) Development of scientific knowledge, which includes the activity of publishing scientific articles;
b) Participation in the transfer of knowledge and technologies in all areas of economic and social life;
c) Participating in the efficient exploitation of the results of research and development activities, for the sustainable development of society.

**Art. 9.** Research and development staff:

a) Assimilates, uses and generates new knowledge and applies best practices in the specific field of activity;
**b)** Respects the research mission, ethics and professional deontology.

# CHAPTER II. ETHICAL PRINCIPLES

## *Section 2.1. General principles governing professional conduct*

**Art. 10.** The ethical principles generally valid for all employees of the Institute are:
(a) **Honesty** - constitutes a basic ethical principle, the lack of which leads to an inappropriate image of the person and the institute; For research to be honest, researchers must ensure concordance between research conduct and its self-presentation in the public space, concordance between their own, personal or institutional research and the positive expectations associated with scientific knowledge and the adoption of working procedures in accordance with the goals and norms valued mostly positively in the field of scientific research;
(b) P**rofessionalism** – principle according to which employees have the obligation to perform their job duties with responsibility, competence, efficiency, fairness and conscientiousness;
(c) **Responsibility –** principle according to which INCD-ECOIND staff is obliged to assume responsibility for the acts and deeds they perform in connection with their own activity; this implies: respect for human subjects of scientific research or experiments, avoiding suffering for animals, protecting the natural environment, preserving ecological balance, promoting social inclusion, democracy and sustainable development, protecting cultural heritage;
(d) **Verifiability** – to ensure credibility and cooperation in research, the public presentation of the procedures and issues related to the collection, processing and interpretation of data must be done in such a way that the research process can be understood by any other researcher,

regardless of whether or not they intend to replicate the research; verifiability is ensured to the extent that the following are mentioned and adopted: transparency of research procedures, ensuring as much as possible access to resources for the research carried out, testing the stability of the results by using alternative data or methods in the knowledge process;
(e) **Knowledge validation** – principle whose measurements are related to previous knowledge on the same topic, external criteria in relation to the given topic, theories in the field, all dimensions or aspects of the concept being measured;
(f) **Impartiality and non-discrimination** - principle according to which INCD-ECOIND staff is obliged to have an objective, neutral attitude towards any political, economic, religious or other interest in the exercise of scientific activity;
(g) **Moral integrity** - principle according to which INCD-ECOIND staff are prohibited from requesting or accepting, directly or indirectly, for themselves or for others, any moral or material advantage or benefit;
(h) **Freedom of thought and expression** – principle according to which INCD ECOIND staff can express and substantiate their opinions while respecting the rule of law and good morals;
(i) **Privacy** – INCD ECOIND employees must guarantee the confidentiality of the information in their possession and refrain from accessing confidential data, except in situations where express authorization has been granted and in accordance with the legislation in force. Personnel are prohibited from using confidential information for purposes not related to the exercise of professional activities.
(j) **Justice and fairness**
(1) Justice and equity are values that INCD ECOIND consistently promotes, always adopting correct attitudes for all its members and resolutely rejecting discrimination and exploitation, regardless of the more direct or subtle nature in which they occur.
(2) Discrimination or unequal treatment of persons, based explicitly or implicitly on extra-professional criteria such as race, ethnicity, religion, political beliefs and others, brings unacceptable violations of their rights and seriously disrupts equal opportunities, which is why it is prohibited, regardless of the forms in which it manifests itself.
(3) The principle of justice and equity also implies that the right to non-discrimination on racial, ethnic, religious, political and other grounds cannot and should not be used in a way that causes reverse discrimination.
(k) **Transparency**
(1) Transparency, as an ethical principle likely to contribute to ensuring equal opportunities in competition and fair access to resources, is practiced and cultivated in INCD ECOIND by making available to those interested all the information that they are entitled to receive, in sufficient quantities and of impeccable quality.
(2) INCD ECOIND ensures transparency regarding the conditions and rules for conducting job competitions, periodic employee evaluations, interviews and promotion procedures, as well as any other information related to the evaluation criteria, their application, the conduct of competitions and the obligations of the positions that candidates are awarded following the competitions.
(3) INCD ECOIND ensures total transparency regarding the funds that it itself, but also other public institutions in the country and abroad, companies, etc. grant for the development of the activities it carries out. Transparency refers not only to the amounts granted, but also to the

manner and efficiency of their use in accordance with the objectives and norms included in the projects on the basis of which they were obtained.

## *Section 2.2 – Principles of the code of ethics regarding RDI activity*

**Art. 11.** The activity of the CDI staff must be governed by the following fundamental principles:

(a) The principle of competence – establishes who is capable and who can carry out a scientific research activity;
(b) The principle of objectification – refers to the object of scientific research and the way in which it should be studied, but also to the researcher's attitude towards the object of his research;
(c) The principle of truth – respecting the truth in the development of documents for national or international competitions;
(d) Methodological principle – refers to the methodology of scientific research, establishing the correlation between the needs of objectifying the data sought in the object subject to scientific research, as well as the need to discover the truth related to the respective object;
(e) The principle of demonstration – claims that any statement (or result) arising from scientific research activity must be demonstrated, proven if it is true and that it belongs as a quality of the object studied;
(f) The principle of correlation – the results arising from the research of an object must be correlated with the data already existing in the respective scientific field or with interdisciplinary data from related scientific fields;
(g) The principle of evaluating results - relates to the methodology and concerns the way of evaluating and using the results obtained from scientific research activity;
(h) The principle of utility – research activity must consider both theoretical and practical use of the resulting data;
(i) The psychomoral principle – refers to both the researcher and the way in which he carries out his activity and concerns the issue of the seriousness and honesty of the research activity, both the scientific and moral responsibility of the researcher towards the research, towards the research results, but at the same time towards the consequences arising from the theoretical or practical application of the research results.

**Art. 12.** Freedom of scientific research is ensured through: free access to information sources, free exchange of ideas, non-interference of the political factor in research - development and innovation activities, non-censorship of scientific products.

**Art. 13.** Cooperation and collegiality in scientific research groups must allow the exchange of ideas, mutual criticism, mutual verification of results, etc., and represents a protection against scientific errors and fraud, ensuring the transparency of results and leading to an increase in the value of scientific products.

**Art. 14.** Respect for intellectual property and intellectual probity avoids cases of fraud or plagiarism.

**Art. 15.** The quantitative criteria for evaluating the results of scientific research must be correlated with those regarding the originality and efficiency of the knowledge process.

**Art. 16.** The primary data that led to the launch of the scientific product must be kept, in safe conditions, for the entire period established by the institute, according to the Internal Archiving Procedure.

**Art. 17.** Primary data must allow the reproducibility of the scientific product in other research groups.

**Art. 18.** Contradictory data, differences in experimental design or practice, differences in data interpretation, and differences of opinion are factors specific to research and development and do not constitute deviations from good research conduct.

**Art. 19.** Conflict of interest analysis is a mechanism for reducing unwanted influences on research results.

**Art. 20.** Sabotage in scientific research must be punished according to legal legislation in the field.

**Art. 21. (1)** Compliance with scientific standards is a guarantee of good conduct in scientific research.

**(2)** The main general scientific standards exclude:

(a) Concealing or removing unwanted results;

(b) Fabricating results;

(c) Replacing results with fictitious data;

(d) Deliberately distorting interpretation of results and distorting conclusions;

(e) Plagiarizing results or publications of other authors;

(f) Deliberately distorting presentation of results of other researchers;

(g) Failure to correctly attribute the authorship of a work;

(h) Introduction of false information in grant or funding applications;

(i) Failure to disclose conflicts of interest;

(j) Misappropriation of research funds;

(k) Failure to record and/or store results, as well as erroneous recording and/or storage of results;

(l) Failure to inform the research team, before starting work on a research project, regarding: salary rights, responsibilities, co-authorship, rights to research results, sources of funding and associations;

(m) Lack of objectivity in evaluations and failure to comply with the confidentiality conditions of evaluation reports, lack of allegations and research reports, etc.;

(n) Repeated publication or financing of the same results as elements of scientific novelty, without mentioning the initial source and/or with insignificant additions;

(o) Failure to recognize the methodologies and results of other researchers as a source of information;

(p) Failure to recognize one's own errors;

(q) Dissemination of one's own results in an irresponsible manner, with exaggerations and repetitions;

(r) Failure to comply with the clauses of grants, contracts, protocols, etc.;

(s) Obstructing some researchers in their work or favoring others;

(t) Accepting or requesting undue benefits in exchange for an action or inaction related to research activity.

# CHAPTER III. RULES OF CONDUCT

## *Section 3.1. General rules of professional conduct*

**Art**. **22**. Compliance with the Constitution and applicable laws in the conduct of the institute's activities - no one can be absolved of liability by invoking ignorance of the legal provisions in force.

**Art**. **23**. Loyalty to the institute

(1) Employees must loyally defend the prestige of the institute and refrain from any act or fact that may harm its image or legal interests.

(2) Institute employees are prohibited from:

- To publicly express assessments that are not in line with reality in relation to the institute's activity, its policies and strategies, or draft acts of a normative or individual nature;
- To make unauthorized assessments in relation to pending litigation to which the institute is a party;
- To disclose information that is not of a public nature, under conditions other than those provided by law;
- To disclose information to which they have access in the course of their work, if such disclosure is likely to attract undue advantages or harm the image or rights of the institute or its employees, as well as of collaborating natural or legal persons;
- To provide assistance or advice to natural or legal persons, in an unofficial setting, with a view to promoting actions against the institute;

**Art**. **24**. Freedom of opinion - In their work, the employees of the institute have the obligation to respect freedom of opinion and not to be influenced by personal considerations or popularity. The expression of opinions must be manifested through a conciliatory attitude, avoiding conflicts caused by the exchange of opinions.

**Art**. **25**. Relationship framework

(1) In internal collegial relations, as well as with collaborating individuals or legal entities, the institute's employees are required to behave based on respect, good faith, fairness and kindness;
(2) Employees are obliged not to harm the honor, reputation and integrity of persons within the institute, as well as persons with whom they come into contact in the exercise of their activity by: using offensive expressions, revealing aspects of their private life, making slanderous complaints or complaints;
(3) The institute's employees must adopt an impartial and justified attitude in carrying out their activities, having the obligation to respect the principle of equality by promoting similar or identical solutions related to the same category of factual situations, eliminating any form of discrimination based on aspects regarding nationality, religious and political beliefs, material status, health, age, gender or other aspects;
(4) Employees who represent the institute within international organizations, educational institutions, conferences, seminars and other activities of an international nature are obliged to promote a favorable image of the entity;
(5) Employees are obliged to inform the management of INCD ECOIND of any personal situation generating legal acts that interfere with the activity carried out within the institute;

**Art. 26.** Prohibition on accepting gifts, services and advantages – employees of the institute must not request or accept gifts, services, favors, invitations or any other advantage, intended for them personally, their family, parents, friends or persons with whom they have had professional collaboration relationships, which may influence their impartiality in carrying out their activity or may constitute a reward in relation to the activity carried out;

**Art. 27.** Objectivity in evaluation
(1) Employees of the institute with management or coordination positions are obliged to ensure equal opportunities and treatment with regard to career development for subordinate employees;
(2) Employees of the institute with management or coordination positions are obliged to examine and objectively apply the professional competence evaluation criteria for subordinate personnel, in accordance with the legislation and internal regulations in force, excluding any form of favoritism or discrimination;

**Art. 28.** Resource use
(1) Employees are obliged to ensure the protection of the institute's property and assets, to avoid causing any damage, acting in any situation as a good owner;
(2) Institute employees are obliged to use working time and assets belonging to the institute only for the performance of the activity related to the position and duties in the job description;
(3) Institute employees who carry out teaching activities are prohibited from using the institute's working time or logistics to carry them out.

## *Section 3.2. Norms of conduct in RDI activity*

**Art. 29.** The norms of good conduct in RDI activity include:

a) Norms of good conduct in research, development, innovation activity;
b) Norms of good conduct in the activity of scientific communication, publication, dissemination and popularization, including in funding applications submitted within project competitions organized from public funds;
c) Norms of good conduct in the activity of institutional evaluation and monitoring of research, development and innovation, evaluation and monitoring of research, development and innovation projects and evaluation of individuals for the purpose of granting degrees, titles, positions, prizes, distinctions, bonuses, attestations or certificates in RDI activity;
d) Norms of good conduct in management positions in RDI activity;
e) Norms of good conduct regarding respect for human beings and dignity, avoidance of animal suffering and protection and restoration of the natural environment and ecological balance;
f) Norms of good conduct in the conduct of the activities of ethics committees of research organizations.

## *Section 3.3. Use and protection of the welfare of animals used for scientific purposes*

**Art. 30.** The rules regulating measures for the protection of animals used for scientific purposes refer to:

a) Replacing and reducing the use of animals in procedures (any invasive or non-invasive use of an animal for experimental or other scientific purposes, with known or unknown results, or for educational purposes that may cause the animal a certain level of pain, suffering, stress or lasting harm equivalent to or greater than that caused by the insertion of a needle with good veterinary practice. This includes any action that aims at or could result in the birth or hatching of an animal or the creation and maintenance of a genetically modified animal line under any of these conditions, but excludes the killing of animals for the sole purpose of using their organs or tissues) as well as improving the methods of raising, housing, care and use of animals in procedures;
b) Origin, breeding, marking, care and housing, as well as killing of animals;
c) Activities of animal breeders, suppliers and users;
d) Evaluation and authorization of projects involving the use of animals in procedures.

**Art. 31**. The animals for which protective measures are applied in their use for scientific purposes are: live non-human vertebrate animals, including larval forms that feed autonomously and fetal forms of mammals from the last third of their development stage, live cephalopods.

**Art. 32**. The principle of replacement, reduction of the use of animals in procedures and improvement of the methods of breeding, housing, care and use of animals in procedures is fulfilled as follows:

a) Whenever possible, a scientifically satisfactory test method or strategy that does not involve the use of live animals shall be used;
b) The number of animals used in projects should be reduced to a minimum, without compromising the objectives of the project involving the use of animals in procedures;
c) All measures must be taken to improve the conditions of raising, housing and care of animals, as well as the methods used in the procedures, by eliminating or minimizing pain, suffering, stress or lasting harm that may be caused to animals.

**Art. 33**. Procedures using animals may only be applied for the following purposes:
a) Basic research
b) Transferable or applied research aimed at: preventing, prophylactic, diagnosing or treating diseases, ill health or other abnormalities or their effects in humans, animals or plants, assessing, detecting, controlling or modifying physiological diseases in humans, animals or plants, animal welfare and improving production conditions for animals raised for agricultural purposes;
c) For any of the purposes set out in letter b) in the development, production and testing of the quality, efficacy and safety of medicines, food and feed and other substances or products;
d) Protection of the natural environment in the interest of human or animal health or welfare;
e) Research for the purpose of species conservation;
f) Higher education or vocational training to acquire, maintain or improve professional skills;
g) Forensic investigations.

**Art. 34**. Killing animals
a) The killing of animals must be carried out only by methods that cause the least amount of pain, suffering or distress;
b) Animals must be killed on the premises of a breeder, supplier or user, by a competent person, trained and qualified for this purpose;
c) In the case of a practical application in the field, the animal may be killed by the competent person according to point b), outside the establishment;

**Art. 35**. Animals captured from the wild
a) Animals captured from the wild shall not be used in procedures.
b) The competent authority may grant exemptions from the prohibition provided for in point a) on the basis of scientific justification, whereby the applicant demonstrates that the purpose of a procedure cannot be achieved by using an animal bred for the procedures;
c) The capture of animals from the wild is done by competent persons and by methods that do not cause the animals pain, suffering, stress or lasting, avoidable harm;

**Art. 36**. Without prejudice to provisions of national law prohibiting certain types of methods, a procedure shall only be carried out if there is no other method or testing strategy accredited

at European Union level to achieve the desired result and which does not involve the use of live animals. When choosing procedures, those that are most likely to provide satisfactory results and that best meet the following requirements should be selected:

a) Uses a minimum number of animals;
b) Involves animals with the lowest capacity to feel pain, suffering, distress or lasting harm;
c) Causes the least amount of pain, suffering, distress or lasting harm.

**Art. 37.** (1) Personnel carrying out scientific activities using animals for this purpose must have the necessary education and training before carrying out any of the following activities:

a) Performing procedures on animals;
b) Design of procedures and projects involving the use of animals in procedures;
c) Animal care;
d) Killing animals.

(2) Persons carrying out the activities provided for in Art. 30 point b) must be licensed in a scientific discipline relevant to the activity carried out and have specific knowledge of the species;

**Art. 38.** Establishments carrying out scientific activities using fish for this purpose must take into account the following:

a) An adequate flow of water of appropriate quality must be ensured at all times;
b) The oxygen concentration must be appropriate to the species and context in which the fish are housed, and the pH value level must be adapted to the species and kept as stable as possible;
c) The temperature must be maintained within the optimal range for the fish species involved and at a value as stable as possible, with temperature changes being made gradually;
d) Noise levels must be kept to a minimum;
e) Handling of fish should be reduced to the bare minimum.

## CHAPTER IV. VIOLATIONS AND SANCTIONS

### *Section 5.1. Deviations from the general rules of conduct and applicable sanctions*

**Art. 39.** Misconduct of INCD ECOIND employees regarding loyalty to the institute:

a) Manifestations through acts or facts that harm the prestige of the institute, which may harm its image or legal interests;
b) Expressing in public assessments that are not in line with reality in relation to the institute's activity, its policies and strategies, or draft acts of a normative or individual nature;

c) Expressing unauthorized opinions in relation to pending litigation to which the institute is a party.
d) Disclosure of non-public information, under conditions other than those provided by law;
e) Disclosure, by the institute's staff, of information to which they have access in the course of their work, if this disclosure is likely to attract undue advantages or harm the image or rights of the institute or its employees, as well as of collaborating natural or legal persons;
f) Providing assistance or consultancy to natural or legal persons, in an unofficial setting, with a view to promoting actions against the institute.

**Art**. **40**. Violations of INCD ECOIND employees regarding freedom of opinion by demonstrating a conflicting attitude during exchanges of opinions.

**Art**. **41**. Misconduct of INCD ECOIND employees in relations:
a) Manifestation of bad faith, ill will, unfairness and lack of mutual respect in internal collegial relations, as well as with collaborating individuals and/or legal entities;
b) Manifestations through acts or facts that harm the honor, reputation and integrity of persons within the institute, as well as the persons with whom they come into contact through the exercise of their activity: using offensive expressions, revealing aspects of private life, making slanderous complaints or complaints;
c) Adopting an impartial and unjustified attitude in carrying out the activity, without respecting the principle of equality by promoting similar or identical solutions related to the same category of factual situations; manifestation of any form of discrimination;
d) Promoting an unfavorable image of the institute by employees representing it within international organizations, educational institutions, conferences, seminars and other activities of an international nature.

**Art**. **42**. Requesting or accepting by INCD ECOIND employees gifts, services, favors, invitations or any other type of advantage intended for them personally, their family, parents, friends or people with whom they have had professional collaboration relationships, which may influence impartiality in relation to the activity carried out.
**Art**. **43**. Deviations regarding objectivity in evaluation:
a) Failure to respect equal opportunities and treatment of employees with management or coordination positions regarding the career development of employees in the subfamily;
b) Manifestation of subjectivism by employees with management or coordination positions in the examination and application of professional competence evaluation criteria for subordinate personnel.

**Art**. **44**. Misconduct of INCD ECOIND employees regarding the use of resources:
a) Causing any damage to the property and/or assets of the institute;
b) Use of working time and/or assets belonging to the institute outside the performance of the activity related to the position and duties in the job description;
c) Removing or introducing material goods from the institute without legal forms.

**Art. 45.** The following may also constitute deviations from the norms of good conduct:

a) political, religious or ideological propaganda carried out in the INCD ECOIND space or in connection with INCD ECOIND actions;
b) the carrying out in the INCD ECOIND space of activities offensive to cults that operate legally in Romania;
c) any manifestation or behavior of a misogynistic, nationalist-chauvinist nature, incitement to racial or national hatred, any discriminatory treatment on grounds of political or sexual orientation or affiliation, religious beliefs, ethnicity, disability or social origin;
d) carrying out actions intended to lead to the loss of patrimonial or non-patrimonial rights legally acquired by INCD ECOIND;
e) carrying out actions intended to discredit INCD ECOIND or to seriously affect its image and prestige;
f) destruction, alteration or falsification of documents and databases of INCD ECOIND, as well as their use for illicit purposes;
g) any behavior that violates dignity and creates an intimidating, degrading, humiliating or offensive atmosphere directed against a person or group of people or that creates a hostile or conflictual work climate;
h) abuse of authority against an employee of INCD ECOIND, regardless of the position held within INCD ECOIND;
i) Repeatedly making manifestly unfounded complaints or reports against a colleague;
j) moral harassment at work, namely any abusive conduct, through gesture, word, attitude that frequently and repeatedly harms the dignity or physical or mental integrity of a person, endangering their activity or degrading the climate of INCD ECOIND activities;
k) the action of ridiculing, humiliating, insulting or isolating an employee of INCD ECOIND;
l) possession, consumption or sale of drugs, ethnobotanical substances, alcoholic beverages within the premises of INCD ECOIND or during business trips;
m) possession or dissemination of obscene or pornographic materials within the premises of INCD ECOIND;
n) possession, without right, within the premises of INCD ECOIND, of any type of weapons or other instruments, such as ammunition, firecrackers, firecrackers or any device or apparatus which, through their action, may affect the physical and mental integrity of INCD ECOIND staff;
o) committing acts of violence within the premises of INCD ECOIND or against persons who are part of the INCD ECOIND team, as well as instigating such acts;
p) damage to the prestige of INCD ECOIND as a result of committing a crime for which guilt was established by a final court decision;
q) discrediting a colleague's professional performance or research results, making inappropriate comments about them;
r) failure to comply with the provisions on incompatibility and conflict of interest;
s) the direct or indirect solicitation or obtaining by INCD ECOIND employees of material benefits, sexual relations, personal services, of any type, from persons who are or will be in the process of evaluation, hiring or promotion;
ș) offering, directly or indirectly, material benefits, sexual relations, personal services of any type to INCD ECOIND employees in exchange for indulgence or favoritism;

t) clientelistic trafficking in competitions for filling positions or for promotion, including the practice of hierarchical or collegial interventions;
ț) fraud in competitions, modification of competition results, substitution of papers or the identity of the examined persons;
u) the dedication by INCD ECOIND employees of a significant part of the time allocated to professional activity to other activities unrelated to the professional duties of INCD ECOIND employees.

**Art. 46. (1)** Sanctions for deviations from the norms of professional conduct are applied in accordance with Art. 248 of the Labor Code, as follows::

a) Written warning;
b) Demotion from position, with the granting of the salary corresponding to the position to which the demotion was ordered, for a period that cannot exceed 60 days;
c) c) Reduction of the basic salary, cumulated when applicable with the management allowance for a period of 1-3 months by 5-10%;
d) Removal from management position
e) Disciplinary termination of the employment contract

(2) The sanction is automatically deleted within 12 months of its application, if the employee is not subject to a new sanction within this period. Delete sanctions.

## *Section 5.2. Deviations from the norms of good conduct in RDI activity and applicable sanctions*

**Art. 47.** Deviations from the norms of good conduct provided for in Art. 29. point a), to the extent that they do not constitute crimes, according to the criminal law, include:

a) The production of results or data and their presentation as experimental data, as data obtained through calculations or numerical simulations on a computer, or as data or results obtained through analytical calculations or deductive reasoning;
b) Falsification of experimental data, data obtained through calculations or numerical simulations on a computer, or data or results obtained through analytical calculations or deductive reasoning;
c) Deliberately hindering, preventing or sabotaging the RDI activity of other persons, including by unjustified blocking of access to research, development and innovation spaces, by damaging, destroying or manipulating experimental apparatus, equipment, documents, computer programs, data in electronic format, organic or inorganic substances or living matter necessary for other persons to carry out, carry out or complete RDI activities;
d) Obstructing the activity of an ethics committee, an analysis committee or the CNESTDI (National Council for Ethics in Scientific Research, Technological Development and Innovation), during an analysis of deviations from good conduct in the activity of the subordinate RDI;
e) Failure to comply with the legal provisions and procedures intended to comply with the norms of good conduct in the activity of the CDI provided for in Law no. 183/2024, in

Law no. 199/2023, with subsequent amendments and completions, in the Code of Ethics and in the codes of ethics by field, in the Internal Regulations of the institute, including failure to implement the sanctions established by the ethics committee or by CNESDTI.

**Art. 48. (1)** Deviations from the norms of good conduct provided for in Art. 29. point b), to the extent that they do not constitute crimes, according to criminal law, include:

a) Plagiarism;
b) Self-plagiarism;
c) Including in the list of authors of a scientific publication one or more co-authors who did not significantly contribute to the publication or excluding co-authors who did significantly contribute to the publication;
d) Including in the list of authors of a scientific publication a person without his/her consent;
e) Unauthorized publication or dissemination by authors of unpublished results, hypotheses, theories or scientific methods;
f) Introducing false information regarding the RDI activity in grant or funding applications, in candidacy files for habilitation or in competition or exam registration files for research, development, innovation positions;

(2) The co-author of a scientific paper is obliged to:

a) make substantial contributions to the conception or design of the scientific work, to the acquisition, analysis or interpretation of data for the work;
b) draft the scientific work or review it for appropriate scientific content;
c) give final approval to the version to be published;
d) be familiar with all aspects of the content of the scientific work, to ensure that questions related to the accuracy or integrity of any part of the work are properly analyzed and resolved.

(3) Other practices that violate research ethics are the following:

a) Granting the authorship of another person by the actual author of the scientific work, often done with the aim of a form of reciprocity.
b) Granting the authorship of another person by the actual author of the scientific work, without there being a qualified contribution of the latter to the completion of that work, as a gesture of respect or to honor that person.
c) Adding other renowned people in a certain field of activity to the list of authors in order to give credibility or prestige to an author or to the respective scientific work, without those people having contributed to the completion of that scientific work.
d) Obliging the members of the research team, by the project director, to be mentioned as co-author in all scientific works resulting from that project or developed by the employees of the institute.
e) Publishing a scientific work several times with the same or similar content, having other people mentioned as authors or co-authors, with the aim of artificially increasing the recognition
f) Mentioning one or more fictitious persons as co-authors of a scientific paper.

**Art. 49.** Deviations from the norms of good conduct provided for in Art. 29. point c), to the extent that they do not constitute crimes, according to criminal law, include:

a) Failure to disclose situations of conflicts of interest and incompatibilities or in the performance or participation in assessments;
b) Fraud in the assessment;
c) Failure to respect confidentiality in the assessment;
d) Discrimination, within the framework of assessments, on the basis of age, ethnicity, gender, social origin, political or religious orientation, sexual orientation or other types of discrimination, except for affirmative measures provided for by law.

**Art. 50.** Deviations from the norms of good conduct provided for in Art. 29. point d), to the extent that they do not constitute crimes, according to criminal law, include:

a) Abuse of authority to obtain the quality of author or co-author of publications of subordinates;
b) Abuse of authority to obtain salary, remuneration or other material benefits from research, development and innovation projects led or coordinated by subordinates;
c) Abuse of authority to obtain the quality of author or co-author of publications of subordinates or to obtain salary, remuneration or other material benefits for spouses, in-laws or relatives up to the third degree inclusive;
d) Abuse of authority to unjustifiably impose one's own theories, concepts or results on subordinates;
e) Obstruction of the activity of an ethics committee, an analysis committee or CNESDTI, during an analysis of deviations from good conduct in the activity of subordinate RDI;
f) Failure to comply with the legal provisions and procedures intended to comply with the norms of good conduct in the activity of the CDI provided for in Law 183/2024, in Law 199/2023 with subsequent amendments and completions, in the Code of Ethics, in the Internal Regulations of the institute, including failure to implement the sanctions established by the ethics committees or CNESDTI.

**Art. 51.** Deviations from the norms of good conduct provided for in Art. 29. point e.), to the extent that they do not constitute crimes, according to the criminal law, are both those detailed in the Codes by field and those mentioned in the Internal Regulations of the INCD ECOIND.

**Art. 52.** The following situations may also attract ethical liability by association for deviations from good conduct in R&D activity:

a) Active participation in misconduct committed by others;
b) Knowledge of misconduct committed by others and failure to notify the ethics committee or CNESDTI;
c) Co-authorship of publications containing falsified or fabricated data;
d) Failure to fulfill legal and contractual obligations, including those related to the mandate contract or funding contracts, in the exercise of management functions or coordination of RDI activities.

**Art. 53**. (1) Deviations from the norms of good conduct provided for in Art. 29. point f.), to the extent that they do not constitute offenses, according to criminal law, include failure to fulfill legal obligations by the ethics committee of INCD ECOIND:

(2) Serious deviations from good conduct in RDI activity are the following:

a) plagiarism of other authors' results or publications
b) fabrication of results or replacement of results with fictitious data
c) introduction of false information in grant or funding applications

**Art. 54.** Contradictory data, differences in theoretical, experimental or practical conception, material citation errors, differences in data interpretation, differences in opinion are factors specific to research, development and innovation and do not constitute deviations from good conduct, if they are expressed in a manner that does not prejudice the provisions of this Code of Ethics.

**Art. 55.** (1) Conflicts of interest situations within the activities of the CDI are the following:

a) the simultaneous holding of positions by persons who are in a relationship of spouses, in-laws, relatives up to the third degree inclusive, so that each is in a direct position of management, control, authority or institutional evaluation at any level within the institute;
b) participation as a member in doctoral committees, evaluation committees or competition committees, in the event that the decision affects spouses, relatives or in-laws up to the third degree inclusive;
c) participation in the same committee, established according to the law, of persons who have the status of spouse, relative or in-law up to the third degree inclusive;
d) the participation of a person, who is a member of a committee or council of the MCID, in the analysis of a situation related to INCD ECOIND of which he is a member of the research community;
e) other specific situations established in normative acts applicable to evaluation procedures, including in the information packages of project competitions, in compliance with the legal regulations in force.

(2) A person cannot participate directly, as an evaluator expert, or indirectly, by making nominal decisions of direct selection or exclusion of the evaluator experts tasked with the evaluation of the institute, a project, a tender or a candidate, if that person is part of the staff list of the institute, the project or tender evaluated or of other projects or tenders submitted for funding under the same funding line, tenders or requests for tenders or if they are in the following relationship with the candidate or with the persons on the staff list of the projects, tenders or institute: they are spouses, in-laws or relatives up to the second degree inclusive.

(3) In accordance with Law No. 183/2024, the staff list of a project or a tender is made up of the persons nominated in the project proposal or tender subject to evaluation, including the project director and, in the case of projects carried out in partnership with several research organizations, the project managers.

**Art. 56**. (1) For deviations from good conduct in the activity of the CDI by the CDI staff, depending on the seriousness of the acts and the previous commission of similar acts and the application of one or more of the following sanctions are provided:

a) Written warning;

b) Permanent withdrawal and/or correction of all works published in violation of the rules of good conduct;
c) Reduction of the basic salary by no more than 20% for a period of maximum 1 month, cumulated, when applicable, with the management, guidance and control allowance and the increases related to the research and development function.
d) Suspension, for a specified period of time between 1 and 5 years, of the right to register for an examination to obtain a higher professional degree or a management, guidance and control position or as a member of examination or competition committees;
e) Removal from the management position at the institute;
f) Disciplinary termination of the individual employment contract.

A**rt. 57.** Sanctions are intended to prevent cases of misconduct and preserve the prestige of the institute.

**Art. 58.** Sanctions may be cumulative, where appropriate.

**Art. 59.** The sanctions provided for in Art. 46 do not absolve those guilty of the application of other legal regulations in force. If it is considered that some situations meet the constitutive elements of crimes, the Institute Management will notify the competent state bodies.

## CHAPTER V. MONITORING AND CONTROL OF THE APPLICATION OF ETHICAL NORMS OF CONDUCT – ANALYSIS OF COMPLAINTS AND COMPLAINTS

### *Section 5.1. Activity of the Ethics Advisor of INCD ECOIND*

**Art. 60.** In order to comply with and monitor the implementation of the general principles and norms of professional conduct within INCD ECOIND, the ethics advisor plays an active role in preventing violations of the norms of conduct provided for in this code.

**Art. 61.** In order to effectively apply the provisions of this code and the internal regulations in force regarding ethics and integrity at the institute level, the ethics advisor of INCD ECOIND offers confidential ethics advice based on a formal request or on his/her own initiative when, from the conduct of one or more employees, the need for improvement of behavior arises. The ethics advisor is obliged not to communicate information regarding the activity carried out except in the situation where the reported aspects may constitute a criminal offense.

**Art. 62.** The Ethics Advisor of INCD ECOIND is a person within the institute appointed by decision of the Director General, based on the following cumulative conditions::

a. Has completed higher education

b. Has openness and availability to fulfill the duties incumbent on him/her

c. Has recognized moral integrity

d. Has not been subject to a disciplinary sanction that has not been expunged under the law

e. No administrative investigation is underway against him/her within the disciplinary procedure, under the law

f. No criminal prosecution has been ordered against him/her for committing a crime against national security, against authority, corruption or official offenses, forgery or against the administration of justice

g. Is not in an evaluation procedure conducted by the authority responsible for ensuring integrity and preventing institutional corruption, under the law

h. Is not a spouse, relative or in-law up to the second degree of the General Director or the Chairman of the Board of Directors or his/her legal substitute

i. He has no financial or business relationships with any of the aforementioned persons.

**Art**. **63**. The main duties of the ethics advisor are::

a. Monitors the application and compliance with the principles and norms of conduct by the institute's staff and prepares reports and analyses on them;
b. Carry out ethical counseling, based on the written request of the institute's staff or on its own initiative, when the employee does not address it with a request, but the conduct adopted results in the need to improve his behavior;
c. Develops analyses regarding the causes, risks and vulnerabilities that manifest themselves in the activity of the employee staff within INCD ECOIND that could lead to a violation of the principles and norms of conduct, which it submits to the Director General and proposes measures to eliminate the causes, reduce risks and vulnerabilities;
d. Organizes information sessions for the employees of INCD ECOIND regarding general ethical norms, changes to the regulatory framework in the field of ethics and integrity or in the field of preventing and combating acts and facts of corruption;
e. It signals institutional practices and procedures that could lead to violations of the principles and norms of conduct in the activity of INCD ECOIND's paid staff;
f. Analyzes notifications and complaints made by third parties (clients, collaborators, partners, etc.) regarding the behavior of staff who ensure direct relations with them and formulates general recommendations, without intervening in the activity of disciplinary committees;
g. May directly ask questions or apply questionnaires to third parties (clients, collaborators, partners, etc.) regarding the behavior of the staff who ensure the relationship with the public, as well as regarding their opinion about the quality of institutional interaction with INCD ECOIND;
h. Informs the public about compliance with obligations and norms of conduct by preparing annual reports published on the institute's website.

**Art. 64.** INCD ECOIND employees cannot be sanctioned or prejudiced in any way for having contacted the ethics advisor with a request to receive advice on compliance with the principles and norms of conduct.

## *Section 5.2. The activity of the Ethics and Professional Deontology Commission within the INCD ECOIND*

**Art. 65.** (1) The research organization is responsible for respecting ethical norms and values in research, development and innovation, so that, within INCD ECOIND, a professional ethics and deontology committee has been established.

(2) The Ethics and Professional Deontology Commission of INCD ECOIND is an advisory body, without legal personality, and operates under the Scientific Council of INCD ECOIND.

(3) The Ethics and Professional Deontology Commission of INCD ECOIND is an advisory body, without legal personality, and operates under the Scientific Council of INCD ECOIND.

**Art. 66.** The duties of the INCD ECOIND Ethics and Professional Deontology Commission are as follows:

a) monitors compliance with the code of ethics of INCD ECOIND and the codes by field

b) appoints analysis committees to examine complaints regarding deviations from good conduct in the CDI activity brought to their attention through complaints or self-notification.

c) analyzes and resolves complaints regarding deviations from the norms of good conduct in the CDI activity within INCD ECOIND

d) contributes to the development and amendment of the institute's Code of Ethics

e) other duties provided by law.

**Art. 67.** (1) The structure and composition of the Ethics and Professional Deontology Commission is proposed by the Scientific Council of INCD ECOIND and approved by Decision of the General Director of INCD ECOIND;

(2) The ethics committee is composed of 4 people: a committee chair, 2 members and a committee secretary;

(3) The dismissal of the members of the Ethics Committee is motivated, by Decision of the Director General upon the proposal of the Scientific Council;

(4) Renunciation of membership of the Ethics Committee is made with a reasoned request to the General Director of INCD ECOIND;

(5) Persons who hold any of the following positions within INCD ECOIND cannot be members of the Ethics Committee: General Director, President of the Board of Directors or President of the Scientific Council;

(8) The presence of members of the Professional Ethics Committee at meetings is mandatory.

(9) The members of the Professional Ethics Committee of INCD ECOIND are replaced in the following cases:

a) in case of termination of the quality of employee of the institute
b) in case of incompatibility of the quality of membership
c) if they commit serious violations of ethical conduct
d) if they accumulate 3 consecutive unexcused absences from the meetings of the Ethics and Professional Deontology Commission of INCD ECOIND
e) if they accumulate 5 unexcused absences from the meetings of the Ethics and Professional Deontology Commission of INCD ECOIND during a calendar year.

(10) In the situations provided for in paragraph (9) letters a), b), c), a new member of the Ethics and Professional Deontology Commission will be appointed, upon the proposal of the Scientific Council and the approval by Decision of the General Director of INCD ECOIND.

(11) For the situations provided for in paragraph (9) letters d) and e) a substitute member will be summoned to replace the absent member.

**Art. 68.** The President of the Ethics and Professional Deontology Commission of INCD ECOIND convenes the members, chairs the meetings, coordinates the activity of the Commission and represents the relations regarding good conduct in RDI activity with the management of the institute, with the Scientific Council of INCD ECOIND and with other RDI organizations.

**Art. 69.** The Secretary of the Ethics and Professional Deontology Commission of INCD ECOIND has the following duties:
a) ensures the organizational part of the activities of the Ethics Commission
b) drafts reports, meeting minutes and keeps track of the Commission's documents
c) provides the members of the Ethics Commission, within 48 hours of each meeting, with a minute of the meeting, in electronic format, in which it records the list of participating members, the topics discussed and the decisions adopted.
d) ensures the transmission of communications, summonses and documents related to the topics discussed on the agenda
e) handles communication between the Ethics Commission and the persons summoned to the hearings
f) ensures the connection between the members of the Ethics Commission.

**Art. 70.** (1) The activity of the Ethics and Professional Deontology Commission of INCD ECOIND is carried out in ordinary meetings (annually) and extraordinary meetings (whenever necessary), at the headquarters of INCD ECOIND Bucharest.

(2) The meeting of the Ethics and Professional Deontology Committee of INCD ECOIND is held based on the convocation by the chairman of the committee, at least 3 working days before the date of the meeting.

(3) In the event of receiving a complaint, the Ethics and Professional Deontology Commission of INCD ECOIND meets in session to qualify the reported facts, within a maximum of 15 working days from the date of their receipt.

(4) After each meeting, the Ethics Committee draws up a Minutes of the meeting signed by all members of the Committee.

(5) The Ethics Committee prepares an annual report on the status of compliance with ethical norms within INCD ECOIND, which is presented to the Director General and the Board of Directors of INCD ECOIND and constitutes a public document.

(6) The members of the INCD ECOIND Ethics and Professional Deontology Commission act in the interest of the institute, free from any external constraints and according to their own conscience.

(7) The INCD ECOIND employees fall under the jurisdiction of the INCD ECOIND Ethics and Professional Deontology Commission.

(8) Under the jurisdiction of the INCD ECOIND Ethics and Professional Deontology Commission are both those that take place inside the INCD ECOIND premises and those that take place outside them, to the extent that they involve employees of the institute.

(9) Regardless of the situations arising as a result of the application of paragraphs (3) and (4), no person may be subject to a double procedure for the same deviation from the ethical norms in R&D activity.

**Art. 71**. Notification to the INCD ECOIND Ethics and Professional Deontology Commission is carried out as follows:

a) Any person within INCD ECOIND or outside it may notify the INCD ECOIND Ethics and Professional Deontology Commission of possible deviations from the norms of good conduct in the CDI activity, committed by INCD ECOIND employees.

b) The notification must be made within a maximum of 30 days from the date on which the person entitled to make the notification became aware of the deviation from the norms of good conduct in the CDI activity, but no more than 1 year and 6 months from the date of the act. By way of exception, notifications regarding cases of plagiarism may be submitted throughout the duration of copyright protection, according to the legislation in force.

c) Any member of the INCD ECOIND Ethics and Professional Deontology Commission may self-notify for the analysis of facts, situations or documents likely to violate the norms of good conduct in the CDI activity. Self-reporting cannot be made later than 1 year from the date of the crime.

**Art. 72.** Confidentiality of the procedure:

(1) The Ethics and Professional Deontology Commission of INCD ECOIND and the Analysis Commission keep the entire procedure carried out as a result of a notification/self-notification confidential, except in situations where this is not objectively possible. The confidential nature of the procedure is also mandatory for other participants in the specific activities of analyzing ethical violations in the CDI activity.

(2) During the analysis of a deviation from the norms of good conduct in the CDI activity, third parties will not be allowed access to the file, with the exception of state bodies authorized to investigate the respective act.

(3) The act that is supposed to constitute a deviation from the norms of good conduct in the CDI activity will be reported in writing to the institute's registry. The reports are signed by the author and submitted in a closed envelope, with the mention "For the attention of the Ethics and Professional Deontology Commission of INCD ECOIND". At the time of submission, the registry staff will not record the name of the submitter, but will only assign a registration number recording the nature of the registration "Ethics Commission Notification".

(2) Anonymous reports will be filed without verification.

(3) The provisions of paragraphs (1) and (2) also apply in the case of self-referral.

**Art. 73.** (1) The content of the notification will include:

a) the identification data of the person notifying the Ethics Committee and his/her contact details
b) description of the act considered to represent a deviation from the norms of good conduct in the activity of the CDI
c) presentation of the evidence on which the notification is based, as well as any other information considered useful for resolving the notification
d) signature of the person making the notificationsesizarea

(2) The content of the notification will indicate the identity of the person allegedly guilty of the alleged misconduct, to the extent that this is known.

(3) The provisions of paragraphs (1) and (2) also apply in the case of self-referral.

(4) In the event that related cases are notified/self-notified, the INCD ECOIND Ethics and Professional Deontology Commission may connect the notifications/self-notified, analyze them together, and issue a single decision.

**Art. 74.** (1) The notification/self-notification that does not include at least the elements indicated in art. 73 paragraph (1) letters a) and b) will be classified by the Commission of Ethics and Professional Deontology of INCD ECOIND.

(2) If the notification includes the elements indicated in art. 73 par. (1) let. a) and b), but is not signed, the Commission of Ethics and Professional Deontology of INCD ECOIND will immediately request the person whose identification data is indicated as the author of the notification to present himself in order to sign it. At the time of the person's presentation, the Commission of Ethics and Professional Deontology of INCD ECOIND, as the case may be:
a) It mentions in the notification that the signature was given in his presence, indicating the day on which the notification was signed. In this case, the term provided for in art. 70, is calculated from the date of signing.
b) It records that the person whose identification data are indicated in the notification refuses to sign it, which leads to the filing of the notification.

(3) In the situation of paragraph (2), if the person cannot be contacted or does not respond in any way to the request of the INCD ECOIND Ethics and Professional Deontology Commission, the procedure before the commission is suspended until the person appears, but not more than 30 calendar days, when the procedure will be carried out according to paragraph (2).

**Art. 75.** (1) To ascertain the nature of the imputed facts and their qualification as deviations from the norms of good conduct in the CDI activity, the Ethics Committee appoints an analysis committee consisting of no more than 3 members.

(2) The decision to appoint the Analysis Committee constitutes an act of disposition of the Ethics and Professional Deontology Committee of INCD ECOIND.

(3) The members of the analysis committee are required to submit a declaration on their own responsibility that they are not in a conflict of interest.

(4) Persons who hold any of the positions of General Director, member of the Board of Directors, member of the Scientific Council, nor full or alternate members of the Ethics and Professional Deontology Commission of INCD ECOIND may not be members of the Analysis Commission.

(5) By the decision to appoint the review committee, the Ethics and Professional Deontology Committee of INCD ECOIND will establish the types of activities it can perform and the deadline within which these activities must be performed. The review committee may not perform any other activity than those for which it was authorized by the Ethics Committee.

(6) The appointment of an analysis committee does not entail any prohibition for the INCD ECOIND Ethics and Professional Deontology Committee to carry out any of the activities

necessary to resolve the complaint, even if the respective activity was entrusted to the analysis committee, nor to redo or resume the respective activity.

(7) The analysis committee is empowered, within the limits of the mandate granted by the Ethics and Professional Deontology Committee of INCD ECOIND, to conduct the investigation of the case, administering any evidence necessary to find out the truth, including hearing the author of the complaint, the person complained about, the witnesses and, if necessary, the parties or other persons involved in the procedure give their consent by confronting them.

**Art. 76.** (1) The members of the Ethics Committee and the Analysis Committee are subject to the incompatibility cases provided for by the Code of Civil Procedure.

(2) The request for recusal of all members of the Ethics Committee or all members of an analysis committee is inadmissible.

(3) The request for recusal or declaration of abstention of a member of the Ethics Committee will be resolved by the other members of the Ethics and Professional Deontology Committee of INCD ECOIND.

(4) The request for recusal or declaration of abstention of the members of the analysis committee will be resolved by the other members of the Ethics and Professional Deontology Committee of INCD ECOIND.

(5) The request for recusal or declaration of abstention will be admitted even in the event of a tie of votes.

(6) In case of acceptance of the request for recusal or the declaration of abstention concerning a member of the analysis committee, the Ethics Committee will appoint another person or, as the case may be, may decide to appropriately reduce the size of the analysis committee.

**Art. 77.** (1) The person complained about will be informed about the procedure, during the analysis of the case, by registered letter with acknowledgement of receipt, by notification with acknowledgement of receipt or by other means of communication, which ensures acknowledgement of receipt of the complaint, in order to formulate a written position regarding the imputed facts.

(2) In the communication addressed to the person complained about, the Ethics Committee or the analysis committee will specify the content of the complaint, the nature of the information requested and will invite them to express any objections regarding the capacity of the members of that committee to analyze the case.

(3) The lack of a written position and, in general, the lack of cooperation of the parties will not prevent the conduct of the proceedings by the Ethics Committee or the Analysis Committee.

**Art. 78.** (1) In the event that the parties need to be heard, they will be notified by registered letter with acknowledgment of receipt, by notification with acknowledgement of receipt or by other means of communication that ensures that they are informed of the date, time and place of the hearing, at least 3 days before it.

(2) If a hearing is not possible, the parties will be requested to submit a written position.

(3) If deemed necessary, the Ethics Committee or the Analysis Committee may propose a confrontation between the parties, with their consent.

**Art. 79.** (1) At the request of the parties or ex officio, any person who possesses information necessary to resolve the case may be summoned.

(2) Throughout the investigation, the parties may be requested, in writing or orally, for information or clarification regarding the details of the case.

(3) If necessary, the Ethics Committee or the Analysis Committee may proceed to confront the parties with the summoned persons or the summoned persons with each other, with their consent.

(4) The statements of any person heard by the committee shall be recorded in writing, under the signature of the person heard.

(5) If the person cannot sign, the statement will be certified by one of the members of the Ethics Committee or, as the case may be, of the analysis committee.

(6) If the person refuses to sign, a mention to this effect will be made by one of the members of the Ethics Committee or, as the case may be, of the analysis committee.

**Art. 80.** (1) In situations where it is necessary, the Ethics Committee or, as the case may be, the Analysis Committee, may call on specialists or consult any structure of the institute in order to resolve the complaint.

(2) The Ethics Committee or the Analysis Committee may request from the persons involved in the procedure or any other structure of the institute the documents that are necessary for resolving the complaint. The documents shall be sent to the Committee in a copy conforming to the original.

(3) If the Ethics Committee or the Analysis Committee considers that the nature of the problem allows for reconciliation, this solution will be proposed to the parties. If reconciliation takes place, the Ethics Committee or the Analysis Committee will take note, and the complaint will be resolved amicably.

**Art. 81.** (1) During the analysis procedure, the Analysis Committee prepares for each meeting a Minutes signed by all members of the Analysis Committee.

(2) The analysis commission, by secret vote, with a simple majority of its members, may decide to declare the accused person innocent or to declare the accused person guilty, at the same time establishing one or more of the sanctions provided for in art. 56.

**Art. 82.** (1) The analysis committee shall prepare a report, within 60 days from the date of receipt of the complaint, which shall be approved by the Ethics and Professional Deontology Committee of INCD ECOIND within 30 days from the receipt of the report of the analysis committee, shall be communicated to the author of the complaint in writing and shall be made public on the institute's website, within 10 calendar days from the date of the finality of the CNESDTI decision, by which the appeal to the report approved by the ethics committee was resolved or from the date of the finality of the court decision, by which the request for summons in administrative litigation was resolved, having as its object the annulment of the report approved by the ethics committee and/or the CNESDTI decision by which the appeal to the report approved by the ethics committee was resolved, as the case may be.

(2) The term provided for in paragraph (1) is suspended for the period during which the receipt of views/responses/documents from the parties involved in the notification is expected.

(3) In case of finding deviations from the norms of good conduct in the CDI activity, the report mentions the guilty persons, as well as one or more of the sanctions provided for in Art. 56. The persons may be others than those mentioned in the text of the notification.

(4) The report of the analysis committee is endorsed by the legal advisor of the institute or by its lawyer. The legal responsibility for the decisions and activity of the analysis committee lies with the institute.

(5) The report of the analysis committee, approved by the ethics committee, may be contested at CNESDTI by the person or persons found guilty or by the author of the complaint.

The analysis committee will submit to CNESDTI all the documentation that formed the basis for issuing the contested report.

(6) The report remains posted on the institute's website for a maximum period equal to the longest duration of the sanctions adopted, but not less than 2 years.

(7) If a complaint has not been submitted to CNESDTI within 20 working days from the date of the communication provided for in paragraph (1), the sanctions established by the analysis committee are implemented by the General Director of INCD ECOIND within 60 calendar days from the date of the communication of the report.

(8) If the deadline indicated by the Commission of Ethics and Professional Deontology of INCD ECOIND for the performance of the activities by the Analysis Commission is not respected, the Commission of Ethics and Professional Deontology of INCD ECOIND may resolve the complaint in the absence of the Analysis Report.

**Art. 83.** (1) If, following consultation with the institute's legal advisor or its lawyer, there are indications that the acts committed by the employees constitute crimes, the Ethics Committee will notify the institute's management bodies in order to initiate legal proceedings.

(2) If the Ethics and Professional Deontology Committee finds that the complaint is not within its competence, it will close the case, decline its competence and send the complaint to the competent internal Committees of the institute, in order to resolve it.

**Art. 84.** The author of the complaint benefits from the following rights:
a) Ensuring confidentiality
b) To be advised on the submission of a correctly drawn up complaint, in which case the advice cannot be provided by the members of the Commission of Ethics and Professional Deontology of INCD ECOIND
c) To be assisted by a lawyer or to be represented
d) To know the composition of the Analysis Commission, if it is appointed
e) To have access to the files and to make requests
f) To challenge the report of the Analysis Commission approved by the Commission of Ethics and Professional Deontology of INCD ECOIND, under the terms of the law.

**Art. 85.** The person complained about has the following rights:
a) Ensuring confidentiality
b) To be assisted by a lawyer or to be represented
c) Presumption of innocence
d) To know the composition of the Analysis Commission, if it is appointed
e) To have access to the file documents and to make requests
f) To challenge the Analysis Commission report approved by the Ethics and Professional Deontology Commission of INCD ECOIND, under the terms of the law.

**Art. 86.** (1) The confidentiality of the files of the Ethics Committee and the Analysis Committee is ensured even after the completion of the assessment of the facts, with the following exceptions:
a) access by authorized state bodies, when the act is the subject of an official investigation and with respect for data confidentiality
b) access by researchers in the field of ethics and professional deontology, with respect for the legal provisions regarding the protection of personal data.

(2) The files of the Ethics Committee or the Analysis Committee will be destroyed within 1 year from the date of completion of all stages of the procedure (including that before the courts).

## CHAPTER VI. FINAL PROVISIONS

**Art. 87.** The code of ethics will be disseminated to all branches / departments / compartments / laboratories of the institute, through the heads of these structures, who will bring it to the attention of subordinate employees upon signature.

**Art. 88.** Each employee is required to read this Code of Ethics and comply with the regulations contained therein.

**Art. 89.** Each employee must comply with the rules of good conduct and report any violations discovered, as well as cooperate in the event of potential analyses carried out by the responsible Committees or competent bodies.

**Art. 90.** (1) Each employee has the opportunity to request the opinion of the President of the Ethics Committee or the Ethics Advisor within INCD ECOIND, whenever he has any questions regarding the provisions of this Code of Ethics.

(2) The points of view cannot be requested within or in connection with an active review procedure, which the Ethics Committee is conducting regarding an existing referral or self-referral.

**Art. 91.** The modification of this Code of Ethics is made at the proposal of the Scientific Council and/or the Steering Committee and is approved by the General Director of INCD ECOIND.

**Art. 92.** This Code of Ethics enters into force on the date of its approval by the General Director of INCD ECOIND.

**Done by**
**Ethics and Professional Deontology Committee**
**Ethics Committee Chair:**
**Dr. Biol. Alina Roxana BANCIU**

**Advised,**
**Legal advisor,**
**Anda Gabriela CONDUR**

**Members:**
**Marcela NICULESCU**
**Olga TIRON**
**Secretar:**
**Ioana Iulica MIHAI**