



BioNanoTech-Suport
Centru suport pentru proiecte Orizont 2020

InfoDay
Oportunitati de participare in programul Orizont Europa
21.04.2021

Aspecte legate de legislația eticii în cercetare

Cons. jr. Dr. Raluca-Oana Andone



ROMANIAN MINISTRY OF RESEARCH, INNOVATION AND DIGITIZATION

**NATIONAL COUNCIL FOR ETHICS OF SCIENTIFIC RESEARCH,
TECHNOLOGICAL DEVELOPMENT
AND INNOVATION**

RO initiatives on research integrity

Legal adviser dr. Raluca-Oana Andone

**European Research Area and Innovation Committee
Standing Working Group on Open Science and Innovation**

**ERAC SWG OSI on-line Meeting
3rd of March 2021**

Romanian Regulations on Research Ethics

- **Law no. 206/2004 on the good conduct in scientific research, technological development and innovation, with subsequent amendments and additions;**
- Articles 306-310 of **Law no. 1/2011 on national education**, with subsequent amendments and additions;
- **Order of the Minister of Education and Research no. 5585 of 18 September 2020**, amending Annex I to the Order of the Minister of Education and Research no. 4.655/2020 on the approval of the **Regulation on the organization and functioning of the National Council for the Ethics of Scientific Research, Technological Development and Innovation** and its nominal composition

NATIONAL COUNCIL FOR ETHICS OF SCIENTIFIC RESEARCH, TECHNOLOGICAL DEVELOPMENT AND INNOVATION - WEB SITE

https://cnecsdti.research.gov.ro/despre/

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MINISTERUL EDUCAȚIEI ȘI CERCETĂRII
CONSILIUL NAȚIONAL DE ETICĂ A CERCETĂRII ȘTIINȚIFICE,
DEZVOLTĂRII TEHNOLOGICE ȘI INOVĂRII

Despre Cadru Legal Membri și comisii Hoțărâri Sesizări Ghid de integritate Noutăți

Despre

Consiliul Național de Etică a Cercetării Științifice, Dezvoltării Tehnologice și Inovării (CNECSDTI) este un organism consultativ, fără personalitate juridică, pe lângă autoritatea de stat pentru cercetare – dezvoltare (art. 5-8 din Legea 206/2004).

Ministerul Educației și Cercetării asigură secretariatul tehnic și sprijinul executiv pentru activitatea consiliului, potrivit reglementărilor în vigoare. Organizarea și funcționarea CNECSDTI este reglementată prin [Ordinul MEC nr. 4655/30.06.2020](#).

Atribuțiile CNECSDTI se referă atât la revizuirea codurilor de etica pe domenii cât și la modul în care sunt respectate normele de conduită morală și profesională prin analiza eventualelor abateri semnalate (pentru detalii a se vedea art. 7 din Legea 206/2004 cu modificările și completările ulterioare). CNECSDTI poate realiza aceste atribuții cu ajutorul grupurilor de lucru cu statut permanent sau temporar.

Atenție! Există 3 consilii naționale care se ocupă de etica academică!

- Consiliul Național de Atestare a Titlurilor, Diplomelor și Certificatelor Universitare (CNATDCU) analizează abaterile de la etica cercetării în cazul **tezelor de doctorat!**

LEGATURI

- [Belgian Advisory Committee on Bioethics](#)
- [Danish Council of Ethics](#)
- [French National Ethics Advisory Committee](#)
- [German National Ethics Council](#)
- [National Bioethics Commission \(Greece\)](#)
- [National Ethics Council for the Life Sciences \(Portugal\)](#)
- [National Medical Ethics \(SMER\)](#)

RO initiatives in regards to research integrity

- ***Integrity guide in scientific research***, National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020
- ***Practices and requirements in the writing of scientific works***, Jean Vasile Andrei, Luminița Chivu, Valeriu Ioan-Franc, Violeta Sima, Expert Publishing House, Bucharest, 2020

**GHID
DE INTEGRITATE
ÎN
CERCETAREA
ȘTIINȚIFICĂ**

- București, 12 noiembrie 2020 -

**PRACTICI ȘI EXIGENȚE
ÎN SCRIEREA
LUCRĂRILOR
ȘTIINȚIFICE**


Jean Vasile ANDREI, Luminița CHIVU,
Valeriu IOAN-FRANC, Violeta SIMA



NATIONAL COUNCIL FOR ETHICS OF SCIENTIFIC RESEARCH, TECHNOLOGICAL DEVELOPMENT AND INNOVATION - WEB SITE

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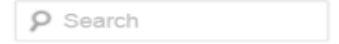
MINISTERUL EDUCAȚIEI ȘI CERCETĂRII
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Despre Cadru Legal Membri și comisii Hotărâri Sesizări Ghid de integritate **Noutăți**


Noutăți



MINISTERUL CERCETĂRII ȘI INOVĂRII



NEW:  [Ghid de integritate în cercetarea științifică](#) - reactualizat la 28.01.2021 10:52

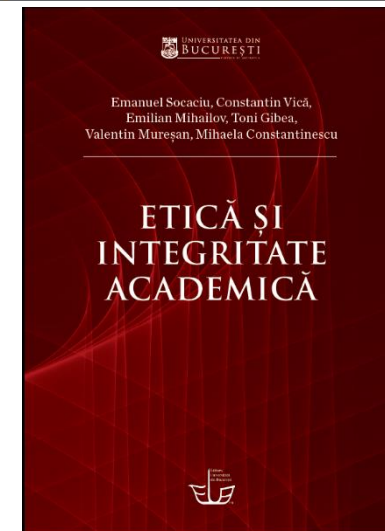
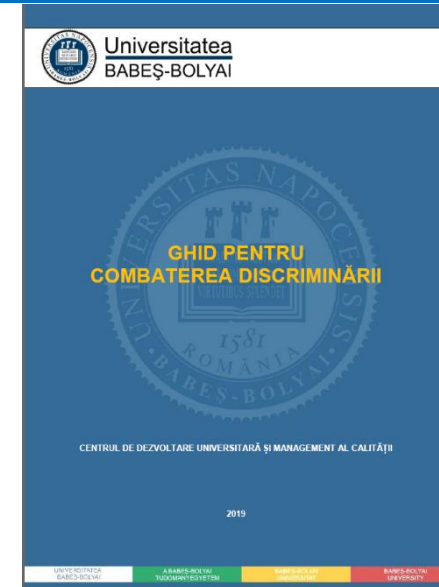
 [Raport CNECSDTI](#) referitor la dezbateră online "Declarația de la Bonn – perspective etice ale libertății științei în Spațiul European al Cercetării" din data de 20 noiembrie 2020. - 03.12.2020 09:05

LEGATURI

- [Belgian Advisory Committee on Bioethics](#)
- [Danish Council of Ethics](#)
- [French National Ethics Advisory Committee](#)
- [German National Ethics Council](#)
- [National Bioethics Commission \(Greece\)](#)
- [National Ethics Council for the Life Sciences \(Portugal\)](#)
- [National Medical Ethics \(SMER\)](#)

RO initiatives in regards to research integrity

- **Guide to Combating Discrimination,** University Development and Quality Management Centre, Babes-Bolyai University, Cluj-Napoca, 2019
- **Ethics and academic integrity,** Emanuel Socaciu, Constantin Vică, Emilian Mihailov, Toni Gibea, Valentin Mureșan, Mihaela Constantinescu, Bucharest University Publishing House, 2018



Integrity guide in scientific research

National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020

<https://cnecsdti.research.gov.ro/noutati/>

The purpose of the Guide is to contribute to strengthening responsible science, values and good integrity practices at the level of the scientific research communities that are part of the Research and Development System in Romania.

The guide aims at integrity throughout the research process, within the institutional environment that makes it conditional.

The focus was on the operationalization of principles associated with the values of honesty, accountability, verification and validation in scientific research.

The guide will form the basis for the development of a Code of Research Ethics (regulation).

Integrity guide in scientific research

National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020

VALUES OF INTEGRITY IN SCIENTIFIC RESEARCH/RECOMMENDED CONDUCT

Honesty. Researchers should ensure:

- a. the consistency between research conduct and its self-presentation in the public space
- b. the consistency between personal or institutional research practice and the positive expectations associated with scientific knowledge
- c. the adoption of working procedures in accordance with purposes and rules in the field of scientific research

Recommended conduct:

- no plagiarism or self-plagiarism
- no data fabrication, no data falsification or manipulation
- explicit recognition of the authors contributions to a common work presented in the public space by specifications related to the order of names in the authorship series
- correct reporting of research results

Integrity guide in scientific research

National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020

VALUES OF INTEGRITY IN SCIENTIFIC RESEARCH/RECOMMENDED CONDUCT

Responsibility entails:

- a. respect for human subjects of scientific research or experiments
- b. avoiding suffering for animals
- c. protecting the natural environment
- d. preserving ecological balance
- e. promoting social inclusion, democracy and sustainable development
- f. protection of cultural heritage

Recommended conduct:

- organization of research practice so that human subjects, animals, the natural environment, the democratic organization of society and cultural heritage do not bear negative consequences of the scientific research process
- requesting the consent of the subjects involved in the research
- sanctioning and preventing deviations from the rules of good practice
- public confidence in researchers and research environments must be strengthened

Integrity guide in scientific research

National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020

VALUES OF INTEGRITY IN SCIENTIFIC RESEARCH/RECOMMENDED CONDUCT

Verification shall be ensured if there is:

- a. transparency of research procedures
- b. access to the resources for the research carried out
- c. testing the stability of results using alternative data or methods in the knowledge process

Recommended conduct:

- detailed specifications of when and how the research data was collected/produced
- respecting confidentiality
- archiving research data
- specifying transformations in databases, data weighting or "smoothing" processes for frequency distributions for certain variables

Integrity guide in scientific research

National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020

VALUES OF INTEGRITY IN SCIENTIFIC RESEARCH/RECOMMENDED CONDUCT

In order to ensure the **validity of knowledge**, the measurements obtained must be reported to:

- a. previous knowledge on the same subject
- b. external criteria in relation to the given theme
- c. theories in the field
- d. all dimensions or aspects of the concept subject to measurement

Recommended conduct:

- specific tests highlighting the consistency of new research results, with results from previous research, consolidated theoretical structures or objective evaluation criteria
- applying multiple methods for analyzing the same data or method changes to see how stable conclusions are in relation to such changes

Integrity guide in scientific research

National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020

OPEN ACCESS DATA

Scientific research databases are publicly accessible for possible research replicas, respecting the principles of "**open science**" (including the principle of "*as open as possible, as closed as needed*").

Institutions managing publicly funded research projects should be encouraged to make public not only research reports, but also articles and data on which the projects were carried out, based on a data management plan for archiving, sharing, reusing and long-term retention of research data.

Completed **doctoral thesis** is **available electronically in open public archives** to discourage deviations from the rules of good academic conduct.

Integrity guide in scientific research

National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020

Guide to identifying plagiarism in scientific work

The arbitrary setting of a software threshold for accepting the relative amount of text in the work which 'may be plagiarized without the consequences of sanctioning', is unacceptable in the absence of a **doubling of the quantitative assessment with the qualitative one.**

In the exact sciences and in the normative disciplines there is a higher share of fixed formulations, associated with different forms of regularities discovered or constructed.

It is necessary to specify the acceptability of the use of formulations taken over without strict citation, but with reference to regularities already entered the **common knowledge area or of wide circulation** in a field.

Integrity guide in scientific research

National Council for Ethics of Scientific Research, Technological Development and Innovation, Bucharest, 12 November 2020

Principles in plagiarism analysis

Principle of severity/gravity: - large extension; - located in important areas of the work architecture; - do not arise from lack of knowledge of good drafting practices; - repetitive series; - mosaic plagiarism.

Principle of autonomy of plagiarism: - the presence of an original and properly edited part in the material under evaluation does not compensate for the plagiarism proven for other parts of the same material.

Principle of ethics in paraphrasing: - it is plagiarism both to take ideas and to take up text without quoting.

Principle of tradition of integrity in research: - regardless of the period of preparation of scientific research, the requirements of good conduct were the same.

Principle of common knowledge: - the suspicion of plagiarism cannot extend to intellectual creations falling into the category of what is called "common knowledge".

*RO National Council for Ethics of Scientific Research,
Technological Development and Innovation PLANS*

- **National Ethics Code**, an official regulation, publicly debated upon and adopted by way of Research Ministry Order, as stipulated by Law no. 206/2004 – Planned for 2021-2023
- **Specific fields ethics code**, official regulations, publicly debated upon and adopted by way of Research Ministry Order, as stipulated by Law no. 206/2004 – Planned for 2021-2023

RO National Council for Ethics of Scientific Research, Technological Development and Innovation PLANS

- **Research Ministry Order for clarifying and eliminating the doubling competences of 3 different advisory bodies** – Planned for 2021-2023
 - National Council of Ethics of Scientific Research, Technological Development and Innovation (**CNECSDTI**) analyzes any other deviations from the ethics of research, in publications, books, articles, research grants, etc., after the proposal of the Committee on Internal Ethics at the institution level (Ministry Order no. 5585/18.09.2020): *the introduction of false information in grant or funding applications, in applications for empowerment, for university teaching posts or for research and development posts.*
 - Council of Ethics and University Management (**CEMU**) analyzes the complaints regarding deviations from the ethics of university management (e.g. promotions, skills, etc.) (Ministry Order no. 4783/30.08.2017): *non-compliance with the legal provisions in the procedure for filling teaching and research posts*
 - National Council for Attestation of University Titles, Diplomas and Certificates (**CNATDCU**) analyzes deviations from the ethics of research in the case of doctoral thesis (Ministry Order no. 5528/17.08.2020)

RO National Council for Ethics of Scientific Research,

Technological Development and Innovation PLANS/ACHIEVEMENTS

- **Social Media Communication (FaceBook page)**, for the quick dissemination of the research ethics regulations and recommended conduct. Planned for in 2021.
- **Conferences and Public Debates**, for the adoption of the research ethics regulations. Planned for 2021-2023
- **Public access to Council Decisions/Final or Intermediary Reports**, posted on the site: <https://cnecsdti.research.gov.ro/hotarari/>, for information: First Intermediary Reports published in 2021
- **English interface for Council website**. Planned for 2021-2023
- **Public annual Council activity reports**, posted on the site: <https://cnecsdti.research.gov.ro/hotarari/>, for information: First Report on 2021 published
- **Council Internal Forum selection and classification of claims:** - new; - old solved; - procedural acts; - requests for public information/petitions. Done in 2020.

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Membri și comisii

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Hotărâri

- Hotărârea CNECSDTI nr. 1 din 03.12.2020 și Raportul final nr. 1 privind sesizarea înregistrată la CNECSDTI cu nr. 241/07.05.2018 (cu revenirile nr. 348/05.09.2018 și 736/03.09.2020) – 15.01.2021 12:56

- [Arhivă Hotărâri în perioada 2012 – 2019](#)

Rapoarte

- Raport din 26.01.2021 în Sesizarea înregistrată cu nr. 747-21.09.2020 – 28.01.2021 11:13
- Raport din 22.01.2021 în Sesizarea înregistrată cu nr. 796/15.12.2020 – 20.01.2021 14:47
- Raport preliminar din 21.01.2021 în Sesizarea înregistrată cu nr. 789/10.12.2020 – 20.01.2021 14:47
- Raport preliminar din 18.01.2021 în Sesizarea înregistrată cu nr. 757/06.11.2020 – 19.01.2021 13:02



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Regulations regarding discrimination:

- **Government Ordinance no. 137/2000** for the prevention and punishment of all forms of discrimination, amended by **Law no. 167/2020**;
- Law No. 202/2002 on gender equality, amended by **Law no. 167/2020**;

The **purpose** of developing this guide is to:

- affirm **equal opportunities for access to education or for employment and positive action for the protection of vulnerable and/or disadvantaged groups**;
- establish **uniform criteria for assessing situations which may constitute a form of discrimination or harassment**;
- promote a **safe and non-discriminatory educational and professional university environment**.

Legal definition of discrimination: any distinction, exclusion, restriction or preference, on the basis of race, nationality, ethnicity, language, religion, social category, belief, sex, sexual orientation, age, disability, chronic non-contagious disease, HIV infection, membership of a disadvantaged category, and any other criterion which has the purpose or effect of restricting, removing the recognition, use or exercise, on an equal basis, of human rights and fundamental freedoms or rights recognized by law, in the political, economic, social and cultural fields or in any other area of public life.

Legal definition of harassment: any conduct on the basis of race, nationality, ethnicity, language, religion, social category, beliefs, gender, sexual orientation, belonging to a disadvantaged category, age, disability, refugee or asylum status or any other criterion leading to the creation of an intimidating, hostile, degrading or offensive framework.

Thank you for your attention!

