

CODE OF ETHICS

**The Institute of Cellular Biology
and Pathology “Nicolae
Simionescu”**

ROMANIAN ACADEMY

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INSTITUTE OF CELLULAR BIOLOGY AND PATHOLOGY "NICOLAE SIMIONESCU"

CODE OF ETHICS AND INTEGRITY IN SCIENTIFIC RESEARCH OF THE STAFF OF THE INSTITUTE OF CELLULAR BIOLOGY AND PATHOLOGY "NICOLAE SIMIONESCU"

**Edition I / Revision 1
Introduction**

This Code of Ethics and Integrity in Scientific Research represents a guide of behavior in different institutional situations, defines and establishes the values, principles and rules of ethics and professional conduct that all employees of the Institute of Cellular Biology and Pathology "Nicolae Simionescu" (ICBP-NS) are obliged to respect and apply in their work:

- within the institution, in line with the institution's values and objectives, in order to maintain an efficient and constructive working climate;
- outside the institution, in the relations they develop with all categories of public or private, national or international institutions, persons or legal entities in order to maintain and improve the image and reputation of the institution.

CHAPTER 1. SCOPE AND GENERAL PRINCIPLES

Art. 1. Scope

(1) This Code of Ethics and Integrity in Scientific Research applies to all ICBP-NS contractual staff, regardless of their position or the duration of their individual employment contract, as well as to seconded or delegated staff.

(2) All ICBP-NS employees are required to conduct their professional activities in accordance with the rules of ethical conduct and professional integrity set out in this Code of Ethics and Integrity in Scientific Research.

Art. 2. Purpose

(1) The purpose of this Code of Ethics and Integrity in Scientific Research is to regulate the rules of ethical conduct and professional integrity necessary to establish social and professional

relations between ICBP-NS employees or between ICBP-NS and external institutions or persons, which ensure a working climate based on trust and mutual respect, with the objectives of increasing the quality of professional activity and the prestige of the institution.

(2) Compliance with these rules of ethical conduct and professional integrity determines good conduct in scientific research, technological development and innovation.

Art. 3. Definition of terms

For the understanding of this Code of Ethics and based on the Law no. 206/27.05.2004 on good conduct in scientific research, technological development and innovation, amended and supplemented by Law 398/30.10.2006, GEO no. 28/31.08.2011 and Law 183/10.06.2024, the following terms are defined:

- a) public interest - that interest which involves the guarantee and respect by public institutions and authorities of the rights, freedoms and legitimate interests of citizens, recognized by the Constitution, domestic legislation and international treaties to which Romania is a party, as well as the performance of service duties, in compliance with the principles of efficiency and economy in the expenditure of resources;
- b) personal interest - any material or other advantage, whether directly or indirectly for oneself or for others, pursued or obtained by contractual staff through the use of reputation, influence, facilities, relations, information to which they have access, as a result of the performance of their duties;
- c) conflict of interest - a situation in which the personal interest, direct or indirect, of the contractual employee is contrary to the public interest, in such a way that it affects or could affect the independence and impartiality in decision-making or the timely and objective fulfillment of the duties incumbent upon him/her in the exercise of his/her office, as provided by law;
- d) information of public interest - any information relating to the activities or resulting from the activities of a public institution, whatever its form;
- e) personal data information - any information relating to an identifiable person;
- f) Ethics Committee - a committee responsible for investigating breaches of ethical rules and applying sanctions provided for by law, regulations or internal provisions;
- g) ethical misconduct - any culpable act committed in connection with the activity performed, consisting of an action or inaction, which violated the provisions in the field of ethics and any other internal regulations or provisions in the field of ethics, issued by the ICBP- NS management;
- h) warning in the public interest - a report made in good faith about any act involving a breach of the law, professional ethics or the principles of good administration, efficiency, economy and transparency;
- i) whistleblower - the person who makes the report described in point h) and who is employed in a public institution;
- j) co-author of a publication - any person named in the list of authors of a scientific publication;
- k) fabrication of results or data - reporting fictitious results or data that are not the actual result of a research and development activity;
- l) falsification of results or data - selective reporting or rejection of unwanted data or results; manipulation of representations or illustrations; altering experimental or numerical apparatus to obtain desired data without reporting the alterations made;
- m) plagiarism - the presentation in a written work or oral communication, including in electronic format, of texts, expressions, ideas, demonstrations, data, hypotheses, theories, results or scientific methods taken from written works, including in electronic format, of other authors, without mentioning this fact and without reference to the original sources;

n) self-plagiarism - the use in a written work or an oral communication, including in electronic form, of texts, expressions, demonstrations, data, hypotheses, theories, results or scientific methods extracted from written works, including in electronic form, by the same author(s), without mentioning this fact and without reference to the original source(s);

Art. 4 General principles

(1) The principles governing the ethical conduct and professional integrity of ICBP-NS staff are as follows:

- a) the supremacy of the Constitution and the law, a principle according to which all ICBP-NS employees have the obligation to respect the Constitution and the laws of the country by their acts and deeds, and to act for the implementation of legal provisions, in accordance with their duties, respecting professional ethics;
- b) public interest priority - the principle that employees have a duty to put the public interest before personal interest in the performance of their duties;
- c) non-discrimination, a fundamental principle of law enshrined in Art. 16 para. (1) of the Constitution, according to which all citizens are equal before the law and public authorities, without privilege and without distinction based on race, nationality, ethnicity, language, religion, social category, beliefs, sex or membership of a disadvantaged category;
- d) impartiality and independence, a principle according to which employees are required to have an objective attitude, neutral with regard to any political, economic, religious or other interests, in the performance of their duties;
- e) moral integrity, a principle according to which employees are prohibited from seeking or accepting, directly or indirectly, for themselves or for others, any moral or material advantage or benefit, or abusing in any way their position;
- f) freedom of thought and expression, which means that employees are free to express and substantiate their opinions, subject to the rule of law and good morals;
- g) honesty and fairness, the principle that in the performance of their duties and in the exercise of their functions employees must act in good faith and in accordance with their duties;
- h) professionalism, the principle according to which employees are required to carry out their duties with responsibility, professional competence, efficiency, promptness, fairness and conscientiousness;

(2) The principles governing the protection of public interest warning of ICBP- NS staff who report breaches of the law are as follows:

- j) accountability, the principle according to which anyone who reports breaches of the law is obliged to back up the complaint with evidence of the wrongdoing;
- k) abusive non-sanctioning, the principle according to which persons who complain about or report breaches of the law may not be sanctioned directly by the application of an unfair sanction or by the application of a more severe sanction in the case of disciplinary offences;
- l) good faith, the principle according to which the ICBP-NS employee is protected if he/she is convinced of the reality of the state of facts or that the fact constitutes a violation of the legal regulation;
- m) confidentiality, the principle that employees have a duty to protect information that is not public and not to use it for personal purposes or in a manner contrary to the law;
- q) professional conduct, the principle that employees must act in such a way that they do not bring the institution's work into disrepute;

CHAPTER II. FUNDAMENTAL VALUES

Art. 5 The ICBP-NS Code of Ethics includes a series of values that aim to maintain and increase the prestige of the institution.

Art. 6 ICBP-NS staff, including senior management, upholds and promotes ethical values and professional and personal integrity consisting of:

- a) professional competence;
- b) transparency and initiative by example;
- c) compliance with specific laws, regulations and rules;
- d) respecting the confidentiality of information;
- e) fair treatment and respect for collaborators, partners and citizens;

Art.7 The staff working within the ICBP-NS has the obligation to demonstrate professional and personal integrity and responsibility in the activities they perform;

Art. 8 ICBP-NS ensures the necessary conditions so that all employees are aware of the regulations governing their behavior, prevention and reporting of fraud and irregularities.

CHAPTER III. GENERAL RULES GOVERNING THE PROFESSIONAL CONDUCT OF ICBP-NS EMPLOYEES

Art.9 The rules of ethical and professional conduct are binding for all ICBP-NS staff, regardless of hierarchical level, who must be aware of, understand and act in accordance with the provisions of this Code of Ethics and Integrity in Scientific Research.

Art. 10 Respect for the Constitution and laws

All ICBP-NS employees have the obligation, by their acts and deeds, to respect the Constitution, the laws of the country and to act for the implementation of the legal provisions, in accordance with their duties, respecting professional ethics.

Art. 11 Ensuring provision of quality services

(1) Employees are required to carry out their work in accordance with the objectives set by the institution, by performing the duties set out in their job description and in accordance with the Rules of Internal Order.

(2) In the performance of their duties according to their functions, employees are required to conduct themselves in a professional manner and to ensure, in accordance with the law, administrative transparency in order to maintain the integrity and impartiality of the institution.

Art. 12 Loyalty and institutional prestige

(1) All ICBP-NS employees have the obligation to defend the prestige of the institution and to refrain from any fact or act that damages the image or legal interests of ICBP-NS.

(2) ICBP-NS contract staff is prohibited:

- a) expressing in public opinions that are not in line with reality about the work of the institution, its policies and strategies or the projects in which the institution is involved;
- b) make unauthorized judgments in relation to pending litigation to which the institution is a party;
- c) making unfounded accusations or complaints to colleagues, coordinators or subordinates;
- d) engage in activities that would damage the image or prestige of the institution;
- e) to disclose information which is not of public interest, other than under the conditions provided for by the legislation in force;
- f) to disclose information to which they have access in the course of their duties if such disclosure is likely to bring unknown advantage or harm the image or rights of the institution;

g) to provide assistance and advice to natural or legal persons with a view to bringing legal or other actions against the state or the public authority or institution in which they work.

(3) The disclosure of information that is not of public interest or the handing over of documents containing such information, at the request of representatives of another public authority or institution, is allowed only with the consent of the ICBP-NS management or of the persons delegated for this purpose.

Art. 13 Freedom of opinion

(1) In the performance of their duties, ICBP-NS contract staff is obliged to respect the dignity of their position, linking the freedom of dialog with the promotion of the interests of the institution in which they work.

(2) In their work, employees are obliged to respect freedom of opinion and not to be influenced by personal considerations or popularity.

(3) In expressing their opinions, employees should be conciliatory and avoid generating conflicts due to the exchange of opinions. Equally, contract staff are required to show respect for the private and family life of all persons with whom they come into professional contact.

Art. 14 Public activity

(1) Relations with the mass media shall be ensured by the staff designated for this purpose by the management of the institution, in accordance with the law.

(2) Contract staff appointed to participate in research activities or public debates in an official capacity must respect the limits of the representation mandate entrusted to them by the management of the institution.

(3) If not so designated, employees who participate in public activities or debates are obliged to make it known that the opinion expressed does not represent the official position of ICBP-NS.

Art. 15 Political activity

(1) ICBP-NS contract staff is forbidden to display within the institution, signs or objects inscribed with logos or names of political parties or their candidates.

(2) Employees may participate in fundraising for political party activities or provide logistical support to candidates for public office, but only in their own name and with their own resources, without involving the name, image, resources or premises of the institution.

Art. 16 Use of own image

ICBP-NS contract staff are forbidden to associate their image with their position within the institution for commercial or electoral purposes.

Art. 17 Conduct in international relations

(1) Contract staff representing the institution at international organizations, international scientific events, educational institutions, conferences, seminars and other activities of an international character are required to conduct themselves in such a way as to promote a favorable image of the country and the institution they represent.

(2) When traveling abroad, ICBP-NS employees are required to conduct themselves in accordance with the rules of protocol and are forbidden to violate the laws and customs of the host country.

Art.18 Prohibition on accepting gifts and advantages

ICBP-NS contract staff must not solicit or accept gifts, services, favors, invitations or any other advantage intended for themselves, their family, parents, friends or persons with

whom they have had employment relationships, which may influence their impartiality in the exercise of their functions or constitute a reward in connection with those functions.

Art.19 Participation in the decision-making process

- (1) In the decision-making process, ICBP-NS employees are obliged to act in accordance with the law and to exercise their judgment in a fundamental and impartial manner.
- (2) Officials are prohibited from promising to make a decision within the institution to other officials from other institutions, as well as from performing their duties in a privileged manner.

Art. 20 Objectivity in evaluation

- (1) In the performance of their specific managerial duties, ICBP-NS employees are required to ensure equal opportunities and equal treatment with regard to career development for their subordinates.
- (2) The management of the institution is required to examine and apply objectively the criteria for assessing the professional competence of subordinate staff when proposing or approving promotions, transfers or the granting of material or moral incentives, excluding any form of favoritism or discrimination.
- (3) It is forbidden for the institution's management staff to favor or disfavor access or promotion in any position based on discriminatory criteria, kinship, affinity or other criteria inconsistent with the principles and values set out in this Code of Ethics and Integrity in Scientific Research.

Art. 21 Abusive use of the attributions of the held position

- (1) It is forbidden for ICBP-NS contract staff to use the prerogatives of their position for purposes other than those provided by law.
- (2) The ICBP-NS contract staff is prohibited from seeking to obtain personal gain or advantage or to cause material or moral damage to other persons through their decision-making, project development, evaluation or participation in investigations or control actions.
- (3) Employees are prohibited from using their official position or the relationships they have established in the exercise of their functions to influence internal and external investigations or to influence the taking of a certain action.
- (4) The employees of the institution are forbidden to force other employees of ICBP-NS to join organizations or associations, regardless of their nature, or to suggest them to do so by promising them undue or illegal, material or professional advantages.
- (5) Abuse, threats, non-academic language, intimidation or physical or verbal harassment are not permitted or tolerated within the institution.

Art. 22 Use of public resources

- (1) Employees of ICBP-NS are obliged to ensure the protection of the property of the state and the institution and to avoid any damage, acting in any situation as a good owner.
- (2) The ICBP-NS staff is obliged to use their working time and the property belonging to the institution only for the performance of activities related to their duties.
- (3) ICBP-NS employees must ensure, according to their duties, the useful and efficient use of public money, according to the legal provisions.

Art. 23. Conflict of interest

- 1) Conflict of interest means the situation described in Article 3(c).
- 2) The principles underpinning the prevention of conflict of interest in the performance of duties are: impartiality, integrity, transparency of decision-making and the primacy of the public interest.

- 3) Contract staff are in conflict of interest if they are in one of the following situations referred to in Art. 54 paras. (1) and (2) of Law 183/2024:
- a) concurrent occupancy of positions by persons who are related by spouses, relatives and blood relatives up to and including the third degree, so that each is in a direct position of institutional management, control, authority or evaluation at any level in the same research organization;
 - b) sitting as a member of doctoral committees, assessment boards or selection boards, where the decision affects spouses, relatives or affinities up to and including the third degree;
 - c) the participation in the same commission, constituted according to the law, of persons who have the status of spouse, relative or relative-in-law up to the third degree;
 - d) the participation of a person, who is a member of MCID committees or councils, in the analysis of a situation related to the research organization to which he/she belongs as a member of the research community;
 - e) other specific situations laid down in the normative acts applicable to evaluation procedures, including in the information packages of project competitions, in compliance with the legal regulations in force.
- (4) A person may not participate directly, as an expert evaluator, or indirectly, by making nominal direct selection or exclusion decisions of expert evaluators in charge of the evaluation of a research organization, project, tender or applicant, if that person is on the staff list of the evaluated research organization, project or tender or of other projects or tenders submitted for funding under the same funding line, call for proposals or call for tenders or if that person is in the following relationship with the applicant or persons on the staff list of the evaluated projects, tenders or research organizations: they are spouses, relatives or blood relatives up to and including the second degree.
- 5) In order to avoid a conflict of interest, ICBP-NS staff are required to:
- a) Not to engage directly or indirectly in business relations with economic operators, whether persons or legal entities, which would affect the correct, honest and conscientious performance of their duties;
 - b) Not to be influenced by personal interests, including those of their spouse or first-degree relatives, or by pressure of any kind, in the performance of their duties;
 - c) Avoid any situation which involves or may give rise to a conflict between the interests of the institution and their own interests, including those of their spouse or first-degree relatives, while respecting the legal provisions and internal procedures relating to conflict of interest;
- 6) In the event of a conflict of interest, the employee is obliged to refrain from dealing with a request, taking a decision or participating in the taking of a decision and to immediately inform the immediate superior to whom he/she is directly subordinated of the situation. The hierarchical superior is obliged to take the necessary measures to ensure the impartial exercise of his/her duties.
- 7) In the cases provided for in para. 3), the management of the institution, at the proposal of the hierarchical superior to whom the employee in question is directly subordinated, shall designate another employee with the same professional training.
- 8) Violation of the provisions of paras. (3), (4), (5) and (6) may entail, as the case may be, disciplinary, civil or criminal liability, according to the law.

Art. 24 Incompatibilities

ICBP-NS employees are forbidden to occupy any other position that generates situations of incompatibility, as provided for in Law no. 161/2003 on some measures to ensure transparency in the exercise of public office, public functions and in the business environment, prevention and sanctioning of corruption, with subsequent amendments and additions.

Art. 25 Fraud

- 1) Fraud is any illegal act characterized by deception, concealment or breach of trust.
- 2) Fraud is committed by parties or organizations to obtain money, property or services, to avoid payment or loss of services, or to secure personal or institutional advantage.
- 3) Types of fraud:
 - a) Misappropriation of assets - e.g. theft, embezzlement;
 - b) Corruption - e.g. using influence to gain advantage;
 - c) Fraudulent misrepresentation - e.g. false financial/other statements.
- 4) An employee who, in the performance of his or her duties, becomes aware of facts which may involve illegal activity, fraud or corruption detrimental to the interests of the institution is obliged to inform the management of the institution or the competent judicial bodies immediately.

CHAPTER IV. RULES OF BEHAVIOR AND ETHICAL CONDUCT

Art. 26. Framework of relations in the exercise of the duties corresponding to the function

- 1) ICBP-NS contractual staff is obliged to behave with respect, good faith, fairness, propriety, good manners and courtesy in their relations with all employees and with persons or legal entities.
- 2) ICBP-NS employees have the obligation not to harm the honor, reputation and dignity of persons within the institution in which they work, as well as persons with whom they come into contact in the exercise of their duties, by:
 - a) Using offensive language;
 - b) Revealing aspects of private life;
 - c) Making libellous complaints;
 - d) Failure to adopt an impartial attitude to deal effectively with the problems arising from the exercise of the function.
- 3) ICBP-NS employees must adopt an impartial attitude for the clear and efficient resolution of service issues involving relations with people and eliminate any form of discrimination based on nationality, religious and political beliefs, material status, health, age, sex or other aspects.

Art. 27 Rules of behavior and conduct in relations between colleagues.

Relations between fellow employees should be based on respect, cooperation and mutual support and subject to the principles of collegiality, equality and fairness. Team spirit and consensus, openness to suggestions and constructive criticism should be promoted.

Art. 28 Violations of the principle of collegiality:

- a) Discrimination, gender, ethnic or any other form of harassment, the use of physical or psychological violence, offensive language or abuse of authority against an employee of the institution, regardless of the position held by the employee within the ICBP-NS;

- b) Promotion or toleration of behavior contrary to the rules of this Code of Ethics and Integrity in Scientific Research by contractual staff;
- c) Discrediting a colleague's ideas, assumptions or results unfairly;
- d) Expressing to an individual inside or outside the institution uncourteous remarks about a colleague's professional training, conduct or private life;

Art. 29 Confidentiality of data and information

- 1) Data and information that are not public, as required by law, such as: personal data of employees, internal documents issued in confidence, data and information from partners or collaborators, are considered confidential.
- 2) ICBP-NS contractual staff is obliged to protect and not disclose to outsiders confidential information and data related to employees, partners or collaborators and non-public information, such as the institution's databases or data and information from other partner institutions.
- 3) Employees who have access to confidential information are prohibited from allowing access to data or material not intended for public use to persons inside or outside the institution without the consent of the ICBP-NS management.
- 4) The transmission of public information is done in compliance with the legislation on the provision of information of public interest.

Art. 30 Employment and hiring practices

- (1) The institution undertakes to comply with labor legislation, to use fair employment practices, including the prohibition of all forms of discrimination.
- (2) ICBP-NS undertakes to offer fair treatment to all its employees and to provide them with conditions and support to improve their professional training.
- (3) The institution is committed to providing a team-working environment and promotes values.
- (4) ICBP-NS undertakes to make decisions regarding employment, promotion exclusively for the benefit of the institution, on the basis of professional training, achievements, individual conduct, in compliance with the legislation in force.
- (5) The institution undertakes to respect the confidentiality of employees' personal data and not to disclose them without their consent to persons or institutions that do not have the necessary authority to hold them.
- (6) ICBP-NS contractual staff may not be compelled to violate the legal provisions, values, policies and principles of the institution or this Code of Ethics and Integrity in Scientific Research.

Art. 31 Conduct of ICBP-NS staff

- (1) Within the Institution, all activities must be carried out in a professional manner and in accordance with this Code of Ethics and Integrity in Scientific Research, the Institution's internal regulations and legal provisions.
- (2) The contractual staff of ICBP-NS has the obligation to respect the hierarchy established by the Rules of Organization and Functioning, the organizational chart approved at the level of the institution and the job description.

CHAPTER V. RULES OF GOOD CONDUCT IN RESEARCH, DEVELOPMENT AND INNOVATION

Art. 32. (1) *The rules of good conduct in research, development and innovation (RDI) activity*, as provided for in art. 2 and 2' of Law no. 206/2004 and art. 50 of Law no. 183/2024 on research ethics, are applicable to ICBP-NS employees and include:

- a) *rules of good conduct in the work of the RDI;*
- b) *rules of good conduct in the activity of scientific communication, publication, dissemination and popularization, including in relation to applications for funding submitted in the framework of project competitions organized from public funds;*
- c) *the rules of good conduct in the activity of institutional evaluation and monitoring of RDI, evaluation and monitoring of RDI projects obtained through actions within the National Plan for Research, Development and Innovation and evaluation of persons for the purpose of awarding degrees, titles, positions, awards, distinctions, bonuses, attestations or certificates in the RDI activity;*
- d) *rules of good conduct in management positions in the work of RDI;*
- e) *the rules of good conduct regarding respect for human beings and human dignity, the avoidance of animal suffering and the protection and restoration of the natural environment and ecological balance;*
- f) *rules of good conduct in the work of ethics committees of research organizations.*

(2) *The breaches of the rules of good conduct set out in Article 32 para. (1) letter a)* of this Code, insofar as they do not constitute offenses under criminal law, include:

- a) the fabrication of results or data and their presentation as experimental data, as data obtained by calculation or numerical computer simulation, or as data or results obtained by analytical calculation or deductive reasoning;
- b) falsifying experimental data, data obtained by calculation or numerical computer simulation or data or results obtained by analytical calculation or deductive reasoning;
- c) deliberately obstructing, hindering or sabotaging the RDI work of others, including by unreasonably blocking access to RDI facilities by damaging, destroying or tampering with experimental apparatus, equipment, documents, computer programs, electronic data, organic or inorganic substances or living matter necessary for others to conduct, perform or complete RDI activities;
- d) obstructing the work of an ethics committee, a review committee or the National Council for Ethics in Scientific Research, Technological Development and Innovation (CNECSDTI), in the course of a review of misconduct in the work of the subordinate RDI;
- e) failure to comply with the legal provisions and procedures intended to comply with the rules of good conduct in the activity of the RDI provided by Law no. 183/2024 and Law no. 199/2023, with subsequent amendments and additions, in the Code of Ethics, in the codes of ethics by fields, in the regulations of organization and functioning of research organizations, respectively in the university charters, as appropriate, including failure to implement the sanctions established by the ethics committees or by the CNECSDTI.
- f) Contradictory data, differences in experimental design or practice, differences in interpretation of data, differences of opinion are factors specific to RDI activities and do not constitute misconduct in research.

(3) *Breaches of the rules of good conduct provided for in Article 32 para. (1) letter b)* of this Code, insofar as they do not constitute offenses under criminal law, include:

- a) plagiarism;
- b) self-plagiarism;
- c) the inclusion in the list of authors of a scientific publication of one or more co-authors who have not contributed significantly to the publication or the exclusion of co-authors who have contributed significantly to the publication;
- d) the inclusion in the list of authors of a scientific publication of a person without his/her consent;
- e) unauthorized publication or dissemination by authors of unpublished scientific results, hypotheses, theories or methods;
- f) false information relating to RDI activity in applications for grants or funding, in applications for habilitation, or in applications for competitions or examinations for research, development and innovation posts.

(4) Breaches of the rules of good conduct set out in Article 32 para. (1) lit. c of this Code, insofar as they do not constitute offenses under criminal law, include:

- a) non-disclosure of conflicts of interest or incompatibilities in carrying out or participating in evaluations;
- b) assessment fraud;
- c) failure to respect confidentiality in the evaluation;
- d) discrimination in assessments on grounds of age, ethnicity, gender, social origin, political or religious orientation, sexual orientation or other types of discrimination.

(5) Breaches of the rules of good conduct provided for in Article 32 para. (1) letter d of this Code, insofar as they do not constitute offenses under criminal law, include:

- a) abuse of authority in order to obtain authorship or co-authorship of publications by subordinates;
- b) abuse of authority in order to obtain salary, remuneration or other material benefits from RDI projects run or coordinated by subordinates;
- c) abuse of authority in order to obtain authorship or co-authorship of the publications of subordinates or to obtain salaries, remuneration or other material benefits for spouses, relatives or relatives up to and including the third degree;
- d) abuse of authority to unjustifiably impose their own theories, concepts or results on subordinates;
- e) obstructing the work of an ethics committee, a review committee or the CNECSDTI in the course of a review of misconduct in the work of the RDI under his/her subordination;
- f) failure to comply with the legal provisions and procedures intended to comply with the rules of good conduct in the activity of the RDI provided by Law no. 183/2024 and Law no. 199/2023, with subsequent amendments and additions, in the Code of Ethics, in the codes of ethics by fields, in the regulations of organization and functioning of research organizations, respectively in the university charters, as appropriate, including failure to implement the sanctions established by the ethics committees or by the CNECSDTI.

(6) Deviations from the rules of good conduct set out in Article 32(1)(e) of this Code of Ethics are detailed in the codes of ethics by domain.

- a) RDI staff have responsibilities under the relevant legislation and professional codes of ethics in research on human subjects, in the use of animals for experimentation and in environmental protection.
- b) RDI must be carried out with respect for the human being and human dignity, as well as

for animal suffering, which must be prevented or minimized.

c) Good conduct in RDI is ensured in accordance with international regulations in the field, with the European Union legislation and with the ethical rules of its scientific research programs.

d) The ethical evaluation of RDI projects, which is carried out by the Ethics Commission together with technical experts or evaluation committees with relevant knowledge in the field, will necessarily include verification of the compliance of the projects with:

i) generally applicable ethical regulations concerning the protection of the human person, the use of human embryos and other human biological samples, the use of personal data for biobanks, including gene banks, the use for clinical trials of persons (individuals or population) who cannot consent, in particular children, pregnant women, healthy volunteers, the protection of personal data of research subjects;

ii) protection of animals, including transgenic animals and non-human primates;

iii) protection of the environment, good conduct in RDI must be carried out with the protection and restoration of the natural environment and ecological balance, ensuring their protection from possible aggressions produced by science and technology.

iv) the specific national and international ethical rules applicable to the research, which must be explicitly specified in the project.

(7) The following also constitute violations of the Code of Ethics by association for misconduct in research and development:

a) Knowing about the misconduct of others and not notifying the Ethics Committee or the CNECSDTI;

b) co-authoring publications containing falsified or fabricated data;

c) failure to comply with legal and contractual obligations, including those related to the contract of mandate or grant contracts, in the exercise of management or coordination functions for the activities of the RDI.

(8) *Serious breaches of good conduct in the activity of the RDI*, according to art. 52 para. 8 of Law no. 183/2024:

a) plagiarizing the results or publications of other authors;

b) fabrication of results or replacing results with fictitious data;

c) False information in grant or funding applications.

Art. 33 Contradictory data and information, differences in experimental design or practice, differences in the interpretation of data, differences of opinion are factors specific to the work of the RDI and do not constitute misconduct, as long as they do not violate the above-mentioned principles of good conduct.

CHAPTER VI. APPLICATION OF THE CODE OF ETHICS

Art. 34. Implementation of the Code of Ethics

(1) The provisions of this Code of Ethics shall be brought to the attention of ICBP-NS staff, by posting it on the ICBP-NS website and as follows:

- for existing staff - by the hierarchical heads;

- for new employees, by the Human Resources Office, before starting work.

(2) Any amendment to the content of this Code of Ethics shall be subject to the procedure for informing contractual staff as specified in Article 34 para. 1.

Art. 35. Responsibilities of ICBP-NS contractual staff

(1) Each employee has a duty to know and comply with the Code of Ethics, internal rules,

procedures and regulations.

(2) In the event of a difference of opinion, a disagreement between two or more employees of the institution, it is advisable for the persons concerned to show maturity, to discuss openly, to analyze the problem, to determine its causes and to find together a way to resolve it so that it does not degenerate into a conflict. If the persons involved do not find an amicable solution or do not want an impartial opinion on the matter, they should contact the institution's Ethics Officer.

(3) Any employee who raises in good faith a concern regarding a possible violation of this Code of Ethics, legal provisions, regulations, ICBP-NS internal rules, or any behavior as illegal or unethical, shall be protected against any attempt to sanction or retaliate. Retaliation of any kind will result in disciplinary action being taken against the offenders. The same measures will also be taken in relation to persons who have intentionally provided false information in the case of referral.

(4) Contractual staff who negligently or in bad faith violate this Code of Ethics must be aware that they are seriously damaging the institution, its employees and the image of ICBP-NS.

Art. 36 Reporting violations of the Code of Ethics and reporting fraud

(1) The institution may be contacted in writing by any individual or organization that has found a breach of ethics by an employee of ICBP-NS.

(2) Any person in a managerial position within ICBP-NS who receives a report of a breach of the rules of ethics is obliged to refer it to the Ethics Officer for review.

(3) ICBP-NS contractual staff may submit, under conditions that ensure the confidentiality of their identity, complaints or claims, made in good faith, concerning an act of an employee that involves a violation of the law, internal rules of ethics and integrity, without fear of dismissal or retaliation of any kind.

(4) Any employee of the ICBP-NS who has knowledge, information or reasonable grounds indicating the existence of fraud or other forms of violation of the rules of ethics and professional conduct has the duty to immediately bring this information to the attention of the Ethics Officer.

(5) Ethical issues arising within the institution will be brought to the attention of the Ethics Officer, who is responsible for advising and/or assisting employees in complying with the rules of conduct in this Code of Ethics.

(6) Each employee may seek advice and/or assistance from the Ethics Officer on any matter falling within the scope of his/her duties.

Art. 37

(1) The facts which are the subject of the complaints, but not limited to:

- a) compliance with laws, codes, regulations, internal rules and procedures on ethics and integrity;
- b) coercion or threatening an employee to induce him or her to violate the legal provisions in force or to apply them improperly;
- c) preferential or discriminatory treatment or practices in the exercise of their duties;
- d) conflict situations with hierarchical superiors or colleagues which cannot be resolved amicably;
- e) violation of incompatibilities and conflicts of interest;
- f) violations of procedures or establishing internal procedures/standards in violation of the law;
- g) acts of corruption as defined by criminal law.

(2) Complaints concerning breaches of the rules of good conduct in the work of the RDI are dealt with in two stages detailed in the Code of Ethics:

a) analysis at the level of the research organization within which the alleged misconduct occurred, referred to as the first stage, which is carried out in accordance with Art. 62 para.

(3) of Law 183/2024 and the provisions of the Code of Ethics;
b) analysis at the level of the CNECSDTI, referred to as the second stage, which is carried out in accordance with Art. 55 paras. (3) - (8) of Law 183/2024.

Art. 38

(1) Referrals to the Ethics Commission can be made in the following ways:

- in an envelope or by e-mail to the ICBP-NS Ethics Advice Officer;
- transmission by post, to the ICBP-NS Secretariat, for the attention of the ICBP-NS Ethics Commission; after registration in the general register at the Institute's Secretariat, the envelopes are sent unopened to the Ethics Officer;
- ex officio, by self-referral;

(2) Anonymous complaints will not be considered.

(3) Complaints registered with the ICBP-NS Secretariat and sent to the ICBP-NS Ethics Commission may not be distributed in writing and/or electronically to third parties.

Art. 39

(1) The referral/complaint will be considered by the Ethics Officer who will determine the appropriate course of action, including the initiation of an investigation. Depending on the circumstances, the Ethics Officer will recommend, as appropriate, that the case be dealt with by ethics counseling or referred to the Ethics Committee from among whose members he/she may appoint a review panel, subject to Article 23 aimed at avoiding conflict of interest.

(2) Referrals /complaints are settled in accordance with Art. 62 para. (3) of Law no. 183/2024 by the review committee through a report drawn up within 60 days from the date of receipt of the complaint, endorsed by the institution's legal advisor and approved by the Ethics Commission within 30 days from the receipt of the review committee's report, shall be communicated in writing to the Director of ICBP-NS, the complainant as well as the persons concerned by the referral, is registered in the ICBP-NS general register and is made public on the research organization's website within 10 calendar days from the date of the final decision of the Ethics Commission by non-contest to the CNECSDTI or from the date of the final decision of the CNECSDTI, by which the appeal against the report approved by the Ethics Commission has been settled, or from the date of the final judgment of the court of law, by which the application for administrative appeal has been settled, with the aim of annulling the report approved by the Ethics Commission and/or the CNECSDTI decision by which the appeal against the report approved by the Ethics Commission has been settled, as the case may be.

(3) If the Review Commission considers that disciplinary offenses have been committed, the Ethics Commission informs the ICBP-NS management, which will order, in accordance with the law and internal regulations, the establishment of a disciplinary investigation committee to conduct a preliminary disciplinary investigation.

Art. 40

(1) The Ethics Committee and the review panel shall keep the identity of the complainant confidential.

(2) The report of the analysis committee, endorsed by the institution's legal advisor and approved by the Ethics Committee, is published on the institution's website with anonymization of all personal data in order to comply with the GDPR Regulation - protection of individuals with regard to the processing of personal data and on the free movement of such data.

(3) ICBP-NS is legally responsible for the decisions and the work of the review panel.

(4) The report of the analysis committee may be contested at the CNECSDTI by the person or persons found guilty or by the author of the complaint; the contestation must contain a simple copy of the initial complaint and of the report of the analysis committee.

(5) If an appeal has not been submitted to the CNECSDTI within 20 working days from the date of communication, the sanctions established by the review committee shall be

implemented by the head of the institution within 60 calendar days from the date of communication of the report, according to Art. (9) of Law 183/2024.

Art. 41 Liability and sanctions

(1) Violation by ICBP-NS contractual staff of the rules of conduct set out in this Code of Ethics constitutes disciplinary misconduct and may also entail disciplinary liability under the Labor Code and the Internal Rules.

2) The following situations may also attract sanctions:

a) Actions or inactions that violate the provisions of the Code of Ethics and other internal regulations of ICBP-NS: Internal Regulations, by-laws, decisions, rulings, decisions, etc.;

b) Causing other persons to violate the provisions of this Code of Ethics, other internal regulations or legislation applicable to the institution;

c) Actions against employees who have reported breaches of the Code of Ethics;

d) False statements, misleading or intentionally omitting aspects, data and information in front of supervisory and control/investigation authorities or bodies, including internal ones (internal audit, Disciplinary Committee), as well as in the media, and which implicitly lead to damage to the employee's assets or image, are grounds for disciplinary sanction of employees, including possible termination of the individual employment contract, in accordance with the applicable legislation and internal regulatory acts in force.

3) The reporting of violations of the law by ICBP-NS employees, provided by law as disciplinary offenses, misdemeanors or offenses, constitutes a warning in the public interest and concerns the following:

a) Corruption offenses, offenses assimilated to corruption offenses, offenses directly related to corruption offenses, forgery offenses and offenses related to or in connection with employ;

b) Preferential or discriminatory treatment or practices in the performance of duties;

c) Infringement of incompatibilities and conflicts of interest;

d) Misuse of material or human resources;

e) Breaches of the law on access to information and transparency of decision-making;

f) Infringement of legal provisions on public procurement and grants;

g) Incompetence or negligence;

h) Violations of administrative procedures or establishing internal procedures in violation of the law and/or internal regulations;

i) Issuing administrative or other acts contrary to the interests of the institution;

j) Maladministration or fraudulent mismanagement of the institution's public and private assets;

k) Infringement of any legal provisions/internal decisions requiring compliance with the principle of good administration and protection of the public interest;

4) Enforcement sanctions no remove liability civil
criminal, material or infringement, as the case may be.

Art. 42

(1) If the Ethics Committee of the ICBP-NS finds that there has been a breach of good conduct in the work of the RDI, its members shall determine one or more sanctions as appropriate.

2) The sanctions that may be established by the Ethics Commission of the IBPC-NS for misconduct in the activity of the RDI are the following, according to art. 62 of Law no. 183/2024:

a) Written warning;

b) Definitive withdrawal and/or correction of all works published in violation of the rules of good conduct;

c) Reduction of basic salary by a maximum of 20%, for a maximum period of 6 months, cumulated, where appropriate, with the management, guidance and supervisory allowances and

the allowances related to the RDI function;

d) Suspension, for a fixed period of between one and five years, of the right to register for an examination or to take a competition for higher professional qualifications or to obtain a higher

position of management, guidance and supervisory or as a member of an examination or competition board;

e) Removal from the leadership position in the research organization;

f) Disciplinary termination of the individual employment contract.

(2) For the deviations from good conduct in the RDI activity of the RDI staff benefiting from public RDI funds, found and proven, depending on the seriousness of the facts and the previous commission of similar facts, the CNECSDTI may propose the application of one or more of the following sanctions, according to art. 59 of Law no. 183/2024:

a) the withdrawal of the RDI professional grade obtained as a result of a breach of the rules of good conduct, established by the competent administrative court, following an application to that court for annulment of the administrative act by which the RDI professional grade was awarded;

b) Removal from the research organization's management position/membership on the ethics committee;

c) ban, for a fixed period, access to public funding for RDI activities;

d) exclusion of the person(s) concerned from the project implementation team;

e) stop project funding;

f) the termination of project funding, with the obligation to return the funds.

CHAPTER VII. CONTROL AND MONITORING OF THE APPLICATION OF CONDUCT RULES

Art. 43

1) The coordination and control of the application of the rules laid down in this Code of Ethics is carried out by the Ethics Commission of the ICBP-NS, which operates within the Scientific Council of the ICBP-NS, in accordance with art. 60, para. (2) of Law no. 183/2024.

2) The Ethics Commission is established by decision of the Director of the IBPC-NS, at the proposal of the Scientific Council, in accordance with art. 60 para. (3) of Law no.183/2024.

3) The Ethics Commission has the following tasks:

a) It monitors within the institution the observance of the specific ethical rules of the field, according to art. 10 letter a of Law no. 206/2004, with the amendments brought by Law no. 183/2024;

b) It analyzes the proposals of the Ethics Officer on avoiding breaches of principles and rules of conduct and orders measures to remove causes, mitigate risks and vulnerabilities;

c) It analyzes complaints submitted by the Ethics Officer;

d) Appoints review committees to examine the complaints related to misconduct in the activity of the RDI brought to their attention following referrals or on the basis of self-reporting according to art. 10 lit. b of Law 206/2004, with the amendments brought by Law no. 183/2024;

e) Analyzes the complaints received from the employees and the management of ICBP-NS regarding the violation of legal regulations, possible actions of discrimination, corruption, etc.;

f) It examines the validity of complaints/complaints in terms of the provisions of the Code of Ethics and Integrity and reports on each individual case;

g) Formulates proposals to amend/complement this Code of Ethics.

Art. 44

1) Monitoring the application of the rules of this Code of Ethics is carried out by the Ethics Officer, appointed by decision of the Director of ICBP-NS.

- 2) The Ethics Officer shall exercise the following duties:
 - a) It monitors the application and observance of the principles and rules of conduct by the institution's employees set out in the Code of Ethics;
 - b) Giving ethical advice to the staff of the institution on compliance with the rules of conduct, in written or verbal form, depending on the means of solicitation;
 - c) Informs employees about ethics rules, changes in the legislative and regulatory framework in the field of ethics and integrity;
 - d) Signalizes institutional practices or procedures that could lead to the violation of principles and rules of conduct in the work performed by employees;
 - e) It analyzes complaints and grievances made by employees of the institution or by other persons concerning staff conduct and makes general recommendations, without interfering in the work of the Ethics Committee or Disciplinary Committees;
 - f) He/she organizes, as often as he/she deems necessary, meetings with heads of departments and/or employees for the purpose of training and/or resolving ethical dilemmas;
 - g) Produces periodic, semi-annual/annual reports which are presented to the Scientific Council of ICBP-NS.
- 3) The Ethics Officer is required to respect the confidentiality of information to which he/she has access in the performance of his/her duties.

CHAPTER VIII. FINAL PROVISIONS

Art. 45

- 1) This Code of Ethics is applied in accordance with the provisions of the Law no. 183/2024 on the status of the RDI staff, the Order no. 652/09.08.2005 of the Director of the Institute of Cell Biology and Pathology "Nicolae Simionescu" and the Code of Ethics of the field "life sciences", elaborated by the National Council of Ethics.
- 2) This Code shall enter into force on the date of approval by the Scientific Council of the ICBP-NS and shall take effect from the date on which it is brought to the attention of the staff of the institution.
- 3) Once approved, the Code will be disseminated by e-mail to all departments within ICBP-NS, through the Human Resources-Salary Office and will be posted on the institution's website and in the ICBP-NS library.
- 4) Each employee shall be deemed to have become aware of the contents of the Code of Ethics upon its e-mailing and posting on the ICBP-NS website. From that moment on, the employer's obligation to inform staff of the content of the Code of Ethics is deemed to have been fulfilled and none of the employees may invoke ignorance of these provisions.
- 5) Heads of Departments shall take all necessary steps to ensure that their staff are aware of and comply with the provisions of this Code of Ethics.

Art. 46

- 1) This Code of Ethics may be amended whenever necessary as a result of changes in the relevant legislation and the complexity of the RDI activities carried out by ICBP-NS staff.
- 2) Proposals for amendments and/or additions to this Code of Ethics may be made by any person within ICBP-NS and shall be submitted in writing to the Ethics Officer.
- 3) Amendments/additions to the Code of Ethics will be subject to review by the Ethics Committee and the Scientific Council and, if appropriate, will be subject to updating/revision.
- 4) Amendments/additions to this Code of Ethics will be brought to the attention of all ICBP-NS employees by the Ethics Officer.

Art. 47

- 1) The provisions of this Code of Ethics are complemented by the provisions of the Internal

Rules, operational procedures and any other related internal acts.

2) The rules of conduct and integrity of ICBP-NS employees, set out in this Code of Ethics are not limitative, but are complemented by those contained in the legal provisions.

3) The provisions of this Code of Ethics are not limitative; any other special provisions on the subject are applicable to the categories of employees to which they are addressed.

DIRECTOR

Acad. Maya Simionescu

ICBP-NS