



# CODE OF ETHICS

CHARLES DARWIN FOUNDATION



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## Change Control and Approvals

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## **1. INTRODUCTION**

The Charles Darwin Foundation for the Galapagos Islands (CDF) is an international non-profit organization dedicated to scientific research. CDF has carried out its mission in the Galapagos since 1959, thanks to an agreement with the Government of Ecuador and with the mandate to pursue and maintain collaborations with government agencies by providing scientific knowledge and technical assistance to promote and secure conservation of Galapagos.

For CDF, ethics is a fundamental value in the development of our scientific, administrative and operational activities. This makes this document an important guide for the behavior of our staff.

## **2. MISSION AND VISION**

**Mission:** The mission of the Charles Darwin Foundation and its Research Station is to provide knowledge and assistance through scientific research and complementary action to ensure the conservation of the environment and biodiversity in the Galapagos Archipelago.

**Vision:** The vision of the Charles Darwin Foundation and its Research Station is to ensure a sustainable Galapagos by providing breakthrough research which informs conservation actions and inspires humanity to preserve this extraordinary archipelago and our planet as a whole.

## **3. OBJECTIVES**

### **3.1 General**

The objective of this document is to assist and guide the actions of all actors mentioned in its section four and, thus, promoting a respectful coexistence and avoiding anti-ethical, malicious actions or legal crimes, which damage the image and credibility of CDF.

### **3.2 Specific**

- Knowing what is expected of staff regarding conduct and ethics.
- Presenting complaint procedures.
- Presenting roles and responsibilities.

## **4. SCOPE**

This document covers the full structure of CDF in any of its headquarters or geographical location containing CDF representatives, including:

- General Assembly.
- Board of Directors.
- Executive Direction and all personnel directly or indirectly linked to this directorate.
- Volunteers and Interns.
- Consultants and workers.

## 5. CDF VALUES

CDF's institutional values comprise the ethical pillars of the institution (Figure 1.) Determining the actions, thoughts, and concepts that the organization undertakes as principles of conduct (for detailed information on these values, see the introduction of the Position Manual<sup>1</sup>.)

**Figure 1. Ethical Pillars (Values)**



Figure 1.

**Ethics within CDF:** Acting under the principles, values, competencies, norms, and organizational guidelines, which lead to good behavior and social coexistence. Ethics will help us build trust and transparency in our team, donors, authorities, and community.

## 6. VALUES

### Respect

Value that allows human beings to recognize, accept, appreciate, and value the qualities of others and their rights. In other words, it is the acknowledgement of self-worth and rights of individuals and society.

### Commitment

Acting to the best of our capacities to carry out tasks entrusted to us, taking into account that we know the conditions that we are accepting and the obligations these entail, since it involves a permanent effort towards the achievement of the established objective.

### Integrity

Showing moral strength, righteousness and honesty in conduct and behavior. In general, a person of integrity is someone who can be trusted.

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<sup>1</sup> Position manual

### **Excellence**

Harmonious process of continuous improvement of all aspects and dimensions of human beings (corporal, spiritual, mental and emotional.) As it is a process, it is endless and perfectible.

### **Discipline**

Ability of people to put into practice a set of principles relating to order and perseverance, both in the execution of daily tasks and activities and in their lives.

## **7. DIVERSITY AND INCLUSION**

The Charles Darwin Foundation is an equal opportunity employer and does not discriminate based on race, color, creed, gender, sexual orientation, age, or origin in relation to hiring, salary, benefits, retention, or promotion.

## **8. INSTITUTIONAL LEGAL FRAMEWORK**

- CDF Constitutional statute.
- 25-year Operating Agreement – Government of Ecuador.
- Basic Operating Agreement – Chancellery.
- Internal regulations approved by the Ministry of Labor.
- Internal policies that talk about ethics, conduct, transparency, etc.

## **9. COMPLIANCE WITH THE CODE OF ETHICS**

For handling complaints and penalties of serious misconduct, the Human Resources area (HR) conducts the process with the support of the executive directorate and the areas involved. Thus, this ensures that the values and principles established in this code are complied with.

### **10.1 General Principles**

CDF expects for its employees to be scrupulously impartial and honest in all matters relating to the Foundation and their work on and off its premises. All staff undertaking responsibility within the activities of the institution must act as CDF representatives at any local, national, and international level.

This code is linked, but not limited to the Scientific Conduct Policy, Discipline and Complaints Policy, Sexual and Workplace Harassment Policy and the internal regulations. The latter legally justifies before the authority the procedures at the time of sanctioning.

In line with global best practices, the general principles to be followed are:

- a. Being ready and willing to work.
- b. Offering services personally, that is, it is not allowed to subcontract the work for which the worker has been employed.
- c. Taking reasonable care in the exercise of such services, including the duty to be

- competent at work and care for the Foundation's assets.
- d. Not interrupting the activities of the Foundation voluntarily.
  - e. Following reasonable instructions as to the service time, place, nature, and method.
  - f. Working only for CDF during contracted hours.
  - g. Providing the Foundation with all relevant information as a result of the development of the employees' activities.
  - h. Respecting CDF's credit of any idea, functional improvement, or discovery in its activities. Similarly, the institution will respect the authorship of ideas, improvements or discoveries of other people or institutions.
  - i. Respecting the institutional secrets of the Foundation or any information classified as confidential.
  - j. Acting in good faith without breaking the trust and honesty required by each worker's position.
  - k. Not giving or taking bribes or any other form of corrupt conduct.
  - l. Respecting colleagues and their work.
  - m. Following these institutional principles and values.

## **10.2 Specific Principles**

- a. Complying with the Labor Code and abiding by the terms established in the workers' employment contracts. (See Personnel Manual.)
- b. Knowing and respecting the Organic Law of Special Regime of the Province of Galapagos (LOREG, in Spanish) 2015.
- c. Being loyal to the Foundation and supporting its vision, mission, and values.
- d. Following CDF's general rules, policies, and procedures.
- e. Keeping confidentiality at all times regarding work activities catalogued under this criterion.
- f. Being responsible for one's safety and that of the colleagues in the work area.
- g. Showing coherence between their actions and CDF's mission, encouraging and guiding others to have a better use of natural and labor resources.
- h. Being honest and transparent in all activities inside and outside CDF.
- i. Following the rules dictated by the Policy of Protection of Information and Intellectual Property.
- j. Following the rules dictated by the Scientific Conduct Policy.
- k. Reporting any breach of ethics to the workers' immediate superior.

## **11 RULES OF CONDUCT**

### **11.1 CDF Representation**

Invitations to receptions and meals where the work of the Foundation is evident may be accepted under the following rules:

- No employee can accept the invitation without prior approval of their supervisor.
- In exceptional circumstances where it is not possible to request prior authorization, the facts must be duly reported after the event.



- If the invitation is personally addressed, it cannot be transferred to another employee, except with the consent and approval of such employee's supervisor and the party issuing the invitation.
- Invitations involving attendance outside normal working hours will be authorized and notified by PI/Coordinator.
- As a rule, any employee who has doubts about the advisability of accepting any gift should reject the offer.

### **11.2 Identification**

Employees, workers, and volunteers must identify themselves as CDF members in case they attend events related to the institution.

### **11.3 Confidentiality**

Due to CDF's nature and mission, it is important to ensure the confidentiality of information, not only for scientific data but also for administrative data. This is why CDF enters into confidentiality agreements with all its employees, workers and volunteers, who are obliged to safeguard and not share such information with unauthorized persons and/or institutions or unofficially. In addition, everyone is obliged to report to Human Resources if someone is not complying with this rule.

In the event that the employee, worker or volunteer breaks this agreement and depending on the type of information he/she shares, the employer may use a "visto bueno" (administrative procedure to terminate an employee's contract due to its breach,) dismissal and/or complaint to the authorities under article 247 "Professional Secrets" <sup>2</sup> of the Criminal Code.

### **11.4 Personal Relationships**

If an affective relationship between two employees develops in the work environment, the responsibility rests with the highest-level employee to bring the case to the attention of their supervisor and confirm that there is no conflict of interest, or that one may not arise. CDF reserves the right to transfer one of the employees to another area or dismiss one of the workers if it deems it necessary.

### **11.5 External Interests and Employment**

If a member of the Foundation or his/her spouse has outside interests, such as managerial positions, ownership, partial ownership, or interests in businesses or consultancies seeking to do business with the Foundation, they must be disclosed to Human Resources.

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<sup>2</sup> Criminal Code

### **11.6 Political Activities<sup>3</sup>**

CDF prohibits political activity among its employees, workers, and volunteers as this makes them Politically Exposed Persons (PEP), directly influencing this policy and that of UAFE-CDF.

For CDF's interests and purposes, it is important that its employees do not have affiliation to political parties. If they insist on having affiliations, employees must communicate this in writing to the Executive Director with a copy to the Human Resources coordinator for it to be analyzed by the ethics committee.

## **12 GENERAL CONDUCT**

CDF's employees, workers and volunteers must, at all times, carry out actions taking into account the values, principles, behaviors, and norms of this Code, in such a way that the institution's image and reputation is strengthened.

## **13 UNETHICAL CONDUCT AND CORRUPT BEHAVIORS**

Misconduct is defined as any action against the aforementioned ethical principles, which can be translated into acts such as:

### **13.1 Bribery and Gifts**

CDF defines bribery as: "corrupting a person through money, gifts or favors, to obtain something from that person"<sup>4</sup>

If an employee accepts or proposes a bribe, this is considered serious misconduct (see sanctions in internal regulations.) Similarly, allowing another person to accept a bribe and not reporting it is also considered a serious offence.

In the event that a person is under suspicion of bribery, the ethics committee is responsible for making the necessary inquiries, including, but not limited to digital and physical information scrutinies, as well as to the search of office and file of such officer, employee or volunteer, in accordance with CDF's disciplinary procedures and those of competent authorities if applicable. The ethics committee will conclude whether there is illegal conduct, which may result in dismissal and/or complaints before the authorities (police, ministry of labor, CGREG, etc.)

### **13.2 Extortion**

CDF defines extortion as: Forcing a person, through the use of violence, intimidation or

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<sup>3</sup> UAFE Manual has regulations and definitions on political issues

<sup>4</sup><https://www.derechoecuador.com/soborno#:~:text=Soborno%2C%20seg%C3%BAn%20el%20origen%20etimol%C3%B3gico,concretar%20u%20omitir%20una%20acci%C3%B3n.>

abuse of power to perform or omit an act<sup>5</sup> that goes against institutional rules, policies and procedures (For further details, see the Harassment policy.)

### **13.3 Fraud and corruption**

It is defined as: A false act or statement with full knowledge of the truth, or the concealment of information to induce another person to infringe.<sup>6</sup>

### **13.4 Financing of Terrorism or Crime**

Employees, staff, or volunteers who, individually or collectively, directly or indirectly, provide, offer, arrange for or collect legal or illegal funds or assets with the intent for them to be used or knowing that they will be used to finance, in whole or in part, the commission of the crime and/or terrorism.

### **13.5 Sabotage**

Damage, destruction, or tampering with experiments, equipment, documents, hardware, software, chemicals, or other items that are needed to perform their work (including scientific,<sup>7</sup> administrative or operational activities.)

## **14 DOCUMENTS BASED ON THIS CODE**

### **14.1 Hygiene and Health Regulations**

CDF and its Research Station have Hygiene and Health Regulations approved by the Ministry of Labor. This document includes guidelines to keep and have a safe workplace.

### **14.2 SCIENTIFIC CONDUCT POLICY**

CDF and its Research Station (CDRS) will conduct their scientific research under the solid ethical principles detailed in this document. Within this ethical context, principles of scientific conduct are established for all its research practices aligned with institutional ethics.

### **14.3 CDF's UAFE Manual**

CDF has a manual based on the resolutions and requirements established by the Financial and Economic Analysis Unit (UAFE) and approved by CDF's legal representative. This document describes the policies, processes, and records that the areas involved must

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<sup>5</sup> <https://whitecollarattorney.net/extortion-lawyer/extortion/>

<sup>6</sup> <https://acfe-spain.com/recursos-contrafraude/que-es-el-fraude#:~:text=En%20consecuencia%2C%20el%20fraude%20incluye,enga%C3%B1o%2C%20u%20otros%20actos%20desleales.>

<sup>7</sup> For further information see the Scientific Conduct Policy.

comply with in order to mitigate the risk of materialization of money laundering (ML) and the financing of terrorism (FT), in addition to complying with the UAE's requirements.

#### **14.4 Workplace Sexual Harassment Policy**

CDF has a Policy on Workplace Sexual Harassment that provides a formal channel for reporting any act of sexual abuse or extortion in the workplace. This creates an environment of gender equity, avoiding abuses and injustices within the institution.

### **15 ROLES AND RESPONSIBILITIES**

#### **15.1 All Staff**

Staff have the right and obligation to read and follow the ethics values and principles presented in this document and to express any concerns or doubts through the institutional channels, respecting the institutional hierarchy.

In case of concerns about the ethical implications of an action or omission, first turn to your coordinator or director for clarification and suggestions, and if necessary to the Human Resources Director.

Report in writing any act that fails to comply with the principles and conduct of this Code of Ethics, as well as unethical conducts as defined in this document.

#### **15.2 Supervisors, Chief Coordinators, PI's, and Directors**

They must:

- Address, clarify and report ethical aspects that are subject to their management and supervision. If necessary, request assistance from the Human Resources Director.
- Lead by example by applying the principles of this instrument in all their daily activities.
- Ensure that your staff in charge know and understand this code.
- Promote the continued application of this code.
- Ensure that complaints and unethical conduct are treated fairly in the application of this code and that due seriousness is kept.

#### **15.3 Human Resources Director**

The HR Director must additionally:

- Ensure that all staff are aware of and understand the content and objectives of this code.
- Clarify and address ethical issues that catch your attention without waiting for a report from a specific area.
- Assist immediate supervisors, coordinators, and managers in the process of staff training and development in relation to this code.

- Ensure that formal reporting and sanctions due to misconduct follow the procedures outlined in this code.
- Ensure fair treatment in the implementation of the code and keep due seriousness.
- Determine the course of action to be followed and, if appropriate, request dismissal with the corresponding "vistos buenos," with the prior approval of the ethics committee.

## **16 CDF ETHICS COMMITTEE**

The Ethics Committee is comprised by the Executive Director, the Human Resources Director and the President of the Board of Directors, who will define more members (minimum 4) according to the topic and the complaint filed. We must not forget that this code is the conduct umbrella for instruments such as the Workplace Sexual Harassment Policy, the Scientific Conduct Policy, UAFE Processes, CDF Hygiene and Health Regulations, among others.

The main functions of the Ethics Committee are:

- Meeting on a regular basis (Minimum attendance of Executive Director, Human Resources Director and President of the Board of Directors) to review this code, procedures, and policies. Strengthening the role and responsibility within the committee and ensuring that CDF is aware of new international protocols.
- Updating and modifying this policy in accordance with CDF's best ethical practices.
- Reviewing complaints and conduct proper investigation of complaints and unethical behaviour cases.
- Sanctioning in accordance with the severity of each case, according to the internal regulations and current standards (other internal policies.)
- Exercising good judgment in determining the intervention of third parties, including local authorities if the breach of this policy is qualified as a misdemeanor or crime.
- Permanently archiving and keeping written and/or electronic records securely, on all complaints, cases and procedures carried out, for future reference.
- Informing staff (if appropriate) about the measures and resolutions taken in each case, without exposing confidential information.

**Important!** Members of the ethics committee who are involved or suspected of being involved in a breach should be removed from the committee.

## **17 COMPLAINTS PROCEDURE**

To report unethical conduct acts, the steps described below must be followed:

- a. Complaints must be made in writing (English or Spanish) if you believe that the action or act of a person or team of people is contrary to this Code.
- b. Allegations should be based on facts and speculative, inconclusive, or biased elements should be avoided. Complaints should include all available information to facilitate an adequate assessment of the nature, severity, and urgency of the investigations.
- c. The complainant should not directly approach or contact the offender(s) for details or

clarification, nor discuss facts or allegations with any person inside or outside the institution, except those to whom he/she should report, i.e. Immediate Head/PI/Coordinators/Directors. In case your superior has a clear conflict of interest, proceed to inform his/her immediate superior.

- d. In the case of suspicion and lack of evidence of the act, report prudently and through institutional channels so that the committee can analyze the case cautiously.
- e. If the report submitted to your immediate superior is not effective within 10 business days, the report should be submitted directly to the Human Resources Director and, in turn, to the Executive Director.
- f. All complaints will be treated confidentially.
- g. If the investigations determine that the complaint is false and was made with the purpose of damaging someone's image or reputation, the committee will analyze the case and determine a sanction.

## **18 LITERATURE CONSULTED**

- Code of Conduct and Professional Ethics for the Secretariat (2013) IUCN.
- [https://www.sciencedaily.com/terms/scientific\\_misconduct.htm](https://www.sciencedaily.com/terms/scientific_misconduct.htm)
- <https://sciencenordic.com/academia-denmark-scientific-misconduct/is-scientific-misconduct-a-bigger-problem-than-we-think/1431434>
- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4449617/>
- [https://fapesp.br/boaspraticas/FAPESP-Code\\_of\\_Good\\_Scientific\\_Practice\\_jun2012.pdf](https://fapesp.br/boaspraticas/FAPESP-Code_of_Good_Scientific_Practice_jun2012.pdf)
- <http://www.rcr.ethics.gc.ca/eng/policy-politique/framework-cadre/#311>
- <https://ufm.dk/en/publications/2009/files-2009/guidelines-for-good-scientific-practice.pdf>
- [http://www.vsnu.nl/files/documenten/Domeinen/Onderzoek/The\\_Netherlands\\_Code\\_of\\_Conduct\\_for\\_Scientific\\_Practice\\_2012.pdf](http://www.vsnu.nl/files/documenten/Domeinen/Onderzoek/The_Netherlands_Code_of_Conduct_for_Scientific_Practice_2012.pdf)
- [https://www.tenk.fi/sites/tenk.fi/files/HTK\\_ohje\\_2012.pdf](https://www.tenk.fi/sites/tenk.fi/files/HTK_ohje_2012.pdf)
- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5862244/#:~:text=The%20NIH%20define%20scientific%20rigor,reproduce%20and%20extend%20the%20findings>.