CEITEC

central european institute of technology

BRNO | CZECH REPUBLIC

Code of Ethics

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Annexes	European Charter for Researchers and a Code of Conduct for the Recruitment of Researchers	

MINISTERSTVO ŠKOLSTVÍ, MLÁDEŽE A TĚLOVÝCHOVY

EVROPSKÁ UNIE
EVROPSKÝ FOND PRO REGIONÁLNÍ ROZVOJ
INVESTICE DO VAŠÍ BUDOUCNOSTI

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OP Výzkum a vývoj pro inovace

Content

1. Introduction

CEITEC (Central European Institute of Technology) is a project focused on the establishment of a European centre of excellence in the area of life sciences and advanced materials and technologies.

Common Rules for Quality Management, Human Resources Management, Cooperation with the Application Sphere, Code of Ethics and Common Publication Policy are an integral part of the management and coordination of the centre in all CEITEC Organisational Units and the Central Management Structure.

1.1 Purpose

The integrity of the whole project is maintained by common rules and policies. The Code of Ethics is the key document covering ethical principles.

The purpose of this document is to establish a set of ethical principles and standards to guide the CEITEC partners to achieve the goals and objectives of the project.

The CEITEC Code of Ethics (the "Code" hereinafter) is based on standard principles (best practises) used by CEITEC's Strategic Partners. It also fully recognizes The European Charter for Researchers[1] and the Declaration of Helsinki[2]. As stated in other CEITEC documents, certain standards are emphasized. Specifically, they are:

- General ethical principles
- Research freedom
- Professional responsibility
- Principles of publication
- Treatment of personal data
- Intellectual property treatment
- Fair, respectful and efficient use of the project's infrastructure
- Conditions for research on patients and animals

[1] The European Charter for Researchers is a set of general principles and requirements which specifies the roles, responsibilities and entitlements of researchers as well as of employers and/or funders of researchers, released by European Commission in 2005. Available at: <http://ec.europa.eu/eracareers/pdf/am509774CEE_EN_E4.pdf>.
[2] World Medical Association: Declaration of Helsinki - Ethical Principles for Medical Research Involving Human Subjects. Available at: < http://www.wma.net/en/30publications/10policies/b3/17c.pdf>.

2. Principles

2.1 General ethical principles

No CEITEC employee should be discriminated against in any way on the basis of gender, age, ethnic, national or social origin, religion or belief, sexual orientation, language, disability, political opinion, social or economic condition.

All CEITEC employees should be familiar with the project's strategic goals and they should be mindful of CEITEC's good reputation and name. They should also be familiar with national, European or institutional legislative frameworks and adhere to them, specifically to The European Charter for Researchers and Declaration of Helsinki (see Annex 2 and Annex 3).

Researchers should adhere to the recognized ethical principles and fundamental ethical principles relevant to their discipline. In the case of specific project, researchers should also adhere to the relevant ethical standards as documented in the various national, sectoral, and institutional codes of ethics as well as to a multi-disciplinal code of ethics.

2.2 Research freedom

Researchers should focus their research on making advances for the good of mankind and on expanding the frontiers of scientific knowledge, while enjoying the freedom of thought and expression, and the freedom to identify methods by which problems are solved according to recognized ethical principles and practices.[3]

2.3 Professional responsibility

Researchers do not duplicate research previously carried out elsewhere and should make every effort to ensure that the research is relevant to society.

Researchers do not publish work redundantly or fragment their publications or results of research without good reason, i.e. divide them unnecessarily into multiple publications for the purpose of increasing the number of publications.

All internal and external cooperation should be properly contracted. The exploitation of centre's infrastructure (both tangible and intangible assets), IP or any other knowledge created within or for the centre must always be fully used for the benefit of the centre.

All professional assessments, evaluations, opinions and decisions must be conducted independently and based purely on scientific principles and free of personal interests.

[3] The European Charter for Researchers, released by European Commission in 2005. Available at: <http://ec.europa.eu/eracareers/pdf/am509774CEE_EN_E4.pdf>.

All CEITEC employees should exert their best effort to avoid any conflict of interest. Should a conflict of interest arise, it is to be reported by the employee to his/her direct superior, who is responsible for taking appropriate measures.

Researchers at all career stages and other CEITEC employees should continually develop themselves by regularly updating and expanding their skills and competencies. They can achieve this in different ways, e.g. by attending seminars and courses, in formal training activities, through participation in workshops, by attending conferences, etc.

2.4 Principles of publication

All CEITEC researchers should be familiar with the Common Publication Policy of the CEITEC project.

Scientific publication is governed by certain ethical principles that should be followed by authors, editors, manuscript reviewers, and publishers.

Researchers must avoid any kind of plagiarism and adhere to the principles of intellectual property.

All sources must be properly quoted and listed in a bibliography. Researchers also quote the relevant works that are not in accordance with their assumptions and interpretations of results.

Unless the data have been updated and the conclusions modified, the same manuscript should not be published in more than one publication (e.g. a paper published in the proceedings of a workshop should not be published as such in a journal, but it may be offered to a journal if its content has substantially changed since it appeared in the workshop proceedings).

The editors and reviewers of CEITEC partners must treat manuscripts as confidential communications and not divulge their contents without the consent of the author(s). Reviewers are responsible not only for unbiased, objective critical analysis of manuscripts but also for completing their duties within the time allotted.

The publisher (an Organisational Unit of the CEITEC project or other) must clear the manuscripts with author(s) to ensure that changes in meaning have not occurred during copy editing.

Specific conditions are described in detail in the Publication Policy of the CEITEC project.

2.5 Treatment of confidential data

For the purposes of this policy, the term, '*confidential data'*, refers to private project / centre information or other private organizational and personal information not intended to be disclosed outside the context of the organization responsible for that information.

Specific conditions are described in detail in the Common Rules for Quality Management of the CEITEC project.

2.6 Intellectual property treatment

The property rights to the IP generated by CEITEC employees are derived from the labour relation of researchers and other employees generating the results concerned.

All IP must be treated in accordance with ethical principles and the use of such IP must take into account the potential contribution to society. Protection of IP (e.g. patenting, licensing) is carried out only if the scientist is convinced of its quality and benefits for society.

Specific conditions are described in detail in the Common Rules for Cooperation with the Application Sphere.

2.7 Fair, respectful and efficient use of the project's infrastructure

Common rules and obligations of all users will lead to an open and transparent system of infrastructure use that acknowledges the scientific quality and impact or contribution of individual projects. All users of the infrastructure have the same right while using the infrastructure, however, the price of infrastructure use or services provided may vary. The system of pricing and using the infrastructure is defined in the Common Rules for Cooperation with the Application Sphere. All partners use the infrastructure for the same price.

All users of the project's infrastructure should follow instructions for the use of equipment or access to the laboratory as stated by its owner and these general principles:

- Ensure that the research infrastructure is used with respect to the principles of fairness, effectiveness and only for the specified purposes
- Define clear and realistic objectives and deliverables for the project using the research infrastructure and communicate them as defined in the Common Rules for Cooperation with the Application Sphere
- Ensure that the human, material and financial resources entrusted to them are used optimally for the benefit of CEITEC
- Invest in CEITEC's future by taking long-term effectiveness into account when managing short and medium-term activities
- Share with other CEITEC employees any information that could benefit them in their work, also provide advice and guidance to colleagues where appropriate and exercise adequate supervision and control over tasks that are delegated
- Refrain from interfering with the settings of the research infrastructure equipment or the equipment itself, unless previously discussed with the provider
- Maintain a professional environment characterized by good working relations and an atmosphere of tolerance and mutual respect
- The equipment shall be treated with respect and users should take steps to avoid damage through negligence or misuse, excessive use or break downs

2.8 Conditions for research on patients and animals

In clinical research involving human subjects or animals, the well-being of the individual research subject must take precedence over all other interests. Clinical research involving human subjects or animals must conform to generally accepted scientific principles. Violation of protocols governing research on human subjects is strictly forbidden. Using animals and human patients as research subjects should be allowed only after alternative approaches have proved to be inadequate.

Researchers, as well as editors and publishers, all have ethical obligations with regard to the publication of research results. Researchers are obliged to make the results of their research on human subjects publicly available and they are also responsible for the correctness and completeness of their reports on the results. The positive, negative and inconclusive results of clinical research should be published or otherwise made publicly available. These principles are specified in the Declaration of Helsinki (Annex 3).

3. List of Abbreviations

CEITEC	Central European Institute of Technology
IP	Intellectual Property

4. Glossary

CEITEC employee	Employee of an Organisational Unit of a CEITEC partner or of the Central Management Structure. There are two basic categories of CEITEC employees: (1) research employees and (2) non-research employees.
confidential data	Private project / centre information or other private organisational information not intended to be disclosed outside the context of the organisation responsible for that information

5. Changes from Previous Version

Date	Chapter	Description

6. Annexes

ANNEX 1 European Charter for Researchers and a Code of Conduct for the Recruitment of Researchers

ANNEX 2 Declaration of Helsinki

EUROPEAN COMMISSION

Community research

The European Charter for Researchers

The Code of Conduct for the Recruitment of Researchers

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EUROPEAN COMMISSION

The European Charter for Researchers

The Code of Conduct for the Recruitment of Researchers

2005

Directorate-General for Research
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Commission Recommendation of 11 March 2005 on the European Charter for Researchers and on a Code of Conduct for the Recruitment of Researchers

The Commission of the European Communities

Having regard to the Treaty establishing the European Community, and in particular Article 165 thereof

Whereas

(1) The Commission considered it necessary in January 2000 [1] to establish the European Research Area as the linchpin of the Community's future action in this field with a view to consolidating and giving structure to a European research policy.

(2) The Lisbon European Council set the Community the objective of becoming the most competitive and dynamic knowledge economy in the world by 2010.

(3) The Council has addressed issues related to the profession and the career of researchers within the European Research Area in its Resolution of 10 November 2003 [2] and welcomed in particular the Commission's intention to work towards the development of a European Researcher's Charter and a Code of Conduct for the Recruitment of Researchers.

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1 COM(2000) 6 final of 18.1.2000.

2 JO C 282, p. 1-2, of 25.11.2003. Council Resolution of 10 November 2003 (2003/C 282/01 on the profession and the career of researchers within the European Research Area).

(4) The identified potential shortage of researchers [3], particularly in certain key disciplines, will pose a serious threat to EU's innovative strength, knowledge capacity and productivity growth in the near future and may hamper the attainment of the Lisbon and Barcelona objectives. Consequently, Europe must dramatically improve its attractiveness to researchers and strengthen the participation of women researchers by helping to create the necessary conditions for more sustainable and appealing careers for them in R&D [4].

(5) Sufficient and well-developed human resources in R&D are the cornerstone of advancement in scientific knowledge, technological progress, enhancing the quality of life, ensuring the welfare of European citizens and contributing to Europe's competitiveness.

(6) New instruments for the career development of researchers should be introduced and implemented, thus contributing to the improvement of career prospects for researchers in Europe.

(7) Enhanced and more visible career prospects also contribute to the building of a positive public attitude towards the researchers' profession, and thereby encourage more young people to embark on careers in research.

(8) The ultimate political goal of this Recommendation is to contribute to the development of an attractive, open and sustainable European labour market for researchers, where the framework conditions allow for recruiting and retaining high quality researchers in environments conducive to effective performance and productivity.

(9) Member States should endeavour to offer researchers sustainable career development systems at all career stages, regardless of their contractual situation and of the chosen R&D career path, and they

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[3] COM (2003) 226 final and SEC(2003) 489 of 30.4.2003.

[4] SEC (2005) 260.

should endeavour to ensure that researchers are treated as professionals and as an integral part of the institutions in which they work.

(10) Even though Member States have made considerable efforts to overcome administrative and legal obstacles to geographical and intersectoral mobility, many of these obstacles still remain.

(11) All forms of mobility should be encouraged as part of a comprehensive human resource policy in R&D at national, regional and institutional level.

(12) The value of all forms of mobility needs to be fully recognised in the career appraisal and career advancement systems for researchers, thus guaranteeing that such an experience is conducive to their professional development.

(13) The development of a consistent career and mobility policy for researchers to [5] and from the European Union should be considered with regard to the situation in developing countries and regions within and outside Europe, so that building research capacities within the European Union does not occur at the expense of less developed countries or regions.

(14) Funders or employers of researchers in their role as recruiters should be responsible for providing researchers with open, transparent and internationally comparable selection and recruitment procedures.

(15) Society should appreciate more fully the responsibilities and the professionalism that researchers demonstrate in executing their work at different stages of their careers and in their multi-faceted role as knowledge workers, leaders, project coordinators, managers, supervisors, mentors, career advisors or science communicators.

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[5] COM(2004) 178 final of 16.3.2004.

(16) This Recommendation takes as its premise that employers or funders of researchers have an overriding obligation to ensure that they meet respective national, regional or sectoral legislation requirements.

(17) This Recommendation provides Member States, employers, funders and researchers with a valuable instrument to undertake, on a voluntary basis, further initiatives for the improvement and consolidation of researchers' career prospects in the European Union and for the creation of an open labour market for researchers.

(18) The general principles and requirements outlined in this Recommendation are the fruits of a public consultation process to which the members of the Steering Group on Human Resources and Mobility have been fully associated,

Hereby recommends:

1. That Member States endeavour to undertake the necessary steps to ensure that employers or funders of researchers develop and maintain a supportive research environment and working culture, where individuals and research groups are valued, encouraged and supported, and provided with the necessary material and intangible support to enable them to fulfil their objectives and tasks. Within this context, particular priority should be given to the organisation of working and training conditions in the early stage of the researchers' careers, as it contributes to the future choices and attractiveness of a career in R&D.

2. That Member States endeavour to take, wherever necessary, the crucial steps to ensure that employers or funders of researchers improve the recruitment methods and career evaluation/appraisal systems in order to create a more transparent, open, equal and internationally accepted system of recruitment and career development as a prerequisite for a genuine European labour market for researchers.

3. That Member States - as they formulate and adopt their strategies and systems for developing sustainable careers for researchers - take duly into account and are guided by the general principles and requirements, referred to as The European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers outlined in the Annex.

4. That Member States endeavour to transpose these general principles and requirements within their area of responsibility into national regulatory frameworks or sectoral and/or institutional standards and guidelines (charters and/or codes for researchers). In so doing they should take into account the great diversity of the laws, regulations and practices which, in different countries and in different sectors, determine the path, organisation and working conditions of a career in R&D.

5. That Member States consider such general principles and requirements as an integral part of institutional quality assurance mechanisms by regarding them as a means for establishing funding criteria for national/regional funding schemes, as well as adopting them for the auditing, monitoring and evaluation processes of public bodies.

6. That Member States continue their efforts to overcome the persisting legal and administrative obstacles to mobility, including those related to intersectoral mobility and mobility between and within different functions, taking into account an enlarged European Union.

7. That Member States endeavour to ensure that researchers enjoy adequate social security coverage according to their legal status. Within this context, particular attention should be paid to the portability of pension rights, either statutory or supplementary, for researchers moving within the public and private sectors in the same country and also for those moving across borders within the European Union. Such regimes should guarantee that researchers who, in the course

of their lives, change jobs or interrupt their careers do not unduly suffer a loss of social security rights.

8. That Member States put in place the necessary monitoring structures to review this Recommendation regularly, as well as to measure the extent to which employers, funders and researchers have applied the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers.

9. That the criteria for measuring this will be established and agreed with the Member States within the context of the work undertaken by the Steering Group on Human Resources and Mobility.

10. That Member States in their role as representatives in the international organisations established at intergovernmental level take due account of this Recommendation when proposing strategies and taking decisions concerning the activities of those organisations.

11. This Recommendation is addressed to the Member States but it is also intended as an instrument to encourage social dialogue, as well as dialogue among researchers, stakeholders and society at large.

12. The Member States are invited to inform the Commission, as far as possible, by 15th December 2005 and annually thereafter of any measures they have taken further to this Recommendation, and to inform it of the first results of its application as well as to provide examples of good practice.

13. This Recommendation will be reviewed periodically by the Commission in the context of the Open Method of Coordination.

Done at Brussels, 11 March 2005

For the Commission
Janez Potočnik
Member of the Commission

ANNEX

Section 1
The European Charter for Researchers

The European Charter for Researchers is a set of general principles and requirements which specifies the roles, responsibilities and entitlements of researchers as well as of employers and/or funders of researchers [6]. The aim of the Charter is to ensure that the nature of the relationship between researchers and employers or funders is conducive to successful performance in generating, transferring, sharing and disseminating knowledge and technological development, and to the career development of researchers. The Charter also recognizes the value of all forms of mobility as a means for enhancing the professional development of researchers.

In this sense, the Charter constitutes a framework for researchers, employers and funders which invites them to act responsibly and as professionals within their working environment, and to recognise each other as such.

The Charter addresses all researchers in the European Union at all stages of their career and covers all fields of research in the public and private sectors, irrespective of the nature of the appointment or employment [7], the legal status of their employer or the type of organisation or establishment in which the work is carried out. It takes into account the multiple roles of researchers, who are appointed not only to conduct research and/or to carry out development activities but are also involved in supervision, mentoring, management or administrative tasks.

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[6] See definition in Section 3.

[7] See definition in Section 3.

This Charter takes as its premise that researchers as well as employers and/or funders of researchers have an overriding obligation to ensure that they meet the requirements of the respective national or regional legislation. Where researchers enjoy a status and rights which are, in certain respects, more favourable than those provided for in this Charter, its terms should not be invoked to diminish the status and rights already acquired.

Researchers, as well as employers and funders, who adhere to this Charter will also be respecting the fundamental rights and observe the principles recognised by the Charter of Fundamental Rights of the European Union [8].

[8] Official Journal C 364, 18.12.2000 p. 0001-0022.

General Principles and Requirements applicable to Researchers:

Research Freedom

Researchers should focus their research for the good of mankind and for expanding the frontiers of scientific knowledge, while enjoying the freedom of thought and expression, and the freedom to identify methods by which problems are solved, according to recognised ethical principles and practices.

Researchers should, however, recognise the limitations to this freedom that could arise as a result of particular research circumstances (including supervision/guidance/management) or operational constraints, e.g. for budgetary or infrastructural reasons or, especially in the industrial sector, for reasons of intellectual property protection. Such limitations should not, however, contravene recognised ethical principles and practices, to which researchers have to adhere.

Ethical principles

Researchers should adhere to the recognised ethical practices and fundamental ethical principles appropriate to their discipline(s) as well as to ethical standards as documented in the different national, sectoral or institutional Codes of Ethics.

Professional responsibility

Researchers should make every effort to ensure that their research is relevant to society and does not duplicate research previously carried out elsewhere.

They must avoid plagiarism of any kind and abide by the principle of intellectual property and joint data ownership in the case of research carried out in collaboration with a supervisor(s) and/or other researchers. The need to validate new observations by showing that experiments are reproducible should not be interpreted as plagiarism, provided that the data to be confirmed are explicitly quoted.

Researchers should ensure, if any aspect of their work is delegated, that the person to whom it is delegated has the competence to carry it out.

Professional attitude

Researchers should be familiar with the strategic goals governing their research environment and funding mechanisms, and should seek all necessary approvals before starting their research or accessing the resources provided.

They should inform their employers, funders or supervisor when their research project is delayed, redefined or completed, or give notice if it is to be terminated earlier or suspended for whatever reason.

Contractual and legal obligations

Researchers at all levels must be familiar with the national, sectoral or institutional regulations governing training and/or working conditions. This includes Intellectual Property Rights regulations, and the requirements and conditions of any sponsor or funders, independently of the nature of their contract. Researchers should adhere to such regulations by delivering the required results (e.g. thesis, publications, patents, reports, new products development, etc) as set out in the terms and conditions of the contract or equivalent document.

Accountability

Researchers need to be aware that they are accountable towards their employers, funders or other related public or private bodies as well as, on more ethical grounds, towards society as a whole. In particular, researchers funded by public funds are also accountable for the efficient use of taxpayers' money. Consequently, they should adhere to the principles of sound, transparent and efficient financial management and co-operate with any authorised audits of their research, whether undertaken by their employers/funders or by ethics committees.

Methods of collection and analysis, the outputs and, where applicable, details of the data should be open to internal and external scrutiny, whenever necessary and as requested by the appropriate authorities.

Good practice in research

Researchers should at all times adopt safe working practices, in line with national legislation, including taking the necessary precautions for health and safety and for recovery from information technology disasters, e.g. by preparing proper back-up strategies. They should also be familiar with the current national legal requirements regarding data protection and confidentiality protection requirements, and undertake the necessary steps to fulfil them at all times.

Dissemination, exploitation of results

All researchers should ensure, in compliance with their contractual arrangements, that the results of their research are disseminated and exploited, e.g. communicated, transferred into other research settings or, if appropriate, commercialised. Senior researchers, in particular, are expected to take a lead in ensuring that research is fruitful and that results

are either exploited commercially or made accessible to the public (or both) whenever the opportunity arises.

Public engagement

Researchers should ensure that their research activities are made known to society at large in such a way that they can be understood by non-specialists, thereby improving the public's understanding of science. Direct engagement with the public will help researchers to better understand public interest in priorities for science and technology and also the public's concerns.

Relation with supervisors

Researchers in their training phase should establish a structured and regular relationship with their supervisor(s) and faculty/departmental representative(s) so as to take full advantage of their relationship with them.

This includes keeping records of all work progress and research findings, obtaining feedback by means of reports and seminars, applying such feedback and working in accordance with agreed schedules, milestones, deliverables and/or research outputs.

Supervision and managerial duties

Senior researchers should devote particular attention to their multi-faceted role as supervisors, mentors, career advisors, leaders, project coordinators, managers or science communicators. They should perform these tasks to the highest professional standards. With regard to their role as supervisors or mentors of researchers, senior researchers should build up a constructive and positive relationship with the early-stage researchers, in order to set the conditions for efficient transfer of knowledge and for the further successful development of the researchers' careers.

Continuing Professional Development

Researchers at all career stages should seek to continually improve themselves by regularly updating and expanding their skills and competencies. This may be achieved by a variety of means including, but not restricted to, formal training, workshops, conferences and e-learning.

General Principles and Requirements applicable to Employers and Funders:

Recognition of the profession

All researchers engaged in a research career should be recognised as professionals and be treated accordingly. This should commence at the beginning of their careers, namely at postgraduate level, and should include all levels, regardless of their classification at national level (e.g. employee, postgraduate student, doctoral candidate, postdoctoral fellow, civil servants).

Non-discrimination

Employers and/or funders of researchers will not discriminate against researchers in any way on the basis of gender, age, ethnic, national or social origin, religion or belief, sexual orientation, language, disability, political opinion, social or economic condition.

Research environment

Employers and/or funders of researchers should ensure that the most stimulating research or research training environment is created which offers appropriate equipment, facilities and opportunities, including for remote collaboration over research networks, and that the national or sectoral regulations concerning health and safety in research are observed. Funders should ensure that adequate resources are provided in support of the agreed work programme.

Working conditions

Employers and/or funders should ensure that the working conditions for researchers, including for disabled researchers, provide where appropriate the flexibility deemed essential for successful research performance in accordance with existing national legislation and with national or sectoral collective-bargaining agreements. They should aim to provide working conditions which allow both women and men researchers to combine family and work, children and career [9]. Particular attention should be paid, *inter alia*, to flexible working hours, part-time working, tele-working and sabbatical leave, as well as to the necessary financial and administrative provisions governing such arrangements.

Stability and permanence of employment

Employers and/or funders should ensure that the performance of researchers is not undermined by instability of employment contracts, and should therefore commit themselves as far as possible to improving the stability of employment conditions for researchers, thus implementing and abiding by the principles and terms laid down in the *EU Directive on Fixed-Term Work* [10].

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[9] See SEC (2005) 260, Women and Science: Excellence and Innovation – Gender Equality in Science.

[10] Which aims to prevent fixed-term employees from being treated less favourably than similar permanent employees, to prevent abuse arising from the use of successive fixed-term contracts, to improve access to training for fixed-term employees and to ensure that fixed-term employees are informed about available permanent jobs. Council Directive 1999/70/EC concerning the "Framework Agreement on fixed-term work" concluded by ETUC, UNICE and CEEP, adopted on 28 June 1999.

Funding and salaries

Employers and/or funders of researchers should ensure that researchers enjoy fair and attractive conditions of funding and/or salaries with adequate and equitable social security provisions (including sickness and parental benefits, pension rights and unemployment benefits) in accordance with existing national legislation and with national or sectoral collective bargaining agreements. This must include researchers at all career stages including early-stage researchers, commensurate with their legal status, performance and level of qualifications and/or responsibilities.

Gender balance [11]

Employers and/or funders should aim for a representative gender balance at all levels of staff, including at supervisory and managerial level. This should be achieved on the basis of an equal opportunity policy at recruitment and at the subsequent career stages without, however, taking precedence over quality and competence criteria. To ensure equal treatment, selection and evaluation committees should have an adequate gender balance.

Career development

Employers and/or funders of researchers should draw up, preferably within the framework of their human resources management, a specific career development strategy for researchers at all stages of their career, regardless of their contractual situation, including for researchers on fixed-term contracts. It should include the availability of mentors involved in providing support and guidance for the personal and professional development of researchers, thus motivating them and contributing to reducing any

[11] See SEC (2005) 260, Women and Science: Excellence and Innovation – Gender Equality in Science.

insecurity in their professional future. All researchers should be made familiar with such provisions and arrangements.

Value of mobility

Employers and/or funders must recognise the value of geographical, intersectoral, inter- and trans-disciplinary and virtual [12] mobility as well as mobility between the public and private sector as an important means of enhancing scientific knowledge and professional development at any stage of a researcher's career. Consequently, they should build such options into the specific career development strategy and fully value and acknowledge any mobility experience within their career progression/appraisal system.

This also requires that the necessary administrative instruments be put in place to allow the portability of both grants and social security provisions, in accordance with national legislation.

Access to research training and continuous development

Employers and/or funders should ensure that all researchers at any stage of their career, regardless of their contractual situation, are given the opportunity for professional development and for improving their employability through access to measures for the continuing development of skills and competencies.

Such measures should be regularly assessed for their accessibility, take-up and effectiveness in improving competencies, skills and employability.

[12] i.e. remote collaboration over electronic networks.

Access to career advice

Employers and/or funders should ensure that career advice and job placement assistance, either in the institutions concerned, or through collaboration with other structures, is offered to researchers at all stages of their careers, regardless of their contractual situation.

Intellectual Property Rights

Employers and/or funders should ensure that researchers at all career stages reap the benefits of the exploitation (if any) of their R&D results through legal protection and, in particular, through appropriate protection of Intellectual Property Rights, including copyrights.

Policies and practices should specify what rights belong to researchers and/or, where applicable, to their employers or other parties, including external commercial or industrial organisations, as possibly provided for under specific collaboration agreements or other types of agreement.

Co-authorship

Co-authorship should be viewed positively by institutions when evaluating staff, as evidence of a constructive approach to the conduct of research. Employers and/or funders should therefore develop strategies, practices and procedures to provide researchers, including those at the beginning of their research careers, with the necessary framework conditions so that they can enjoy the right to be recognised and listed and/or quoted, in the context of their actual contributions, as co-authors of papers, patents, etc, or to publish their own research results independently from their supervisor(s).

Supervision

Employers and/or funders should ensure that a person is clearly identified to whom early-stage researchers can refer for the performance of their professional duties, and should inform the researchers accordingly.

Such arrangements should clearly define that the proposed supervisors are sufficiently expert in supervising research, have the time, knowledge, experience, expertise and commitment to be able to offer the research trainee appropriate support and provide for the necessary progress and review procedures, as well as the necessary feedback mechanisms.

Teaching

Teaching is an essential means for the structuring and dissemination of knowledge and should therefore be considered a valuable option within the researchers' career paths. However, teaching responsibilities should not be excessive and should not prevent researchers, particularly at the beginning of their careers, from carrying out their research activities.

Employers and/or funders should ensure that teaching duties are adequately remunerated and taken into account in the evaluation/appraisal systems, and that time devoted by senior members of staff to the training of early stage researchers should be counted as part of their teaching commitment. Suitable training should be provided for teaching and coaching activities as part of the professional development of researchers.

Evaluation/appraisal systems

Employers and/or funders should introduce for all researchers, including senior researchers, evaluation/appraisal systems for assessing their professional performance on a regular basis and in a transparent manner by an independent (and, in the case of senior researchers, preferably international) committee.

Such evaluation and appraisal procedures should take due account of their overall research creativity and research results, e.g. publications, patents, management of research, teaching/lecturing, supervision, mentoring, national or international collaboration, administrative duties, public awareness activities and mobility, and should be taken into consideration in the context of career progression.

Complaints/appeals

Employers and/or funders of researchers should establish, in compliance with national rules and regulations, appropriate procedures, possibly in the form of an impartial (ombudsman-type) person to deal with complaints/appeals of researchers, including those concerning conflicts between supervisor(s) and early-stage researchers. Such procedures should provide all research staff with confidential and informal assistance in resolving work-related conflicts, disputes and grievances, with the aim of promoting fair and equitable treatment within the institution and improving the overall quality of the working environment.

Participation in decision-making bodies

Employers and/or funders of researchers should recognise it as wholly legitimate, and indeed desirable, that researchers be represented in the relevant information, consultation and decision-making bodies of the institutions for which they work, so as to protect and promote their individual and collective interests as professionals and to actively contribute to the workings of the institution [13].

[13] In this context see also EU Directive 2002/14/EC.

Recruitment

Employers and/or funders should ensure that the entry and admission standards for researchers, particularly at the beginning at their careers, are clearly specified and should also facilitate access for disadvantaged groups or for researchers returning to a research career, including teachers (of any level) returning to a research career.

Employers and/or funders of researchers should adhere to the principles set out in the Code of Conduct for the Recruitment of Researchers when appointing or recruiting researchers.

Section 2
The Code of Conduct for the Recruitment of Researchers

The code of conduct for the recruitment of researchers consists of a set of general principles and requirements that should be followed by employers and/or funders when appointing or recruiting researchers. These principles and requirements should ensure observance of values such as transparency of the recruitment process and equal treatment of all applicants, in particular with regard to the development of an attractive, open and sustainable European labour market for researchers, and are complementary to those outlined in the European Charter for Researchers. Institutions and employers adhering to the Code of Conduct will openly demonstrate their commitment to act in a responsible and respectable way and to provide fair framework conditions to researchers, with a clear intention to contribute to the advancement of the European Research Area.

General Principles and Requirements for the Code of Conduct

Recruitment

Employers and/or funders should establish recruitment procedures which are open [14], efficient, transparent, supportive and internationally comparable, as well as tailored to the type of positions advertised.

[14] All available instruments should be used, in particular international or globally accessible web-based resources such as the pan-European Researcher's Mobility Portal: http://europa.eu.int/eracareers.

Advertisements should give a broad description of knowledge and competencies required, and should not be so specialised as to discourage suitable applicants. Employers should include a description of the working conditions and entitlements, including career development prospects. Moreover, the time allowed between the advertisement of the vacancy or the call for applications and the deadline for reply should be realistic.

Selection

Selection committees should bring together diverse expertise and competences and should have an adequate gender balance and, where appropriate and feasible, include members from different sectors (public and private) and disciplines, including from other countries and with relevant experience to assess the candidate. Whenever possible, a wide range of selection practices should be used, such as external expert assessment and face-to-face interviews. Members of selection panels should be adequately trained.

Transparency

Candidates should be informed, prior to the selection, about the recruitment process and the selection criteria, the number of available positions and the career development prospects. They should also be informed after the selection process about the strengths and weaknesses of their applications.

Judging merit

The selection process should take into consideration the whole range of experience [15] of the candidates. While focusing on their overall potential as researchers, their creativity and level of independence should also be considered.

[15] See also The European Charter for Researchers: Evaluation/Appraisal systems in Section 1 of this document.

This means that merit should be judged qualitatively as well as quantitatively, focusing on outstanding results within a diversified career path and not only on the number of publications. Consequently, the importance of bibliometric indices should be properly balanced within a wider range of evaluation criteria, such as teaching, supervision, teamwork, knowledge transfer, management of research and innovation and public awareness activities. For candidates from an industrial background, particular attention should be paid to any contributions to patents, development or inventions.

Variations in the chronological order of CVs

Career breaks or variations in the chronological order of CVs should not be penalised, but regarded as an evolution of a career, and consequently, as a potentially valuable contribution to the professional development of researchers towards a multidimensional career track. Candidates should therefore be allowed to submit evidence-based CVs, reflecting a representative array of achievements and qualifications appropriate to the post for which application is being made.

Recognition of mobility experience

Any mobility experience, e.g. a stay in another country/region or in another research setting (public or private) or a change from one discipline or sector to another, whether as part of the initial research training or at a later stage of the research career, or virtual mobility experience, should be considered as a valuable contribution to the professional development of a researcher.

Recognition of qualifications

Employers and/or funders should provide for appropriate assessment and evaluation of the academic and professional qualifications, including non-formal qualifications, of all researchers, in particular within the context of

international and professional mobility. They should inform themselves and gain a full understanding of rules, procedures and standards governing the recognition of such qualifications and, consequently, explore existing national law, conventions and specific rules on the recognition of these qualifications through all available channels [16].

Seniority

The levels of qualifications required should be in line with the needs of the position and not be set as a barrier to entry. Recognition and evaluation of qualifications should focus on judging the achievements of the person rather than his/her circumstances or the reputation of the institution where the qualifications were gained. As professional qualifications may be gained at an early stage of a long career, the pattern of lifelong professional development should also be recognised.

Postdoctoral appointments

Clear rules and explicit guidelines for the recruitment and appointment of postdoctoral researchers, including the maximum duration and the objectives of such appointments, should be established by the institutions appointing postdoctoral researchers. Such guidelines should take into account time spent in prior postdoctoral appointments at other institutions and take into consideration that the postdoctoral status should be transitional, with the primary purpose of providing additional professional development opportunities for a research career in the context of long-term career prospects.

[16] Look at http://www.enic-naric.net/ to find more detailed information about the NARIC Network (National Academic Recognition Information Centres) and the ENIC Network (European Network of Information Centres).

Section 3
Definitions

Researchers

For the purpose of this Recommendation the internationally recognised Frascati definition of research [17] will be used. Consequently, researchers are described as

"Professionals engaged in the conception or creation of new knowledge, products, processes, methods and systems, and in the management of the projects concerned."

More specifically, this Recommendation relates to all persons professionally engaged in R&D at any career stage [18], regardless of their classification. This includes any activities related to "basic research", "strategic research", "applied research", experimental development and "transfer of knowledge" including innovation and advisory, supervisory and teaching capacities, the management of knowledge and intellectual property rights, the exploitation of research results or scientific journalism.

A distinction is made between Early-Stage Researcher and Experienced Researchers:

- The term Early-Stage Researcher [19] refers to researchers in the first four years (full-time equivalent) of their research activity, including the period of research training.

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17 In: Proposed Standard Practice for Surveys on Research and Experimental Development, Frascati Manual, OECD, 2002.

18 COM (2003) 436 of 18.7. 2003: Researchers in the ERA: One profession, multiple careers.

19 See Work Programme Structuring the European Research Area Human Resources and Mobility Marie Curie Actions, edition September 2004, page 41.

- Experienced Researchers [20] are defined as researchers having at least four years of research experience (full-time equivalent) since gaining a university diploma giving them access to doctoral studies, in the country in which the degree/diploma was obtained or researchers already in possession of a doctoral degree, regardless of the time taken to acquire it.

Employers

In the context of this Recommendation "employers" refers to all those public or private institutions which employ researchers on a contractual basis or which host them under other types of contracts or arrangements, including those without a direct financial relationship. The latter refers particularly to institutions of higher education, faculty departments, laboratories, foundations or private bodies where researchers either undergo their research training or carry out their research activities on the basis of funding provided by a third party.

Funders

"Funders" refers to all those bodies [21] which provide funding, (including stipends, awards, grants and fellowships) to public and private research institutions, including institutions for higher education. In this role they might stipulate as a key condition for providing funding that the funded institutions should have in place and apply effective strategies, practices and mechanisms according to the general principles and requirements presented in this Recommendation.

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[20] Idem, page 42.

[21] The Community will endeavour to apply the commitments laid down in this Recommendation to the receiver of funding in the context of the Framework Programme(s) for Research, Technological Development and Demonstration Activities.

Appointment or employment

This refers to any type of contract or stipend or to a fellowship, grant or awards financed by a third party including funding within the context of the Framework Programme(s) [22].

[22] The Framework Programme(s) for Research, Technological Development and Demonstration Activities.

European Commission

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The European Commission has adopted the European Charter for Researchers and a Code of Conduct for the Recruitment of Researchers. These two documents are key elements in the EU's policy to make research an attractive career, which is a vital feature of its strategy to stimulate economic and employment growth. The Charter and Code of Conduct will give individual researchers the same rights and obligations wherever they may work throughout the EU. This should help counter the fact that research careers in Europe are fragmented at local, regional, national or sectoral level, and allow Europe to make the most of its scientific potential.

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WORLD MEDICAL ASSOCIATION DECLARATION OF HELSINKI
Ethical Principles for Medical Research Involving Human Subjects

Adopted by the 18th WMA General Assembly, Helsinki, Finland, June 1964, and amended by the:
29th WMA General Assembly, Tokyo, Japan, October 1975
35th WMA General Assembly, Venice, Italy, October 1983
41st WMA General Assembly, Hong Kong, September 1989
48th WMA General Assembly, Somerset West, Republic of South Africa, October 1996
52nd WMA General Assembly, Edinburgh, Scotland, October 2000
53rd WMA General Assembly, Washington 2002 (Note of Clarification on paragraph 29 added)
55th WMA General Assembly, Tokyo 2004 (Note of Clarification on Paragraph 30 added)
59th WMA General Assembly, Seoul, October 2008

A. INTRODUCTION

1. The World Medical Association (WMA) has developed the Declaration of Helsinki as a statement of ethical principles for medical research involving human subjects**,** including research on identifiable human material and data.

   The Declaration is intended to be read as a whole and each of its constituent paragraphs should not be applied without consideration of all other relevant paragraphs.

2. Although the Declaration is addressed primarily to physicians, the WMA encourages other participants in medical research involving human subjects to adopt these principles.

3. It is the duty of the physician to promote and safeguard the health of patients, including those who are involved in medical research. The physician's knowledge and conscience are dedicated to the fulfilment of this duty.

4. The Declaration of Geneva of the WMA binds the physician with the words, “The health of my patient will be my first consideration,” and the International Code of Medical Ethics declares that, “A physician shall act in the patient's best interest when providing medical care.”

5. Medical progress is based on research that ultimately must include studies involving human subjects. Populations that are underrepresented in medical research should be provided appropriate access to participation in research.

6. In medical research involving human subjects, the well-being of the individual research subject must take precedence over all other interests.

7. The primary purpose of medical research involving human subjects is to understand the causes, development and effects of diseases and improve preventive, diagnostic and therapeutic interventions (methods, procedures and treatments). Even the best current interventions must be evaluated continually through research for their safety, effectiveness, efficiency, accessibility and quality.

8. In medical practice and in medical research, most interventions involve risks and burdens.

9. Medical research is subject to ethical standards that promote respect for all human subjects and protect their health and rights. Some research populations are particularly vulnerable and need special protection. These include those who cannot give or refuse consent for themselves and those who may be vulnerable to coercion or undue influence.

10. Physicians should consider the ethical, legal and regulatory norms and standards for research involving human subjects in their own countries as well as applicable international norms and standards. No national or international ethical, legal or regulatory requirement should reduce or eliminate any of the protections for research subjects set forth in this Declaration.

B. PRINCIPLES FOR ALL MEDICAL RESEARCH

11. It is the duty of physicians who participate in medical research to protect the life, health, dignity, integrity, right to self-determination, privacy, and confidentiality of personal information of research subjects.

12. Medical research involving human subjects must conform to generally accepted scientific principles, be based on a thorough knowledge of the scientific literature, other relevant sources of information, and adequate laboratory and, as appropriate, animal experimentation. The welfare of animals used for research must be respected.

13. Appropriate caution must be exercised in the conduct of medical research that may harm the environment.

14. The design and performance of each research study involving human subjects must be clearly described in a research protocol. The protocol should contain a statement of the ethical considerations involved and should indicate how the principles in this Declaration have been addressed. The protocol should include information regarding funding, sponsors, institutional affiliations, other potential conflicts of interest, incentives for subjects and provisions for treating and/or compensating subjects who are harmed as a consequence of participation in the research study. The protocol should describe arrangements for post-study access by study subjects to interventions identified as beneficial in the study or access to other appropriate care or benefits.

15. The research protocol must be submitted for consideration, comment, guidance and approval to a research ethics committee before the study begins. This committee must be independent of the researcher, the sponsor and any other undue influence. It must take into consideration the laws and regulations of the country or countries in which the research is to be performed as well as applicable international norms and standards but these must not be allowed to reduce or eliminate any of the protections for research subjects set forth in this Declaration. The committee must have the right to monitor ongoing studies. The researcher must provide monitoring information to the committee, especially information about any serious adverse events. No change to the protocol may be made without consideration and approval by the committee.

16. Medical research involving human subjects must be conducted only by individuals with the appropriate scientific training and qualifications. Research on patients or healthy

volunteers requires the supervision of a competent and appropriately qualified physician or other health care professional. The responsibility for the protection of research subjects must always rest with the physician or other health care professional and never the research subjects, even though they have given consent.

17. Medical research involving a disadvantaged or vulnerable population or community is only justified if the research is responsive to the health needs and priorities of this population or community and if there is a reasonable likelihood that this population or community stands to benefit from the results of the research.

18. Every medical research study involving human subjects must be preceded by careful assessment of predictable risks and burdens to the individuals and communities involved in the research in comparison with foreseeable benefits to them and to other individuals or communities affected by the condition under investigation.

19. Every clinical trial must be registered in a publicly accessible database before recruitment of the first subject.

20. Physicians may not participate in a research study involving human subjects unless they are confident that the risks involved have been adequately assessed and can be satisfactorily managed. Physicians must immediately stop a study when the risks are found to outweigh the potential benefits or when there is conclusive proof of positive and beneficial results.

21. Medical research involving human subjects may only be conducted if the importance of the objective outweighs the inherent risks and burdens to the research subjects.

22. Participation by competent individuals as subjects in medical research must be voluntary. Although it may be appropriate to consult family members or community leaders, no competent individual may be enrolled in a research study unless he or she freely agrees.

23. Every precaution must be taken to protect the privacy of research subjects and the confidentiality of their personal information and to minimize the impact of the study on their physical, mental and social integrity.

24. In medical research involving competent human subjects, each potential subject must be adequately informed of the aims, methods, sources of funding, any possible conflicts of interest, institutional affiliations of the researcher, the anticipated benefits and potential risks of the study and the discomfort it may entail, and any other relevant aspects of the study. The potential subject must be informed of the right to refuse to participate in the study or to withdraw consent to participate at any time without reprisal. Special attention should be given to the specific information needs of individual potential subjects as well as to the methods used to deliver the information. After ensuring that the potential subject has understood the information, the physician or another appropriately qualified individual must then seek the potential subject's freely-given informed consent, preferably in writing. If the consent cannot be expressed in writing, the non-written consent must be formally documented and witnessed.

25. For medical research using identifiable human material or data, physicians must normally seek consent for the collection, analysis, storage and/or reuse. There may be situations where consent would be impossible or impractical to obtain for such research or would pose a threat to the validity of the research. In such situations the research may be done only after consideration and approval of a research ethics committee.

26. When seeking informed consent for participation in a research study the physician should be particularly cautious if the potential subject is in a dependent relationship with the physician or may consent under duress. In such situations the informed consent should be sought by an appropriately qualified individual who is completely independent of this relationship.

27. For a potential research subject who is incompetent, the physician must seek informed consent from the legally authorized representative. These individuals must not be included in a research study that has no likelihood of benefit for them unless it is intended to promote the health of the population represented by the potential subject, the research cannot instead be performed with competent persons, and the research entails only minimal risk and minimal burden.

28. When a potential research subject who is deemed incompetent is able to give assent to decisions about participation in research, the physician must seek that assent in addition to the consent of the legally authorized representative. The potential subject's dissent should be respected.

29. Research involving subjects who are physically or mentally incapable of giving consent, for example, unconscious patients, may be done only if the physical or mental condition that prevents giving informed consent is a necessary characteristic of the research population. In such circumstances the physician should seek informed consent from the legally authorized representative. If no such representative is available and if the research cannot be delayed, the study may proceed without informed consent provided that the specific reasons for involving subjects with a condition that renders them unable to give informed consent have been stated in the research protocol and the study has been approved by a research ethics committee. Consent to remain in the research should be obtained as soon as possible from the subject or a legally authorized representative.

30. Authors, editors and publishers all have ethical obligations with regard to the publication of the results of research. Authors have a duty to make publicly available the results of their research on human subjects and are accountable for the completeness and accuracy of their reports. They should adhere to accepted guidelines for ethical reporting. Negative and inconclusive as well as positive results should be published or otherwise made publicly available. Sources of funding, institutional affiliations and conflicts of interest should be declared in the publication. Reports of research not in accordance with the principles of this Declaration should not be accepted for publication.

C. ADDITIONAL PRINCIPLES FOR MEDICAL RESEARCH COMBINED WITH MEDICAL CARE

31. The physician may combine medical research with medical care only to the extent that the research is justified by its potential preventive, diagnostic or therapeutic value and if the physician has good reason to believe that participation in the research study will not adversely affect the health of the patients who serve as research subjects.

32. The benefits, risks, burdens and effectiveness of a new intervention must be tested against those of the best current proven intervention, except in the following circumstances:
    - The use of placebo, or no treatment, is acceptable in studies where no current proven intervention exists; or
    - Where for compelling and scientifically sound methodological reasons the use of placebo is necessary to determine the efficacy or safety of an intervention and the patients who receive placebo or no treatment will not be subject to any risk of serious or irreversible harm. Extreme care must be taken to avoid abuse of this option.

33. At the conclusion of the study, patients entered into the study are entitled to be informed about the outcome of the study and to share any benefits that result from it, for example, access to interventions identified as beneficial in the study or to other appropriate care or benefits.

34. The physician must fully inform the patient which aspects of the care are related to the research. The refusal of a patient to participate in a study or the patient's decision to withdraw from the study must never interfere with the patient-physician relationship.

35. In the treatment of a patient, where proven interventions do not exist or have been ineffective, the physician, after seeking expert advice, with informed consent from the patient or a legally authorized representative, may use an unproven intervention if in the physician's judgement it offers hope of saving life, re-establishing health or alleviating suffering. Where possible, this intervention should be made the object of research, designed to evaluate its safety and efficacy. In all cases, new information should be recorded and, where appropriate, made publicly available.