



## REG 06

**CODE of ETHICS and CONDUCT**  
**of the Euro-Mediterranean Center on Climate Change**  
 (adopted by BoD Deliberation 06/07/2015 - Updated with integration pursuant to  
 ANAC Resolution 17 June 2015 no. 8)

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## **1. PREMISES**

The **Euro - Mediterranean Center on Climate Change** (hereinafter “CMCC”) has deemed appropriate identifying a set of rules included in this Code of Ethics and Conduct (hereinafter “Code”), for regulating the research center’s activity. Therefore, purpose of the Code is to set a system of rules which shall be applied by all those who work in name and on behalf of the CMCC, in internal professional relationships as well as in managing external relations.

## **2. SCOPE**

1. This Code shall be applied to:

- all members of the CMCC bodies<sup>1</sup>
- all the CMCC employees recruited with a permanent or fixed-term employment contract.

2. This Code shall be applied also to the following categories, under the limits of their compliance with and according to the specific contractual provisions:

- CMCC affiliates and collaborators at any title;
- research fellows, PhD students, fellows performing their activity at the CMCC;
- interns or training grant holders, carrying out a stage or training at the CMCC;
- consultants, suppliers and generally commercial partners, who shall be duly and promptly informed on the rules of conduct included in the Code and comply their conduct with them for all the duration of the professional relationship with the CMCC.

3. The CMCC expects ethically exemplary, lawfully and professionally correct conducts from the the subjects obliged to comply with this Code when performing their tasks. Its addressees shall thus work with honesty and integrity in the relationships among them, with public administrations or institutions, suppliers and natural persons or private juridical companies the CMCC has contractual, institutional or professional relationships with. Moreover they shall avoid conflicts of interest and conducts causing negative effects to the CMCC image.

## **3. GENERAL PRINCIPLES**

1. Employees, regardless of their role and position, shall collaborate with the CMCC for promoting and keeping a work environment where individual dignity and freedom are respected.

2. To this purpose, the CMCC employees undertake to contrast and, whenever possible, prevent behaviors that may in some way damage the psychological and

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<sup>1</sup> Board of Directors, Executive Committee, Strategic Committee, Scientific Committee, Committee of the Divisional Directors, and any other bodies set by the BoD.

physical health of colleagues and other persons they come into contact at work.

3. Employees shall also observe the principles of integrity, fairness, good faith, proportionality, objectivity, transparency, justice, reasonableness and abstain in case of conflict of interest (see article 6.2 of this Code).

## **4. HUMAN RESOURCES**

1. Human resources are essential for the implementation and success of the CMCC scientific project. For this reason, the CMCC appreciates competences, potentiality and diligence of those who act for achieving the company's purposes, supports and pays attention to the professional and personal development of its employees and collaborators, setting up and preserving a receptive work environment, encouraging the professional contributions of individuals and involving the persons in sharing objectives and undertaking responsibilities.

### **4.1 STAFF RECRUITMENT AND MANAGEMENT**

1. The CMCC informs its recruiting, remuneration and training policies of employees and collaborators on standards of professionalism, competence and merit, rejecting any kind of discrimination or pressures of any origin aiming at supporting the employment or tasks assignment to the benefit of persons or subjects not based on free choices.

2. The CMCC applies the non-discrimination principle, which implies that opportunities for training, professional advancement, access to benefits and resources are irrespective of age, race, religious belief, sexual orientation, ethnic origin or any other characteristic not related to the individual's ability, productivity and skills. Therefore, job relationships are established in full compliance with all legislative and contractual provisions, promoting the individual's inclusion in the work environment.

3. Subjecting one's possibilities for professional development or other advantage to sexual favours or private personal relations is prohibited and not allowed.

## **5. FUNDAMENTAL VALUES**

### **5.1 OBSERVANCE OF LAWS AND REGULATIONS**

The addressees of this Code shall observe laws and regulations of the Countries where the CMCC works.

**5.2 APPLICATION OF COMPANY PROCEDURES**

The addressees of this Code shall comply with the CMCC Articles of Association, internal regulations, policies and internal procedures in performing their tasks.

**5.3 PROTECTION OF ENVIRONMENT**

1. The CMCC pays particular attention to the environmental issues and, to this effect, undertakes to adopt strategies and techniques improving the environmental impact of its activities, in compliance with the current legislation and taking into account also the development of scientific research and the best practices.
2. To the aim of reducing the environmental risks, the CMCC undertakes to operate according to the following principles: i) gradual integration of the care of environmental aspects in the activities carried out; ii) adoption of all required initiatives for ensuring the compliance with the current legislation; iii) continuous updating of the personnel on the legislative evolution in environmental field; iv) awareness raising and involvement of the personnel on environmental issues.
3. Furthermore, the CMCC undertakes to assess and manage the environmental risks related to all aspects of its activity and carries out the planned regular audits.

**5.4 SAFETY IN WORKPLACE**

1. The CMCC promotes, disseminates and strengthens a culture of safety, applying Legislative Decree no. 81/2008 as main framework, developing all employees' risk awareness and attitude to responsible behaviours; in terms of prevention, it works for preserving the health and safety of workers.
2. The CMCC does not accept any compromise in the field of health and safety protection of its employees in workplace.
3. The CMCC undertakes, under the limits of what is provided for in the current relevant legislation, to keep a safe work environment and provide the employees, according to their activity, with all proper equipment required for preserving them from any risk or danger for their integrity.
4. The CMCC shall inform all employees and collaborators on the conditions provided for by law, as well as the applied practices and procedures on safety and health.

**5.5 OBSERVANCE OF DELEGATIONS AND MANDATE**

1. All individuals acting on behalf of the CMCC according to assigned mandates or delegations shall behave under their limits and in compliance with them. The addressees of this Code undertake to carry out any activity assigned to them, any operation and/or transaction in compliance with the received delegations, powers and mandates, so as to make possible checks on the details of the operation or activity

carried out, as well as on the relevant reasons, authorisations, and ways of implementation of the operation itself.

#### **5.6 RELATIONSHIPS WITH SUPERVISING MINISTRIES, PUBLIC SUPERVISING AUTHORITIES, AUDITING BODIES AND INSTITUTIONS**

1. Relationships with the supervising Ministries, public supervising Authorities, auditing bodies appointed within the CMCC and generally Institutions are inspired by the principles of transparency, promptness, completeness and correctness of information.
2. The information to be communicated to the above mentioned subjects according to the current legislation shall not be hidden nor distorted.
3. It is prohibited to obstruct the above mentioned Authorities in performing their functions, omit or refer untrue facts or hide facts concerning the economic, assets or financial condition of the CMCC in the communications and sent documentation.

#### **5.7 RELATIONSHIPS AMONG EMPLOYEES**

Relationships among employees, collaborators and consultants shall be always based on the principles of civil coexistence and collaboration with all employees in the interest of the CMCC and be developed in the mutual respect of rights and freedom of individuals.

#### **5.8 HIERARCHICAL RELATIONSHIPS**

1. Relationships among the responsibility levels, related to the different hierarchical positions, shall be developed in loyalty and fairness, observing the professional secrecy.
2. All Managers of the different offices shall exercise the powers concerning the mandates and instructions received objectively and with prudential composure, respecting the dignity of their collaborators, whose professional development they shall properly take care of.
3. All members of the different offices shall in turn provide full collaboration to their hierarchical superiors or coordinators, so as their conduct may be properly and fairly assessed.
4. Any employee and/or collaborator becoming aware of behaviours in contrast with these principles shall promptly inform his/her superior.

#### **5.9 SAFETY AND HEALTH OF WORKERS**

1. Each worker shall not submit the other employees to worthless risks which may damage their health or physical integrity. All are responsible for the good

management and observance of the principles protecting health, safety and environment.

2. Employees and collaborators undertake, in turn, to observe the terms provided for by law and all practices and procedures applied by the CMCC.

3. Employees and collaborators shall notify any initiative or condition not in compliance with safety standards to the appointed manager. Any kind of retaliation towards employees who raise in good faith questions on safety and health is strictly prohibited.

## **6. OBLIGATIONS OF THE ADDRESSEES OF THIS CODE**

The addressees of this Code shall pursue the general purposes and interests of the CMCC in performing their tasks. Each employee, collaborator or consultant shall keep an independent position in carrying out his/her working activity, so as to avoid decisions or initiatives in situations, also only apparently, of conflict of interest and shall inform with no delay his/her superiors or managers about the situations or activities where he/she could have interests in conflict with the CMCC's ones and in any other case there are relevant reasons of convenience.

### **6.1 LOYALTY OBLIGATION**

The addressees of this Code shall not undertake any business or activity, on their own behalf or on behalf of third parties, in competition with the CMCC.

### **6.2 OBLIGATION TO ABSTAIN**

1. Each addressee of this Code, in carrying out his/her tasks at the CMCC, shall abstain from contributing to adopting decisions and implementing activities which may directly or indirectly involve interests of economic or not economic kind:

- a) of the addressee, his/her spouse, cohabitants, relatives up to the fourth degree or relatives-in-law up to the second degree;
- b) of individuals or organisations he/she, his/her spouse or cohabitant has a pending case or credit or debt relationships with;
- c) of natural or juridical persons he/she is guardian, administrator, agent or proxy of;
- d) of juridical persons he/she is *de facto* or *de jure* director or manager of.

2. The addressees of this Code shall abstain also in case of serious reasons of opportunity or convenience. Any assessment on a conflict of interest concerning the Addressees is assigned to the Ethics Committee, providing for the abstention of the interested person in case of conflict concerning a member of the Ethics Committee itself.

### **6.3 OBLIGATION OF TRANSPARENCY**

1. All initiatives, operations and behaviours of the employees and collaborators during their office or service shall be inspired to both formal and substantial lawfulness, as well as to fairness, transparency, collaboration, loyalty and mutual respect, according to the current provisions and internal procedures.
2. The addressees of this Code shall regularly inform the President of the CMCC on all current relationships of paid collaboration which would put them in conflict of interest with their position at the CMCC and also declare any political, professional or economic initiatives implemented by their relatives up to the fourth degree or cohabitants, which would imply a conflict of interest.
3. The following activities are not relevant to the purposes of this paragraph:
  - collaboration with newspapers, magazines, encyclopedias and similar;
  - economic use, by the author or creator, of intellectual works or industrial products, different from those created on behalf of the CMCC;
  - participation to conferences, seminars or occasional teaching activities;
  - jobs for which the reimbursement of the documented expenses is only provided for;
  - jobs for which the Employee is on leave or detachment.

### **6.4 COLLATERAL ACTIVITIES**

The addressees of this Code shall not accept remunerations or other benefits and compensations from other subjects than the CMCC and its partners, for carrying out initiatives or performing services falling into the tasks or functions they are assigned to within the CMCC.

### **6.5 GIFTS, REMUNERATIONS AND OTHER BENEFITS**

1. The offer, provision or promise for gifts or free services to third private subjects, during the job relationship, shall be deemed and assessed with the greatest carefulness. Whenever falling into interpersonal relations, they shall remain within reasonable limits and have symbolic value.
2. Gifts, offers or other benefits may be given or received only if they are qualified as mere business courtesies. Those services shall not be able to undermine the integrity and/or business reputation of one of the parties and shall not be interpreted, objectively, as aiming at improperly acquiring advantages. In any case, all the described benefits shall be subject to registration and justified by proper documentation.
3. In any case, all employees are generally not allowed to receive gifts or other benefits for an overall amount of more than 150,00 Euros in the solar year (limit set by article 4, paragraph 5, Presidential Decree 62/2013).



4. Whenever the gifts exceeding the limit under the first paragraph are directly sent at the Administration Office and the employee could not decline them at their delivery, he/she shall inform the HR Manager, who shall return them to the donor by mail service. The HR Office drafts to this aim a list of gifts received and to be returned as well as of the dates they have been returned. The return is accompanied by the letter under paragraph 6.

5. Whenever the gifts exceeding the limit under the first paragraph are delivered to the employee's domicile, or in any case to a place different from the Administration Office, the employee who could not decline them at their delivery shall give them to the HR Manager for their return.

6. also in the Countries where offering gifts to customers or other subjects is a tradition, as a courtesy, these gifts or promises of gifts shall be appropriate and not breach law provisions. Also in this case they shall not be so as to be interpreted as request of favors in return. 7. In doubt it is always suggested to consult your direct superior or the manager in charge for issuing, in case, the prior approval.

#### **6.6 USE AND PRESERVATION OF GOODS AND TOOLS**

The tangible and intangible assets, the latter ones consisting in the outcome of the work of all employees, collaborators and consultants, information of strategic relevance and a huge amount of confidential data, concerning various research projects, assigned to employees, collaborators and consultants for carrying out their work, are essential for the CMCC life and prosperity.

The loss, subtracting or improper use of these goods may indeed cause a serious damage to the CMCC interests and, more generally, to the higher interest of the institutional scientific research.

All employees and collaborators are directly and personally responsible for the protection and preservation of goods, resources and tools assigned to them for performing their tasks as well as of their use in a proper manner, in compliance with the company's interests and law provisions, observing the operative and safety procedures set by the CMCC.

Each employee, collaborator or consultant shall thus carry out his/her working activity with diligence, efficiency and fairness and is consequently responsible for preserving and protecting the tangible and intangible assets and tools personally assigned to him/her, observing the operative and safety procedures set by CMCC.

**6.7 CONFIDENTIAL INFORMATION. CONDUCT IN PRIVATE RELATIONSHIPS**

1. The addressees of this Code shall ensure the larger confidentiality on news and information concerning the CMCC activity, in compliance with law provisions and internal regulations.
2. Confidential information and documents, personal data of employees and subjects the CMCC has contractual relationships with, working projects, know-how and technological proceedings shall be kept and protected regularly and in a proper way towards both thirds and colleagues who are not directly interested to them. Those who access them for work reasons shall anyway process them according to the set instructions and procedures.
3. In particular, employees not expressly authorised, according to the terms and procedures under Legislative Decree 2003 no. 196 (Code on the processing of personal data), on the protection of individuals and personal data, are not allowed to know, record, process and disseminate personal data of other employees or third parties.
4. The administrative and criminal sanctions provided for in the cited legislation shall be applied to the offenders, as well as the disciplinary sanctions generally provided for by the regulation on personnel - to the employees only.

**6.8 TRANSPARENCY AND COMPANY COMMUNICATIONS**

Each implemented operation shall be justified by proper documentation, to the aim of proceeding to the controls attesting the characteristics and reasons of the operation and individuate who has authorised, implemented, registered and verified the operation itself.

The company's financial statements, reports and communications provided for by law shall be drafted in compliance with the accounting rules and principles with clearness and transparency and properly and truly represent the asset and financial situation of the CMCC.

Company accounts mean all documents numerically representing facts and management flows, including the internal notes of costs reimbursement.

All CMCC personnel involved in the elaboration procedure of the financial statement shall: i) provide clear and complete information; ii) ensure the accuracy of data and elaborations; iii) refer about any conflict of interest.

It is prohibited to prevent or impede the duly implementation of bodies and auditors' activities. In particular, it is prohibited to behave preventing or anyway impeding the implementation of control or audit activities, hiding documents or by other fraudulent

means. It is mandatory to collaborate, whenever required, for carrying out any kind of control and revision provided by law.

### **6.9 CYBER SECURITY**

It is prohibited to unlawfully access or remain in the CMCC information or computer system protected by security measures.

Achieving unlawfully key words or other means to access the CMCC information or computer system protected by security measures for yourself or for third parties codes is not allowed.

It is prohibited to unlawfully achieve the detention of computer equipment, tools or software, for yourself or third parties, to the aim of damaging or interrupting the functioning of the CMCC information or computer system. It is prohibited to damage or interrupt the functioning of the CMCC information or computer system. It is prohibited to unlawfully intercept, impede or interrupt information or computer communication of the CMCC personnel as well as to install suitable equipment to this purpose.

It is prohibited to destroy, damage, cancel, modify or delete CMCC information, data or computer software.

### **6.10 PROTECTION OF COPYRIGHT AND INTELLECTUAL PROPERTY**

The unlawful dissemination to the public of a work protected by copyright, or part of it, owing to the CMCC, by computer networks or connections of any kind, is prohibited.

The reproduction on supports not marked by SIAE, the transfer on other support, the distribution, communication, presentation or public presentation of a database contents, in breach of the exclusive right of execution and permission of the author, is prohibited. The extraction, reuse, distribution, sale or rent of a database in breach of the CMCC rights as owner or the user is also prohibited.

The unlawful reproduction, transmission or dissemination to the public of scientific, educational or multimedia works, or parts of them, even if included in collective or composite works or databases belonging to the CMCC, is also prohibited.

These activities are prohibited whenever they concern any audio or video support, both marked by SIAE and with SIAE forged or counterfeit mark, whenever affixing the mark is required by law.

Failing any agreement with the supplier, the transmission or diffusion by any mean of an encrypted service, received by equipment or parts of equipment able to decode transmissions at conditioned access, is prohibited.

In case of production or import of supports not subject to the mark provided for in article 181 bis Law on copyright, it is required to notify the data required for

unequivocally identifying the supports themselves to the SIAE, under the terms provided by law.

### **6.11 PARTICIPATION TO ASSOCIATIONS AND ORGANISATIONS**

1. The Employee shall notify in written his/her adherence to any association or organisation whose areas of interest may interfere with the CMCC office's activities, as well as the relevant updates, such as the withdrawal or exclusion from the association or organisation, the assumption of government or control positions within them, the cessation of the above cited positions, to the HR manager, who shall include them in the employee's personal file, completing a specific list with the relevant information. This list will be available to the Manager for the Prevention of Corruption whenever it would be required for the overall assessment of a conflict of interest situation, concerning an addressee of this Code, or for verifying the relevance of the whistle-blowing concerning an employee (see for this last case REG09

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## **7. DISCLOSURE AND COMPLIANCE**

### **7.1 DISCLOSURE**

To the aim of achieving an adequate awareness of the Code of Ethics by all its addressees, it is provided for its publication in the CMCC intranet network and website, the sending of the notice of publication to all the CMCC lists and other communication initiatives.

### **7.2 AUDITING BODY**

The functions of consulting, controlling the observance of the provisions of this Code of Ethics and any application of sanctions are assigned to the Ethics Committee, whose members will be selected according to the provisions under article 7.5.

### **7.3 BREACH OF THE CODE**

Each CMCC collaborator and/or employee, consultant, executive officer or director shall report behaviours and/or situations which may consist in a breach of this Code of Ethics to the President of the Ethics Committee.

The President will submit the notification to the Ethics Committee, which will assess only not anonymous reports which include a detailed and reasoned description of the facts, acts and conducts in breach.

The Ethics Committee, to the aims of adopting a decision, may jointly or separately convene the subjects involved in the reported facts or anyone is aware of the facts, respecting the dignity of individuals as well as the right for privacy.

The Ethics Committee promptly deliberates on the reporting in observance of the principle of opposition.

#### **7.4 SANCTIONS**

The acceptance and sharing of the provisions of this Code are integrative part of the contractual obligations of the CMCC personnel, according to article 2104 Civil Code.

The breach of the provisions of this Code may constitute a disciplinary offense of the employed job relationship, in compliance with the procedures provided for in the Workers' Statute (article 7 Law no. 300/1970), with all effects provided by law also on the preservation of the job relationship.

The observance of this Code is a requirement for the continuation of the current professional or collaboration relationship for all the other subjects this Code is applied to. Indeed, whenever a self-employed worker, collaborator, supplier or other subject having a contractual relationship of collaboration with the CMCC breaches the ethics rules, the Ethics Committee is the body in charge for assessing and ascertaining the breaches as well as for applying any sanctions; the annulment of the contract or the CMCC's withdrawal from it may be provided for as sanction to be applied.

This is without prejudice to the right of the BoD to request an opinion to the Ethics Committee also on the negative conduct of the employee.

#### **7.5 THE ETHICS COMMITTEE**

The Ethics Committee will consist of one internal member (employed at the CMCC) and two external members selected among the following subjects by expression of interest, to be published in the website [www.cmcc.it](http://www.cmcc.it) for 20 days:

- lawyers with many years of experience;
- Top Public Managers;
- University Professors of Economics-Law;
- Ordinary, Extra-Ordinary or retired Judges.

A CMCC internal Committee will carry out the selection according to well defined criteria, as specified in the above mentioned expression of interest.

The Ethics Committee shall meet only in case it is convened for ascertaining any detected offense, assessing it and finally setting the sanction.

Any remuneration to the selected subjects is provided for this task: a costs reimbursement is provided for in case the body is convened.

### **7.6 FINAL PROVISIONS**

This Code integrates and does not replace what is provided for in the previously approved policies and internal regulations.

Any modification and/or integration to this Code shall be adopted with the same procedures applied for its approval.