

FNR ETHICAL CHARTER

1. Preamble

If the public funding granted for research and development is to be managed soundly, it must be allocated in a way which guarantees that only the stated criteria are applied.

This means that good practices need to be established throughout the process, from the design of calls for proposals through the project selection mechanisms to how the use of funds is monitored.

The purpose of this document is to establish a basic code of good conduct to be followed by the actors involved in programmes run by the FNR, and particularly in calls for proposals. The FNR reserves the right to amend or add to the code in the future, particularly through rules specific to each of its programmes.

It is understood that any person working with the FNR in any capacity in connection with its allotted remit will be required to comply or to ensure compliance with all the provisions of this document. The FNR will forward the Charter to the staff, council members, rapporteurs and external experts involved in managing the FNR's programmes.

2. Definitions and general principles

Actors involved in programmes in any way must demonstrate objectivity and behave in a neutral manner. They must also observe the principle of confidentiality, whether in respect of information known only to them, or opinions expressed at evaluation meetings.

The rest of this text deals mainly with what to do in the event of a conflict of interests, when an actor may find it impossible to follow the rules described above. Conflict of interests means any situation where an individual is required to 1) give an opinion or 2) be involved in reaching a decision from which he himself could benefit directly or indirectly in the course of his work as a scientist or scientific or administrative officer.

The following case in particular is covered:

- Evaluation of a project in which he himself, a close associate, a member of his family or a team from his laboratory or company (if he is in charge of a research unit) is involved.

The idea of a conflict of interests may be extended to a group of individuals or even an agency, institution or company, where that entity is required to 1) give an opinion or 2) be involved in reaching a decision from which it could itself benefit.

3. FNR Staff

3.1 All staff employed by the FNR perform their duties in the general interest. In particular they are required to give due consideration to all the various national agencies and institutions and to act towards them impartially and fairly.

3.2 In the event of a conflict of interests or the suspicion of such a conflict, the following course of action should be followed:

- the person concerned must inform an 'arbitrator', usually his line manager or, where circumstances require, the president of the FNR, about the actual or potential conflict of interests;
- the arbitrator assesses whether there is a conflict of interests;
- he/she takes the necessary steps to prevent any risk of unlawful consideration of interests or any decision that might be equated with favouritism. Such steps might, in particular, include the temporary replacement of the person likely to be affected by such risks;
- a written record must be made of the actual or potential conflict of interests and the steps taken to deal with it (e.g. arbitrator's acknowledgement, note in minutes of a meeting, name of the person who has temporarily replaced the staff member concerned).

3.3 All staff employed by the FNR have the same obligations as the council members listed in Section 4.

3.4 Staff of the FNR must not accept any gifts or favours (with more than a symbolic value) that might subsequently place them in another party's debt and thus impair the objectivity of their work.

4. Council members

4.1 Persons who are members of the councils are chosen for their expertise or as representatives of the main actors involved. They may thus represent their employer, but their main task is also to act in the general interest of the community.

4.2 Opinions must be delivered and decisions taken in accordance with the procedures laid down in the internal rules of procedure, all arguments having been heard, and must contain a statement of reasons. It is understood that all the information that led to the opinions and decisions referred to above must be kept on file by the secretariat. The meetings at which such decisions are taken must be the subject of written minutes which are distributed to participants for validation and to those absent for information. Except where necessary, the names of those who put forward the arguments should not be mentioned.

4.3 The discussions must remain confidential.

4.4 Council members must not under any circumstances communicate to a third party the identity of external experts or any information likely to break their anonymity.

4.5 Council members must not under any circumstances use their position to benefit themselves or their families or friends. They must undertake in particular:

- not to divulge information before it has been made public (particularly the content of a draft call for tenders), which would place project initiators on an unequal footing;
- not to divulge information intended to remain confidential (particularly information contained in submitted projects and evaluations);
- not to bring mental, psychological or economic pressure to bear on any of the other council members or on experts to select a given project.

The councils must always work in accordance with the guidelines set out in Section 4.2 of this document.

4.6 In the event of a conflict of interests, the following course of action must be followed:

- The person concerned must inform the council chairman of the conflict of interests before the discussion.
- The chairman consults the council, having first presented the facts to it. The council then takes the necessary steps to ensure that the discussion is not biased or capable of being suspected of being biased. This usually involves asking the person concerned not to take part in the discussion on the project in question except to correct factual errors or to reply to a direct question from another council member. If a vote is taken, the person concerned is asked to abstain.
- The chairman may, on his own initiative, consult the council about a conflict of interests which has been brought to his attention through another channel. In such cases the rules described above apply.

4.7 Council members must not accept any gifts or favours (with more than a symbolic value) that might subsequently place them in another party's debt and thus impair the objectivity of their final decisions.

5. Rapporteurs

5.1 Rapporteurs are recognised experts in a scientific field who are appointed by the councils for the scientific management of the FNR's programmes, from summarising evaluations of projects submitted to the FNR, to monitoring projects as they are carried out, to producing final evaluations of the projects. They are required to assess projects fairly, according to specific criteria and excluding all other considerations. Their opinions must contain a statement of reasons. They represent the scientific link between external experts and the FNR's councils.

5.2 If a rapporteur comes under any pressure whatsoever from a project initiator or any other person, he/she must immediately notify the FNR, which will take appropriate steps to protect the rapporteurs' reputation and the FNR's interests.

5.3 In the event of a conflict of interests or if he/she is in any doubt, the rapporteur must contact the Secretary General, who will decide on the measures to be taken.

5.4 Rapporteurs must not under any circumstances use the ideas contained in the projects they have evaluated in any subsequent projects of their own.

5.5 If a proposer has serious doubts about whether these rules have been observed, he/she may inform the FNR in writing, stating his/her reasons, and the FNR will provide a written reply.

6. External experts

6.1 External experts are persons outside the councils to whom one or more projects are submitted for an opinion as part either of an evaluation of a project submitted to the FNR or of the monitoring of a project to its conclusion. They must assess them fairly, according to specific criteria and excluding all other considerations. Their opinions must contain a statement of reasons.

6.2 External experts work anonymously. They must not seek to enter into contact with proposers for any reason whatsoever. If clarification is needed, it must be obtained using a procedure authorised by the FNR. If an external expert comes under any pressure whatsoever from a project initiator or any other person, he/she must notify the FNR immediately.

6.3 Every external expert signs a declaration that he/she will observe confidentiality and that there is no conflict of interests. If a conflict of interests arises or if he/she is in any doubt, he/she must report it to the Secretary General, if necessary suggesting a list of potential external experts who might replace him/her. There are two possible outcomes:

- The external expert's opinion is still deemed admissible, in which case the expert carries out his/her work as normal and mentions the (tenuous) links he/she has with the project. The Secretary General also has the option of asking a second external expert for his/her opinion.
- The external expert is too close to the project, in which case he/she is replaced.

6.4 External experts must not under any circumstances communicate information about the projects to anyone, even if the reason is to ask a third party with greater expertise in the subject for a second opinion. If the external expert feels that he/she is not competent to assess a project, he/she must refuse the invitation to do so. If he/she feels only partly competent, he/she must specify those areas of his/her evaluation which are the least reliable.

6.5 External experts must not under any circumstances use the ideas contained in the projects they have evaluated in any subsequent projects of their own.

6.6 If a proposer has serious doubts about whether these rules have been observed, he/she may inform the FNR in writing, stating his/her reasons, and the FNR will provide a written reply.