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The legal system of academic ethics committees in addressing breaches of professional obligations: A case study of university professors between the provisions of Order No. 06-03 and Decision No. 991 dated December 10, 2020.

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Abstract:

Academic ethics committees act as essential bodies promoting commitment, competence, and scientific integrity in universities. In response, the supervisory ministry has accelerated their establishment across higher education institutions to counter misconduct and protect the academic environment. These committees issue regulatory and supervisory decisions rather than creating new legal entities. Their role functions as a mediating mechanism between appointing authorities and administrative committees, operating similarly to a disciplinary council. This paper examines this structure in detail.

***Megarín youssouf**

Introduction:

Teaching is considered one of the noble professions associated with professional and ethical standards acquired after receiving a deep methodical training in various disciplines. The absence or lack of adherence to these standards may jeopardize the training process and hinder the achievement of the desired goals in scientific research. Moreover, examining the legal texts within the Algerian legal system, notably Order No. 06-03 concerning the general statute of the civil service, is proactive in establishing a set of professional obligations outlined in Articles 160 to 185, which had a significant impact on regulating the ethical values and professional duties of university professors in general, and the ethics of the profession in particular.

In this regard, Article 160 of Order No. 06-03 outlines general principles of professional obligations, stating: "Any deviation from professional duties or violation of discipline, and any error or misconduct by the employee during or on the occasion of performing his duties constitutes professional misconduct, subjecting the perpetrator to disciplinary action, without prejudice to criminal proceedings when necessary (Ordinance No.06-03) To understand the specific nature of disciplinary crime in Algerian legislation, considering that public employees are already aware of the nature of the violation of professional obligations and the applicable punishment, disciplinary crime within the context of public employment is characterized by its particularity. In such cases, the general criminal law principle of 'no crime or punishment without a legal text' does not fully apply. This is because the violation of professional duties is known in advance, and there is no need to investigate the legal basis of disciplinary crime since pre-existing obligations fall on the shoulders of public employees.

In this regard, it is important to delve into some details related to the academic ethics committees concerning the professional obligations of university professors, aligning them with the provisions of Order No. 06-03. This will enable us to determine the legal nature of this type of decision. Therefore, I will proceed to present the following issue:

What is the legal nature of the decisions of academic ethics committees as a reference tool for commitment, competence, and scientific integrity? And to what extent have they contributed to undermining and addressing breaches of professional obligations for university professors?

The researcher employed a descriptive methodology in this research paper, which involved gathering information and acquiring most of what is relevant to the study

topic. Additionally, an analytical approach was utilized to analyze legal texts, specifically those related to Order No. 06-03, which encompasses the general statute of the civil service, and Decision No. 991 dated December 10, 2020, which regulates the activities of academic ethics committees. This was done in an attempt to construct a comprehensive legal framework for understanding the legal nature of committee decisions.

To address the primary issue and gain a comprehensive understanding of its details, the following points will be addressed:

1 - The specificity of disciplinary crimes in the public service

Disciplinary crime is considered a proactive measure before delving into the details of the disciplinary penalty (Amer Ibrahim Ahmed Al-Shammari, 2002, p : 51), as it is characterized by flexibility and lack of precision. The public interest dictates the imposition of the appropriate disciplinary penalty for the professional offense committed by the public employee, which may serve as a deterrent against future misconduct. In this regard, it is pertinent to raise the issue of the Code of Ethics and Professional Conduct for University Professors, which underwent automatic electronic approval by higher education institutions in mid-2021. This code carries numerous duties that fall upon university professors as a measure aimed at improving institutional performance and regulating the principles of integrity and scientific ethics. Inspired by the rules and professional duties of public employees, a designated body at each university campus is responsible for implementing these obligations.

1-1 The significance of professional error in the public service

A public employee who breaches their professional obligations is subject to disciplinary penalties for failing to adhere to professional duties, which, in turn, ensures the smooth functioning of the public institution. This is based on the provisions outlined in Article 160 of Order No. 06-03, which considers that "every deviation from professional duties or violation of discipline, and every mistake or misconduct by the employee during or in connection with the performance of their duties, constitutes a professional error and exposes the perpetrator to disciplinary action, without prejudice to criminal proceedings when necessary (Ordinance No 06-03)

The legal interpretation of Article 160 above suggests that the Algerian legislator does not explicitly present the concept of disciplinary crime, represented by professional error, to address public employees who breach their obligations. Instead, it directly enumerates forms of error when stating: "every deviation from

duties," which clearly indicates that error is considered a violation of professional obligations.

Dr. Mohammed Sulaiman Al-Tamawi considers professional error to be "any action or failure to act that violates professional duties. (Mazen Laylo radi,2002, p. 93)

As defined by Dr. Ahmed Bouzidi, it is "a form of deviation from legal obligations, taking the form of a legal, customary, or moral rule (Ahmed Bouzidi, 1986, p. 17) In a clear indication of its comprehensive nature, pointing to the inclusivity of the professional offense.

The Algerian judiciary has defined professional error in numerous decisions, unanimously considering it as a shortcoming in performing duties that aim to ensure the normal functioning of the public institution. From this perspective, it should be noted that disciplinary action against public employees in Algerian legislation has not aimed to enumerate all professional errors exhaustively. Instead, specific examples have been listed, and adaptation has been made to assess the nature of the breach of professional obligations. This allows us to evaluate the professional error that warrants disciplinary action based on the following:

- 1) The scope of disciplinary punishment applies solely to the employee and does not extend to any other party outside the employment relationship.
- 2) Disciplinary punishment is expected for the public employee in the event of a breach of professional obligations.
- 3) Disciplinary responsibility is imposed on the public employee based on fault, not harm.

1-2 Disciplinary Penalties Guidelines

Disciplinary penalties affect the official position of the public employee due to the administrative nature of their professional obligations. Therefore, the legal foundation of the offense is considered an effective means for public administration to mitigate disciplinary errors, ensuring the proper functioning of public facilities, (Rahmaw Kamel, 2006, p. 86) The commission of a disciplinary offense requires the presence of both material and moral elements. The material element consists of an intentional positive or negative action taken by the public employee, contravening the duties incumbent upon them within the scope of their official duties. The moral element requires the presence of wrongful intent on the part of the public employee when committing the act or failing to act, resulting in misconduct or harm. It is important to note that the offense can range from minor to severe, whether intentional or due to negligence. However, exceptions include cases of urgent necessity, overpowering force, loss of consciousness or

discernment, and situations of coercion imposed on the public employee. (Melliani Abdelrahman, 2006-2007, p. 9)

With the presence of both material and moral elements and their fulfillment, disciplinary offenses are established without the need to search for the legal basis. Despite this, the Algerian legislator has, on several occasions, specified some forms of offenses, but these remain illustrative rather than exhaustive. The public administration, represented by the equal members administrative committee convened in a disciplinary council, handles the legal adaptation of the disciplinary case. However, decisions issued by the public administration remain subject to the scrutiny of administrative justice for annulment, modification, and legality review. (Melliani Abdelrahman, 2006-2007, p. 5)

In this regard, it is incumbent upon the equal-members administrative committee convened in the form of a disciplinary council to consider a range of important factors, including:

Taking into account the principle of proportionality between the administrative error and the disciplinary penalty, as established by the content of Article 161 of Order No. 06-01, which considers: "The determination of the disciplinary penalty to be imposed on the employee depends on the seriousness of the error, the circumstances in which it was committed, the responsibility of the employee concerned, the consequences resulting from the conduct of the interest, as well as the damage caused to the interest or to the beneficiaries of the public facility. (Ordinance No.06-03, July 2006 article 161)

This implies that an administrative decision subject to disciplinary action issued by the general administration, if it is found to be disproportionate to the offense committed, may be subject to annulment by the administrative judiciary, after exhausting all avenues and methods of appeal. The principle of proportionality also extends to considering the idea of minimum and maximum penalties in the field of disciplinary action, taking into account the most suitable penalty for the committed offense. To illustrate this, the Algerian legislator employed in Article 183 of Order No. 06-03 phrases such as "...cases of professional errors lead to the application of one of the disciplinary penalties of the same degree," indicating that the Algerian legislator has placed a condition affecting the application of the penalty, which is referring to the factors specified by the law regarding the imposition of disciplinary action. (Rahmaw Kamel, 2006, p. 96)

The principle of proportionality also extends to encompass not applying multiple penalties for a single violation. (Amani Zein. Badr Faraj, 2010, p. 503)

The administrative decision issued in this regard may be flawed for violating this principle. The Algerian legislator has established several guarantees for the public

employee referred to the disciplinary council under Articles 167-168-169 of Order No. 06-03, summarized as follows:

4) The right of the public employee to be informed of the allegations against them.

5) The right of the public employee to access their entire disciplinary file within 15 days from the date of issuing the disciplinary claim.

6) The right of the public employee to appear personally before the disciplinary council, except in cases of force majeure, with notification at least 15 days in advance through a confirmed delivery. (Christophe Strasse, N 168, 2018)

7) In case of accepting the exceptional absence reason of the employee, the request for representation by their defenders can be accepted. If the justified reason for absence is rejected or the individual fails to attend, disciplinary proceedings continue.

8) The right of the public employee to submit oral or written remarks.

9) The right of the public employee to call upon witnesses.

10) The right of the public employee to be assisted by a legally authorized defender or a representative of their own choosing.

11) Disciplinary council sessions are to be closed, and its decisions must be reasoned in accordance with Article 170 of Order No. 06-03.

12) An administrative investigation can be requested in the disciplinary incident before a decision is reached by the disciplinary council, in accordance with Article 171 of Order No. 06-03.

13) The individual concerned must be notified of the disciplinary penalty decision within 8 days from the date of issuance of the disciplinary decision, as stipulated in Article 172 of Order No. 06-03 (Ordinance No.06-03, July 2006 article 161) In the event that an employee commits a serious offense that may lead to a fourth-degree penalty, the authority with the power of direct appointment can immediately suspend the public employee, according to the provisions of Article 173. However, the employee retains half of their basic salary, as well as all allowances and compensations. If a penalty less than the fourth degree is issued or the employee is acquitted, they regain all their rights, including the deducted portion of their salary.

- A public employee who has been subject to a third or fourth-degree penalty can file an appeal before the competent appeal committee within one month from

the date of notification of the decision, as per the provisions of Article 175 of Order No. 06-03.

14) A public employee who has been subject to a first or second-degree penalty can request reconsideration by the appointing authority, after one year from the issuance of the penalty decision. If the employee does not receive any new penalties, their consideration is reinstated by law after two years. (Melliani Abdelrahman, 2006-2007, p. 1)

2- The Role of University Ethics Committees in Addressing Breaches of Professional Obligations

Research within the framework of the details of the Code of Ethics and Professional Conduct for the Academic Profession, in the section concerning the professional obligations of university professors, reveals several points that warrant detailed examination.

2-1 The Legal Dimension of the Code of Ethics for the Academic Profession

The first provision of the code emphasizes the professor's status as a reference in terms of competence, ethics, integrity, and tolerance. (The Code of Ethics for University Ethics and Morals, 2021) This was previously established by the content of Article 42 of Order No. 06-03, which considers: "A public employee must avoid any act that conflicts with the nature of their duties, even if it occurs outside of duty. Additionally, they must always exhibit appropriate and respectful behavior (Ordinance No.06-03, July 2006 article 161) This suggests that university professors should exhibit professional behavior even outside the university premises, through conduct and ethics that align with respect and the institutional duty of the university. The phrase "...even if it occurs outside of duty" has sparked debate within the academic and research community, with some arguing that public employees should maintain ethical conduct even outside the university walls. Their argument is based on the premise that public employees receive a salary in exchange for their service, thus they owe it to the state to adhere to this role. However, proponents of the opposing view advocate for a complete and absolute separation between the private life of public employees and their professional obligations outside the university. They argue that even if the general public service law does not explicitly mention this, it's essential to maintain clear boundaries. The middle-ground approach emphasizes flexibility, acknowledging that these obligations vary from one job to another and from one location to another. Nonetheless, expressing one's feelings and thoughts, whether verbally or through actions, while avoiding anything that might undermine the dignity of the profession, is deemed acceptable. Thus, we find in this phrase: "...they must

always exhibit..." the idea that this duty is flexible and adaptable. (Melliani Abdelrahman, 2006-2007, p. 3)

The Code of Ethics for the Academic Profession has added an important clause regarding: "Refraining from all forms of discrimination based on sex, nationality, ethnic origin, social status, religious affiliation, political opinions, disability, and illness." This was previously addressed in the content of Article 41 of Order No. 06-03, considering: "An employee must carry out their duties with honesty and impartiality." This implies that university professors are subject to an absolute prohibition in this regard against any action, stance, speech, or discourse intended to:

- 15) Incite discrimination among students based on nationality, belief, religion, positions, or even political opinions.
- 16) Irresponsible statements that affect religious, ethnic, gender, or belief-related elements.
- 17) Propagate ideas containing racial, stereotypical, unethical connotations.
Exclude specific groups based on religious, racial, or social considerations.

Furthermore, the content of the code emphasizes: "Respect for confidentiality when necessary..." which was established by the Algerian legislator in Articles 48-49 respectively of Order No. 06-03, considering: "An employee must adhere to professional secrecy and is prohibited from disclosing the contents of any document in their possession or any event, news known to them, or accessed during the performance of their duties. The employee is released from the obligation of professional secrecy only by written authorization from the competent civil authority."

Additionally, according to Article 49: "The employee must ensure the protection and security of administrative documents.. (Ordinance No.06-03, July 2006 article 161)

It's worth noting that the professional commitment mentioned earlier may exempt the public employee from liability in case of breach, as detailed in Order No. 59-20 regarding the activities of the Accountability Council in its Article 59-1, which states: "Regardless of any contradictory provisions, officials or employees of entities and bodies subject to oversight, as well as those under external oversight bodies, are exempt from any obligation to respect peaceful means or professional secrecy towards the Accountability Council."

This is in addition to what is stipulated in the Anti-Corruption and Anti-Fraud Prevention Law No. 06-01, as amended and supplemented in its Article 21,

considering: "The authority, within the framework of exercising the tasks mentioned in the text of Article 20, may request from public or private sector administrations, institutions, and bodies, or from any other natural or legal person, any documents or information deemed useful in uncovering acts of corruption (Corruption Prevention and Control Act, 2011)

From this perspective, the scope of professional obligations in dealing with university professors extends to the highest levels by:

- 18) Ensuring the confidentiality of discussions and debates held in the bodies in which they participate.
- 19) Respecting legitimate decisions of public administration and refraining from disclosing details of administrative meetings and discussions.
- 20) Respecting the confidentiality of sources when necessary.
- 21) Maintaining the confidentiality of administrative activities and ensuring the independent and objective exercise of public duties.

2-2 The Pedagogical Dimension of the Code of Ethics for the Academic Profession

The Code of Ethics for the Academic Profession has raised some details regarding the guarantee and conduct of pedagogical activities, including:

- 22) Acting with diligence, competence, integrity, independence, loyalty, and good faith for the higher interest of the academic and research institution. (the Charter of University Ethics, 2022)
- 23) Demonstrating professional conscience and dedicating oneself entirely to performing professional and job duties.
- 24) Refraining from engaging in any educational activity in unofficial systems.
- 25) Providing education efficiently and encouraging scientific research and free exchange of ideas.
- 26) Presenting pedagogical objectives and respecting pedagogical progression rules within the framework of quality assurance.

Based on this basis and through the legal reading of the content of Resolution No. 1082 regarding the prevention and combating of scientific theft, we can understand the general guidelines placed on the university professor, including implementing the directives and recommendations to reinforce higher education institutions with full skills, such as:

- 27) Supporting pedagogical mentoring from a successful, effective, and competent professional perspective. (mawdoo3.com, 2022)
- 28) Integrating various knowledge acquired by the professor to enable them to accomplish their teaching tasks comprehensively.
- 29) Acquiring and enhancing a culture of quality in the teacher training process.
- 30) Understanding and mastering educational tools within their area of expertise.
- 31) Contributing to the enhancement of reforms undertaken by the sector.
- 32) Recognizing the importance of distance learning and utilizing information and communication technology within the educational program.
- 33) Providing support to students and assisting them in meeting course requirements.
- 34) Establishing interaction between the educator and the learner within a coordinated cooperative framework.
- 35) Mastering the fundamentals of the university professor profession.
- 36) Demonstrating a sense of responsibility and commitment to professional duties.
- 37) Understanding the importance of educational communication and pedagogical techniques.
- 38) Bringing the student closer to the administration.
- 39) Accompanying through modern pedagogical methods and educational activity programs.
- 40) Mastery of scientific research skills. (lagh-univ.dz, 2022)

2-3 The Administrative Dimension of the Academic Profession Ethics Charter

The Academic Profession Ethics Charter establishes some commitments related to administrative activity, including:

- 41) Respecting the work of colleagues and students and contributing to the vitality of the profession.
- 42) Refraining from using the academic position for personal purposes.
- 43) Respecting all members of the academic community.
- 44) Wearing attire appropriate to the seriousness of the position (www.cu-aflou.dz, 2022)
- 45) Refraining from obstructing the proper functioning of the university institution, especially through total or partial closure.

The Order No. 06-03 established administrative obligations for public employees to ensure the regular and smooth operation of public facilities, notably

the legal framework outlined in Article 52, which stipulates: "Employees must conduct themselves with courtesy and respect in their relationships with their superiors, colleagues, and subordinates (Ordinance No.06-03, July 2006 article 161).

To understand this, it implies the inclusivity of compliance with this duty among both superiors and subordinates alike, aiming to align administrative legitimacy with ensuring the regular and uninterrupted operation of public facilities.

The legal nature of the decisions of university ethics committees against university professors

3- University ethics is one of the main concerns of the Ministry of Higher Education and Scientific Research, which hastened to issue Decision No. 991 dated December 10, 2020, establishing ethics committees in higher education and scientific research institutions as a regulatory measure. This was evident through the provisions of the aforementioned Decision No. 991, in parallel with Decision No. 1082 concerning the prevention and combating of scientific theft. (Decision No. 1082, 2020)

The content of Order No. 06-03, related to the general statutory law of public service, will be summarized as follows:

3-1 The supervisory role of the University Ethics and Professionalism Committee.

The content of Article 03 of Decision No. 991 dated December 10, 2020, which establishes the Committees of Ethics and Professional Conduct in higher education institutions, emphasizes the supervisory role of the committee in ensuring compliance with ethical standards. In this regard:

46) The committee ensures compliance with ethical standards and addresses all issues related to academic ethics that are subject to discussion within the institution.

47) It evaluates instances of violations of professional ethics and the academic integrity of each case presented to it.

48) It assesses any impact on the reputation of the institution and its academic bodies.

The legal interpretation of the aforementioned Article 03 implies the supervisory role of the council as a regulatory mechanism to address misuse of position. The phrase "ensures compliance with ethical standards" extends to its fullest extent, aligning with the administrative legitimacy and ensuring the smooth and continuous functioning of public facilities.

Furthermore, the provisions of Order No. 06-03 regarding the general statutory law of public service outline its supervisory activities, including:

- 49) Receiving complaints related to breaches of academic ethics.
Conducting hearings and documenting events to ascertain the factual details.
- 50) Reviewing the performance of university professors by verifying the consistency of their duties.
- 51) Initiating administrative investigations to establish factual evidence.
- 52) Aligning the severity of the offense with relevant statutory laws.

Additionally, Article 4 of Decision No. 991 requires that any deviation affecting academic ethics be reported to the institution's authority through a written report accompanied by evidence and proofs. The phrase "the institution's authority shall be informed" confirms the supervisory role of the council. Therefore, the committee cannot issue disciplinary decisions against university professors. Instead, procedurally, the institution's authority must be notified to take necessary actions, including seeking the opinion of the competent administrative disciplinary council, which convenes as a disciplinary board. This board issues its decision within a maximum period of 45 days from the date of notification. Finally, it should be noted that Algerian legislation imposes an obligation on the administration to take action against the misconduct of university professors after the expiration of the 45-day deadline. This is reinforced by Article 160 of Order No. 06-03, which stipulates that any deviation from professional duties or disciplinary infractions by an employee during the performance of their duties constitutes a professional mistake, subjecting the offender to disciplinary action and potential legal consequences. (Article 3 of Decree, 2020, No. 991)

In the event that the severity level of the offense is classified as Level 1 or Level 2, the immediate supervisor has the authority to apply penalties commensurate with the seriousness of the offense after receiving written explanations from the professor, without referring the matter to the Equal Members Administrative Committee. (Decision No. 1082, 2020)

Always aiming to highlight the supervisory role of the University Ethics and Professionalism Committee, the content of Article 5 of Decision No. 991 caught my attention, stating: "The head of the institution shall notify the committee responsible for taking all necessary actions and summoning individuals for the objective examination of the assigned file, and conducting any investigation it deems necessary. The committee shall express its opinion in the form of reports, simplified opinions, or recommendations directed to the head of the institution, who shall take appropriate measures in accordance with the applicable regulations." (Article 3 of Decree, 2020, No. 991)

There is a coherent legal framework between the content of Article 5 mentioned earlier and the content of Article 171 of Decree No. 06-03, which states: "The relevant equal members administrative committee meeting as a disciplinary council may request the initiation of an administrative investigation from the authority empowered to make appointments before deciding on the case under consideration." (Ordinance No.06-03, July 2006 article 161)

The phrases in Article 5, "inform the responsible official...the committee expresses its opinion...", indicate the supervisory nature of the decisions issued by the council, serving as a notification tool to the appointing authority. It's worth noting that the supervisory role of the committee is not limited solely to academic theft and misconduct committed by professors in the performance of their duties, as outlined in the details of Decree No. 1082. It extends to:

- 53) Ethical violations,
- 54) Disrespect for legitimate authority in its decisions,
- 55) Verbal assault,
- 56) Physical violence and aggression within the university campus,
- 57) Use of university equipment for personal purposes,
- 58) Propagation of hate speech and discrimination,
- 59) Malicious propaganda and obstruction of the university's activities.

For the disciplinary procedures to be fully effective, it's worth noting that the General Statute of Public Service left room for each offense to be individually adapted by the Equal Members Administrative Committee as its inherent jurisdiction to impose appropriate penalties. Therefore, the supervisory role serves as a tool for adapting the offense and imposing penalties. Unfortunately, there is often overlap in exercising this type of authority. To ensure the validity of the measures taken in such cases, we encounter a legal contradiction between the last paragraph of Article 3 of Decision No. 991, which states: "The committee may be notified of issues of this nature that arise outside the institution and involve one or more members of the university community related to the institution." (Article 3 of Decree, 2020, No. 991) The content of Article 160 of Order No. 06-03, which states: "Every deviation from professional duties or breach of discipline, and every error or violation by the employee during or on the occasion of performing his duties..." (Ordinance No.06-03, July 2006 article 161) At the outset, and aiming to ensure the precision of terminologies and serious legal formulation, it is essential to address the phrase at the beginning of the formulation of Article 3 above, which concerns: "The authority empowered to appoint," instead of directly notifying the committee. This measure falls within the jurisdiction of the institution's director as an inherent competence, in

accordance with the provisions of Article 166 of Decree No. 06-03, considering: "The disciplinary board must be notified by a reasoned report from the authority empowered to appoint..." (Ordinance No.06-03, July 2006 article 161) On one hand, it is unreasonable for a university professor to have their personal life scrutinized by the University Ethics Committee even outside the university premises. Meanwhile, Article 160, with its wording "during or on the occasion of the performance of duties," raises concerns as it may extend beyond the provisions of Decree No. 06_03.

Furthermore, the legal framework outlined in Article 42 of Decree No. 06-03 stipulates that "the employee must avoid any act that conflicts with the nature of their duties, even if it occurs outside of working hours." (Ordinance No.06-03, July 2006 article 161)

This is classified as conclusive evidence that disciplinary penalties do not extend beyond the university premises. The phrase "every act" does not encompass professional activities outside the institution. It rather calls for maintaining the dignity of the profession and professional conduct when a university professor engages in their private life. Therefore, the professor must exhibit behavior outside of work that aligns with the respect owed to the dignity of the profession. This flexible duty may vary from one position to another and should not be subject to scrutiny by the University Ethics Committee.

3-2 The organizational role of the Committee on Ethics and Professionalism in Academia

Paragraphs 4-5-6 of Article 3 of Resolution No. 991 highlight the following: "The Committee on Ethics and Professionalism in Academia contributes to raising awareness among various members of the academic community about the rules of ethics and good conduct in academia by:

Contributing, as part of its duties, during times of conflict, to enlightening the parties present to bring their views closer together and contribute to finding a solution if possible,

Maintaining a professional environment characterized by good working relationships and a atmosphere of mutual respect." (Article 3 of Decree, 2020,No. 991)

The legal reading of the above-mentioned paragraphs suggests the contextual timing of the activities of the Committee on Ethics and Professionalism in Academia, which extend throughout the period of professional conflict. Here, the regulatory role is highlighted through the phrases in paragraph 4 "...enlightening the parties...during times of conflict..." However, exclusively and with the aim of

ensuring the accuracy of legal terminology related to relevant disputes, it could have been possible to overlook phrases such as "...enlightening the parties present..." and to use legal implications related to the specificity of disciplinary offenses, which could affect the individual's professional status without exceeding into their personal life or freedom. This includes what is stated in the content of Article 161 when it considered: "The determination of the disciplinary penalty applied to the employee depends on the seriousness of the offense, the circumstances in which it was committed, the responsibility of the employee involved... as well as the damage caused..." (Ordinance No.06-03, July 2006 article 161) To allow us to rephrase the content of paragraph 5 of Decision No. 991 as follows: "As part of its duties, it contributes to investigating the details and reasons behind committing professional errors, and the surrounding circumstances, in order to regulate responsibilities..." This is what we consider as a previous activity that may investigate the motives of disciplinary offenses in their moral aspect, aiming to ascertain the presence of wrongful intent when committing the act or omitting the action that causes breach of obligation and harm.

Furthermore, paragraph six of the same article added: "...it maintains a professional environment characterized by good working relationships and a climate of mutual respect."

The embodiment of such tasks is already delineated under the provisions of Article 160 of Order No. 06-03, considering that "any deviation from professional duties or breach of discipline exposes the offender to disciplinary punishment." (Ordinance No.06-03, July 2006 article 161) Let's propose the inclusion of mechanisms for restoring professional reputation within the jurisdiction of the committee. Since the committee is tasked with maintaining the professional environment, it can contribute to preserving job stability and serving the public facility by approving or rejecting requests for reputation restoration sent to the authority that imposed the penalty, as long as the repercussions of committing the professional error are examined. This would be in accordance with the details outlined in Article 176 of Order No. 06-03, which states, "An employee who has been subject to a first or second-degree penalty may request reputation restoration from the appointing authority after one year from the date of the penalty... If the employee has not been subject to a new penalty... their reputation is restored."

This demonstrates the comprehensive role of the Committee for Ethics and Professionalism in the university profession, extending to monitoring the employee's disciplinary decision after the period required for reputation

restoration, provided that their behavior and professional conduct have improved and their performance is satisfactory. Such decisions would be classified as regulatory, as the absence of new disciplinary penalties is evidence of good conduct.

In this regard, Dr. Suleiman Mohammed Al-Tamawi believes that reputation restoration should not be automatic but should be supported by annual reports. The reports from the Committee for Ethics and Professionalism in the university profession should be taken into account due to their daily interaction with university professors. Based on this, we hope for a future step to establish this provision as an organizational measure based on the seriousness of commitment and the culture of university life.

conclusion:

Ethics in the university profession is a fundamental concern for the Ministry of Higher Education and Scientific Research, which has sought to issue numerous relevant decisions regarding the ethics of university life. These decisions aim to establish a regulatory framework that effectively governs the ethics of university professors and their academic and scientific conduct.

The details of this research paper have led to the consideration of decisions related to the Committee for Ethics and Professionalism in the university profession as having a regulatory character, aimed at creating a legal framework for university professors. This is because the relevant legal systems, specifically Order No. 06-03, were proactive in regulating professional obligations and procedural rules for monitoring employees in general and university professors in particular. Thus, the activity of the Committee for Ethics and Professionalism in the university profession is classified as an intermediary measure between the appointing authority and the Equal-Members Administrative Committee convened as a disciplinary council.

Based on this basis, I will proceed to present a series of results and proposals as follows:

First: Results

- Regulatory decisions issued by the Committee for Ethics and Professionalism in the university profession face university professors as a measure to review and investigate violations of professional obligations.

- Organizational decisions issued by the Committee for Ethics and Professionalism in the university profession confront university professors as a measure to raise awareness of the risks of violating professional obligations.
- Decisions issued by the Committee for Ethics and Professionalism in the university profession do not create a legal center against university professors.
- The jurisdiction of the Committee for Ethics and Professionalism in the university profession extends beyond scientific misconduct to include ethical, moral, and educational quality aspects.
- The activity of the Committee for Ethics and Professionalism in the university profession is classified as an entity that works to embody relevant legal and regulatory texts related to the university profession.

- Second: Proposals

- Expand the jurisdiction of the Committee for Ethics and Professionalism in the university profession to consider matters of professional reputation restoration for university professors, as they are responsible for maintaining the professional environment, which can contribute to job stability.
- Consider the specialization criterion in selecting committee membership, which is an important factor based on the course of the university professor's professional activity, far from arbitrary interpretations.
- Similar to regulatory and organizational decisions, we propose expanding the committee's jurisdiction to include advisory functions aimed at establishing and promoting the promotion of university family members.
- Imbue a mandatory nature to the committee's decisions as a preliminary mandatory measure to consider disciplinary penalties against university professors.

- In practical terms, we observe a stagnation in the activities of the Committee for Ethics and Professionalism in the university profession and sometimes a lack of awareness among the university community about its details and composition. Therefore, we propose organizing seminars and study days to introduce the committee, its activities, and the nature of its decisions.

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