

CHARLES DARWIN  
FOUNDATION

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# CODE OF ETHICS AND CONDUCT



Fundación  
**Charles Darwin**  
Foundation  
GALAPAGOS



# CHARLES DARWIN FOUNDATION

## CODE OF ETHICS AND CONDUCT

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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 and conservation action. Since its founding in 1959, the CDF has carried out its mission under an agreement with the Ecuadorian Government. The CDF's steadfast dedication to collaboration with governmental agencies ensures the provision of scientific insights and technical support essential for the conservation of the Galapagos Islands.

At CDF we strive to achieve the highest standards of ethical behavior throughout the development and execution of our scientific, administrative, and operational activities while fostering a respectful workplace environment. We believe that in doing so, we will also attract great people and achieve greater scientific and conservation results for the good of the Galapagos, in line with our mission. As such, this Code of Ethics and Conduct is an important guiding document for the proper conduct of all our staff and members of the organization.

## **2. MISSION AND VISION**

### **2.1. Mission**

To tackle the greatest threats and challenges to Galapagos through scientific research and conservation action, to safeguard one of the world's most important natural treasures.

### **2.2. Vision**

To be the world's leading research institution dedicated to the conservation of the biological diversity and natural resources of the Galapagos, and committed to building a sustainable and collaborative society to achieve this objective.

## **3. OBJECTIVES**

### **3.1. General**

The purpose of this document is to inform and direct the actions of the entire CDF organization, regardless of the location or headquarters where CDF representatives are based. The goal is to cultivate a work environment that is harmonious and respectful, and that discourages unethical behavior, malicious actions, or potential crimes that might diminish the potential of CDF as a respectful workplace and/or tarnish its image and credibility. For this document, CDF's organization includes:

- General Assembly.
- Board of Directors.
- Executive Office.
- Employees and consultants.
- Volunteers and Interns.

Note: While this document is written for staff members of the CDF, where applicable, it is assumed that it also applies to all Board and General Assembly members.

Nota: La redacción de este documento está enfocada para los empleados de la FCD, sin embargo, se asume que cuando es pertinente aplica también a miembros de la Junta Directiva y Asamblea General.

### **3.2. Specific Objectives**

CDF's Code of Ethics and Conduct has the following specific objectives:

- Establish principles and values of conduct.
- Outline procedures for filing complaints or whistleblowing.
- Determine roles and responsibilities for compliance with the Code.

## **4. CDF VALUES**

CDF's Code of Ethics and Conduct is guided by our organization's shared set of values. Our values guide the actions we take, the decisions we make, and how we treat our employees, donors, collaborating partners, volunteers, suppliers, members of the community, and many other stakeholders we work with and depend on to deliver on our mission. Our values also guide the principles of our organization and dictate our behavior both internally and externally.

### **4.1. Excellence**

We continuously strive to improve all of what we do and who we are.

### **4.2. Discovery**

We promote creativity and innovation for the benefit of the environment, our communities, and society at large.

### **4.3. Bravery**

We empower scientists to explore, question, and engage in impactful work.

### **4.4. Collaboration**

We engage with our allies and leverage their respective strengths and knowledge to be more effective custodians of our environment.

### **4.5. Respect and Diversity**

We acknowledge, appreciate, and value the different qualities and perspectives of one another and their inalienable rights.

### **4.6. Support**

We provide an engaging and motivational work environment by being at the forefront of discovery, fostering institutional trust and the means for individual growth. are supportive of one another in our work and encourage individual growth.

## 5. INSTITUTIONAL LEGAL FRAMEWORK

This Code of Ethics and Conduct has been developed within the context of, and in compliance with, the following legally binding documents:

- CDF Constitutional statute.
- 25-year Operating Agreement – Government of Ecuador.
- Basic Operating Agreement – Ministry of Foreign Affairs.
- Internal regulations approved by the Ministry of Labor.

## 6. DOCUMENTS BASED ON THIS CODE

### 6.1. Hygiene and Health Regulations

The CDF and its Research Station adhere to the approved Hygiene and Health Regulations set out by the Ministry of Labor. This document provides guidelines to ensure a safe and healthy work environment.

### 6.2. Scientific Conduct Policy

The CDF and its Research Station will conduct scientific research under the solid ethical principles detailed in this document. This policy establishes principles of scientific conduct for all research practices, which are aligned with the institution's ethics.

### 6.3. CDF's UAFE Manual

The CDF maintains a manual based on the resolutions and requirements established by the Ecuadorian Financial and Economic Analysis Unit (UAFE) and approved by the CDF's legal representative. This document outlines the policies, processes, and records necessary to mitigate the risk of money laundering and financing of terrorism, to meet UAFE's requirements.

### 6.4. Prevention and Attention Protocol to cases of discrimination, workplace harassment, and all forms of violence against women in the workplace (Workplace Sexual Harassment Policy).

The CDF Prevention and Attention Protocol provides a formal channel for reporting instances of sexual harassment, violence, or extortion in the workplace. This policy promotes a culture of gender equality, in order to safeguard the organization's members from abuse and injustice. The Protocol is based on four strategic pillars: prevention, attention, repairing, and sanctioning.

### 6.5. Wellbeing, Mental Health, and Prevention of Psychosocial Risks Program.

We are committed to ensuring and working for the HEALTH and WELLBEING of the entire CDF team using a comprehensive approach. Health encompasses complete physical and mental well-

being, not just the absence of disease or infirmity. Thus, health cannot be dissociated from psychological well-being.

## **7. YOUR ROLE**

As employees of CDF, we all have a responsibility to apply good judgment and play our part to make sure CDF continues to be a scientific organization of which we can all be proud. Ethical behavior at CDF is guided by our values, norms, and organizational guidelines, allowing for open and transparent conduct within our teams, among donors, authorities, and the community. This fosters trust and strengthens relationships.

CDF expects all employees to demonstrate impeccable impartiality and honesty in all matters relating to the Foundation, both on and off its premises. All staff involved in the institution's activities are expected to act as representatives of CDF at the local, national, and international level. When concerns are raised it helps us identify and address the matter and improve how we work.

### **7.1. Reporting Complaints and Whistleblowing**

One way to apply good judgment is to speak up when we think a decision or action does not reflect our guiding principles or is not in line with our Code. You do not need to be directly affected by an issue to raise a concern.

Any violation of this Code of Ethics and Conduct has the potential to harm our employees, third parties, or CDF as an organization. CDF therefore urges employees and third parties to come forward and report any indications of behavior that may be deemed in breach of this Code of Ethics and Conduct, and the values that underpin it. A dedicated "Complaints and Whistleblowing Portal" is available on our website specifically for this purpose (<https://www.darwinfoundation.org/en/about/complaints-form/>).

Reports are treated confidentially and with utmost care. CDF will exercise a zero-tolerance policy towards any form of retaliation against anyone reporting a complaint or whistleblowing.

### **7.2. The Role of Managers (Leading by Example)**

Under this Code of Ethics and Conduct, CDF expects its managers (this includes supervisors, coordinators, PIs, and Directors) to:

- Address, clarify, and report any ethical matters related to their management and supervision. If required, they can seek assistance from the Human Resources Director.
- Lead by example, incorporating the principles of this Code in their everyday activities.
- Ensure that their staff members understand and adhere to this Code.
- Creating an environment where people feel comfortable to raise a concern.
- Encourage the continuous implementation of this Code.
- Ensure that all complaints and instances of unethical behavior are addressed confidentially, fairly, and with appropriate seriousness following this Code.

### **7.3. The Role of the Human Resources Department**

The HR Director and his or her team must:

- Ensure that all managers and employees are aware of, and understand, the content and objectives of this Code and what is expected of them.
- Address and clarify any ethical concerns that come to their attention, regardless of whether or not they have been formally reported.
- Assist managers in staff training and development related to this Code.
- Ensure that formal reporting procedures and penalties for misconduct are in line with the procedures outlined in this Code.
- Promote fair treatment in the application of this Code while maintaining the highest levels of confidentiality and integrity.
- Determine the appropriate course of action in cases of misconduct, and if necessary, seek the dismissal of the offending employee, subject to the approval of the Ethics Committee.
- Revise and showcase a "Wellness and Health Plan" encompassing comprehensive facets of the workplace environment, mental well-being, psychosocial hazards, inclusivity, and diversity.

## **8. PRINCIPLES OF CONDUCT**

### **8.1. General Principles**

In line with global best practices, CDF expects all its employees to adhere to the following general principles:

- a. Being ready and willing to work.
- b. Following CDF's general rules, policies, and procedures.
- c. Exercising reasonable care in the provision of such services, including a duty to demonstrate competence at work and to care for the Foundation's assets.
- d. Not intentionally interrupting the activities of the Foundation.
- e. Following reasonable instructions regarding the timing, location, nature, and method of service provision.
- f. Working exclusively for CDF during contracted hours.
- g. Providing the Foundation with all relevant information resulting from the development of an employee's activities.
- h. Respecting CDF's ownership of any idea, functional improvement, or discovery in its activities. Similarly, the institution will respect the authorship of ideas, improvements, or discoveries by other individuals or institutions.
- i. Preserving the Foundation's institutional intellectual property or any information classified as confidential.
- j. Acting in good faith without breaking the trust and honesty required by each worker's position.
- k. Subcontracting of work for which an employee has been hired is not permitted.
- l. Neither offering nor accepting bribes or engaging in any other form of corrupt behavior.
- m. Respecting colleagues and the work they do.
- n. Adhering to institutional principles and values.
- o. Showing loyalty to the Foundation and contributing to strengthening its vision, mission, and values.

## **8.2. Specific Principles**

The CDF expects all its employees to adhere to the following set of specific principles:

- a. Complying with the Labor Code and abiding by the terms outlined in their employment contracts. (See Personnel Manual.)
- b. Being aware of and respecting the Organic Law of the Special Government of the Province of Galapagos (LOREG) 2015.
- c. Being responsible for one's safety and that of colleagues in the work area.
- d. Showing coherence between one's actions and CDF's mission; encouraging and guiding others to make better use of natural and labor resources.
- e. Being honest and transparent in all activities inside and outside CDF.
- f. Following the rules dictated by the Policy of Protection of Information and Intellectual Property.
- g. Following the rules dictated by the Scientific Conduct Policy.
- h. Reporting any breach of ethics or misconduct to their immediate superior or through establishment channels.

## **9. PERSONAL CONDUCT**

### **9.1. Entertainment and gifts**

Invitations to receptions, meals or other forms of entertainment where the work of the Foundation is evident may be accepted under the following conditions:

- 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 details of the invitation and event 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 the PI/Coordinator/Director.
- As a rule, any employee who has doubts about the advisability of accepting any gift should consult with their supervisor or reject the offer.

### **9.2. Handling confidential information**

All employees and collaborators are required to handle confidential information with the utmost care. This does not only relate to scientific data but also the handling of administrative data. For this reason, CDF enters into confidentiality agreements with all employees, workers, volunteers and advisors, or consultants who are obliged to safeguard and not share such information unofficially or with unauthorized persons and/or institutions. Confidential information should only be handled and stored on organization-approved devices. In addition, everyone is obliged to report to Human Resources if someone is not complying with this rule.

If the employee, worker, or volunteer violates 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 this breach,) and/or file a complaint with the authorities under article 247 " Professional Secrecy" <sup>1</sup> of the Criminal Code.

### **9.3. Personal Relationships at Work**

If a romantic relationship develops between two employees within the workplace working in the same area, the onus lies on the higher-ranking individual to notify their supervisor, ensuring that there is no present or potential conflict of interest. CDF reserves the right to reassign one of the employees to a different area or even terminate the employment of one of the involved parties, should it be deemed necessary.

### **9.4. External Interests and Employment**

If a member of CDF or their spouse has external affiliations, including managerial roles, ownership, partial ownership, or interests in businesses or consultancies intending to conduct business with CDF, such interests must be disclosed to the Human Resources department.

### **9.5. Political Activities**

The CDF prohibits political activity by its employees, collaborators, and volunteers on the Foundation's premises and during working hours. Engaging in political activities would classify them as Politically Exposed Persons (PEPs), directly impacting both the organization's policy and its relationship with the Ecuadorian Financial and Economic Analysis Unit (UAFE).

Any political activity that does not comply with this rule will be reported to the Chief Executive Officer and analyzed by the Ethics Committee (for more details on composition, see section 14.2).

## **10. WORKPLACE**

### **10.1. SUPPORTING DIVERSITY AND INCLUSION**

The Charles Darwin Foundation champions equal opportunities in employment and does not discriminate based on race, color, creed, gender, sexual orientation, age, or origin. This principle applies to all aspects of employment, including hiring, salary determination, benefits, retention, and promotion. This policy is established following *Ministerial Agreement 82 of the Ministry of Labor* under the Ecuadorian Labor Legislation. It considers the rights outlined in the International Labor Organization (ILO), the Constitution of the Republic, and the Labor Code of Ecuador.

In this way, at CDF we choose to combat inequality by challenging prejudices, questioning stereotypes, and inspiring others to collectively commit to creating a more inclusive workplace. We incorporate people who respect our values, provide equal opportunities for all, and protect their privacy. We have a zero-tolerance policy towards any form of discrimination or harassment.

Our goal is to create a workplace where all people feel included and able to give their best. This commitment begins with contracting and continues through to the end of the employment relationship. The institution will have an *Equity, Diversity, and Inclusion Action Plan* designed to

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<sup>1</sup> Criminal Code

provide equal opportunities for everyone to contribute, grow, and feel valued. Efforts are focused on four focus areas within the framework of diversity and inclusion:

### 10.1.1. Women in Science (Gender Balance)

Over the past two decades, the Charles Darwin Foundation and its Research Station have undergone a significant transformation. From being a predominantly male-dominated organization in the scientific realm since its inception (with the first female scientist publishing in the Galapagos Research Journal in 1977), CDF has evolved into an institution boasting a gender-balanced workforce, with 48% female staff and a 51% female science team as of 2023, including in executive roles (62% female management team).

Our objective is to sustain the current level of female participation in scientific, research, and executive roles, while also enhancing opportunities for the training and professional development of our female staff, in addition to reducing the gender pay gap. CDF is committed to upholding a salary framework that justly and equitably compensates the work of both men and women (**Equality Plan:** Organic Law to Promote the Violet Economy. Acuerdo Ministerial MDT-2024-013).

### 10.1.2. Persons with Disabilities

We advocate for the integration of individuals with disabilities into our workforce, ensuring equal opportunities for all.

Under the Organic Law on Disabilities in Ecuador, "equality of opportunities" is defined as follows: all individuals with disabilities are regarded as equals under the law, entitled to the same legal protection, and have the right to benefit from the law equally, without facing any form of discrimination. The rights of persons with disabilities may not be diminished or denied, and any action that implies otherwise is subject to punishment, as stipulated in the Official Registry No. 796, Art. 4.3).

### 10.1.3. LGBTI+ Communities

The 2008 Constitution of the Republic of Ecuador was a breakthrough for civil rights, particularly concerning sexual and gender diversity. Article 11, section 2, explicitly enshrines the principles of equality and non-discrimination based on sexual orientation and gender identity.

CDF aligns its actions with the [United Nations Free & Equal Standards of Conduct for Business LGBT+](#) designed to address discrimination against LGBT+ individuals. Diversity and inclusion within our workspaces are cornerstone values that hold the potential to drive the growth and development of our entire scientific, operational, and administrative teams.

### 10.1.4. Ethnicity

The Charles Darwin Foundation is a global institution deeply rooted in Ecuadorian soil. We offer opportunities to residents across all the islands, while also fostering international collaboration and embracing the inclusion of diverse ethnicities and cultures. This approach enriches the exchange of knowledge, which is vital for our research and conservation endeavors. As of 2023, our staff composition is 78% Ecuadorian, with a notable 45% of our team hailing directly from the Galapagos.

## 10.2. CONTRIBUTING TO A SAFE AND SECURE WORKPLACE

The safety and security of our employees and colleagues in all our offices and other places of work is non-negotiable.

We all play a part and are responsible for making our workplace safe for one another. This includes being aware of all health, safety, and security requirements and notices at all times.

The Health and Safety Regulations are present in all scientific, administrative, operational, service, and support processes of The Charles Darwin Foundation. They seek to facilitate and maintain decent, healthy, and safe work environments.

## 11. BUSINESS CONDUCT

### 11.1. CORRUPTION, BRIBERY, AND MONEY LAUNDERING PREVENTION GUIDELINES

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

#### 11.1.1. Bribery and Gifts

CDF defines bribery as the action of corrupting a person through money, gifts or favors, to obtain something from that person.<sup>2</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 offense.

If a person is under suspicion of bribery, the Ethics Committee is responsible for making the necessary inquiries, including but not limited to revision of digital and physical information, search of the office and files of such officer, employee, or volunteer, following CDF's disciplinary procedures and those of competent authorities. The Ethics Committee will conclude whether or not there is illegal conduct, which may result in dismissal and/or complaints before the authorities (police, Ministry of Labor, CGREG)

#### 11.1.2. Extortion

CDF defines extortion as the action of forcing a person, through the use of violence, intimidation, or abuse of power, to perform or omit an act<sup>3</sup> that goes against institutional rules, policies, and procedures (for further details, see the Harassment policy).

#### 11.1.3. Fraud and corruption

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

<sup>3</sup> <https://whitecollarattorney.net/extortion-lawyer/extorsion/> <sup>6</sup> <https://acfe-spain.com/recursos-contrafraude/que-es-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>

Fraud is defined as “any intentional or deliberate act of depriving another of property or money through cunning, deceit, or other disloyal acts.” Corruption is the practice of abusing functions and means for the benefit of interests.<sup>6</sup>

#### **11.1.4. Financing of Terrorism or Crime**

Employees, collaborators, or volunteers of CDF are strictly prohibited from engaging, either individually or collectively, directly or indirectly, in the provision, offering, arrangement, or collection of legal or illegal funds or assets with the knowledge or intent that they will be used to finance, in whole or in part, the commission of a crime and/or terrorism.

#### **11.1.5. Sabotage**

Any acts of damaging, destroying, or tampering with experiments, equipment, documents, hardware, software, chemicals, or any other items necessary for carrying out CDF’s work (including scientific<sup>4</sup>, administrative, or operational activities).

### **11.2. TRAFFICKING IN PERSON PLAN**

At CDF, we understand that defending human rights and fighting human trafficking is fundamental. To protect the victims of this crime, who are often the most vulnerable people, we need better-informed and trained employees and collaborators. We need to talk about this crime, show how it operates and work with the necessary authorities to empower potential victims to file complaints.

#### **11.2.1. Definitions and legal concepts**

The trafficking of human beings is a serious crime, representing a grave violation of human rights and an attack on the fundamental values of a democratic society. Affecting thousands of victims every year, trafficking treats human beings as a commodity to be bought, sold, and subjected to forced labor. While most identified victims of trafficking are women, men too can be victims. Furthermore, many of the victims are children.

#### **11.2.2. Identification of victims**

It is of essential importance to identify trafficking victims, and is the duty of governments to identify victims of trafficking. As such, CDF will fully cooperate with any due process to identify victims of trafficking.

#### **11.2.3. Assistance to victims of human trafficking**

The CDF, if it identifies a victim of human trafficking, will inform them of their right to assistance and support from the Government. This right includes support to overcome the effects of trauma on their physical and mental health, within a period of appropriate recovery and reflection, and the granting of temporary residence status to the trafficking victim.

#### **11.2.4. Trafficking of human beings for labor exploitation**

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<sup>4</sup> Taken from: ACFE Spain (2018) in <https://acfe-spain.com/recursos-contra-fraude/que-es-el-fraude#:~:text=En%20consecuencia%2C%20el%20fraude%20incluye,enga%C3%B1o%2C%20u%20otros%20actos%20desleales.>

For further information see the Scientific Conduct Policy.

The CDF is aware of the legal framework and critical procedures needed to address trafficking for labor exploitation. For this reason, the CDF guarantees that all hiring processes are carried out under the legal norms and constitutional guarantees established under the Labor and Civil Law in Ecuador.

### **11.2.5. Technology and human trafficking**

The CDF, through its IT, Communications and HR departments will continue to explore the multifaceted role of technology in human trafficking, including its impact on the recruitment and exploitation of victims. This, with the purpose of informing all its employees and collaborators about the potential risk that social networks and other technologies may have in human trafficking.

## **12. THE CDF ETHICS COMMITTEE – WHO CAN I TALK TO?**

The Code of Ethics and Conduct, functioning as the "internal law" of an organization, requires a designated body to oversee adherence to that Code. This body is responsible for establishing and enforcing appropriate sanctions for behaviors that breach the Code. Consequently, the need arises for an Ethics Committee. The Ethics Committee must be fair and evaluate information received impartially and equitably. Seneca, the Roman philosopher, bequeathed this enduring quote: "He who decides a case without listening to the statement of another, even if the decision is just, cannot be considered fair." This renowned first-century quote is deeply intertwined with the guiding principle of ethics committees in organizations, which is to democratize the decision-making process.

### **12.1. Objectives of the Ethics Committee**

The Ethics Committee is expected to:

- Foster an ethical culture within CDF, and regularly review and update regulations on good practices and conduct.
- Ensure that all reports regarding deviations, infractions, or non-compliance with existing norms and regulations received through any internal or external channels, are duly addressed.
- Evaluate disputes, conflicts, and breaches related to the Code of Ethics.
- Determine sanctions and action plans for cases involving violations of the Code of Ethics that have a significant negative impact on the institution.
- Review the guidelines, policies, and operating procedures to ensure compliance with and adherence to the Code of Ethics.
- Collaborate with the Human Resources department to establish an annual training plan focused on ethical culture for the staff.

These objectives and responsibilities are not the sole purview of CDF's Human Resources Department. Thus, the Committee should be composed of individuals and members from within the organization who exhibit interest, knowledge, integrity, and recognized moral standing, as evidenced by their commendable track records to contribute to the ongoing enhancement of ethical guidelines.

## **12.2. Composition of the Ethics Committee**

Every member of the Ethics Committee must possess a thorough knowledge of the Code of Ethics and Conduct, as well as of current rules, laws, and regulations about good practices in organizations at both national and international levels. It is important to note that these members serve in an honorary capacity and do not receive any remuneration for their roles within the Committee.

The Ethics Committee of the Charles Darwin Foundation is made up of:

1. Executive Director
2. Human Resources Director
3. Representative of the Science Area (chosen through a voting process for terms of up to 3 years)
4. Additionally, a minimum of 2 staff members will be included depending on the specific topic and nature of the complaint.

The Executive Director is expected to share cases involving serious allegations with the President of the Board of Directors.

## **12.3. Functions and Final Considerations**

- The Ethics Committee is the entity responsible for overseeing adherence to the Code of Ethics and Conduct within the organization. It monitors cases and imposes sanctions for offenses against the Code.
- The Ethics Committee must hold periodic meetings, which are structured around an agenda aimed at reviewing and resolving cases related to violations of CDF's Code of Ethics and Conduct.
- Similarly, this body is tasked with analyzing the evidence collected and the judgment elements that enable the issuance of a fair and objective opinion for each case.
- The presence of an Ethics Committee within the organization serves to reinforce the ethical image of the institution among its workforce, as it symbolizes a commitment to justice and transparency.
- Every case handled by the Ethics Committee will be treated with the utmost care and confidentiality, regardless of the potential impact on the organization or the complexity of the investigation process.
- It is crucial that members of the Ethics Committee agree to adhere to both the Code of Ethics and Conduct and a confidentiality policy, considering the sensitive nature of the information they will access.
- Members of the Ethics Committee who are involved or suspected of being involved in an offense should be removed from the committee with immediate effect.

## **13. COMPLAINT AND WHISTLEBLOWING PROCESS**

The handling of complaints or whistleblowing is overseen by the Human Resources Department, with support from the Executive Director and the relevant areas to ensure compliance with the values and principles established in this Code.

### **13.1. Who can file a complaint or whistleblowing?**

All staff members and third-party stakeholders are entitled to voice any concerns, complaints, or whistleblowing through the institutional channels outlined in this procedure. The designated staff members will assist in resolving and rectifying any issues or controversies.

### **13.2. What ensures the fair and equitable processing of a complaint or whistleblowing?**

Firstly, if a member of the Ethics Committee is implicated in a "complaint or serious misconduct," the procedure will be overseen by another Director who is known for their good reputation and integrity.

Secondly, a complaint and whistleblowing mailbox or portal" has been established on our website to ensure impartiality (<https://www.darwinfoundation.org/en/about/complaints-form/>). All committee members have access to this portal and will coordinate the handling of all reported complaints and whistleblowing professionally and objectively.

Finally, all complaints or whistleblowing will be treated confidentially. Should maintaining confidentiality hinder efforts to achieve a satisfactory resolution, the Committee will reach out to the affected individual to mutually agree on the appropriate next steps.

### **13.3. What factors should be taken into account before submitting a written complaint or whistleblowing?**

- a) If you have concerns about the ethical implications of an action or omission, first seek clarification and advice from your immediate supervisor. If further assistance is needed, reach out to the Human Resources Department.
- b) Supervisors (Directors, PIs, and Coordinators) and members of the Human Resources Department are trained and prepared to assist a staff member in resolving internal issues. However, if the affected individual believes that their problem will not be adequately addressed or managed by their immediate supervisor or HR, they should feel free to present their complaint or whistleblowing to the Ethics Committee through the complaint and whistleblowing mailbox or portal as stipulated by this procedure.
- c) The person reporting the issue should refrain from directly approaching or contacting the alleged offender(s) for details or clarification. Also, they should not discuss the facts or allegations with anyone inside or outside the institution, except with those to whom they are required to report, such as their supervisor or HR advisor. If a supervisor has a clear conflict of interest, it is advisable to notify the Human Resources Department first and proceed with the written complaint process.

### **13.4. Reporting Process**

Below you will find the key steps for how to file a complaint or whistleblowing, the necessary information, and the process of handling the complaint.

#### **13.4.1. How to register a complaint or whistleblowing?**

- a. Complaints and whistleblowing, particularly those deemed "serious," should be submitted in writing (in English or Spanish) through the *Complaints and Whistleblowing Mailbox or Portal* established for this purpose (<https://www.darwinfoundation.org/en/about/complaints-form/>).
- b. In the case of suspicion but lack of evidence of an unethical act, prudently notify supervisors through institutional channels so the committee can carefully analyze the case.
- c. If the complainant identifies a work-related problem or whistleblowing that is not associated with unethical behavior and wishes to address it directly without using written or electronic means, they can approach the Human Resources Department to seek a resolution.

#### **13.4.2. What information should the written complaint or whistleblowing have?**

- d. Complaints or whistleblowing should be grounded in factual evidence. It is important to avoid speculative, inconclusive, or biased elements in the submission. Complaints should encompass all available information to enable an adequate assessment of the nature, severity, and urgency of the required investigations.
- e. For a thorough investigation of your complaint or whistleblowing, it is essential to provide as much accurate information as possible. Please detail the main adverse effects or risks of the alleged harm, explain how it directly impacts you as the claimant, and if you possess any relevant documents attach them to your complaint. Additionally, it is important to include information about any steps taken before this complaint or whistleblowing to address the reported issue or damage.
- f. Finally, it is crucial for the person reporting the issue to specify what they hope to achieve with their complaint or whistleblowing, and how they believe the issue can be resolved more effectively.

#### **13.4.3. How do we handle your complaint or whistleblowing?**

- g. If a complaint or whistleblowing has been reported to an immediate supervisor and there is no response or resolution within 10 working days, you can reach out to the Human Resources Department or submit a complaint or whistleblowing through the prescribed written and electronic channels outlined in this process Whistleblowing.
- h. Should the complaint or whistleblowing be submitted via the *Complaints and Whistleblowing Mailbox or Portal*, the Ethics Committee will provide a formal response within 15 working days.
- i. Based on the severity of the complaint, the assessment process may extend up to a maximum of 30 working days. This allows for the completion of necessary investigations and deliberations on the most suitable solution for the issue.
- j. If the complaint or whistleblowing involves moral, physical, or psychological harm, such as workplace harassment (mobbing), sexual assault, sexual misconduct, or any form of discrimination such as verbal, physical, or psychological violence, immediate protective measures will be implemented for the victim(s). If necessary, civil authorities will be involved for further processing and resolution of the matter. In response to such acts, particularly when confirmed, the Ethics Committee will adopt a zero-tolerance stance.

- k. Should the investigations conclude that a complaint or whistleblowing is false and was made with the intent of tarnishing someone's image or reputation, the committee will thoroughly analyze the case and determine a suitable sanction.
- l. All complaints and whistleblowing are handled with the utmost care and confidentiality.

## 14. CONSOLIDATED LITERATURE

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