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Code of Conduct

ITER Organization Code of Conduct

It is a guide in understanding how to conduct ourselves, treat others and how we should expect to be treated.

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ITER Organization Code of Conduct

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Introduction

Why a Code of Conduct?

The Code of Conduct gives guidance in matters of professional ethics to all persons employed by the ITER Organization and serves as a reference for the public with regard to the standard of conduct that third parties are entitled to expect in their dealings with the ITER Organization.

It describes the basic standards of behaviour and ethical standards that we must all set for ourselves and that we are entitled to expect from our colleagues in the work place: it is a guide in understanding how to conduct ourselves, treat others and how we should expect to be treated.

Therefore, the Code is not an exhaustive document providing answers to all ethical issues the staff members may face, nor a substitute for good judgement. Rather, it serves as a bridge between our aspirations and operational realities, and speaks to the spirit of our commitment to our Mission. The Code is also a tool to encourage discussion on ethics and to improve our response to work-related ethical dilemmas and uncertainties.

It complements existing regulations applicable to ITER staff, in particular the Articles 1 and 2 of the Staff Regulations. Its purpose is to implement an ethical policy. For example, in our work, professional ethics means:

- Eliminating unfair and disrespectful treatment of others;
- Asking questions when we are confronted with ethical issues;
- Encouraging open dialogue and discussion;
- Acknowledging, and learning from, our mistakes.

To whom does the Code apply?

The Code applies to all ITER Organization staff members (direct or seconded). Its principles are applicable in the Organization and outside its boundary.

General Principles

The Mission of the ITER Organization is to construct and operate an experimental plant that demonstrates the scientific and technological feasibility of fusion power, achieved through international collaboration.

The ITER Organization aims to provide a positive working environment that enables and encourages staff to work together in a culture of mutual support and cooperation. Within this environment, we must adhere to the essential ethical values: behave courteously and respectfully towards our colleagues and shall, at all times, maintain a conduct that is consistent with the international character of the ITER Organization.

Working at the ITER Organization imposes certain duties and obligations: we are expected to commit ourselves to the ITER Organization's objectives, to act loyally and impartially and to subscribe to the highest standards of professional ethics. Ethical behaviour encompasses the concepts of loyalty, discretion, respect and consistency.

As such, we must all behave in accordance with the ITER Organization's values which are defined as:

- Safety and security
- Excellence
- Respect
- Loyalty
- Discretion
- Accountability
- Team spirit

Standards of behaviour for the ITER Organization

The ITER Organization aims to provide a positive working environment that enables and encourages people to work together in a culture of mutual support and cooperation. Within this environment, we must adhere to the ITER Organization's values and subscribe to the highest standards of behaviour:

- **Safety & security**
 - We are committed to protecting people and the environment;
 - We integrate safety in all activities;
 - We recognize that every individual is accountable for safety in their work area;
 - We safeguard confidential information.

- **Excellence**
 - We measure ourselves against ambitious targets; we strive to achieve high quality results;
 - We attract and retain the best people;
 - We constantly improve our skills and demonstrate our professionalism.

- **Respect**
 - We are committed to diversity; we treat everyone equally, with dignity, respect, tact, and courtesy;
 - We refrain from discriminating against anyone based on the nationality, religion, culture, ethnic origin, gender, personal life, sexual orientation;
 - We respect other people's feelings and rights;
 - We recognize and acknowledge everyone's contribution;
 - We respect and protect ITER Organization's property.

- **Loyalty**
 - We are loyal to the ITER Organization and fulfill our obligations under the ITER Director-General's authority;
 - We carry out the tasks assigned to us with only the interest of the ITER Organization in view;
 - We do not seek or accept instructions in relation to the performance of our duties from any government or from any authority other than the ITER Organization;
 - When we are in the presence of third parties, we respect and defend the ITER Organization's position.

- **Discretion**
 - We refrain from any unauthorized disclosure of information we have acquired in connection with our work for the ITER Organization, unless that information has already been made public or is accessible to the public;
 - We ensure that any sensitive documents or confidential data in our possession are properly safeguarded, in accordance with the applicable ITER security policies and procedures. Such information must be treated with the utmost discretion;

We remain bound by these obligations even after the termination of our employment at the ITER Organization.

- **Accountability**

- We recognize our roles, responsibilities and goals;
- We accept authority and are accountable for the results;
- We conduct our work with honesty and openness both inside the ITER Organization and towards our stakeholders;
- We carry out the tasks assigned to us in a responsible manner and always try to avoid potential conflicts of interest;
- We abstain from any action or activity that may undermine the dignity of our position or the good name of the ITER Organization;
- We carry out the tasks assigned to us with only the interest of the ITER Organization in view and do not seek or accept instructions in regard to the performance of our duties from any government or from any authority other than the ITER Organization.

- **Team Spirit**

- We share common goals;
- We support and encourage each other;
- We share information to conduct our work;
- We develop consensus and implement decisions as a team;
- We ensure that information is effectively communicated to those who need it.

Implementation of the Code of Conduct for the ITER Organization Staff Members

1. Conduct within the ITER Organization

1.1. General principles

As Staff Members, we are expected to act with the utmost integrity in the performance of our work, to exercise good judgment and common sense in line with ethical principles and standards required by the ITER Organization. Furthermore, each of us should respect the cultural diversity among the ITER Organization staff.

The ITER Organization encourages us to be open for exchanges of information such that working together creates synergy in a positive atmosphere and optimizes the resources used by the ITER Organization.

1.2. Manager's behaviour

As managers, authority must be used in a fair and just manner. A manager, who delegates their authority to another Staff Member, remains accountable for the activity delegated. Authority cannot be used to exercise influence on staff in order to profit personally from their actions.

1.3. Behaviour towards managers

We shall carry out the task assigned to us. We shall respect the authority of our superiors and follow their instructions, unless they are illegal or breach safety standards or ITER Organization Rules and Regulations (Internal Regulations ITER_D_27WDZW). If a manager instructs us to perform an activity that we consider to be irregular, a request for the instruction to be confirmed in writing should be submitted. If the manager confirms the instruction in writing, we should perform the activity, unless the activity is manifestly illegal or constitutes a breach to the safety standards. In such cases, we should immediately inform our manager and the next responsible superior that we deem the instructed activity irregular or breaching the safety standards. It may be done orally or in writing.

In case of a serious problem with the superior, we may request advice from the designated Human Resources Officer or from a member of the Ethics Committee.

1.4. Tact and Courtesy

We are expected to maintain good interpersonal relations with our colleagues in ITER Organization.

A respectful and tolerant atmosphere is the main basis of such relations; therefore, we must provide guidance and advice to those around us to ensure that the different tasks are correctly executed.

1.5. Harassment

Regardless of our positions, we have the right to be treated with dignity and respect, and to work in an environment which fosters professional respect and courtesy. Harassment of any kind at work, or in connection with work performed on behalf of the ITER Organization, will not be tolerated.

Regardless of our grade, we share the responsibility for preventing harassment and maintaining a harmonious working environment. This implies that we shall treat each other with respect and due regard for individual dignity, so as to ensure that the workplace is free of intimidation, hostility or offensive behaviour and, in particular of any form of harassment. We must all be aware that our own cultural norms and values may not be shared by colleagues and be sensitive to misunderstandings or differences of opinion based on those differences of culture. Nevertheless this should not be used as an excuse for harassing behaviour.

Personal harassment

Personal harassment is any repeated behaviour or pattern of behaviour that is reasonably regarded as aimed at creating a hostile work environment. It can be further clarified by a repeated behaviour directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose "or" Unsolicited Words, gestures, and actions which tend to annoy, alarm and abuse another person. Personal harassment may include, but is not limited to unwelcome comments, jokes, epithets, threats, insults, name-calling, negative stereotyping and any other words and conduct that demean, stigmatize, intimidate, or single out a person because of their sex, race, colour, religion, national origin, age, disability or other legally protected status . It may be perpetrated by an individual or by a group. While an isolated incident of such behaviour may infringe the right to dignity at work, personal harassment takes the form of an accumulation of incidents, even when each incident, taken in isolation and out of context, could be seen as trivial.

Even though there may be "grey" situations, personal harassment should be distinguished from other types of behaviour that may be detrimental to another individual's working conditions, but that are manifestly unintentional. For example, the behaviour of a manager or colleague who fails to keep staff informed of important business developments as a result of poor organization would not, prima facie, be considered personal harassment. On the other hand, the behaviour of a manager or colleague who sabotages an individual employee's work by deliberately withholding information that is required to fulfil a task, and who do so repeatedly, would, prima facie, present the characteristics of personal harassment.

Sexual harassment

Sexual harassment is any sexual advance, request for sexual favour, or other type of conduct of a sexual nature, whether verbal, physical or otherwise, which is offensive and unwelcome, which interferes with work, is made a condition of employment or advancement, in other ways adversely influences, or tries to influence, the career of the person subjected to it, or which creates an intimidating, hostile or offensive environment.

ITER Organization encourages any of us who may feel harassed to follow the steps listed below:

- Do not be afraid to speak up;
- Do not assume that the behaviour will stop if you try to ignore it;
- Do not hesitate to ask for help, as harassment is neither trivial nor a personal matter between staff members.

If we witness what may be the harassment of a colleague or if someone confides in us that he/she is being harassed, do not ignore it and do not hesitate to offer your help. Some people may be reluctant to defend themselves because they are not aware of the ITER Code of Conduct, whereas even if they are aware of it, others may require support from a third party before being able to react.

Procedure to follow if we think we are harassed (personal or sexual harassment)

The first thing to do if we think we are harassed is to inform the person concerned immediately and unambiguously of the unwelcome nature of their behaviour and ask that it ceases. Some people may be unaware of the effect of their behaviour and will stop it when asked. If the person concerned fails to put a stop to such behaviour or if we feel unable to raise this concern with them or our management, we can consult one or more of the following persons on a confidential basis:

- The Occupational Doctor;
- The designated Human Resources Officer;
- The Legal Advisor;
- The Secretary of the Committee for Health and Safety;
- A member designated by the Ethics Committee.

They will meet with us privately.

Any of the people above can forward the matter to the Head of Human Resources Division. This procedure aims at determining if the allegations of harassment can be proven, assessing the facts and, when appropriate, applying sanctions in the framework of the disciplinary procedure. When appropriate, sanctions will be applied in accordance with Article 23 of the Staff Regulations.

2. Use of ITER Organization's services and facilities

We may use occasionally and within reasonable limits, the ITER Organization's services or facilities, including telephones, internet access, etc. for private purposes, provided that they are not used for illegal or improper purposes.

In the case of any suspected abuse, the Director-General may request the Administration Department to open an investigation into such use of the ITER Organization's services and facilities. If any abuse has been found, the ITER Organization may ask for reimbursing disproportionate costs that the ITER Organization has been exposed to as a result of such abuse.

3. External relations

3.1. Confidentiality

The obligation to respect the confidentiality of information that belongs to the ITER Organization, its Members and Domestic Agencies applies to our activities both outside and within the ITER Organization. We also have to respect the impartiality of the ITER Organization and to keep confidential any information we may know through our functions. If we are uncertain whether information is public or not, we consult our manager. We remain bound to this obligation even after the termination of our employment in the ITER Organization.

3.2. Conflict of interest

As stipulated in the Article 2.4 of the Staff Regulations, we shall not deal with any matter in which we have a direct or indirect personal interest that could compromise our independence.

We should avoid any situation that could lead to a potential conflict of interest. A conflict of interest is constituted by an incompatibility between our duties in the ITER Organization and our external obligations or responsibilities.

Any situation that could lead to a potential conflict of interest shall be avoided. Situations of this kind may be many and varied. They include, but are not limited to: assignment of staff to certain posts with a relative or family member to a position of authority over them, conclusion of contracts with companies related or connected to staff members dealing with these contracts in the ITER Organization, acceptance of gifts from external business contacts, combination of potentially conflicting duties such as having compromising external commercial and/or organizational interests by the staff or their very close relations (i.e. professional activities of a spouse or partner). Managerial positions should be filled by IO staff (direct or seconded) in order to, among other reasons, avoid conflict of interest.

3.3. External activities

As foreseen in articles 3.4 of the Staff Regulations, Staff Members shall obtain the prior approval of the Director-General if they wish to participate to external activities. The Staff Members must conform with Internal Administrative circular n° 20:

https://user.iter.org/?uid=3MQTXE&action=get_document

3.4. Gifts, favours, other benefits

We should not solicit or accept from any source outside the ITER Organization any advantage, direct or indirect which is in any way connected with our function at the ITER Organization without obtaining prior permission from the Director-General. It is recommended that we decline all offers that may have a real or apparent influence on our objectivity in carrying out our official duties.

The acceptance of gifts is permissible if they are infrequent and less than a negligible value (diary, calendar, simple meals, etc.). In any case, if we want to accept a gift which is not representing a negligible value and is offered by the same source more than once in a given year, we must request our manager's prior permission, thereby justifying the acceptance of such a gift.

Approval may be given to accept such gifts only if it is clearly demonstrated to be in the interests of the ITER Organization or if it is within the normal standards of courtesy, hospitality or protocol which do not compromise in any way the integrity of the ITER Organization.

3.5. Honours and decoration

We must not accept, without prior approval from the Director-General, any honour, decoration, favour. This includes honours, decorations and favours from Governments as well as from commercial firms and other entities. It is not proper, without authorization from the Director-General to accept supplementary payments or other subsidies from a Government or any other source prior to, during or after our assignment with the ITER Organization if the payment is related to that assignment.

3.6. Public or political activities

We should avoid any political activity that may compromise our duties and responsibilities – or those of other Staff Members – in the ITER Organization.

As set out in article 3.5 (a) of the Staff Regulations, “Staff members who for personal reasons wish to stand for public or political office shall inform the Director-General of this intention”.

3.7. Standing for office

If we intend to run for a public or political function, we shall inform the Director-General, as stipulated in the Article 3.5 of the Staff Regulations, by submitting our declaration of intention to stand for office to the Human Resource Division. The Director-General may decide whether, in the period up to the date of the election or appointment, to take specific measures which could include the termination of the contract when there would be an incompatibility.

3.8. Being elected or appointed

If elected or appointed to a position in a public office, we must notify the Human Resource Division without delay. Then, the Director-General will take notice of the situation, taking into consideration the interests of the ITER Organization, the importance of the public office in question, and our ability to continue to fulfil our obligations to the ITER Organization.

In the case of incompatibility of the elected position or function with the ability to fulfil our obligations in accordance with Article 3.5 of the Staff Regulations, we shall request the termination of our contract and such termination shall not carry any entitlement to loss-of-job indemnity.

3.9. Privileges and Immunities

For matters relating to private life, we are subject to national civil and criminal law, as stipulated in the Article 3.1 of the Staff Regulation “The privileges and immunities conferred on staff members are accorded in the interests of the ITER Organization and not for their personal convenience”. This includes actions which could damage the Organization’s reputation or be perceived as an abuse of the privileges and immunities of the Organization and its Staff. Accordingly, such actions may give rise to the application of disciplinary sanctions. It should be recalled that only the income we receive from the Organization is exempted from national taxes. Moreover, we should not take advantage of our fiscal status to ask for or to accept services, such as allowances, provided according to the taxable income. The ITER Organization would consider any behaviour in contradiction to these principles as a breach of its reputation.

3.10. Dealing with enquiries

ITER Organization undertakes to answer in the most appropriate manner and as quickly as possible.

- Correspondence: When replying in writing, the language of the sender should be used. If it is not possible, we will reply in English. These recommendations do not apply to correspondence, which can be regarded as improper.
- Telephone: When we answer a phone call, we will identify ourselves or our Department. We will establish the identity of the caller. When appropriate, we will request confirmation in writing of the enquiries made by phone. These recommendations do not apply to phone calls which can be regarded as improper.

Requests from media: The Communication service is responsible for dealing with media. However, we may be requested to answer to enquiries within our specific area of responsibility, subject to prior clearance from the Communication service.

If the journalist’s questions or the article concerns matters directly related to the activities of ITER Organization we should communicate about these matters honestly and openly. However, if the journalist’s question concerns our personal opinion as to the functioning or activities of IO, we must refer immediately to Communication service.

We are required to advise the communication service before delivering the communication.

4. Reporting of misconduct

We shall report any suspected illegal activity, misconduct and any violation of the ITER Organization regulations without delay to our superior. If the supervisor is unable to resolve the issue – or if the supervisor is the problem – we shall report the concerns further up in the management chain within the ITER Organization. We can also consult a member of the Ethics Committee, who will advise us on the appropriate steps to be taken.

If no suitable response is given we may report to the Director-General.

On the basis of the Code of Conduct, the Management shall consider the information reported and promptly establish if a potential fraud, abuse or actual conflict of interest exists. Where this is the case, the competent authority, in consultation with the staff member concerned, shall promptly take measures to ensure that the fraud, corruption, abuse or potential or actual conflict of interest is removed. Disciplinary measures must be taken for any failure by staff members to respect their duties or obligations (in accordance with, Articles 23, 24, and 25 of the Staff Regulations).

5. Whistle blower

It is the IO's policy that employees are able to raise serious issues and provide information to IO management, concerning violations of law, danger to health and safety, or matters involving mismanagement, gross waste of funds, or abuse of authority. As mentioned above there are a range of options available to staff members who have questions or who wish to report violations of the law or code of conduct related policies. All information obtained through the reporting channels will be followed up.

6. Ethics Committee

The Ethics Committee is responsible for overseeing the application of the Code of Conduct across the IO. It is a consultation body, composed of permanent and additional members, reflecting the diversity of IO in terms of genders, cultures, staff categories and departments. Its members can be consulted by the Staff for any clarification or question regarding the Code of Conduct.

The permanent members of the Ethics Committee are the following:

- Head of ODG
- Legal Advisor
- Director of Department for Administration
- Head of HR
- Secretary of Committee on Health and Safety
- Internal auditor

Additional members (5 to 7) nominated by Director General will be part of the Ethics Committee on a three years rotating basis in order to ensure a better representativeness of nationalities, departments and Staff categories. One additional member will be nominated by the Staff Committee.

Apart from its members being involved in specific cases/investigations, the Ethics Committee will meet on a regular basis twice a year for general matters regarding the monitoring of the Code of Conduct. It will issue a yearly activity report.