

Draft

Rules on submission of proposals, and the related, evaluation, selection and award procedures

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Context and scope

This document establishes the Commission¹ rules for the submission of proposals, and the related evaluation, selection and award procedures, in relation to the seventh framework programme for research, technological development and demonstration (RTD) of the European Community² and the European Atomic Energy Community³ (hereafter “FP7”), as required their respective “Rules for Participation”⁴. It describes the basic procedures that the Commission will follow in accordance with the above-mentioned Rules, the Financial Regulation of the European Communities⁵ and its Internal Rules of Procedure⁶.

These Rules do not apply to a) public procurement procedures;⁷ b) proposals submitted to joint undertakings established under Article 171 of the EC Treaty or Article 45 of the Euratom Treaty or to proposals submitted to entities established under the provisions of Article 169 of the EC Treaty, c) direct actions undertaken by the Joint Research Centre of the European Commission; and d) the specific programme ‘Ideas’.

1. Introduction

Applications for financial support under the Seventh Framework Programme (FP7) are generally made in the form of proposals submitted to the Commission. Proposals set out details of planned research activities, who will carry them out, and how much they will cost.

The Commission evaluates proposals in order to identify those whose quality is sufficiently high for possible funding. The basis for this evaluation is a peer-review carried out by independent experts.

The Commission enters into a negotiation with the representatives of proposals that successfully pass the evaluation stage, subject to available budget.

If negotiations are successfully concluded, the project is selected and a grant agreement providing for a Community financial contribution is established with the applicants.

These rules rest on a number of well-established principles:

- (i) **Quality.** Projects selected for funding must demonstrate a high scientific, technical and managerial quality in the context of the objectives of the RTD programme in question.

¹ In general, the terms ‘Commission’ or ‘European Commission’ in this document refer to the institution as a whole. When it is obvious from the context, the terms refer to the departments of the Commission responsible for the research programmes.

² ref FP7 decisions

³ ref EURATOM decisions

⁴ Article 16.3, Rules for participation

Article 15.3, EURATOM Rules for participation

⁵ Council Regulation (EC, Euratom) No. 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, OJ L 248 of 16.9.2002, p.1

⁶ Rules of Procedure of the Commission, OJ L 308, 08.12.2000, p. 26.

⁷ For measures submitted through public procurement procedures, the Commission’s rules for evaluating such measures apply, as set out in the Financial Regulations

- (ii) **Transparency.** The steps involved in reaching decisions on the funding of proposals must be clearly described and should be readily available. In addition, adequate feedback must be provided to applicants on the outcome of the evaluation of their proposals.
- (iii) **Equality of treatment.** . In all cases, the principle of equal treatment of proposals submitted to a particular call will be respected. All proposals should be treated alike, irrespective of where they originate or the identity of the applicants.
- (iv) **Impartiality.** All proposals are treated impartially on their merits.
- (v) **Efficiency and speed.** The procedures have been designed to be as rapid as possible, commensurate with maintaining the quality of the evaluation, appropriate use of public money and respecting the legal framework within which the specific programme is managed.
- (vi) **Ethical and security considerations:** Any proposal which contravenes fundamental ethical principles, or which fails to comply with the relevant security procedures may be excluded at any time from the process of evaluation, selection and award. (See annexes A and B).

The call text and Guide for Applicants associated with each call may spell out in more detail the way in which these rules and procedures will be implemented, and, where relevant, which options are to be followed.

The work programmes implementing the Specific Programmes may set out specific evaluation criteria or provide further details on the application of the evaluation criteria, which will be reflected in the call for proposals

The various steps involved in the proposal, submission, evaluation and selection procedures are summarised in the following diagram:

[INSERT DIAGRAM]

2. Submission

2.1 Calls for proposals

With the exception of the actions referred to in article 14 of the Rules for Participation⁸, proposals are submitted in response to calls for proposals ('calls'). The content and timing of calls are set out in the work programmes. Calls are published in the Official Journal of the European Union, and are considered 'open' until the specified deadline. The announcement ('call text') provides summary information, including references to the work programme topics against which proposals are invited, indicative budget, available funding schemes⁹, deadline for submission, and the web site where further information can be found. This web site

⁸ [quote]

⁹ Depending on the objectives of the call, a distinction may be made between different types of collaborative project. A distinction may also be made between two types of co-ordination and support actions. (see annex C)

provides access to all the necessary information for those wishing to apply to calls. In particular, one or more guides for applicants are produced for every call.

A call will specify whether a single or two-stage stage submission and evaluation procedure is to be followed. For the latter case, applicants first submit reduced or outline proposals. Only those whose proposals were evaluated positively at the first stage are invited to submit complete proposals in a second stage¹⁰. See annex D for details of this procedure.

The responsible director(s) appoints a “call coordinator” for every call. This person acts as a contact point for practical questions associated with the call, and ensures the overall planning and organisation of the proposal reception and evaluation process.

In addition, a senior Commission official shall be nominated, who will be responsible for giving directions on how to deal with any sensitive questions that may arise during the course of the submission and evaluation process, including those related to possible conflicts of interest (see section 3.3).

2.2 Pre-proposal checks

When warranted by the nature of a particular call, an informal advisory pre-proposal check service may be offered by the Commission. The purpose is to advise potential applicants on whether proposals appear to be eligible and within the scope of the call. If applicable, details of the procedure for pre-proposal checks will be set out in the relevant Guide for Applicants.

2.3 Submission of proposals

Proposals are submitted electronically¹¹ via the web-based Electronic Proposal Submission Service (EPSS).

Among the applicants in a proposal consortium, only the proposal coordinator (identified by user id and password) is authorised to submit a proposal.

The preparation and uploading of all the proposal data, and the applicants’ agreement to the conditions of use of the system and of the evaluation must take place prior to the attempt to submit the proposal.

The system will carry out a number of basic verification checks, including that of completeness of the proposal, internal data consistency, absence of virus infection and conformity to the file types and size limitations which are specified. Only upon successful completion of these checks will the system allow the applicant to submit. Submission is

¹⁰ Article 16.2 of the Rules for participation. A two-stage submission and evaluation procedure can be a useful option when a call might be expected to attract a disproportionately high number of proposals in relation to the budget available. Such oversubscription may be associated with calls of a “bottom up” nature, where the work programme gives applicants considerable freedom to choose topics themselves.

¹¹ There may be exceptional circumstances when proposals may be submitted on paper. Any such possibility will be specified in the call text and in the guide for applicants. Rules for paper submissions are described in annex E

deemed to occur at the moment when the proposal coordinator initiates the final submission process, as indicated by the system, and not at any point prior to this.

The contents of proposals submitted via the EPSS are entered into databases after the call closure. The Commission has no access to the proposal contents until the call deadline has passed (or until after the interim cut-off date, in the case of continuous submission schemes, as described in annex E).

Versions of proposals sent on paper (except following the procedure and in the cases described in annex F), removable electronic storage medium (e.g. CD-ROM, diskette), by e-mail or by fax will not be regarded as having been received by the Commission. They will therefore not be evaluated and will not be considered for selection.

A procedure for the withdrawal of a proposal by its coordinator is given in the guide for applicants. A withdrawn proposal will not subsequently be considered by the Commission.

If more than one copy of the same proposal is received, only the most recent eligible version is evaluated.

Proposals are archived under secure conditions at all times. All copies are destroyed other than those required for archiving and/or auditing purposes.

2.4 Reception by the Commission

The date and time of receipt of the last version of submitted proposals are recorded. After the call closure (or interim cut-off date in the case of continuously open calls), an acknowledgement of receipt is sent to the proposal coordinator by e-mail, fax, or post containing:

- proposal title, acronym and unique proposal identifier (proposal number);
- name of the programme and/or activity/research area and call identifier to which the proposal was addressed;
- date and time of receipt (which is set to the time of the call deadline, for proposals submitted electronically).

There is normally no further contact between the Commission and applicants on the content of their proposal until after completion of the evaluation, except for proposals which are subject to hearings (see section 3.9). The Commission may, however, contact an applicant (usually through coordinator) in order to clarify matters such as eligibility (see section 2.5), and funding schemes (see section 3.6).

2.5 Eligibility check

Proposals must fulfil all of the eligibility criteria if they are to be retained for evaluation. These criteria are rigorously applied. In the case of two-stage proposal submission, each stage

is subject to an eligibility check. The following eligibility criteria are checked by the Commission for all proposals submitted under a call:^{12,13}

- receipt of proposal by the Commission on or before the deadline date and time established in the call, if applicable.
- minimum number of participants, as referred to in the call for proposals.
- completeness of the proposal, i.e. the presence of all requested administrative forms and the proposal description (N.B. the completeness of the information contained in the proposal will be for the experts to evaluate; the eligibility checks only apply to the presence of the appropriate parts of the proposal).
- scope of the call: the content of the proposal must relate to the objective(s), topic(s) and funding scheme(s) set out in that part of the work programme open in the call. A proposal will only be deemed ineligible on grounds of ‘scope’ in clear-cut cases.

If it becomes clear before, during or after the evaluation phase that one or more of the eligibility criteria have not been fulfilled, the proposal is declared ineligible by the Commission, and is withdrawn from any further examination. Where there is a doubt on the eligibility of a proposal, the Commission reserves the right to proceed with the evaluation, pending a final decision on eligibility. The fact that a proposal is evaluated in such circumstances does not constitute proof of its eligibility.

If the question of eligibility is not clear-cut and a more comprehensive review of the case is deemed necessary, the call co-ordinator may convene an internal eligibility review committee. The committee’s role is to ensure a coherent legal interpretation of such cases and equal treatment of applicants.

This committee, composed of Commission staff having the requisite expertise in legal matters, S&T content, and/or information systems, is chaired by the call co-ordinator. It examines the proposal and, if necessary, the circumstances surrounding its submission; and provides specialist advice to support the decision on whether to allow a proposal to be evaluated, or on whether or not to reject it on eligibility grounds. The committee may decide to contact the applicant in order to clarify a particular issue.

3. Evaluation of proposals

3.1 Role of independent experts

¹² These criteria may be complemented by additional eligibility criteria provided for in the specific programme decision and/or the work programme.

¹³ In accordance with Article 15.2 of the Rules for Participation and Articles 93,94 and 114 of the Financial Regulation of the Community, no participant may fall under any of the exclusion criteria referred to therein.

Proposals are subject to a review by independent¹⁴ experts to ensure that only those of the highest quality are selected for funding. Because of the breadth and diversity of research domains covered by the Framework Programmes, these experts are external to the Commission¹⁵.

Experts may be invited to carry out the evaluation fully or partially at their home or place of work (“remote evaluation”), or on Commission premises.

Occasionally, when relevant specialised knowledge is held in-house, Commission staff may work as experts alongside external experts. Any such internal experts will work in addition to the minimum number required for the call (see section 3.9, step 2).

The sole exception to the use of external independent experts is in the case of coordination and support actions referred to in article 14 of the Rules for Participation, where independent experts are only appointed if the Commission deems it appropriate¹⁶.

When officials or other servants of the Commission evaluate proposals, they do so in accordance with the Financial Regulations of the European Communities, and with the associated implementing rules.

3.2 Appointment of experts

Experts are required to have skills and knowledge appropriate to the areas of activity in which they are asked to assist. They must also have a high level of professional experience in the public or private sector in one or more of the following areas or activities: research in the relevant scientific and technological fields; administration, management or evaluation of projects; use of the results of research and technological development projects; technology transfer and innovation; international cooperation in science and technology; development of human resources. Experts may come from countries other than the Member States or countries associated to the Framework Programmes.

The Commission establishes a database of external experts containing the details of suitable candidates on the basis of calls for applications published in the Official Journal of the European Union. One call will be addressed to individuals and another to national research agencies, research institutions and enterprises.

The Commission may at any time include in the database, if appropriate, any individual with the appropriate skills from outside the lists obtained through the above-mentioned calls. Experts in the database may be invited to assist the Commission in relation to activities other than the evaluation of research proposals, if they have indicated their willingness to be considered for such tasks.

¹⁴ An independent expert is an expert who is working in a personal capacity and in performing the work, does not represent any organisation.

¹⁵ Staff from relevant specialised EU agencies are regarded as external experts.

¹⁶ Article 17.1 of the Rules for Participation

The database may be made available, on request, to public authorities in the Member States and countries associated to the Framework Programmes.

To evaluate the proposals submitted in response to a call, the Commission draws up a list of appropriate experts (including, if necessary, a reserve list). The lists are drawn up primarily using the selection criteria:

- A high level of expertise;
- An appropriate range of competencies;
- An appropriate balance between academic and industrial expertise and users;

Providing the above criteria can be satisfied, other criteria are also taken into consideration:

- A reasonable gender balance¹⁷;
- A reasonable distribution of geographical origins¹⁸;
- Regular rotation of experts¹⁹

In constituting the lists of experts, the Commission also takes account of their abilities to appreciate the industrial and/or societal dimension of the proposed work. Experts must also have the appropriate language skills required for the proposals to be evaluated.

In accordance with article 17.2 of the Rules for Participation, the appropriate security clearance shall be required before the nomination of experts who would have to deal with classified information.

The list of experts to be used for evaluation sessions is decided by the relevant Director(s) or duly appointed delegates. The names of the experts assigned to individual proposals are not made public. However, once a year, the Commission publishes on the internet the list of experts used for the framework programme and in each specific programme.

An ‘appointment letter’ based on the model given in annex G is addressed to each expert containing a description of their duties. This appointment letter establishes the contract with the expert and is the basis for the standard contract for experts during FP7.

3.3 Conflict of interest

In accordance with Article 17.3 and 17.4 of the Rules for Participation, when appointing experts, the Commission must take all necessary steps to ensure that they are not faced with a conflict of interest in relation to the proposals on which they are required to give an opinion. To this end, the Commission requires experts to sign a declaration that no such conflict of interest exists (annex H) at the time of their appointment and that they undertake to inform the

¹⁷ The European Communities pursue an equal opportunities policy and aims in particular at achieving in the medium term at least 40 % of members of each sex in each expert group and committee (2000/407/EC: Commission Decision of 19 June 2000 relating to gender balance within the committees and expert groups established by it).

¹⁸ In the case of calls relating to specific international cooperation activities (SICA), a significant number of experts from the international cooperation partner countries will be included.

¹⁹ In general, the Commission will ensure that at least a quarter of the experts used by an activity/research area will be replaced each calendar year.

Commission if one should arise in the course of their duties. When so informed, the Commission takes all necessary actions to remove the conflict of interest. In addition, all experts are required to confirm that they have no conflict of interest for each proposal that they are asked to examine.

Potential conflicts of interest must also be identified by the expert so that the Commission services can take any necessary and appropriate steps.

'Disqualifying' and 'potential' conflicts of interest are described in the declaration (see annex H).

An expert shall not evaluate a proposal concerned, nor take part in any related final panel session, when a disqualifying conflict of interest exists.

The Commission will consider the circumstances of the case when a potential conflict of interest exists. It may be decided to allow the expert to take part in the evaluation if he or she can be reasonably expected to act in an impartial manner. The expert must then sign a declaration to that effect. The role of the expert may sometimes be restricted to the final panel session. In this case, the expert shall leave the room (or electronic forum) if the panel discusses the individual case of the proposal where such a conflict exists.

In all other cases the expert will be excluded in the same manner as for a disqualifying conflict.

An expert must declare any known conflicts of interest before an evaluation session.

If a hitherto unsuspected conflict becomes apparent during the course of the evaluation, the expert must announce the fact immediately to a responsible Commission official. If the conflict is found to be a disqualifying one, the expert must abstain from further evaluation involving the proposal concerned. Any comments and scores made earlier by that expert will be discounted. If necessary, the expert will be replaced.

If an expert knowingly conceals a disqualifying or potential conflict of interest, and this is discovered during the evaluation, the expert will be immediately excluded, and the sanctions indicated in the appointment letter will apply. Any consensus group in which he or she has participated will be declared null and void, and the proposal(s) concerned will be re-evaluated.

3.4 Codes of conduct

A code of conduct for experts is sent to them with the appointment letter before the evaluation of the proposals (see annex I). The experts are obliged to maintain the confidentiality²⁰ of the information contained within the proposals they evaluate and of the evaluation process and its outcomes, and to act with strict impartiality. As mentioned in section 3.3, a conflict of interest and confidentiality declaration is signed by experts.

²⁰ In accordance with Article 3 of the Rules for Participation, the Commission shall ensure that the contents of proposals are kept confidential.

3.5 Independent observers

Independent experts may be appointed by the Commission as observers to examine the evaluation process from the point of view of its working and execution. Observers are external to the Commission. The role of the observers is to give independent advice to the Commission on the conduct and fairness of the evaluation sessions, on the way in which the experts apply the evaluation criteria, and on ways in which the procedures could be improved. They do not express views on the proposals under examination or the experts' opinions on the proposals.

The observers are invited to be present from the beginning of the evaluation sessions when the experts are briefed by the Commission and observe all phases of the evaluation session. When part of an evaluation takes place away from the Commission premises ("remote evaluation"), the observer may assess that stage after the event on the basis of discussion with the experts once they have gathered in Brussels.

The code of conduct for Observers of the evaluation process, describing the selection process, their profile, role and tasks is attached at annex J.

3.6 Evaluation criteria

All eligible proposals are evaluated by the Commission, assisted by external experts where provided for, to assess their merit with respect to the evaluation criteria relevant for the call.

The detailed evaluation criteria and sub-criteria²¹, and associated weights and thresholds, are set out in the work programmes, based on the principles given in the specific programmes, and on the criteria given in the Rules for Participation.

The manner in which they will be applied will be further explained in the call for proposals and associated Guide for Applicants.

3.7 Proposal scoring

Experts examine the issues to be considered comprising each evaluation criterion, and score these on a scale from 0 to 5. Half point scores may be given.

For each criterion under examination, score values indicate the following assessments:

- | | |
|-----|---|
| 0 - | <i>The proposal fails to address the criterion under examination or cannot be judged due to missing or incomplete information</i> |
| 1 - | <i>Very poor. The criterion is addressed in a cursory and unsatisfactory manner.</i> |

²¹ Certain sub-criteria will be used to assess applicants' operational capacity.

- 2 - *Poor. There are serious inherent weaknesses in relation to the criterion in question.*
- 3 - *Fair. While the proposal broadly addresses the criterion, there are significant weaknesses that would need correcting.*
- 4 - *Good. The proposal addresses the criterion well, although certain improvements are possible.*
- 5 - *Excellent. The proposal successfully addresses all relevant aspects of the criterion in question. Any shortcomings are minor.*

3.8 Thresholds and weighting

Thresholds

Thresholds are set for some or all of the criteria, such that any proposal failing to achieve the threshold scores will be rejected. In addition, an overall threshold may also be set. The thresholds to be applied to each criterion as well as any overall threshold are set out in the call.

If the proposal fails to achieve a threshold for a criterion, the evaluation of the proposal may be stopped.

It may be decided to divide the evaluation into several steps with the possibility of different experts examining the different criteria. Where the evaluation is carried out in several successive steps, any proposal failing a threshold score may not progress to the next step. Such proposals may immediately be categorised as rejected.

Weighting

According to the specific nature of the funding schemes and the call, it may be decided to weight the criteria. The weightings to be applied to each criterion are set out in the call.

3.9 Detailed description of proposal evaluation by experts²²

(a): Briefing of the experts

The Commission is responsible for the briefing of experts before evaluation sessions. The briefing of the experts covers the evaluation processes and procedures as well as the evaluation criteria to be applied, and the objectives of the research area under consideration.

Particular attention will be given to the briefing of experts who will work remotely, when specially adapted material may be needed (e.g. CD-ROMs, on-line presentations). Close contact is maintained with the individual experts to assist them on any query.

²² Due to their special nature, the procedures that apply to the 'People' specific programme, and to "research potential" actions under the 'Capacity' Programme, differ somewhat to those described in this section (see annex J)

(b): Individual evaluation of proposals

Proposals are evaluated by a minimum of three experts. A minimum of five experts will apply to proposals for Networks of Excellence, and in other cases when specified in the relevant Guide for Applicants,

In the initial phase of the evaluation each expert works individually, and gives scores and comments for each criterion as described in the work programme/call.

They also indicate if the proposal:

- Falls entirely out of the scope of the call for proposals
- Deals with sensitive ethical issues
- Requires further scrutiny with regard to security considerations (see annex B).

When remote evaluation is used, the Commission forwards copies of the proposals to be examined to each individual expert. This may be done by sending paper copies by post or courier service or by making the proposal available electronically. In all cases the confidentiality of the proposal must be maintained.

Justification of scoring

Experts are required to provide comments to accompany each of their scores. These comments must be consistent with any scores awarded and serve as input to any consensus discussion and related consensus report.

Outcome of the individual evaluation

The submission of the individual evaluation form report by an expert completes that person's individual reading and assessment²³. In the case of remote evaluation, the results are communicated to the Commission by post or electronically. The expert's individual evaluation form shall not subsequently be changed. In signing the individual evaluation report, each expert confirms that he/she has no conflict of interest with respect to the evaluation of that particular proposal.

In some instances, experts may be asked to perform only the individual evaluation. In this case, their individual evaluation forms are forwarded to the experts involved in the consensus phase (see below) to be taken into account in the preparation of the consensus report.

If a proposal is considered to be out of scope by all individual experts, it may be considered to be ineligible and may not be passed on to the consensus stage.

(c) Consensus

Once all the experts to whom a proposal has been assigned have completed their individual assessments, the evaluation progresses to a consensus assessment, representing their common views.

²³ In general, throughout the evaluation process, appropriate electronic codes may substitute for the signature of the expert.

This normally entails a consensus meeting (or electronic forum) to discuss the scores awarded and to prepare comments.

The consensus discussion is moderated by a Commission staff member²⁴, or by a seconded national expert. The role of the moderator is to seek to arrive at a consensus between the individual views of experts without any prejudice for or against particular proposals or the organisations involved. The Commission has to ensure a confidential, fair and equitable evaluation of each proposal according to the required evaluation criteria.

The moderator for the group may designate an expert as “rapporteur” for the proposal, who is then responsible for drafting the consensus report.

The experts attempt to agree on a consensus score for each of the criteria that have been evaluated and suitable comments to justify the scores. Comments should be suitable for feedback to the proposal coordinator. Score and comments are set out in a consensus report. They also come to a common view on the questions of scope, ethics and security, as mentioned under step (b) above.

If during the consensus discussion it is found to be impossible to bring all the experts to a common point of view on any particular aspect of the proposal, the Commission officials in charge of the evaluation may ask up to three additional experts to examine the proposal.

Outcome of consensus

The outcome of the consensus step is the consensus report signed (possibly electronically) by all experts, or as a minimum, by the rapporteur and the moderator. The moderator is responsible for ensuring that the consensus report reflects the consensus reached, expressed in scores and comments. In the case that it is impossible to reach a consensus, the report sets out the majority view of the experts but also records any dissenting views from any particular expert(s).

The Commission will take the necessary steps to assure the quality of the consensus reports, with particular attention given to clarity, consistency, appropriate level of detail²⁵. If important changes are necessary, the reports will be referred back to the experts concerned.

The signing of the consensus report completes the consensus step.

Evaluation of a resubmitted proposal

In the case of proposals that have been submitted previously to the Commission, the moderator gives the experts the previous evaluation summary report at the consensus stage. If necessary, the experts will be required to provide a clear justification for their scores and comments should these differ markedly from those awarded to the earlier proposal.

(d): Panel review

This step is an opportunity for the experts to formulate their recommendations to the Commission having had an overview of the results of the consensus step. The practical

²⁴ Either statutory staff or contractual agents.

arrangements are determined in the light of the nature of the call and number of proposals submitted to it.

It may be possible to arrange that all the experts for a particular area examine all the proposals submitted for this area and carry out their final review at the same time as they prepare the consensus reports. These experts are thus considered to constitute the panel.

Otherwise, a new panel is created that may comprise experts involved at the consensus step, new experts, or a mixture of the two. There may be one panel covering the whole call or several panels covering different activities, topics, or funding schemes.

Role of the panel

The main task of the panel is to examine and compare the consensus reports in a given area, to check on the consistency of the marks applied during the consensus discussions and, where necessary, propose a new set of marks.

The tasks of the panel may also include:

- hearings with the applicants of those proposals that have passed thresholds (see below);
- reviewing cases where a minority view was recorded in the consensus report;
- recommending a priority order for proposals with the same consensus score;
- making recommendations on possible clustering or combination of proposals.

The panel is either chaired by the Commission, or by an expert appointed by the Commission. In either case, the Commission will ensure fair and equal treatment of the proposals in the panel discussions. A panel rapporteur (who may also be the panel chairperson) may be appointed to draft the panel's advice.

Hearings with applicants

Hearings with applicants may be organised as part of the panel deliberations. Hearings may be particularly useful in calls that attract large scale integrating collaborative projects and/or Networks of Excellence.

When hearings are held, invitations are sent to the co-ordinators of those proposals having consensus scores above the individual and overall thresholds. In some calls it may be decided to extend the invitation to representatives of those proposals that passed the individual thresholds, but that failed the overall threshold. In either case, the condition for issuing invitations shall be applied consistently in relation to all proposals submitted to a call.

Hearings provide input to clarify further the proposals and to help the panel to establish their final rating and scores for the proposals. They are intended to improve the understanding of the experts of the proposal but not to modify or improve in any way the proposal itself. The applicants will, thus, not be invited to present their proposal, but to provide explanations and clarifications to questions submitted to them in advance.

Any particular issues raised by individual proposals requiring specific expertise may be dealt with by inviting appropriate extra experts to the hearings for those proposals. In this case, the

extra experts are only invited to comment on the particular issue on which they have expertise and not on the proposal as a whole.

If a consortium submitting a proposal does not attend the hearing, but replies in written form to the questions which were sent, their written responses will be taken into account. If a consortium both fails to reply to the questions and also to attend the hearing, the panel will arrive at a final score and comments for the proposal on the basis of the originally submitted material only.

In some circumstances a “hearing” may be conducted entirely through a written procedure.

Specific arrangements for hearings will be described in the Guide for Applicants.

Outcome of panel review

The outcome of the panel meeting is a report recording, principally:

- A evaluation summary report for each proposal, including, where relevant, a report of any ethical issues raised and any security considerations;
- A list of proposals passing all thresholds, along with a final score for each proposal passing the thresholds and the panel recommendations for priority order.
- A list of evaluated proposals having failed one or more thresholds;
- A list of any proposals having been found ineligible during the evaluation by experts;
- A summary of the deliberations of the panel (if convened);
- A record of the hearings (if held)

If the same panel has considered proposals submitted to various parts of a call (for example different funding schemes, or different topics, that have been allocated distinct indicative budgets in the work programme), the report may contain multiple lists accordingly.

The panel report is signed by at least three panel experts, including the panel rapporteur (if an expert was so appointed), and the chairperson.

3.10 Feedback to applicants

The Commission sends the coordinator of each evaluated proposal receives a letter (“initial information letter”) from the Commission, together with the evaluation summary report (ESR) The aim is to give the applicants a prompt indication of how their proposals fared in the evaluation by experts. However, at this stage, the Commission cannot make a commitment as regards possible selection and funding.

The Guide for Applicants will indicate the expected date for the delivery of these letters²⁶.

The Commission will not change the ESRs that form part of the panel report, except if necessary to improve readability or, exceptionally, to remove any factual errors or

²⁶ To ensure compliance with the procedure described under section 5.3, the Guide will request applicants to inform the Commission if they have not been contacted by this date.

inappropriate comments that may have escaped earlier proof-reading. The scores will never be changed. The ESR reflects the consensus reached by the experts, including the final review by the panel. It contains comments and scores on each criterion and an overall score, as well as providing overall comments when appropriate. The comments recorded must give sufficient and clear reasons for the scores and, if appropriate, any recommendations for modifications to the proposal should the proposal be retained for negotiation. In exceptional cases, possibilities for clustering or combination with other proposals may be indicated.

For those proposals rejected after failing an evaluation threshold, the comments contained in the ESR may only be complete for those criteria examined up to the point when the threshold was failed.

Coordinators of proposals found to be ineligible will be informed of the grounds for such a decision.

Coordinators of proposals rejected because of security considerations will be informed of the grounds for such a decision.

4. Selection

At this stage, the Commission staff review the results of the evaluation by experts, make their assessment of the proposals based on the advice from these experts and prepare the final evaluation results.

4.1 Commission ranked list

Proposals shall be ranked according to the evaluation results. Funding decisions shall be made on the basis of this ranking²⁷. Ranked lists are based on the advice of the experts. Nevertheless, in certain cases it may be necessary to depart from that advice. This may be due, for example, to the strategic need to cover the programme's objectives, possible duplication with other Community-funded work, compatibility with stated Community policy objectives, the available budget, or new information that comes to light after the evaluation by experts.

The ranking of a proposal may be on condition that certain aspects will be addressed satisfactorily during negotiation. Such aspects might include the adjustment of the budget, content, merging with other proposals, or funding up to a certain milestone with the possibility to grant complementary funding following a subsequent call for proposal.

To establish the Commission ranked list, the responsible department consults the other interested departments and directorates-general on the proposals which have passed the required evaluation thresholds. It ranks these proposals, if appropriate, in priority order, indicating those it intends to select for funding, possibly including a reserve list (see below). The reasons for arriving at the ranking are set out. For those projects in line for funding, the internal consultation also addresses any aspects that would need to be modified during negotiation (content and implementation of the work, level of financing). The responsible

²⁷ Article 15.3 of the Rules for Participation

department must be able to justify any such modifications, either with regard to the advice of the experts, or to other considerations, as mentioned above.

Following this internal consultation, the final Commission ranked list and negotiation mandates are established. The negotiation mandates will not entail budgetary cuts to projects solely for the purpose of supporting additional projects that would not otherwise be funded. If the consultation reveals that very similar work is already funded elsewhere, a project that had originally been put forward for funding by the responsible department may not appear on the final Commission ranked list.

An accompanying note should explain, in particular, instances where the ranked list and/or negotiation mandate differs from the advice of the experts.

4.2 Commission reserve list

The list of proposals to be retained for negotiation takes into account the budget available (as indicated in the call for proposals). A number of proposals may be kept in reserve to allow for eventualities such as the failure of negotiations on projects, the withdrawal of proposals, budget savings agreed during negotiation, or the availability of additional budget from other sources.

The coordinators of any proposals held in reserve receive confirmation that negotiations with a view to preparing a grant agreement may be offered, but only if further funding becomes available. This confirmation may also indicate a date after which no further offers of negotiations are likely to be made.

When the budget for the particular call has been used up, the co-ordinators of unfunded proposals remaining from the “reserve” will be informed, and the proposals will be rejected (see below).

4.3 Commission rejection decisions

The Commission formally decides to reject those proposals found to be ineligible (whether before, or during the course of the evaluation), failing any of the thresholds for evaluation criteria, and those which, because they fall below a certain ranking, cannot be funded because the available budget is insufficient. When it is considered that the level of quality is not adequate, the Commission also reserves the right to reject proposals that passed the necessary thresholds, but which fell below given rank. The Commission may also reject proposals on ethical grounds following an ethical review (see Annex A), or on security grounds following the procedure described in annex B.

Immediately after a rejection decision, coordinators of rejected proposals are informed in writing of the Commission’s decision. The letter informing them also includes an explanation of the reasons for rejection.

4.4 Reporting on the evaluation process

Following each evaluation, an overall report is prepared by the Commission and made available to the relevant programme committee. The report gives statistical details on the proposals received (for example, number, priority themes covered, categories of applicants and budget requested), on the evaluation procedure and on the experts - number, disciplines represented, nationality and gender.

5. Negotiation and Award

5.1 Negotiation of proposals

The coordinators of proposals that have not been rejected, and for which funding is available, are invited to begin negotiations. If this takes place before the Commission ranked list has been finalised, the invitation will make clear that negotiations may have to be terminated, or the negotiation mandate modified, if so required following the results of the consultation of other departments.

In addition to the ESR, the applicants may receive requests for further administrative information necessary for the preparation of a project grant agreement. The Commission may request changes to any aspect of the proposed work, possibly including modifications to the budget, in line with negotiation mandate mentioned above (section 4.1). The Commission will justify all requested changes.

The Commission may be assisted by experts during the negotiation, possibly including those involved during the evaluation stage.

Changes to the managerial and scientific aspects would cover, in particular, revisions to the proposed work resulting from the evaluation and/or other requirements of the Commission. The legal aspects would cover, in particular, review of any special clauses in the grant agreement, or conditions required for the project, and other aspects relating to the development of the final grant agreement (including date of start of project, timing of reports and other legal requirements). The financial aspects would cover negotiation of the EC contribution, up to a set maximum, the amount of the initial pre-financing, timing of reporting and payments and, if necessary, any financial security which may be requested by the Commission.

Grants may not be awarded to applicants who are, at the time of a grant award procedure, in one of the situations referred to in articles 93 and 94 of the Financial Regulations. Applicants must certify that they are not in one of the situations listed in article 93.

Any potential participant who has committed an irregularity in the implementation of any other indirect action under the Framework Programmes may be excluded from the selection procedure at any time, with due regard being given to the principle of proportionality. Any proposal that contravenes fundamental ethical principles or which does not fulfil the conditions set out in the work programme or in the call for proposals shall not be selected.²⁸

²⁸ Rules for Participation, Article 15.2

Any arrangements for merging projects are also dealt with in this phase, as well as clarifications of individual exclusion criteria. This also the time when any ethical issues (see annex A) or security considerations (see annex B) are clarified and addressed, if necessary.

If it proves impossible to reach agreement with a coordinator within a reasonable deadline that the Commission may impose on any matter covered during the negotiation stage, negotiations may be terminated and the proposal rejected by Commission decision.

The Commission may terminate negotiations if the consortium proposes to modify the project in terms of its objectives, S&T content, consortium composition or other aspects, to the extent that it becomes significantly different from the proposal that was evaluated, and, in a manner that is not in line with the negotiation mandate.

Negotiation of proposals from the reserve list may begin once it is clear that sufficient budget has become available to fund one or more of these projects. Subject to budget availability, negotiations should begin with the proposals at the top of the reserve list and should continue in the order of the final ranking.

5.2 Award of grant

If negotiations are successful (that is, once the details of the grant agreement have been finalised with the applicants and all the necessary checks carried out), the Commission completes its internal financial and legal procedures, and the procedure provided for in the Specific Programme. Once the relevant decisions have been taken, a grant for funding is awarded, by means of a formal grant agreement between the Commission, and the coordinator and the other participants.

5.3 Assistance, enquiries and redress

The Guide for Applicants will explain how applicants can seek assistance or information on any matter related to a call for proposals. Contact details will be provided for both National Contact Points, and a Commission help desk. A dedicated help desk will be provided for issues related to the Electronic Proposal Submission System.

Further, the “initial information letter” referred to under section 3.10 will indicate an address for any questions concerning the results of a particular evaluation.

The letter will also provide an address to be used if the coordinator believes there have been shortcomings in the handling of his or her proposal, and that these shortcomings have jeopardised the outcome of the evaluation process. Any such requests for redress must be raised within one month of the date of the initial information letter sent by the Commission. The co-ordinator should provide the name and identifier of the call, the proposal number (if any), name and acronym, a full description of any problems encountered.²⁹

²⁹ This internal procedure does not replace the channels applying to all Commission actions, *viz*: the Secretariat-General of the Commission for breach of the code of good administration (relations with the public); the European Ombudsman for “maladministration”; the European Court of Justice for a decision affecting a person or legal entity

An internal evaluation review committee will then be convened to examine the case. The committee's role is to ensure a coherent legal interpretation of such requests and equal treatment of applicants. It provides specialist opinions on the implementation of the evaluation process.

The committee is composed of Commission staff having the requisite expertise in legal and procedural matters, S&T content, and/or information systems, varying according to the cases it is asked to consider. It is chaired by an official from a department other than the one responsible for the call. The call-coordinator (or other designated person from the department responsible for the call) is a member of the committee.

If the committee is required to consider eligibility issues, it may seek the advice of (or co-opt members from) the eligibility review committee mentioned in section 2.5.

When evaluation issues are concerned, depending on the particular circumstances, the committee may examine the proposal, the CVs of the experts, the individual comments, consensus report and Evaluation Summary Report. The committee itself does not evaluate the proposal. If the committee it is satisfied that there has been a failing in the evaluation process, that is likely to have jeopardised the decision whether or not to fund the proposal, it may suggest a further evaluation by independent experts.

In the light of its review, the committee will recommend a course of action to the authorising officer (usually the director) responsible for the call.

In all cases, a reply will be sent to the applicant within two weeks of the date of reception of the request for redress. If a definitive reply cannot be given at that stage, the reply will indicate when such a reply will be provided.

Draft

Annexes

Ethical Review Procedures

Introduction

In order to implement Article 6 of the Framework Programme and Article 15 of the Rules for Participation, the evaluation procedure includes a check of ethical issues raised by the proposals. A ethical review of proposals involving sensitive ethical issues may take place after the evaluation and before any selection decision by the Commission.

The objective of this ethical review is to make sure that the European Union does not support research which would be contrary to fundamental ethical principles as embodied in the Decisions on the Seventh Framework Programme and Specific Programmes.

Proposals

Where appropriate and/or required by the call, proposals include a section which:

- describes the potential ethical aspects of the proposed research regarding its objectives, the methodology and the possible implications of the results
- justifies the design of the research project
- explains how the ethical requirements set out in the work programme will be fulfilled
- indicates how the proposals meets the national legal and ethical requirements of the country where the research is performed
- indicates the timing for approval by any relevant authority at national level.

The evaluation

In the first instance the experts make a check of any ethical issues raised by a proposal. During the individual evaluation, experts check whether the proposal raises specific ethical issues (such as clinical trials, use of human tissues and in particular foetal and/or embryonic tissues, use of animals and in particular non-human primates and genetically modified animals).

The experts identify those proposals which may require special attention due to the importance of the ethical issues raised and/or the inadequacy of the way the ethical issues are addressed in the proposal. The evaluation summary report should include any comments of the experts concerning ethical issues raised by the proposal.

Where appropriate, the experts examining the proposal at this stage may include experts specialised in ethical issues.

Ethical review procedure and organisation of the ethical review panel

Submission to the Ethical Review (ER) panel

The Commission may decide to submit any of the proposals proposed for funding to a specific ethical review panel. In any case, all proposals will be submitted to an ethical review panel if they involve any of the following: the use of human embryonic and/or foetal tissues; children; any persons unable to consent; and non-human primates. .

Composition of the Ethical Review (ER) panel

The ER panel is composed of experts from different disciplines such as law, sociology, psychology, philosophy and ethics, medicine, molecular biology, veterinary science with a reasonable balance of scientific and non-scientific members. The panels are transnational.

Representatives of civil society may be invited.

The experts are bound to the European Commission requirements concerning conflicts of interest and confidentiality as defined in *Annex H*.

The review phase

The experts individually read the proposals, and then meet as an ethical review panel to discuss and arrive at a consensus. The panel produces an Ethical Review report. The ethical review report includes the list of the different ethical issues, an account of the way the issues are handled by the applicants and the recommendations of the ER panel. The report is signed by the experts of the ER panel.

In case no consensus can be reached, the report reflects the opinion of the majority of the ER panel and mentions any dissenting opinion.

The Ethical Review report

The applicants are informed of the outcome of the ethical review through the ethical review report. This is sent without the signatures of the experts.

The ethical review report may indicate the need to organise a follow up review at a later stage of the project.

In its decision to fund a project the Commission takes into account the results of the ethical review. This may entail changes in the technical annex of the project grant agreement following negotiation, or in extreme cases, termination of negotiations.

Handling of sensitive RTD actions

1. Introduction

Special procedures will apply to security-related research, due to the sensitive nature of the subjects addressed, and the particular capability gaps that need to be addressed to protect Europe's citizens. RTD actions will be classified if they are considered as sensitive.

These procedures are described below. They will apply to all RTD actions support under the theme 'Security' in the specific programme 'Co-operation'. They may also apply in other parts of FP7, if sensitive security-related issues are raised.

The guiding principle is that the sensitivity of proposed RTD actions should be addressed as part of the evaluation process by the Committee members and the observers of the associated countries concerned, and not at the time of the vote³⁰ on the RTD actions in the Committee.

2. Identification of sensitive RTD Actions

A sensitive RTD action is an action that will need to handle classified information or exchange sensitive material subject to transfer or export licensing.

A "security considerations" flag will be associated with a proposal if the experts of the Commission detect or suspect any of the following conditions:

- Classified information is used as background information
- Some foreground is planned to be classified
- Export licences (or intra EU licences to transfer sensitive material) could be required for carrying the planned work

In addition to the clearly identified sensitive RTD actions, it could happen that evaluators, Commission staff, Committee members³¹ or Committee observers of associated countries identify additional proposals that should potentially be classified or could require transfer or export licences.

Whenever a "security considerations" flag is associated with a proposal, the circumstances of the planned work will be further scrutinised according to the procedure described below.

3. Classified RTD Actions

An RTD action will be EU-classified at the level of the highest classification of the documents used/produced by the RTD action.

³⁰ The vote for the adoption of the RTD actions will take place in batches after the completion of the grant agreements negotiation

³¹ For that purpose, access in the Commission's premises to proposals which are on the selection list and to their evaluation will be provided.

Proposals under the theme 'Security', (and in other cases if so requested in the Guide for Applicants), must identify the background required for carrying the RTD action and the foreground that will be produced by the action. A Security Aspect Letter (SAL) will be part of the proposal and cover

- The level of classification of background and foreground
- The requirement to have export or transfer licences
- Which participant will have access to what information
- A copy of the clearances (or clearances requests)
- A copy of export or transfer licences (or requests)

The SAL accompanied by supporting documents will allow the Committee members and/or Committee observers of associated countries to verify if all necessary security measures are well planned.

4. Scrutiny of sensitive RTD Actions

The outcome of the evaluation will be a ranked list. The Commission will inform the Committee of the outcome of the evaluation. A “selection list” will contain proposals to cover the available budget plus reserve.

Any RTD action on the selection list, which has the flag “security considerations” will be scrutinised by the Committee members from the States of the participants: the concerned Committee members and/or Committee observers of associated countries will be requested to verify if all security aspects are covered by the applicants.

This process should reach a common position between the concerned Committee members and/or Committee observers of associated countries and could result in one of the following recommendations:

- No opposition is given and the RTD action can be negotiated
- Recommendations for the negotiation are given and the negotiation will be subject to conditions
- The proposal should not be financed because the participants have not the appropriate experience, skills to handle properly the classified information, transfer and export licences. In that case, the proposal will be rejected and the Commission will update the Evaluation Summary Report accordingly to explain the reasons of rejection.

5. International cooperation

Proposals for non-classified RTD actions may entail international co-operation (i.e. participation in an RTD action of an entity from a country which is neither an EU Member State, nor a country associated to FP7). Security concerns will not be invoked as a possible reason for non-selection unless:

- The topic was described in the work programme as not open to international cooperation: in that case any proposal containing international cooperation will be declared as ineligible
- The "security considerations" flag has been raised, in which case the proposal will be scrutinised according to the procedure described above.

Coordination and support actions

Coordination and support actions

The "Coordination and support actions" funding scheme allows for two different types of actions to be financed:

- “*co-ordination (or networking) actions*”
- “*support actions*”

1) Coordination (or networking) actions:

Coordinating (or networking) actions will always have to be carried out by a consortium of participants, normally a minimum of three independent legal entities from three different countries (Member State or Associated country).

Coordination (or networking) actions cover the following:

the organisation of events - including conferences, meetings, workshops or seminars -, related studies, exchanges of personnel, exchange and dissemination of good practices, and, if necessary, the definition, organisation and management of joint or common initiatives ,together with management of the action.

2) Support actions:

Support actions may be carried out by a single participant which can be established in any Member State, Associated country or a third country.

Although normally awarded following calls for proposals, support actions can also be awarded through public procurement procedures carried out on behalf of the Community, to legal entities identified in the Specific Programmes or in the work programmes, via the appointment letters providing the honoraria for external experts, and for the provision of a Community financial contribution to a risk-bearing instrument (in particular the RSFF – EIB).

The objective of support actions is to contribute to the implementation of the Framework Programmes and the preparation of future Community research and technological development policy or the development of synergies with other policies, or to stimulate, encourage and facilitate the participation of SMEs, civil society organisations and their networks, small research teams and newly developed or remote research centres in the activities of the thematic areas of the Cooperation programme, or for setting up of research-intensive clusters across the EU regions.

Support actions can cover the following, depending on their nature:

monitoring and assessment ; conferences; seminars; studies; expert groups or individual expert appointment letters; high level scientific awards and competitions; operational support; data access, and dissemination, information and communication activities; specific services activities related to research infrastructures, such as for example transnational access ; preparatory technical work, including feasibility

studies, for the development of new infrastructures; support for cooperation with other European research schemes; or a combination of these.

Two-stage proposal submission and evaluation procedures

The call for proposals will specify when a two stage procedure applies. For this, applicants must submit first a reduced or outline proposal, which will be no longer than 20 pages (font size of 12). A lower page limit may be stipulated for certain calls. This first-stage proposal is evaluated against the criteria for this stage set out in the call.

The evaluation process for first-stage proposals is based on the process for full proposals as detailed in section 3. Reduced or outline proposals are evaluated by a minimum of 3 experts. Consensus discussions may be convened, where necessary.

For the evaluation of first-stage proposals, the consensus report may consist of a collation of the individual evaluation forms signed by each of the experts. The consensus scores for a proposal may be based on either the average scores awarded for each criterion or on the majority judgement as to whether or not each applicable threshold has been achieved. If this option is used, it will be announced in the call for proposals, along with the scoring procedure.

Coordinators of those proposals that have passed all thresholds are invited to submit a full proposal within a given period. The invitation is sent to the proposal coordinator together with the evaluation summary report on the outline proposal.

The Commission adopts a rejection decision on the outline proposals which have not passed all thresholds. Immediately after this decision, coordinators of rejected outline proposals are informed in writing of the Commission's decision and receive the evaluation summary report.

Full proposals for the second stage are submitted and evaluated according to the same procedures as for single stage proposals, as described in section 3. The scoring system applied is the same as that described for single stage proposals. Applicable criteria, thresholds and weightings for this second stage are those set out in the call.

With a view to upholding the principle of equal treatment, proposals submitted to the second stage may be excluded if they deviate substantially from the corresponding first-stage proposal.

Continuous submission schemes

Some calls for proposals may be continuously open (usually for the duration of a Specific Programme) to allow proposal submission at any time but may specify intermediate closure dates for receipt of proposals to be considered in any particular evaluation session. In this case, all proposals received before any intermediate closure date are evaluated in an evaluation session that is normally organised within a month after this date. Intermediate and final closure dates are specified in the relevant calls.

Calls may also provide that proposals are evaluated individually when they arrive before any intermediate or final closure date. They are then all reviewed and ranked after this date and evaluation results are made available immediately.

For continuously open calls, for all proposals arriving at least three weeks before each intermediate closure date, the Commission may carry out pre-proposal checks (see section 2.2.) as the proposals are received.

Where a proposal is found not to meet the call requirements or where a doubt exists over whether the proposal fulfils these requirements, the proposal coordinator is contacted by the Commission in order to request further information to verify any requirements which cannot be judged or to indicate that the proposal as submitted may not meet the call requirements.

In such instances, the proposal coordinator may withdraw the proposal or may provide additional information, before the intermediate call closure, to allow the checks to be completed. If such additional information is not received or the proposal is not withdrawn before the intermediate call closure, the proposal is evaluated as it stands. A written record of all such contacts is attached to the proposal file.

Continuously open calls may also follow a two-stage proposal submission and evaluation process. In this case, short first stage (outline) proposals may be evaluated individually as they are received and a closure date for the submission of a full proposal for the second-stage evaluation is provided for in the call.

Procedures for Proposal Submission on paper

In exceptional cases, if a proposal co-ordinator has absolutely no means of accessing the EPSS, and if it is impossible to arrange for another member of the consortium to do so, a applicant may request permission from the Commission to submit on paper. A contact address for this pupose will be given in the call for proposals. Such a request, which must clearly explain the circumstances of the case, must be received by the Commission no later than one month before the call deadline. The Commission will reply to such a request within five working days of receipt. If a derogation is granted, proposals on paper may be submitted by mail, courier or hand delivery.

If the characteristics of a certain call mean that web-based submissions would be generally inappropriate, the Commission may decide at the outset to accept paper submissions. In such cases the possibility will be stated in the call for proposals.

Unless such a general derogation is specified in the call for proposals, forms will be sent to the co-ordinator if a request for paper submission is granted.

Proposals submitted on paper must be submitted in a single package. If applicants wish to submit changes to a proposal or additional information, they must clearly indicate which parts of the proposal have changed and the changes/extra parts must be submitted and received before the call closure. Additional or amended proposal contents received after the call closure (or intermediate closure date for continuously open calls) will not be treated or evaluated.

Delivery of packages containing proposals on paper may be carried out using normal post, private courier service or by hand. Versions of proposals for indirect RTD actions submitted on a removable electronic storage medium (e.g. CD-ROM, diskette), by e-mail or by fax will be excluded.

The Commission takes no responsibility for delays caused by the postal system or courier services in the transmission of the material to prepare the paper proposal. Packages containing proposals may be opened, on arrival, by the Commission³² for the purposes of registering the administrative details in databases and to permit the return of an acknowledgement of receipt.

³² Or any contractor retained by the Commission for the purpose of providing administrative services for evaluation sessions.

Appointment letter for Independent Experts

[town], [date]

(...name of the expert...)

(...function...)

(...full address...)

APPOINTMENT LETTER

(...registration number of the letter...)

Subject : [Call Identifiers ...][*name of the programme or priority*]

Dear [Title][Name]

The [European Community][European Atomic Energy Community] represented by the European Commission would like to thank you for agreeing to assist its services as an independent expert to the evaluation sessions for proposals received in response to the above-mentioned call[s] under the [seventh framework programme of the European Community for research, technological development and demonstration activities³³] [seventh framework programme of the European Atomic Energy Community (Euratom) for nuclear research and training activities ³⁴].

Description of the work

Evaluation work includes formulating recommendations on the proposals submitted in order to gear research towards optimum achievement of the aims of the programme in line with any guidelines given by the Commission. You should act impartially, in a totally independent and confidential manner, in your personal capacity and apply to the best of your abilities your professional skills, knowledge and ethics, in accordance with the guidelines and time-schedules provided by the Commission. You should provide the Commission with any information it may request for the management of the evaluation. Evaluation work requires you to complete forms and provide comments on proposals and submit these to the Commission. In addition, you may be asked to act as a rapporteur or chairperson for consensus discussions or meetings of panels of experts.

Evaluation dates

[Option: *CENTRAL evaluation*]

³³ OJ Lref

³⁴ OJ Lref

[To this end the European Commission invites you to attend the evaluation sessions at (...address...) to be held between the dates of (...insert date...) and (...insert date...). If for some reason you are not able to attend during some or all of the days proposed, please contact the Commission's services immediately. You may not delegate or be replaced for the work described without the prior written approval of the Commission.]

[Option: REMOTE evaluation]

[To this end, you will be required to perform the evaluation work at your own home or place of work between the dates of (...insert date...) and (...insert date...). [An initial briefing session will take place at (...insert place...) on (...insert date...)] If for some reason, you are not able to undertake these duties, please contact the Commission's services immediately. You may not delegate or be replaced for the work described without the prior written approval of the Commission.

The work entrusted to you requires you to submit the appropriate evaluation forms and comments to the Commission's official whose name appears at the end of this letter [by (...insert date...)] [within (...insert number...) days after the receipt of the proposal(s) to be evaluated]. If you fail to provide all appropriate forms and comments by this date, the Commission reserves the right not to pay all or part of the lump sum payment foreseen below.]

[Option : REMOTE + CENTRAL evaluation (remote expert -who may also attend a central evaluation meeting)]

[To this end, you will be required to perform the evaluation work at your own home or place of work (remote evaluation) between the dates of (...insert date...) and (...insert date...) After completion of the remote evaluation you will be invited to attend the evaluation sessions (central evaluation) at (...address...) between the dates of (...insert date...) and (...insert date...).[An initial briefing session will take place at (...insert place...) on (...insert date...)] If for some reason you are not able to undertake these duties or attend the evaluation sessions during the days proposed, please contact the Commission's services immediately. You may not delegate or be replaced for the work described without the prior written approval of the Commission.]

The work entrusted to you requires you to submit the appropriate evaluation forms and comments to the Commission's official whose name appears at the end of this letter [by (...insert date...)] [within (...insert number...) days after the receipt of the proposal(s) to be evaluated] . If you fail to provide all appropriate forms and comments by this date, the Commission reserves the right not to pay all or part of the lump sum payment foreseen below.]

In accordance with the "Rules for Participation"³⁵, the Commission is required to avoid situations of conflict of interest regarding any matter on which you are required to give an opinion. To this end, the Commission will require you to sign a declaration

³⁵ Regulation (EC) N° of the European Parliament and the Council of ... concerning the rules for participation of undertakings, research centres and universities in, and for the dissemination of research results for the implementation of the European Community Seventh Framework Programme (2007-2013) (OJ L).
Council Regulation (Euratom) N°.... of concerning the rules for participation of undertakings, research centres and universities in the implementation of the European Atomic Energy Community (200-2013) (OJ L).

- (a) that no such conflict of interest exists at the start of your duties and
- (b) that the Commission will be immediately informed if such a situation should arise in the course of your duties.

Furthermore, you will be required to act in conformity with the code of conduct included in attachment I to the present letter, [*Option : CENTRAL evaluation*] [and to sign this appointment letter and the conflict of interest and confidentiality declaration included in attachment II to the present letter **before the start of the evaluation session.**] [*Option : REMOTE evaluation and REMOTE+ CENTRAL Evaluation*] [and to have **signed and returned** to the Commission's services this appointment letter and the conflict of interest and confidentiality declaration included in attachment II to the present letter **before you receive any proposals to be evaluated and by the first evaluation date mentioned above**]. You will undertake not to make use of and not to divulge any facts, information, knowledge, documents or other matters communicated to you or brought to your attention in the performance of the evaluation work or any results arising therefrom.

Any results obtained by you in performance of the evaluation work shall be the property of the European Community, which may use them as it sees fit, except where industrial or intellectual property rights already exist.

Payments

If you so wish, you may claim a payment of € 450 in the form of a lump sum for each full working day spent assisting the European Commission's services in their evaluation. The total reimbursement will be calculated to the nearest half day.

If you wish to claim this payment, please note that you should send your application for reimbursement of expenses form (enclosed at attachment III) together with all supporting documents relating to the expenses claimed to the Commission within no more than 60 days of the completion of your duties. If you have not submitted these documents within this period, it is presumed that no claim for payment or for reimbursement of expenses will be requested.

[*Option : CENTRAL and/or REMOTE + CENTRAL evaluation*]

[Your travel and subsistence expenses may also be reimbursed on the basis of the provisions in force within the Commission as defined in attachment V.]

[For the purpose of this appointment letter, the departure point referred to in Attachment V of the appointment letter is (*indicate address*)]

To obtain the reimbursement of your expenses, you will also be required to send to the Commission the duly completed and signed Financial Identification form and Legal entities form for individuals (Attachment IV to the present letter) together with all required supporting documents.

The maximum number of days spent assisting the Commission will not exceed :

[*Option : CENTRAL evaluation*] [(...*X full days plus Z half days* ...) for central evaluation.].

[Option : REMOTE evaluation] [(...X full days plus Z half days...) for evaluation at home or place of work] [determined in accordance with the payment schedule set out in attachment VII to the present letter].

[Option : REMOTE + CENTRAL evaluation] [(...X full days plus Z half days...) for evaluation at home or place of work] and [(...Y full days plus Z half days...) for central evaluation] [determined in accordance with the payment schedule set out in attachment VII to the present letter].

Only the number of days (calculated to the nearest half day) actually spent assisting the Commission's services will be taken into consideration by the Commission when making the final payment.

Please note that claims for expenses relate only to the travel and subsistence costs and not to equipment or other resources required for evaluation. Travel costs are reimbursed on the basis of actual expenditure and subsistence costs are based on a flat rate per diem.

[OPTION only for ICPC]

[The Commission may, at your request, pay a pre-financing (advance) equal to 40% of the estimated amount, which could be claimed by you on the completion of the evaluation work. This pre-financing will be deducted from subsequent payments. If, for whatever reason, you subsequently do not spend any days carrying out the foreseen evaluation work, it is stressed that the pre-financing paid to you must be returned immediately to the Commission. In the case where the pre-financing exceeds the amount due to you for the days actually spent in carrying out evaluation work, the part of the pre-financing not due to you must be returned immediately to the Commission.

If you wish to claim this pre-financing, please note that you should send your application for pre-financing (advance) of expenses (included in attachment VI), and sign and return by registered mail to the Commission's services this appointment letter and the conflict of interest and confidentiality declaration (included in Attachment II), at least (...insert number...) days **before the above-mentioned starting date of the evaluation session.**

Please note that, as regards all payments, these arrangements are between you and the Commission, even if you are employed by an organisation. It will be for you and your employer to come to any particular agreement concerning the final destination of any payments; the Commission will not intervene in this agreement.

Conditions

You should also note that, in accepting the provisions of this appointment letter and its attachments, you commit yourself to respect applicable national legislation (including taxation and VAT) with regard to any payments received from the Commission and with regard to social security matters and working rights. Upon request by any competent national authorities, the Commission may inform them about any payment made for the performance of your duties.

In the event of a serious failure to fulfil your obligations arising from the performance of the evaluation work or in respect of the terms of the code of conduct or the confidentiality and

conflict of interest declaration, the Commission may terminate your appointment immediately at any time without formal notice or payment of any compensation whatsoever. The termination of appointment shall become effective on the date of receipt of the notification.

The Commission reserves the right to recover any payment made and to exclude from further evaluation any expert who has breached the obligations arising from the declaration of confidentiality and conflict of interest.

The European Commission shall not under any circumstances or for any reason whatsoever be liable for damage sustained by you during the performance of the evaluation work.

The provisions of the present appointment letter, of the code of conduct and the confidentiality and conflict of interest declaration do not constitute an employment agreement and the Commission is not liable to provide you with any compensation or coverage in the event of injury or illness.

Except in the case of force majeure, you may be required to indemnify the European Commission for any damage it may sustain in the performance, poor or otherwise, of the evaluation work.

The Court of First Instance or the Court of Justice of the European Communities, as is appropriate in the specific case, shall have sole jurisdiction to hear any disputes between the Community and the expert as regards the validity, the application or any interpretation of this agreement. The law of [Belgium/Luxembourg] shall govern this agreement.

For further information relating to the performance of your work you should consult the Guide(s) for Applicants applicable to the relevant call for proposals. You may also consult the Rules on submission of proposals, and the related evaluation, selection and award procedures (...insert web address: <http://www.cordis...>

All correspondence related to the performance of your work and all documents related to the reimbursement of your travel and subsistence expenses should, if required, be sent to the following address:

(...name...)
European Commission
(...office...)
B-1049 Brussels

Yours sincerely

For the Commission:.....

Brussels,

I, the undersigned, confirm that I accept the conditions set out in the current appointment letter and its attachments.

For the expert:.....

Place, date:

Attachments to appointment letter :

1. The Code of Conduct for Independent Experts appointed as Experts, and the Conflict of Interest and Confidentiality Declaration are attached to the appointment letter, and form an integral part of the agreement with the Commission. These are given in the present Rules at annexes G and H respectively.
2. The appointment letter is also accompanied by the administrative forms relating to the reimbursement of expenses:³⁶
 - Application for reimbursement of expenses
 - Financial Identification form and Legal Entities form for individuals
 - Rules for reimbursement of expenses and Table of daily allowances
 - Application for pre-financing (advance) payment
 - (optional) [Option : REMOTE evaluation and Option : REMOTE + CENTRAL evaluation (remote evaluator who may also attend a central evaluation meeting)] Payment provisions and provisional planning

³⁶ Not attached to the present Rules

Conflict of Interest and Confidentiality Declaration

(Attached to Appointment letter)

(Please tick whichever is applicable)

I, the undersigned, confirm that I have read, understood and accepted the code of conduct for independent experts established attached to the appointment letter No. sent by the Commission related to the performance of the evaluation tasks.

In particular, I undertake to inform the Commission staff immediately if I discover any conflict of interest ("disqualifying" or "potential") with any proposal that I am asked to evaluate or which is the subject of discussion in any evaluation meeting at which I am present.

I understand that, for a given proposal being evaluated:

A disqualifying conflict of interest exists if an expert:

- Was involved in the preparation of the proposal
- Stands to benefit directly should the proposal be accepted
- Has a close family relationship with any person representing an applicant organisation in the proposal
- Is a director, trustee or partner of an applicant organisation
- Is employed by one of the applicant organisations in a proposal, and is working in the same department/laboratory/institute where the work is to be carried out, or in any other close working relationship

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

- Is employed by one of the applicant organisations in a proposal, but working in different department/laboratory/institute from the one where the work is to be carried out
- Is already involved in a contract or research collaboration with an applicant organisation
- Is in any other situation that could compromise his or her ability to evaluate the proposal impartially

I declare that I have not submitted, nor am I, to my knowledge, involved in any way in a proposal submitted for evaluation under the Call for Proposals.

I declare that my participation in the evaluation of the following proposal(s) could create a "disqualifying" or "potential" conflict of interest.

<i>Acronym</i>	<i>Title</i>	<i>Activity/topic</i>	<i>Disqualifying (D) or Potential (P). If potential, please describe the nature of the conflict</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I also declare that I will not reveal any detail of the evaluation process and its outcomes or of any proposal submitted for evaluation without the express written approval of the Commission. In case of evaluation carried out outside Commission controlled premises, I understand that I will be held personally responsible for maintaining the confidentiality of any documents or electronic files sent and for returning, erasing or destroying all confidential documents or files upon completing the evaluation, unless otherwise instructed.

Signed

Name

Date.....

**Code of Conduct for
Independent Experts Appointed as Evaluators (“experts”)**

(Attached to Appointment letter –)

1. The task of an expert is to participate in a confidential, fair and equitable evaluation of each proposal according to the procedures described in this guide and in any programme-specific evaluation document. He/she must use his/her best endeavours to achieve this, follow any instructions given by the Commission to this end and deliver a constant and high quality of work.
2. The expert works as an independent person. He/she is deemed to work in a personal capacity and, in performing the work, does not represent any organisation.
3. The independent expert must sign a declaration of conflict of interest and confidentiality before starting the work, by which he/she accepts the present Code of Conduct. Invited experts who do not sign the declaration will not be allowed to work as an expert.
4. In doing so, the expert commits him/herself to strict confidentiality and impartiality concerning his/her tasks.
5. If an expert has a direct or indirect link with a proposal, or any other vested interest, is in some way connected with a proposal, or has any other allegiance which impairs or threatens to impair his/her impartiality with respect to a proposal, he/she must declare such facts to the responsible Commission official as soon as he/she becomes aware of this.
6. In addition the expert signs a declaration at the bottom of the individual evaluation report for each proposal that he/she examines for the Commission notifying that no conflicts of interest for this particular proposal exist. The Commission ensures that, where the nature of any link is such that it could threaten the impartiality of the expert, he/she does not participate in the evaluation of that proposal, and, if necessary, competing proposals.
7. Experts may not discuss any proposal with others, including other experts or Commission officials not directly involved in the evaluation of the proposal, except during the formal discussion at the meetings moderated by or with the knowledge and agreement of the responsible Commission official.
8. Experts may not communicate with applicants, except in the case of panel hearings between experts and applicants organised by the Commission as part of the evaluation process. No proposal may be amended during the evaluation session. Experts’ advice to the Commission on any proposal may not be communicated by them to the applicants or to any other person.
9. Experts are not allowed to disclose the names of other experts participating in the evaluation. The Commission makes public lists of names of appointed experts at regular intervals without indicating which proposals they have evaluated.
10. Where it has been decided that proposals are to be posted or made available electronically to experts, who then work from their own or other suitable premises, the expert will be held personally responsible for maintaining the confidentiality of any documents or electronic files sent and returning, erasing or destroying all confidential documents or files upon completing the evaluation as instructed. In such instances, experts may seek further

information (for example through the internet, specialised databases, etc.) in order to allow them to complete their examination of the proposals, provided that the obtaining of such information respects the overall rules for confidentiality and impartiality. Experts may not show the contents of proposals or information on applicants to third parties (e.g. colleagues, students, etc.) without the express written approval of the Commission. It is strictly forbidden for experts to make contact with applicants.

11. Where the evaluation takes place in an office or building controlled by the Commission, experts are not allowed to take outside the evaluation building any parts of proposals, copies or notes, either on paper or in electronic form, relating to the evaluation of proposals. Experts may be given the possibility of seeking further information (for example through the internet, specialised databases, etc.) to allow them to complete their examination of the proposals, but they may not contact third parties without the express consent of the Commission staff supervising the evaluation.
12. Experts are required at all times to comply strictly with any rules defined by the Commission for ensuring the confidentiality of the evaluation process and its outcomes. Failure to comply with these rules may result in exclusion from the immediate and future evaluation processes, without prejudice to penalties that may derive from other applicable Regulations.

Guidelines on and Code of Conduct for Independent Observers of the evaluation process

Profile

With a view to ensuring a high degree of transparency, the Commission may appoint independent experts to act as observers of the evaluation process.

The Commission will inform the Programme committees of the choice of experts as observers, and their terms of reference.

Tasks

The task of the observers is to look at the operation of evaluation sessions from the point of view of their working and not the outcome, unless the outcome of the evaluations is a direct result of the operational aspects. For this reason, it is not necessary that the observers have expertise in the area of the proposals being evaluated. Indeed, it is considered advantageous to avoid having observers with too intimate a knowledge of the particular S&T area in order to avoid conflicts between their opinions on the outcome of the evaluations and the functioning of the sessions. In any case, they will not express views on the proposals under examination or the experts' opinions on the proposals.

The role of the observers is to give independent advice to the Commission on the conduct of the evaluation sessions, ways in which the procedures could be improved and the way in which the experts apply the evaluation criteria. The observers verify that the procedures set out or referred to in these rules are adhered to and report to the programme management on ways in which the process could be improved.

H) and to sign confidentiality agreements. They are not permitted to divulge details of the proposals, the experts assigned to examining the proposals, nor the discussions in the evaluation panels.

Reporting

The observers report their findings to the Commission. The observers are also encouraged to enter into informal discussions with the Commission officials involved in the evaluation sessions and to make observations on any possible improvements that could be put into practice immediately.

The Commission will inform the programme committee of the observers' findings and **may make** available publicly a summary of their report.

Evaluation of Proposals submitted to the ‘People’ Specific Programme and the “research potential” actions under the ‘Capacity’ Programme

1. Introduction

Proposals submitted to the ‘People’ specific programme and the “research potential” actions under the ‘Capacity’ programme, will, in general, be evaluated following the evaluation process described elsewhere in this document. However due to the wide variety and the specificity of actions within these programmes, and in view of the large number of proposals anticipated for some activities, some details of the evaluation procedure will vary from those described elsewhere in this document.

The principal differences in the proposal evaluation and selection process are summarised below.

2. Specific Rules and Procedures

(1) Two step evaluation: Procedure to pass proposals from step1 to step2

a) Two stage submission with two step evaluation

In two stage submissions the number of proposals passing to the second stage will be determined on the basis of the number of proposals that pass the thresholds for the criteria established at the first stage. In addition, for those proposals passing the thresholds, a factor, which will be determined in the work programme, will be applied as a multiple of the number of proposals that could be financed for the particular call (based on the average cost of a proposal from the previous call for the given activity). This factor establishes the number of submissions passing to the second phase and with that the cut off level. Proposals with a score passing the thresholds and with a score above this cut off level will pass to the second stage of evaluation where the full set of evaluation criteria will be applied to the second stage submission. (All proposals with identical scores at the cut off level above will pass through to the second stage of evaluation). Those proposals failing to reach the thresholds or failing to meet the cut off described above will be rejected. Thresholds and weightings to be applied in the first and second stages of evaluation, the criteria to be applied at each stage, and the multiple, will be published in the work programme.

b) Single stage submission with two step evaluation

In one stage submission with two step evaluation, proposals will be evaluated in a first step against a limited number of criteria. The number of proposals passing to the second step of the evaluation will be determined on the basis of the number of proposals that pass the thresholds. In addition, for those proposals passing the thresholds, a factor, which will be determined in the work program, will be applied as a multiple of the number of proposals that could be financed for the particular call (based on the average cost of a proposal from the previous call for the given activity). This factor establishes the number of submissions passing to the second step and with that the cut off level. Proposals with a score passing the

thresholds and in addition with a score above this cut off level will pass to the second step of evaluation where the full set of evaluation criteria will be evaluated. (All proposals with identical scores at the cut off level will pass through to the second step of evaluation). Those proposals failing to reach the thresholds or failing to meet the cut off described above will be rejected. Thresholds and weightings to be applied in the first and second steps of evaluation, the criteria to be applied at each step, and the multiple, will be published in the work program.

(2) Eligibility criteria

- In addition to the eligibility criteria described in section 2.5, Marie Curie actions have a set of eligibility criteria that are defined in the work programme.

- In the case of a single step submission with a two step evaluation, a proposal will be considered ineligible if it does not consist of one Part A, one PartB1 and one Part B2, where part B1 and part B2 have to be different.

(3) Procedure for transferring proposals between calls.

For individual and reintegration grants, if a proposal is ineligible in a call but is eligible in another open call (i.e. the submission of the proposal in the original call was made prior to the deadline of the new call), then the proposal will be transferred to that call. The transfer procedure is as follow:

- Declare the proposal ineligible in the original call.
- Obtain a new proposal number from the ESP (Evaluation Service Provider) in the new call.
- Inform the applicant of the transfer.

(4) Scores, Weightings and Thresholds

Initial scores awarded by evaluators will normally be given in a range of 0 to 5 as indicated in section 3.7. Due to the large number of proposals submitted to some activities, initial scores may be awarded with a resolution of one decimal place. After individual evaluation the evaluators may see the scores and comments of other relevant evaluators. Evaluators may revise their scores taking into account the views of other evaluators at consensus report level. The Commission records draft scores and comments as well as their evolution.

(5) Evaluation criteria.

The evaluation criteria will be defined in the work program.

(6) Comments from evaluators

Comments will be provided by evaluators for each block of criteria.

(7) Approval of individual assessments reports and consensus reports.

Evaluators may approve their individual assessment reports and consensus reports electronically.

(8) Role of Chairs and Vice chairs

In order to help with the management of the evaluation, the Commission may appoint independent experts as Chairs and Vice chairs. The role of the chairs consists of helping the panel coordinator in order to run the evaluation in the most efficient way. The role of the vice

chair consists of helping the panel coordinator and the chair person in order to run the evaluation in the most efficient way.

(9) Evaluators conflict of interest

For a given proposal, a direct conflict of interest exists if an expert:

- Is a participant in the proposal
- Shares the same employer as one or more persons involved in the proposal, and works in collaboration with them at departmental level
- Stands to benefit directly should the proposal be accepted, or not accepted.
- Has a close family relationship with one or more of the proposers.
- Was involved in the preparation of the proposal
- Is a participant in another proposal submitted under the same call, and under the same budget line

Such an expert shall not participate in that round of evaluation.

Where the above conditions do not apply, an indirect conflict of interest might exist. For a given proposal, an indirect conflict of interest exists if an expert:

- Shares the same employer as one or more persons involved in the proposal, but works in a separate department
- Is already involved in a contract or research collaboration with the proposer
- Is in any other situation that could compromise his or her ability to evaluate the proposal impartially
- Is acting as a referee of the applicant.

In such situations, the Commission will consider the circumstances of the case and decide whether the ability of the expert to evaluate impartially is compromised. It may be decided to exclude the expert in the same manner as for a direct conflict. In other cases, while an expert may not evaluate a given proposal, he or she may take part in a related final panel session. In this case, the expert shall leave the room (or electronic forum) if the panel discusses the individual case of the proposal where the indirect conflict applies.

(10) Evaluation of programmes (e.g. co-funding).

The evaluation of programmes might be undertaken by the Commission services.

(11) Remote Consensus process

Consensus scores may be derived, where appropriate, by averaging the scores of evaluators and this process may be widely applied where remote evaluation is used. Consensus reports may be prepared by a rapporteur, taking into account the views of remote evaluators and approved by, possibly electronically, at least two expert evaluators.