



Европейски парламент Parlamento Europeo Evropský parlament Europa-Parlamentet Europäisches Parlament
Euroopa Parlament Ευρωπαϊκό Κοινοβούλιο European Parliament Parlement européen Parlaimint na hEorpa
Europski parlament Parlamento europeo Eiropas Parlaments Europos Parlamentas Európai Parlament
Parlament Ewropew Europees Parlement Parliament Europejski Parlamento Europeu Parlamentul European
Európsky parlament Evropski parlament Euroopan parlamentti Europaparlamentet

Directorate-General for Parliamentary Research Services
Directorate B - Library
Comparative Law Library Unit

Call for expressions of interest EPRS/COLL/SER/16/004/CEI

To compile a list of legal experts for the provision of independent external expertise

1. GENERAL INFORMATION, AIM AND OBJECTIVES

- 1.1. The European Parliament is issuing a call for expressions of interest to compile a list of experts to provide, in a timely manner, an independent and on-hand external expertise in various Law branches and methodologies in the field of Comparative Law.

The expertise shall be delivered in the various forms as described in point 4.

- 1.2. Applicants are invited to apply for one or several of the following Law branches (to be specified by the applicant in Annex I):

- Law branch 1: Administrative Law
- Law branch 2: Civil Law
- Law branch 3: Commercial Law
- Law branch 4: Comparative Law
- Law branch 5: Constitutional Law
- Law branch 6: Criminal Law
- Law branch 7: International Law
- Law branch 8: European Union Law
- Law branch 9: Methodologies of Comparative Law and Horizontal Issues;

- 1.3. The list of experts shall be valid **five years from the date of publication in the Official Journal** and may be used during this period whenever the European Parliament deems it appropriate.
- 1.4. This call is exclusively addressed to experts with legal experience as specified in paragraph 5. Furthermore, it is **exclusively addressed to natural persons** (and not to legal persons, such as companies or universities).
- 1.5. Please note that the list drawn up on the basis of this call does not imply any obligation on the part of the European Parliament to award a service contract (by the use of an order form) to the successful applicants.
- 1.6. Please find enclosed the documents relating to this call, providing the information required for the possible submission of an application.

2. SUBMISSION OF APPLICATIONS

2.1. This call for expressions of interest must be read in conjunction with its annexes, which are either to be filled in by the applicant or provided for information purposes.

- The annexes to be filled in are: Annex I (Application Form), Annex II (Declaration on Honour) and Annex III (Financial Identification Form);
- The annexes provided for information purposes are: Annex IV (Information on the European Parliament's environmental policy), Annex V (Layout model) and Annex VI (Draft Order Form).

2.2. If you are interested in taking part in this call for expressions of interest, please submit your application - to be drafted in English or French- **by e-mail**, following the structure set out in the Application Form (Annex I), to the following address:

EPRS-COLL-CEI@ep.europa.eu

Please indicate the following information in the subject of your e-mail:

EPRS/COLL/SER/16/004/CEI (*family name*)

You are required to send a scanned pdf version of the original documents duly completed and signed.

2.3. Interested experts may submit their applications at any point in time until three months before the list expires. It is, however, recommended that applications be submitted as early as possible.

2.4. **Applications must:**

- **contain all relevant documents**, in particular the completed Application Form (Annex I), Declaration on Honour (Annex II) and Financial Identification Form (Annex III). The format of both these forms must be retained, and they must be perfectly legible so as to preclude any doubt whatsoever as to the wording and numbers given. They should therefore be filled in electronically.
- **be signed** by the applicant. The **Financial Identification Form (Annex III)** must bear the **stamp of the relevant bank** as well as the **signature of the bank's representative**. If the applicant is unable to obtain this stamp and signature (in the case of online banks, for example), a recent bank account statement clearly indicating both the account holder and bank account number must be attached to the Financial Identification Form.

2.5. The European Parliament reserves the right to reject any incomplete or illegible application.

2.6. Expenses incurred in connection with preparing and submitting the application shall be borne by applicants and shall not be reimbursed.

2.7. Applicants will be informed of the decision taken on their application.

2.8. **Subcontracting is not permitted.**

3. ACCEPTANCE OF TERMS AND CONDITIONS

Submission of an application implies acceptance of the terms and conditions laid down in this call for expressions of interest and all the annexes thereto.

4. FORMS OF EXPERTISE AND REMUNERATION

4.1. Expertise is likely to be requested on a wide range of subjects and in various forms. Without prejudice to particular specifications agreed for a specific assignment, which will be enclosed with the request

sent to the expert selected (see Paragraph 5.2), the volumes, deadlines and remuneration for the various forms of expertise are set out in the table below:

| | TYPE OF EXPERTISE | VOLUME¹ | DEADLINE² | PRICE |
|------------|--|---|-----------------------------|--------------|
| I | Briefing notes | 11-25 pages | 3 weeks | EUR 4 000 |
| II | Briefing notes | 26-50 pages | 5 weeks | EUR 6 000 |
| III | Briefing notes | 51-80 pages | 8 weeks | EUR 9 000 |
| IV | Peer Review reports of studies of up to 80 pages | 5-10 pages | 1 week | EUR 1 000 |
| V | Peer Review reports of studies of more than 80 pages | 11-20 pages | 2 weeks | EUR 2 000 |
| VI | Participation in Expert Panel | Panel discussion in Brussels, Luxembourg, or Strasbourg | | EUR 1 000 |

4.2. Travel reimbursement for journeys to Brussels, Luxembourg, or Strasbourg - on presentation of travel documents

Experts can be requested to come to Brussels, Luxembourg, or Strasbourg to participate in an expert panel or otherwise for a meeting with the European Parliament's services and/or for a personal presentation of a briefing note, for example, in the context of a committee meeting, policy workshop or Comparative Law roundtable.

In this case, they are entitled to the reimbursement of their travel and accommodation expenses. Reimbursement conditions are as follows:

- up to a maximum of economy class air fare, incl. all reservation costs;
- first class rail fare, incl. all reservation costs;
- first class ticket for journeys necessitating travel by sea or river, incl. all reservation costs;
- first class rail fare applies where the expert uses his or her car;
- a flat rate allowance of EUR 50 to cover travel costs between the usual residence/office address and the nearest airport/railway station.

Travel expenses will be reimbursed on the basis of the shortest route between the usual residence/office address and the European Parliament (for both legs of the journey).

Reimbursement will solely be made upon presentation of original tickets and boarding passes, including e-tickets and e-boarding passes. A declaration of honour must be submitted if travelling by private car.

Daily allowance

Each person requested to come to Brussels, Luxembourg, or Strasbourg shall be entitled to:

¹ Excluding any tables, maps, graphics, bibliography and annexes. Indicated page numbers refer to the expected minimum size of reviews, notes and studies.

² These deadlines are indicative; the actual deadline will be specified in the contract (order form).

- EUR 75 for the day of the meeting, to cover all miscellaneous expenses, or
- EUR 200 if one overnight stay is necessary at the venue of the meeting (**on presentation of the original hotel bill to be attached to the request for reimbursement**). In this case, the person is entitled to the allowance for the night preceding the meeting that starts in the morning or for the night following a meeting that takes place in the afternoon.

The terms set in indents 4.2 and 4.3 are established following the EP's Bureau decision of 18 June 2003, last amended by the EP's Bureau decision of 16 June 2014. Should the decision be further modified, the corresponding amounts in the mentioned-indents shall be updated accordingly.

4.3. No additional travel and accommodation expenses will be reimbursed.

4.4. The maximum total amount to be paid to each expert for the duration of validity of the list is set in accordance with Article 118 and Article 204 of the Financial Regulation³, Article 170 and 287 of the Rules of Application of the Financial Regulation⁴ and Commission Regulation (EU) No 1336/2013 of 13 December 2013 amending Directive 2004/18/EC.⁵

4.5. The European Parliament, as a European Union institution, is exempt from all duties and indirect taxes, in particular VAT, pursuant to Article 3 of the Protocol on the privileges and immunities of the European Union⁶. That exemption is granted to the European Parliament by the governments of the Member States, either in the form of *a posteriori* reimbursement on the basis of supporting documents, or in the form of direct exemption. It follows, therefore, that the remunerations must be exempted from VAT. Applicants shall be responsible for ensuring that they meet all their obligations with regard to taxation.

5. SELECTION PROCEDURE FOR COMPILING THE LIST OF EXPERTS

5.1. Exclusion criteria

Experts must declare on their honour that they do not fall under the exclusion criteria (Annex II). Only duly completed applications signed (Annex I) by the expert and containing all required documents will be taken into consideration.

5.2. Selection criteria

Experts shall be selected for the list on the basis of their professional and technical ability to carry out the tasks described in this document. In order to be placed on this list of experts by the European Parliament, the applicant shall:

- have a sound academic or professional background, with proven experience in research, preferably certified by a PhD degree in Law. He/she must have at least **four years' professional experience** in such research, including at least two years clearly related to the legal branch in question;
- have a **record of publications in the legal branch in question**;
- have achieved academic or professional **distinction** in research and writing in the branches relevant to this call for expression of interest (evidence, for example, in membership of research networks, awards, research projects, presentations at conferences, etc.);
- have an **excellent command** of one of the languages mentioned in Article 55 (1) of the Treaty on

³ Regulation (EU, Euratom) [No 966/2012](#) of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union, as last amended by Regulation (EU, Euratom) No 2015/1929 ([OJ L 286, 30.10.2015](#)).

⁴ Commission Delegated Regulation (EU) [No 1268/2012](#) of 29 October 2012.

⁵ Commission Regulation (EU) No 1336/2013 of 13 December 2013 amending Directive 2004/18/EC (OJ L 335, 14.12.2013).

⁶ See consolidated versions of the Treaties (OJ C 326, 26.10. 2012, p. 266).

the European Union, or **Arabic, Japanese or Chinese**. Moreover, for operational reasons **an excellent written command of English or French is required**;

- have the **economic and financial capacity** to provide the services set out in this document (cf. the declaration in point 3 of the Application Form).

5.3. Documents required

Applicants must provide evidence of their ability, skills, experience and competence for performing the work by means of:

- a **motivation letter** of no more than two pages (max. 500 words), in which the applicant sets out on his/her reasons for applying and the principal reasons why he or she should be admitted;
- a full **curriculum vitae** specifying academic qualifications and background, relevant expertise and experience, and knowledge of languages, as well as, in annex, a copy of the most relevant certificates, namely university degrees and language diplomas. Following the basic structure of the Europass template, the curriculum vitae should be organized as follows: personal information, work experience, education and training, level(s) of (foreign) language competence, personal skills and competences (with scientific/academic relevance), additional information pertinent for this call for expression of interest (e.g. ongoing or planned research projects, awards received, etc.);
- a full **record of publications** on subjects relevant to this call for expression of interest, differentiating between general publications and texts published in peer-reviewed journals and/or monographs accepted for publication after a similar review process.

Any error, voluntary or involuntary, regarding data or pieces of justification, shall imply the automatic exclusion of the candidate, at any stage of the selection process.

- 5.4 Applicants should note that providing all the required documents *per se* does not give them any legal entitlement to be placed on the list of experts. The evaluation of applications and the ultimate decision on their acceptance lies exclusively with the European Parliament.

6. CONVOCATION OF EXPERTS

- 6.1. The European Parliament shall ensure that expertise is commissioned in a fair manner with a rotation of experts on the list based on the applicants' professional profiles. Whilst maintaining the principle of selecting the most qualified experts, the European Parliament shall seek to obtain a balance in accordance with the principles of non-discrimination, equal treatment and absence of conflict of interest.
- 6.2. Whenever the European Parliament wishes to purchase the services indicated in paragraph 4, the relevant department shall send a **request by electronic mail** to the expert selected, specifying the terms and conditions of performance, as well as a draft order form. Within 1 week following the date on which the email request is sent, the expert shall respond to the electronic mail by declaring his/her availability to take up the task, thereby accepting all the conditions. In the event of failure to observe the **deadline of one week**, the expert shall be considered not to be in a position to fulfil the order form.
- 6.3. The European Parliament reserves the right to ask the contractor to confirm that he/she is still in the same situation with regard to the exclusion and selection criteria as when he/she submitted the application as well as to request the sending of the original Application Form and Financial Identification Form.
- 6.4. Following receipt of the expert's acceptance to provide the services, the order form (see Annex II) shall enter into force on the date it is signed by the European Parliament. The period allowed for performance of the task(s) set shall start as of the same date. As an exception to the rule, the contracting parties can agree to different deadlines than those outlined in the table under paragraph 4.1.

7. ESSENTIAL REQUIREMENTS FOR WRITTEN EXPERTISE

7.1. Academic standards

Contractors shall undertake to perform the tasks assigned to them in accordance with the **highest professional standards** and to observe the **utmost academic integrity** throughout the process (data, research, analysis, presentation, etc.). The standards to be respected include the following:

- Existing work within the relevant scientific community shall be taken into account as broadly as possible, including research that challenges the contractors' own results. Contradictory findings shall not be excluded at the outset.
- All material from the work of others which is used for the assignment, such as data, information, ideas, concepts, methodologies, quotes and literature must be clearly identified and referenced at the appropriate point in the text by way of a systematic referencing system. These works must be attributable to their original authors. Where the texts referred to are available on the Internet the clickable links should be provided, if possible. A complete bibliography, and where applicable, a list of persons/organisations interviewed, is essential, if compatible with the requested size of the briefing; a bibliography can be added as an annex to the briefing.
- The above-mentioned referencing system shall preferably be the **Harvard system**⁷.
- Factual accuracy shall be ensured. Contractors have a responsibility to present their results fully without omission, misrepresentation or deception. The most recently available information and data shall always be included.
- The contractor should bear in mind that the study must stand up to scrutiny in a political context and that even small factual errors, imprecise or ambiguous wordings or an unclear, inaccurate or incomplete stating of sources and references may jeopardise the credibility of the expertise as a whole.
- Contractors should remain aware of the limitations of the research method, including a consciousness of the impact of their own views and opinions which may predetermine an outcome. The uncertainty inherent in any scientific result should be reflected in the findings and conclusions.

7.2. Language, linguistic and typographical quality standards, proofreading

- Unless otherwise specified, written expertise should be supplied in **English or French**.
- Clarity and the highest quality of language shall be ensured, *inter alia* to avoid misinterpretations and misunderstandings in a multilingual environment.
- All written contributions should be drafted in concise, non-technical language, allowing Members of the European Parliament to readily gain an overview of the specific subject, independent of their prior knowledge. The written contributions should contain clear findings and recommendations destined for decision-makers. They must be clear, comprehensive and comprehensible to non-specialists. The expert is thus expected not only to be able to work across relevant disciplines, but also to present even complex information in an accessible manner.
- Before submitting the written expertise to the European Parliament, the contractor must carry out **an in-depth editorial review**, including **high-quality proof-reading** by a native speaker, to guarantee the highest linguistic and typographical quality standards.
- After delivery, written expertise will undergo internal evaluation by the European Parliament's research services, including computer-assisted plagiarism detection, and may also be subject to external (peer) review.

⁷

In the Harvard system, references are cited in the text using the author's surname and year of publication, (Barrett, 1991) and the bibliography is printed in alphabetical order. Where an author has two or more publications cited from the same year, they should be listed as a, b, and so on, for example (Barrett, 1991 a).

7.3. Drafting and layout rules

- The contractor shall follow the drafting and layout rules as defined in an **MS Word Template** (see Annex V). The use of that template, which defines all formats used for the various parts of a briefing note, is mandatory for the preparation of each specific requested expertise.
- For the preparation of bibliographies, as well as for acronyms, abbreviations, statistical symbols, units of measurement, countries, territories and currencies, punctuation in figures and all other issues which are not dealt with in the above-mentioned template, the provisions of the **Interinstitutional style guide**⁸ shall be followed.
- All data used for the production of charts should be provided in **MS Excel sheets** for editing purposes.
- Further drafting and layout rules may be defined at a later stage in the terms of reference for the respective requested expertise.

8. ESSENTIAL REQUIREMENTS FOR PRESENTATIONS AND EXPERT PANELS

- If requested by the European Parliament, the contractor shall give an oral presentation of the requested expertise at the European Parliament in Brussels, Luxembourg, or Strasbourg. This oral presentation may be delivered in the official EU language requested by the European Parliament. The same applies for participating in an expert panel.
- A **PowerPoint presentation** or similar visual aids may be required of the expert in order to visualise his/her oral presentation. Where PowerPoint slides are used, they should be provided in the official language requested by the European Parliament.
- A discussion with the Members of a Committee in the format of a question-and-answer session may take place after that presentation. The total duration and the date of such a session shall be defined by the European Parliament.

9. COPYRIGHT

The Contractor shall undertake to cede to the European Parliament, in full, the copyright on the expertise, in accordance with the provisions of copyright legislation, and in particular full or partial publication and distribution rights in whatever form.

10. DUTY TO PROVIDE INFORMATION/CONFLICT OF INTEREST

Upon each request from the European Parliament, the expert must notify the European Parliament's administration of any previous services performed for national and international public or private entities, including European Institutions and Agencies, in the past five years, in the area which is the subject matter of the request.

When fulfilling his/her responsibilities, the contractor must be fully **independent of other commitments**. Therefore, when carrying out each specific expertise:

- the expert shall not be affected by any conflict of interest, within the context of a specific request, arising in particular from any economic interests, from political or national associations, from family or other personal links, or from any other relationships or common interests;
- there shall be no professional or financial constraints on the expert's availability to carry out the

⁸ <http://publications.europa.eu/code/en/en-000100.htm>

required assignments, or that would compromise the impartiality of the advice given.

The expert must notify the European Parliament without delay if the above situation changes, particularly in such a way as to compromise the independent nature of the advice.

The expert may be required to sign a statement on the absence of conflicts of interest before carrying out a specific expertise assignment.

11. ENVIRONMENTAL ASPECTS

Applicants shall undertake to comply scrupulously with the environmental legislation in force in the field of the contract, should it be awarded to them. It should be noted in this connection that the European Parliament applies the EMAS environmental management system. Information about EMAS is provided by the authorising department in Annex IV to this call for expressions of interest.

12. DATA PROTECTION

The follow-up to your response to this call for expressions of interest entails the registration and processing of personal data (e.g. name, address, CV). Any personal data included in the contract shall be processed pursuant to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. They shall be processed solely for the purposes of the performance, management and follow-up of the contract by the European Parliament's Directorate-General for Parliamentary Research Services, Directorate B: Comparative Law Library Unit, without prejudice to their possible transmission to the bodies charged with a monitoring or inspection task in conformity with European Union law. The applicant shall have the right of access to his personal data and the right to rectify any such data.

Should the applicant have any queries concerning the **processing of his personal data**, he should address them to:

Mr Joseph DUNNE, Director
Directorate General for Parliamentary Research Services
Directorate B
EPRS/COLL/SER/16/004/CEI
(Office **ASP 06D052**)
Rue Wiertz 60, B-1047 Brussels

The applicant shall have right of recourse at any time to the European Data Protection Supervisor. For transparency purposes, the European Parliament may publish on its website the names of experts to which it has awarded orders.

Joseph DUNNE
Authorising Officer by Sub-delegation

Annexes:

- I. Application Form (to be completed by the applicant)
- II. Declaration on Honour
- III. Financial Identification Form (to be completed by the applicant's bank)
- IV. Information on the European Parliament's Environmental Policy
- V. Layout Model
- VI. Draft Order Form