

## **AnnexIII- Code of Conduct for External Experts**

### **General Provisions**

1. The Expert shall not be bound by any instructions except for indications and/or special guidelines from Fusion for Energy, and shall be completely independent in the performance of his tasks and shall act in the general interest of Fusion for Energy. He/she shall be required to sign a declaration to that effect.
2. The Contract includes provisions on confidentiality which shall be respected at all times during and after their appointment. He/she shall be required to sign a declaration to that effect.
3. The Expert shall take all necessary measures to avoid any conflicts of interest that could compromise, or be seen to compromise, the impartial and objective performance of his tasks.
4. Conflicts of interest could arise in particular as a result of economic interest, political or national affinity, family or emotional ties, or any other relevant connection or shared interest related to the tasks to be performed by the Expert.
5. Circumstances in which a conflict of interest may exist include when an Expert:
  - Stands to benefit directly or indirectly, other than from the payments associated with this Contract, from the tasks to be carried out;
  - Is employed, or was employed during the previous three years, by one of the organizations involved in the activities related to the tasks to be carried out;
  - Is a director, trustee or partner of an organization involved in the activities related to the tasks to be carried out;
  - Has a close family relationship with any person representing or employed by an organization involved in the activities related to the tasks to be carried out;
  - Is involved in a contract or research collaboration, or had been so in the previous three years with an organization involved in the activities related to the tasks to be carried out;
  - Is in any other situation that could cast doubt on his or her ability to perform the tasks impartially, or that could reasonably appear to do so in the eyes of a third party.
6. Any conflict of interest which could arise during performance of the Contract must be immediately notified to Fusion for Energy in writing without delay.
7. The Expert undertakes to immediately take all necessary steps to resolve any conflict of interest and/or to cooperate with Fusion for Energy.

## **Special Provisions applicable to Experts Assisting in the Evaluation of Proposals or Tenders**

8. The task of an Expert is to participate in a confidential, fair and equitable evaluation of each proposal/tender according to the procedures laid down by Fusion for Energy. He/she must use his/her best endeavors to achieve this, follow any indications and/or special guidelines given by Fusion for Energy to this end and deliver constant and high quality of work.
9. Before commencing their tasks, the Expert shall sign a declaration on absence of conflicts of interest for Experts assisting in the evaluation of proposals or tenders (Annex VII).
10. If an Expert has a conflict of interest with a proposal or tender, he/she must immediately inform Fusion for Energy in writing.
11. In the context of providing assistance for the evaluation of proposals or tenders, circumstances in which a conflict of interest may exist are as follows:

**A disqualifying conflict of interest** exists if an Expert:

  - Was involved in the preparation of the proposal or tender;
  - Stands to benefit directly should the proposal or tender be accepted
  - Has a close family relationship with any person representing an applicant organization in the proposal or tender
  - Is a director, trustee or partner of an applicant organization
  - Is employed by one of the applicant organizations in a proposal or tender
  - Is in any other situation that compromises his or her ability to evaluate the proposal or tender impartially.

**A potential conflict of interest** may exist, even in cases not covered by the clear disqualifying conflicts indicated above, if an Expert:

  - Was employed by one of the applicant organizations in a proposal or tender within the previous three years
  - Is involved in a contract or research collaboration with an applicant organization, or had been so in the previous three years
  - Is in any other situation that could cast doubt on his or her ability to evaluate the proposal impartially, or that could reasonably appear to do so in the eyes of an external third party.
12. An Expert subject to a disqualifying conflict of interest shall not be permitted to provide assistance for the evaluation of proposals or tenders.
13. An Expert subject to a potential conflict of interest shall take necessary measures to eliminate the conflict of interest. Fusion for Energy reserves the right not to permit the Expert to provide assistance for the evaluation of proposals or tenders.
14. Experts may not discuss any proposals/tenders with third parties, in particular with applicants, except with the express prior agreement of Fusion for Energy.