



**Rules on Confidentiality and on Conflicts of Interest of the Global Health EDCTP3 Joint Undertaking  
Decision N° GB 24/2022**

**Article 1**

**Scope of the Rules on Confidentiality and on Conflicts of Interest**

1. These Rules on Confidentiality and on Conflicts of Interest shall apply to the following persons:
  - (a) Members of the Governing Board and persons appointed to represent such members or their alternates;
  - (b) The Executive Director;
  - (c) Members of the Scientific Committee and the Stakeholders Group and, where applicable, persons appointed to represent such members or their alternates;
  - (d) Members of advisory or working groups set up by the Governing Board in accordance with Article 17(2)(x) of the Council Regulation Establishing the Joint Undertakings under Horizon Europe;
  - (e) Persons invited to attend meetings of the Governing Board or of any of the other bodies of the Joint Undertaking including observers;
  - (f) Staff members of the Global Health EDCTP3 Joint Undertaking;
  - (g) Other persons serving the Governing Board or the other bodies in whichever capacity.
2. The purpose of the Rules on Confidentiality and on Conflicts of Interest is to set out the rules in these matters for the Global Health EDCTP3 Joint Undertaking.
3. The Rules on Confidentiality and on Conflicts of Interest shall be read and interpreted together with, and shall apply without prejudice to, all other applicable rules, notably where relevant the Governing Board Rules of Procedure<sup>1</sup>.
4. For evaluation experts and reviewers the obligations on confidentiality and conflicts of interest as well as their expected conduct are defined in the Horizon Europe model contract for experts.

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<sup>1</sup> GB Decision No. 02/2022 of 12 January 2022

## **Article 2**

### **Confidentiality**

1. Confidential information of the Global Health EDCTP3 Joint Undertaking needs to be protected. Such confidential information includes but is not limited to personal, commercial, sensitive non-classified and classified information. A specific example of confidential information in the context of the activities of the Global Health EDCTP3 Joint Undertaking is information contained in proposals and the peer-review process for reviewing the applications.
2. Notwithstanding the provisions in the Council Regulation establishing the Joint Undertakings under Horizon Europe – hereinafter ‘the basic act’ – on transparency and publicising information, the work of the programme office, the proceedings of the Governing Board and the proceedings of the Scientific Committee shall be confidential. Certain matters clearly identified as such that are being treated by the Stakeholders Group are also confidential.
3. The agenda of the meetings of the Governing Board and the decisions made publicly available in accordance with Article 16(5) of the basic act shall respect the confidential nature of the proceedings of the Governing Board.
4. The version of the report to be made publicly available to the extent possible, in accordance with Article 21 (8) ) of the basic act and that is to be submitted by the chairperson of the Scientific Committee to the Governing Board after each meeting of the Scientific Committee, shall respect the confidential nature of the proceedings of the Scientific Committee.
5. In case reports prepared by the Stakeholders Group in accordance with Article 22(6) ) of the basic act include sensitive information, its confidential nature shall be respected in the version of the report that is to be made publicly available.
6. The persons named in Article 1 to whom these Rules on Confidentiality and on Conflict of Interest apply shall respect the confidential character of the work of the Global Health EDCTP3 Joint Undertaking and the proceedings of its bodies. They shall protect any sensitive information whose disclosure could damage the interests of the Global Health EDCTP3 Joint Undertaking, the Members of the Global Health EDCTP3 JU or of the participants in the activities of the Global Health EDCTP3 JU.

## **Article 3**

### **Definition of Conflict of Interest**

1. A conflict of interest exists where the exercise of the functions with which the person has been entrusted, whether financial or otherwise is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other direct or indirect personal interest. It is sufficient for the purpose of establishing a conflict of interest if the relevant circumstances compromise the objective and impartial exercise of their functions.
2. For the purpose of safeguarding the reputation of the Global Health EDCTP3 Joint Undertaking, an assessment of the circumstances must consider not only the concrete, established fact but also the perception of a conflict of interest. The appearance of conflict of interest can constitute a reputational risk to a Joint Undertaking, even if it is later proved to be without substance. Therefore, rules must provide sufficient weight to considerations of proportionality, specific

background and all relevant facts and mitigating circumstances. A risk of perceived conflict of interest should be treated as if it were an actual conflict.

3. In the determination of whether a circumstance meets the above criteria, due account must be given to the applicable rules including, but not limited to, the Financial Regulation, the Financial Rules applicable to the Global Health EDCTP3 Joint Undertaking, the Staff Regulations and any other applicable rules.

#### **Article 4 Expected Behaviour**

1. Persons referred to in Article 1(1) must ensure that the integrity and reputation of the Global Health EDCTP3 Joint Undertaking are safeguarded.
2. Persons referred to in Article 1(1) must ensure that their overall behaviour and actions within and beyond the strict parameters of their functions may not be interpreted as to potentially question their independence. For persons participating in meetings of the Governing Board of the Global Health EDCTP3 Joint Undertaking, whether as Member of the Governing Board, the Executive Director, or any other participant, the rules on Conflict of Interest must be read in light of the Code of Conduct (Dec. N° GB 24/2022).
3. To avoid such situation, persons referred to in Article 1(1) must refrain from involvement, influences or pressures that may affect their impartiality and objectivity or the perception thereof in their professional performance.

#### **Article 5 Interests to be declared in the declaration of interest**

1. Each individual covered by the rules on confidentiality and on conflict of interest is responsible for considering and disclosing actual or potential conflicting interests.
2. Upon appointment to one of the bodies of the Joint Undertaking, the Members and all attendees to the meetings of the relevant governance body shall sign the declaration of confidentiality and conflict of interest in Annex II. The obligation also applies to staff members of the Global Health EDCTP3 Joint Undertaking. Appointed members to one of the governance bodies, the Executive Director and staff members of the Joint Undertaking shall submit a declaration every year.
3. The interests to be declared include but are not limited to:
  - (a) Financial interest: economic stake or share in a body with an interest in the subject matter. This includes stocks, equities or bonds; intellectual property rights (royalties, patents, copyright) and any other situation that may result in financial benefit, direct or indirect, from a decision made by The Global Health EDCTP3 Joint Undertaking.
  - (b) Member of a managing body or equivalent structure: participation in the internal decision-making (board member, trustee or director) of a public or private entity with an interest in the subject matter.
  - (c) Member of a scientific advisory body: participation in the activities of a scientific advisory body (permanent or ad hoc) managed by a body with an interest in the subject matter.

- (d) Employment: any form of regular occupation or business, part-time or full-time, paid or unpaid, including self-employment (consultancy), in any body with an interest in the subject matter.
- (e) Ad hoc or occasional consultancy meaning any ad hoc or occasional activity in which the concerned person provides advice or services to a body with an interest in the subject matter. This includes services provided on an honorary basis (for free or without payment of fees).
- (f) Interests of family members and other personal involvement meaning interests in the subject matter held by partners or persons dependent on the individual submitting the declaration of interest, as well as close personal ties that may result in bias.
- (g) Other memberships or affiliations: any membership or affiliation not falling under the definitions provided above that is relevant for the purpose of this policy, to any organisation or body with an interest in the subject matter, including professional organisations.
- (h) Other relevant interests meaning any interest not falling under the definitions above and relevant for the purposes of this policy.

#### **Article 6** **Management of conflicts of interest**

1. The Governing Board, the Scientific Committee, the Stakeholders Group or the Chairperson of one of these bodies may decide to examine and take a decision on specific items of its agenda without the presence of the Members whose participation may lead to conflict of interest with regard to a particular agenda item.
2. A request for application of the preceding paragraph addressed to the Chairperson may be submitted by any Member of the concerned body no later than the day before the meeting and must be justified. The Chairperson shall present such request and the associated justification at the opening of the meeting and the concerned body will decide in accordance with Article 8.
3. During a meeting, any attendee whose participation in the work of the body leads or may lead to a conflict or potential conflict of interest with regard to a particular agenda item shall without delay inform the Chairperson who shall without delay and before any affected deliberation is taken decide on any specific measure in this respect.
4. Upon proposal by the Chairperson, the body may decide to examine such items of the agenda without the presence of the attendee concerned.
5. The Governing Board shall assess the interests declared by the Executive Director. In doing so, the Governing Board shall take into consideration the nature and context and the risk that can result from the conflict of interest. The Executive Director will be required to cease any activity and to take any action deemed necessary by the Governing Board to address the conflicting situation.
6. The Executive Director shall assess the interests declared by staff members of the Joint Undertaking. In doing so, the Executive Director shall take into consideration the nature and context and the risk that can result from the conflict of interest. Staff members shall be required to cease any activity and to take any action deemed necessary by the Governing Board to address the conflicting situation.

declarations provided in Annex I and II shall be filled in and signed. The information in these declarations shall be reviewed and the review confirmed by date and signature at least once a year. Whenever a new situation as regards Conflicts of Interest arises, the form shall be filled in and signed.

**Article 10**  
**Periodic update of these rules**

These Rules on Confidentiality and on Conflict of Interest shall be reviewed at least every three years.

**Article 11**  
**Entry into force**

These Rules on Confidentiality and on Conflicts of Interest of the Global Health EDCTP3 Joint Undertaking shall enter into force on the day of their adoption by the Governing Board.

Done at Brussels, 3 May 2022

For the Governing Board of the Global Health EDCTP3 Joint Undertaking,



Irene Norstedt  
Chairperson

7. Should the body or the Executive Director or the Global Health EDCTP3 JU become aware that a conflict of interest was not declared by a Member of a body, the Executive Director or a staff member, the body or the Executive Director – as relevant - shall decide on the appropriate measures to be taken after hearing the affected Member, participant in a meeting or staff member, as relevant.

#### **Article 7**

##### **Multiple functions**

No person covered by these Rules on Confidentiality and on Conflicts of Interest shall occupy more than one function within the Governance of the Global Health EDCTP3 Joint Undertaking. Thus, memberships in the Governing Board, Scientific Committee, and the Stakeholders Group are mutually exclusive.

#### **Article 8**

##### **Gifts or other advantages**

1. The persons covered by these Rules on Confidentiality and on Conflict of Interest shall not accept any gifts or other advantages which may or may reasonably appear to influence or otherwise affect their personal judgement or integrity in the performance of their functions or as may otherwise be perceived as influencing their objectivity or place them under undue obligation towards the donor. In any case any gifts or other advantages having a value beyond EUR 50 shall be refused. Neither shall participants solicit such gifts or other advantages.
2. The Executive Director shall be informed of any offer of gifts or other advantages given to any member of the staff of the Global Health EDCTP3 Joint Undertaking and a record shall be kept of any such gift or advantage that may have been accepted.
3. The Chairperson of the Governing Board shall be informed of any offer of gifts or other advantages given to the Members, Observers and other attendees of the meetings of the Governing Board and of the Executive Director and a record shall be kept of any such gift or advantage that may have been accepted.
4. The Chairperson of the Scientific Committee shall be informed of any offer of gifts or other advantages given to the Members, Observers and other attendees of the meetings of the Scientific Committee and a record shall be kept of any such gift or advantage that may have been accepted.
5. The Chairperson of the Stakeholders Group shall be informed of any offer of gifts or other advantages given to the Members, Observers and other attendees of the meetings of the Stakeholders Group and a record shall be kept of any such gift or advantage that may have been accepted.

#### **Article 9**

##### **Filling in and signing the forms – reviewing the form**

Any person subject to the provisions of these Rules on Confidentiality and on Conflict of Interest will be handed a copy. Receipt and acceptance of the Rules shall be confirmed by signature and the

**ANNEX I – DECLARATION OF CONFIDENTIALITY AND CONFLICT OF INTEREST FOR**

**Name:**

**Professional Address:**

**Phone:**

**E-mail:**

**Position:**

- Chairperson of the Governing Board
- Representative/lead delegate/alternate of the Commission
- Representative/lead delegate/alternate of the EDCTP Association
- Member of the Scientific Committee
- Member of the Stakeholders Group
- Executive Director
- Staff member of the Global Health EDCTP3 Joint Undertaking Programme Office
- Other (please specify)

I hereby declare to have received a copy of the Global Health EDCTP3 Joint Undertaking rules on confidentiality and conflict of interest and to have taken knowledge of the obligations for me deriving from these rules based on my position in the governance of the Global Health EDCTP3 Joint Undertaking.

I hereby undertake to act in the performance of my duties in the general interest of the Global Health EDCTP3 Joint Undertaking.

At each meeting of the \_\_\_\_\_ or, if relevant, before any decision is taken by written procedure, I shall declare any interest which might be considered to influence or bias my judgment and therefore be prejudicial to the way an item on the agenda is handled.

I undertake to ensure the confidentiality of sensitive information whose disclosure could damage the interests or the reputation of the Global Health EDCTP3 JU, the Members of the Global Health EDCTP3 JU or of the participants in the activities of the Global Health EDCTP3 JU.

I shall not disclose sensitive information learnt during the activities of the Global Health EDCTP3 JU even after my duties have ended.

Done at [place], [date]

Name and Signature

## ANNEX II – DECLARATION OF INTERESTS FOR

**Name:**

**Professional Address:**

**Phone:**

**E-mail:**

**Position:**

- Chairperson of the Governing Board
- Representative/lead delegate/alternate of the Commission
- Representative/lead delegate/alternate of the EDCTP Association
- Member of the Scientific Committee
- Member of the Stakeholders Group
- Executive Director
- Staff member of the Global Health EDCTP3 Joint Undertaking Programme Office
- Other (please specify)

do hereby declare on my honour that, to the best of my knowledge, the only direct or indirect interest(s) I have in the global health research sector is/are those listed below:

### **1 Past activities:**

*[posts held over the last 5 years in foundations or similar bodies, educational institutions, companies or other organisations (the nature of the post and the name of those bodies should also be indicated); other membership/affiliation or professional activities held over the last 3 years, including services, liberal professions, consulting activities, and relevant public statements.]*

### **2. Current activities:**

*Posts held in foundations or similar bodies, educational institutions, companies or other organisations (the nature of the post and the name of those bodies should also be indicated); other membership/affiliations or professional activities, including services, liberal profession, consulting activities, and relevant public statements.*

No current activities [..]

Current activities [ ]

### **3. Current Financial Interests**

*Above a certain minimum threshold [value of EUR 10,000], any direct financial interests, (managerial stakes in companies, including ownerships of patents or any other relevant intellectual property rights), or assets (shares and/or securities held in companies) or grants or other funding which might create a conflict of interests in the performance of their duties, with an indication of their number and value, as well as the name of the company/provider of the grant/funding.*

No interest declared [ ]

Interest(s) [ ]

**4. Any other relevant interests.**

No interest declared [ ]

Interest(s) [ ]

**5. Family Member Interest**

*Spouse's/partner's/dependent family members' current activity and financial interests that might entail a risk of conflict of interest.*

No interest declared [ ]

Interest(s) [ ]

If interest(s) declared, spouse's/partner's/dependent family members' name [..]

I confirm the information declared on this form is accurate to the best of my knowledge and I consent to my information being stored electronically by the Global Health EDCTP3 Joint Undertaking.

[For members of one of the governance bodies of the Global Health Joint Undertaking, the Executive Director or a staff member, this annual declaration is made on:]

Done at [place], [date]

Name and Signature

