



## **GEOLOGICAL MINING ASSOCIATION OF MOZAMBIQUE**

### **DEONTOLOGICAL AND ETHICAL CODE**

#### **Preamble**

The development of the geological sciences in Mozambique, of the knowledge of the geology and of the mining sector of the country, together with the growing number of professionals, and the lack of a reference standard of conduct for professionals, leads to less agreeable situations occurring in the performance the various professions related to the Geosciences.

It is unquestionable that Geosciences have a crucial social role, since the professionals are required to have scientific and technical knowledge, experience and judgment capacity to serve both the public and the private sectors. This social role requires the setting of ethical standards that help to clearly define the desirable ethical conduct for the professionals.

The Professional of Geosciences, hereinafter referred to as Geoscientist, has a professional responsibility in relation to the client, his colleagues and the society to which he/she belongs, which should be ethically and clearly exercised. Moreover, his work will have a major impact on society, environment and spatial planning. Therefore, he/she is obliged to ensure that his/her decisions are consistent with the general interest of the client and with all that refers to safety, health protection, geoethics and sustainability.

The activity of Geoscientists should be governed by principles of social responsibility, integrity and professional independence, personal dignity, truthfulness, loyalty and diligence.

It is up to the Mining Geological Association of Mozambique (AGMM) the definition of deontological standards in which the profession of Geoscientist must be exercised, and it is in this sense that Deontological and Ethical Code is adopted, and ahead defined.

The Code is not intended to be punitive, but preventive, through guidelines of professional conduct to approach the Geoscientist to the concept of excellence and true social function that the profession

requires. Although not be punitive, bad professional performances may be subject to prosecution under the law in force in the Republic of Mozambique.

## **Article 1. General Principles**

1. The geological deontology is a set of principles and ethical standards that should inspire the professional conduct of the Geoscientist.
2. The Geoscientist is morally obliged to follow this code of ethics and professional conduct, whether or not a member of the AGMM.
3. All professionals subject to this Code shall, in the exercise of their profession, be based on the criteria and spirit of the following rules, in order not to bring harm to the professional dignity.
4. The privilege of exercising any of the professions of Earth Sciences requires the highest standards of honesty, morality, professional conscience and professional moral responsibility.
5. The Geoscientist is responsible for the brand image that he/she gives the profession next to the public and the society.
6. The Geoscientist is subject to maintain confidentiality under the law in force and the commitments to third parties.

## **Article 2. Ethical and Deontological Obligations**

1. The Geoscientist shall exercise his/her professional conduct in accordance with the basic ethical principles of social responsibility, integrity and professional independence, professional dignity, truth, loyalty and diligence.
2. The Geoscientist must always take into account the social role he/she plays.
3. The Geoscientist will use his/her knowledge and skills to improve the collective welfare of the citizens and the protection of the environment, guided by the public interest.
4. The Geoscientist shall perform his/her activities in the areas of his/her competence.
5. The Geoscientist shall exercise their professional activity with independence, preventing his/her activity to be conditioned by contrary interests to his/her good professional performance, according to the state of science and technology, to his/her ethical commitments and his/her duties of loyalty.

6. The Geoscientist shall seek to make his/her professional criteria compatible with the desires and expectations of his/her clients and the society, using all his/her experience and knowledge (theoretical and practical) to carry out his/her work.
7. The Geoscientist will avoid making misleading actions and any practices that may lead to suspicion about the consistency of his/her professional competences, or that can erode the public image of his/her profession.
8. The Geoscientist must always act in accordance with the established law and rules governing his/her profession.
9. The Geoscientist can not avail themselves of academic, professional or merit titles.

### **Article 3. Commitments to the Society**

1. O Geocientista deverá ter segurada a sua responsabilidade profissional de acordo com os riscos da profissão, sua actividade e encargos assumidos.
2. The Geoscientist will always seek to preserve and protect the safety, the well-being of society and the fundamental rights of citizens in activity areas related to the works to be developed .
3. The Geoscientist will carry out his/her mission under light of the basic rules on environment, work health and safety, basing his/her decisions on technical criteria, according to the state of Science.
4. The Geoscientist will respect the values endorsed by the legislation on protection of data of professional nature. As a consequence, he/she cannot neither apply or use personal data obtained in the course of his/her business for purposes other than those that led to his/her attention and treatment, nor can he assign them to third parties without the prior written consent of the owners of such data.
5. The Geoscientist shall have his/her professional liability insured, in accordance with the risks of the profession, his/her activity and charges incurred.

### **Article 4. Commitments to Geoethics**

1. Geoethics is a key discipline in the field of Geosciences, which takes into account various aspects of scientific, technological, methodological and socio-cultural character. In fulfilling

geoethical principles, the Geoscientist must act with scientific integrity, good practice and appropriate protocols, maintaining appropriate attitudes to enable a balanced relationship between the practice of Geosciences and the components of the abiotic world.

2. The Geoscientist has the obligation to be aware of the importance for Humanity, of the scientific and technical advances, and of his/her social responsibilities in performing his/her professional activity. These advances open doors both to major advances, and may lead to risks and dilemmas that have to be considered.
3. The Geoscientist is required to ensure economic and social development that meets present needs without jeopardizing the capacity of development of future generations, seeking to maintain a comprehensive and integrated vision in solving problems affecting the planet. For that he/she must take account the rational utilization of natural resources and the demands of society on the environment issues, avoiding the transfer of undesirable products to the natural environment and bearing in mind the principles of sustainability and prudence.
4. The Geoscientist should take into account the ethical requirements for the protection of geodiversity and geological heritage. For this reason, during his/her fieldwork activities, he/she will seek to preserve rocks, minerals, fossils, outcrops, archaeological remains and other objects that could be a single register of natural processes.
5. The Geoscientist will use all his/her knowledge and skills in mitigating natural hazards, giving priority to preventive strategies, while ensuring the safety of persons and property, as well as the protection of the environment. When necessary, he/she will responsibly and diligently cooperate with the relevant public authorities in critical situations, collaborating in the transmitting information to the society, using the data with seriousness, objectivity and scientific rigor.

## **Article 5. Continuous Education**

1. The Geoscientist will seek, within the existing possibilities around him, to continually update his/her education through the acquisition of new scientific and technological knowledge that is constantly appearing. He/She should seek to keep updated on the professional news as they come up s, in order to maintain his/her work updated, safe, effective and efficient. Under no circumstances the Geoscientist must accept any job for which he/she is not properly trained.

## **Article 6. Professional Activity**

1. The Geoscientist must behave with honesty and diligence in his/her entire professional career. He/She will seek to prevent possible risks for health, people, property and environment, and to carry out his/her work with due skill and quality, according to the state of science and technology.
2. The Geoscientist shall have all the care needed to delegate competences, not giving them to those who are not available or technically and legally qualified. He/She shall not sign any document that has not been carefully revised by him/herself, and will be responsible for any error or anomaly that is found therein.
3. The Geoscientist has the right and duty to a complete independence and impartiality of discretion in his/her professional activity, with regard to possible interference, own or other interests, pressures, demands or complacencies, avoiding any situation that may condition his/her objectivity.
4. The Geoscientist should act with a spirit of collaboration and participation in tasks that may be shared, contributing with his/her knowledge and experience for the exchange of scientific and technical information with other professionals who may be involved in his/her work, with the aim of always obtaining maximum effectiveness and efficiency from a joint work.
5. The Geoscientist shall refrain from giving coverage to professional activities which are not included in his/her corresponding title, which may constitute interference assumptions in the professional activities of others.
6. The Geoscientist shall not accept any working professional work that facilitates, assessors or collaborates with the client in performing any activity that goes against the laws and regulations in force.
7. The Geoscientist will maintain confidentiality of all data, documents or any other information of reserved character to which he/she had access during his/her professional activity.

## **Article 7. Relationships with Geoscientists and other Professionals**

1. The Geoscientist shall maintain mutual loyalty, mutual respect and relationships of companionship.

2. The Geoscientist should base its professional reputation on his/her own merits, avoid disseminating information capable of bringing a companion into discredit, and not compete unfairly with other geoscientists. He/She should also not induce others to act improperly and unfairly against his/her fellows.
3. The Geoscientist should be objective in criticizing the work of his/her fellows, always acting with due discretion, also accepting the honest and objective critiques of his/her colleagues to his/her work.
4. In the event of litigation against another colleague he/she should, before entering into legal action, seek the good offices of the AGMM in mediating the same.
5. The Geoscientist shall not use a third party for the purpose of concealing the limits imposed by law, to obtain personal benefit. Similarly, he/she should not allow his/her name to be used for the same purpose.
6. In expert reports/surveys/audits, the Geoscientist will keep the most absolute respect for the colleague of the opposite party or author of the professional work under analysis, avoiding any kind of subjective disqualification and confining to technical aspects of the matter. He/She should restrict him/herself merely to issue technical opinions.
7. The Geoscientist in his professional activity recognizes and respects the rights of intellectual and industrial property. He/She is entitled to be recognized for the authorship of his works, being no one authorized to claim its authorship.
8. The principles referred to in these paragraphs apply to relations with all other professions.

## **Article 8. Relationships with the Clients**

1. The relationship of the Geoscientist with the client is based on mutual trust, which can be facilitated by signing a contract which clearly includes, the terms of reference (s) of the work (s) to be carried out.
2. The Geoscientist is obliged to act in favor of his client, respecting the principle of social responsibility, applying independently and according to his knowledge, the best methods and techniques to ensure the client's objectives.

O princípio da independência permite-lhe recusar as instruções do cliente, ou de outras pessoas ou profissionais com quem colabore ou de quem dependa, que vão contra os seus próprios critérios profissionais ou contra a legislação em vigor.

The principle of independence allows him to refuse the instructions of the client, or of other persons or professionals with whom he/she collaborate or from whom he/she depends on that go against his own professional criteria or against the law in force.

3. The Geoscientist shall maintain the confidentiality of information obtained in the execution of his work and will not disclose, without consent of the client, the documents obtained in the course of his professional activity. Except where court order applies, he/she cannot use his client's information in his detriment.

4. The Geoscientist has the liberty to accept or reject any work that will be requested to him without the need to justify, except by judicial solicitation or official appointment as an expert.

He may abstain or cease his functions with the client, in case discrepancies arise. He/She should not accept assignments that compromise the achievement of others already previously undertaken.

5. The Geoscientist shall inform his potential client about the real limits of his capacity to act, the results He/She can get, the schedule and the approximate costs or basis of calculation as well as the evolution of the work commissioned.

6. The Geoscientist depending on entities providing public service shall refrain from the illegal use of resources and prerogatives inherent to his position, both to his own advantage and for the benefit of others. Still, He/She will abstain of using his position in detriment or benefit of third parties.

7. The Geoscientist has an obligation to successfully complete all the professional works commissioned except for due cause or due to force majeure.

8. The Geoscientist cannot accept professional work involving actions against a former client where there is some risk that the confidentiality of information obtained in working with the former client may be infringed or bringing benefits to the new client.

9. The Geoscientist should avoid any form of negligence in the exercise of his profession, especially if from such conduct brings risks and material and moral damages for his client, society and environment.

## **Article 9. Incompatibilities and Conflicts of Interest**

1. The Geoscientist should not accept works where there is the possibility of conflict or collision of interests and, in any case, He/She will take the necessary measures to avoid such a conflict in case it occurs *a posteriori* and renouncing to the work if necessary.
2. In any case, the Geoscientist shall refrain from accepting professional works in which:
  - a) objective or subjective conditions that endanger his independence of judgment and well-being occur;
  - b) a jeopardy of prestige or dignity of the profession occurs or may occur;
  - c) there is a possibility of collision of interests that may put the Geoscientist in equivocal situation which occurs when, during the same professional activity, He/She performs professional activities simultaneously with activities of other profession or academic title;
  - d) there is a situation of unfair competition with other colleagues;
  - e) there is a conflict of interest between his professional activities and his participation in Juries, Commissions, Tribunals and Expertise.

## **Article 10. Final Disposition**

This Deontological and Ethical Code shall enter into force one month after its approval by the AGMM General Assembly, and it shall be immediately given to knowledge of the entire community of geoscientists via electronic means and published in the national newspaper with the largest circulation.

## **Glossary**

**Professional activity** - The whole of practices of a profession, of the execution of a technique, or of the exercise of a profession<sup>1</sup>.

**Geocientist** - Refers to all professions covered by the Art. 5 AGMM statutes.

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<sup>1</sup> CIME, 2001. Terminologia de Formação Profissional: Alguns Conceitos de Base – III. Comissão Interministerial para o Emprego, Lisboa, Abril (Terminology of vocational training: Some Basic Concepts - III. Interministerial Commission for Employment, Lisbon, April).

**Deontological (or Conduct) Code** - A set of rules to guide and discipline the conduct of a particular group of people according to its principles. It is generally used by companies, organizations, professional classes, or social groups.<sup>2</sup>.

**Ethical Code** - A document that seeks to expose the principles and mission of a particular profession or business. Its content should be designed to meet the needs that this category serves and represents. It is done to emphasize the values that should be practiced by professionals and institutions<sup>3</sup>.

**Geoethics** - Interdisciplinary field between Geosciences and Ethics that covers the Earth and Planetary Sciences and applied ethics. It deals with the relationship between action and thought with the meaning Earth System as a model. It also includes geoeeducation, scientific, technological, methodological and socio-cultural aspects<sup>4</sup>.

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<sup>2</sup> [http://pt.wikipedia.org/wiki/C%C3%B3digo\\_de\\_conduta](http://pt.wikipedia.org/wiki/C%C3%B3digo_de_conduta)

<sup>3</sup> [http://codigo-de-etica.info/mos/view/Fun%C3%A7%C3%A3o\\_do\\_c%C3%B3digo\\_de\\_%C3%A9tica/](http://codigo-de-etica.info/mos/view/Fun%C3%A7%C3%A3o_do_c%C3%B3digo_de_%C3%A9tica/)

<sup>4</sup> <http://www.icog.es/iageth/index.php/home/>